

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 9 December 2015
at 6:32PM



PRESENT

Councillors Russell (Chairman), Anisse, Azizi, Browne, Cox, Gallagher, Hutchence, Singh and Tilbury.

NATIONAL ANTHEM

OPENING PRAYER

Reverend Ann Hogan, from Hornsby Uniting Church, opened the meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairman:

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

ABORIGINAL RECOGNITION

Statement by the Chairman:

"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairman:

"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR HUTCHENCE, THAT the apology and request for leave of absence from Councillor Berman in respect of an inability to attend the General Meeting on 9 December 2015 be accepted and leave of absence be granted.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairman:

“In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight’s agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.

If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight’s agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council’s Code of Conduct.”

DECLARATIONS OF INTEREST

COUNCILLOR ANISSE declared a significant non-pecuniary interest in relation to Item 16 – PL97/15 South Dural Planning Proposal. Refer to that Item for details.

CONFIRMATION OF MINUTES

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR HUTCHENCE,

THAT the Minutes of the General Meeting held on Wednesday 11 November 2015 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

Nil

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

THE MAYOR ANNOUNCED his intention to deal with the balance of the Business Paper by the exception method and announced the items.

Items 10, 11, 13, 14, 15, 16, 17, 18 and 22 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT the recommendations in respect of Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 19, 20, 21, 23, 24, 25, 26 and 28 be adopted.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

Note: Item 27 was called over and noted.

For the sake of clarity, the above items are recorded in Agenda sequence.

Note: Persons wishing to address Council on matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.

GENERAL BUSINESS

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

1 CS50/15 Licence Renewal to Northern Archers of Sydney Inc. - Pennant Hills Park (R45012), 21X Britannia Street, Pennant Hills

(F2004/09485)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,

THAT:

1. Council agree to grant Northern Archers a non-exclusive ten year licence plus a ten year option to renew its existing sports facility on the subject land located within Pennant Hills Park (R45012), 21X Britannia Street, Pennant Hills, in accordance with the terms outlined in Deputy General Manager's Report No. CS50/15.
2. The Acting General Manager be authorised to negotiate the detailed terms and conditions of the licence agreement and to execute any documents in relation to the licence, as deemed appropriate by Council's legal advisers.
3. Council authorise the use of its Seal on the licence, or on any legal or other documents directly related to the licence to Northern Archers, of its existing sporting facilities on the

subject land located within Pennant Hills Park (R45012), 21X Britannia Street, Pennant Hills, as deemed appropriate by Council's legal advisers.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

2 CS49/15 Investments and Borrowings for 2015/16 - Status for Period Ending 31 October 2015

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT the contents of Deputy General Manager's Report No. CS49/15 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

3 CS47/15 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2015/00355)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Council note the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

4 CS48/15 Outstanding Council Resolutions - Period Until 31 August 2015

(F2005/00112)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT the contents of Deputy General Manager's Report No. CS48/15 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

5 EH26/15 Community Donations Program

(F2013/00283)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Council assist unsuccessful applicants to identify alternative funding opportunities for their programs.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

6 EH27/15 Catchments Remediation Rate (CRR) Annual Expenditure Report 2014/2015

(F2005/00829-02)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT the contents of Group Manager's Report No. EH27/15 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

PLANNING DIVISION

7 PL72/15 Development Application - Five Storey Residential Flat Building Comprising 55 Units - 23 and 25 Forest Grove, Epping

(DA/304/2015)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Development Application No. DA/304/2015 for demolition of existing structures and construction of a five storey residential flat building comprising 55 units and basement car parking at Lots A and B DP 397621, Nos. 23 and 25 Forest Grove, Epping be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL72/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**8 PL85/15 Development Application - Five Storey Residential Flat Building
Comprising 34 Units - 433-437 Pacific Highway, Asquith**

(DA/956/2014)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,
THAT Development Application No. DA/956/2014 for demolition of existing structures and erection of
a five storey residential flat building comprising 34 units with basement car parking at Lot 18 DP
12901, Lot 1 DP 121868 and Lot 20 DP 662750, Nos. 433-437 Pacific Highway, Asquith be approved
as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and
Assessment Act 1979 subject to the conditions of consent detailed in Schedule 1 of Group Manager's
Report No. PL85/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**9 PL100/15 Development Application - Five Storey Residential Flat Building
Comprising 30 Units - 9 and 11 Crandon Road, Epping**

(DA/1608/2014)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,
THAT Council assume the concurrence of the Secretary of the Department of Planning and
Environment pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 to vary the height
of building development standard and approve Development Application No. DA/1608/2014 for
demolition of existing structures and construction of a five storey residential flat building comprising 30
units at Lot 28 DP 15049 and Lot 1 DP 780054, Nos. 9 and 11 Crandon Road, Epping subject to the
conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL100/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

10 PL95/15 Development Application - Construction of Eight Multi Dwelling Housing Dwellings - 8 Galston Road, Hornsby

(DA/298/2015)

Mr Brian Hinchey, of Hornsby, addressed Council regarding this item.

Mr Andrew Minto, of Thornleigh, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR ANISSE, seconded by COUNCILLOR TILBURY,
THAT Development Application No. DA/298/2015 for demolition of existing structures and construction of eight multi dwelling houses with basement car parking at Lot 1 DP 1003444, No. 8 Galston Road, Hornsby be approved as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL95/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

11 PL14/15 Development Application - Child Care Centre - 19 Morshead Avenue, Carlingford

(DA/1475/2014)

Mr Charles Holland, of Carlingford, addressed Council regarding this item.

Mr Fady Atta, the applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE,

THAT Development Application No. DA/1475/2014 for construction of a 28 place purpose built child care centre at Lot 13 DP 28993, No. 19 Morshead Avenue, Carlingford be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL14/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

12 PL98/15 Development Application - Boundary Adjustment - 43 Myson Drive, Cherrybrook

(DA/1227/2015)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,

THAT Council assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 and approve Development Application No. DA/1227/2015 for amendment to the boundaries of two existing Strata allotments at SP 50700, No. 43 Myson Drive, Cherrybrook subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL98/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

13 PL92/15 Further Report - Development Application - Two, Three Storey Residential Flat Buildings - 6-12 Maida Road, Epping

(DA/982/2014)

Ms Catherine Allen, of Epping, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Development Application No. DA/982/2014 for demolition of existing structures and construction of two, three storey residential flat buildings comprising 60 units with basement car parking at Lot A DP 314102, Lot C DP 314102, Lots 5-6 DP 9693, Nos. 6-12 Maida Road, Epping be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL92/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

14 PL96/15 Further Report - Development Application - Multi-Purpose Courts and Carpark - 130, 130A, 130X, 132 and 132A Boundary Road, North Epping

(DA/1566/2014)

Mr Robin King, of North Epping, addressed Council regarding this item.

Mr Peter Buckley, on behalf of Epping Scout Group, addressed Council regarding this item.

Ms Gaye Braiding, of North Epping, addressed Council regarding this item.

Ms Penny King, of North Epping, addressed Council regarding this item.

Mr David Creelman, of North Epping, addressed Council regarding this item.

Miss Teresa Pulley, on behalf of Epping Scout Group, addressed Council regarding this item.

Mr Peter Michie, of North Epping, addressed Council regarding this item.

Mr Justin Bell, on behalf of Epping Scout Group, addressed Council regarding this item.

Mr Gerard O'Donoghue, of North Epping, addressed Council regarding this item.

Miss Grace Michie, of North Epping, addressed Council regarding this item.

Ms Helen Armson, on behalf of North Epping Rangers, addressed Council regarding this item.

Mr Bill Daley, on behalf of North Epping Bowling and Community Club Ltd, addressed Council regarding this item.

Mrs Karen Michie, on behalf of North Epping Rangers, addressed Council regarding this item.

Mr Tom Maitland, of North Epping, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR COX,

THAT:

1. Development Application No. DA/1566/2014 for addition of a multi-purpose court facility adjoining the North Epping Bowling Club and carpark upgrade at Lots 913, 1034, 1070 and 1073 DP 752053 and Lot 7304 DP 1131925 Nos. 130, 130A, 130X, 132 and 132A Boundary Road, North Epping be approved in accordance with the recommendation of the independent consultant's report and the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL96/15 as amended as follows:
 - a) The hours of use identified in Condition No. 50 a) i) are to be amended to 3:30pm to 8:30pm.
 - b) The hours of use identified in Condition 50 a) ii) are to be amended to 5.30pm to 9.00pm.
 - c) The hours of use identified in condition 50 a) iii) are to be amended to 8.00am to 8.00pm Monday to Saturday and 9.00am to 6.00pm on Sundays.
2. The Deputy General Manager, Infrastructure and Recreation be authorised to write to the Department of Primary Industries – Lands seeking demolition of the former vacant Scout Hall on Lot 913 D.P. 752053.
3. The Deputy General Manager, Infrastructure and Recreation be authorised to schedule the sealing of Lot 913 D.P. 752053 and the remainder of the car park area known as Lot 7304 D.P. 1131925 that services the local Scout and Girl Guides groups on Lot 1070 D.P. 752053
4. Until such time as the sealing works identified in recommendation 3 above are completed, appropriate maintenance works be undertaken to ensure that the existing gravel car park area is generally in a safe condition.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

15 PL93/15 Brooklyn Improvement Master Plan - Community and Agency Reference Groups

Ms Elizabeth Braybrooks, of Cattai, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR HUTCHENCE,

THAT:

1. Subject to the addition of Mr Peter McNamee of Tyrone Corp Pty Ltd and Mrs Cindy Corkery, Council endorse the individuals named in Table 1 – Expressions of Interest – Community Reference Group detailed within Group Manager’s Report No. PL93/15 as representatives on the Brooklyn Improvement Master Plan Community Reference Group and invite each to participate.
2. Subject to the addition of Transport for NSW, Council endorse the State Agencies named in Table 2 – Agency Reference Group detailed within Group Manager’s Report No. PL93/15 as representatives on the Agency Reference Group.
3. All community organisations, groups, individuals and Agencies identified in Table 1 and Table 2 be advised of Council’s resolution.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

16 PL97/15 South Dural Planning Proposal

(PP/1/2013)

Note: Councillor Anisse declared a significant non-pecuniary interest in this Item under Clause 51A of Council’s Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of the interest was stated by Councillor Anisse on the Declaration of Interest form as “Family owned property at 245 New Line Road, Dural which is within South Dural Precinct.” Councillor Anisse was not present at, or in sight of, the meeting when the Item was being discussed or voted on.

Mrs Patricia Clay, of Round Corner, Dural, addressed Council regarding this item.

Mr Andrew Bristow, of Dural, addressed Council regarding this item.

Mr Brian Ash, on behalf of Pennant Hills Civic Trust, addressed Council regarding this item.

Mr Vince Del Gallego, of Cherrybrook, addressed Council regarding this item.

Mr Ben Barrera, of Castle Hill, addressed Council regarding this item.

Ms Michelle Welsh, of Glenhaven/Dural, addressed Council regarding this item.

Mr Julian Miller, of Dural, addressed Council regarding this item.

Mr John Inshaw, on behalf of Galston Area Residents Association, addressed Council regarding this item.

Mr David Sentinella, on behalf of Hornsby Ku-ring-gai Greens, addressed Council regarding this item.

Mrs Maria Del Gallego, of Cherrybrook, addressed Council regarding this item.

Mr Ben Dodwell, the applicant, addressed Council regarding this item.

Mr Rick Alloggia, on behalf of the South Dural Residents and Ratepayers Group, addressed Council regarding this item.

Mr Sam Haddad, of St Leonards, addressed Council regarding this item.

Mr Raymond Sloss, of Cherrybrook, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR HUTCHENCE,

THAT Council:

1. Authorise the Acting General Manager to execute the Funding Agreement attached to Group Manager's Report No. PL97/15 to secure the cost of Council resources throughout the Planning Proposal process.
2. Endorse the formation of a Control Group to prepare and submit to Council the necessary technical studies, precinct plan, business plan and infrastructure strategy for review by Council.
3. Write to the Department of Planning and Environment to request an extension of the Gateway Determination for a further 24 months.
4. Write to the proponent advising that Council's ongoing support for the Planning Proposal is conditional upon securing the commitment of the NSW Government to funding its share of costs associated with the upgrade of State Road Network and other supporting infrastructure to support the Planning Proposal.
5. Authorise the Acting General Manager to finalise tender specifications and proceed to tender for a consultant to peer review submitted information.

FOR: COUNCILLORS AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

17 PL94/15 Planning Proposal - After Exhibition - Property No. 10 Pembroke Street, Epping

(F2015/00227)

Mr William Greenhalgh, of Castle Hill, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE,

THAT:

1. Council forward the Planning Proposal attached to Group Manager's Report No. PL94/15 to

the Minister for Planning with a request that the plan be finalised.

2. The submitters be advised of Council's resolution.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**18 PL74/15 Planning Proposal - Rezoning of Property Nos. 7-9 Alexandria Parade,
Waitara**

(PP/5/2015)

Mr Robert McGuinness, the applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR
HUTCHENCE,

THAT:

1. Council not proceed with the Planning Proposal to rezone property Nos. 7-9 Alexandria Parade, Waitara to R3 Medium Density Residential to permit seniors housing, for the following reasons:

1.1 The Proposal is inconsistent with Council's endorsed housing and employment strategies

1.2 The Proposal is inconsistent with the R3 Medium Density Residential zone objectives

1.3 Consideration of the Proposal prior to the release of the North District Plan and Council's Waitara Floorspace Review is not appropriate

1.4 State Environmental Planning Policy (Housing for Seniors or People with a Disability 2004) already provides for the housing format in other urban zones

1.5 The Proposal would not facilitate a built form that would comply with Council's controls

1.6 The Proposal would also permit a range of inappropriate uses, including a residential flat building

1.7 The Proposal rezoning does not deliver a public benefit.

2. The proponent and submitters be advised of Council's resolution.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

(F2013/00250)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Council adopt the recommendations contained in the table in Group Manager's Report No. PL101/15 in respect of each of the current policies and codes under the jurisdiction of the Planning Division.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

20 IR37/15 Investigation of the Need to Replace Epping Aquatic Centre

(F2004/08950-03)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT:

1. The report titled 'Investigation of the Need to Replace Epping Aquatic Centre' attached to Deputy General Manager's Report No. IR37/15 be received and noted.
2. The identification of further steps and budget requirements in planning a new aquatic facility at Epping be addressed in a report to the 10 February 2016 General Meeting.
3. The report titled 'Investigation of the Need to Replace Epping Aquatic Centre' be placed on Council's website and a communication strategy be prepared outlining key findings.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

21 IR36/15 Further Report - Epping Town Centre Public Domain Guidelines

(F2014/00343)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE, THAT Council adopt the amended Epping Town Centre Public Domain Guidelines contained in Deputy General Manager's Report No. IR36/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

22 IR40/15 Request to Remove Tree - 4A Sutherland Road, Cheltenham

(TA/620/2015)

Mr Rajaratham Premachandram, the applicant, addressed Council regarding this item.

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE,

THAT Council refuse the request to remove the Quercus palustris (Pin Oak) located on the western property boundary of 4a Sutherland Road, Cheltenham.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

23 IR38/15 Tender T25/2015: Plumbing Services

(F2015/00352)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,

THAT Council accept the tenders of Dolphin Plumbing, TJ Matthews Plumbing Services Pty Ltd, Spray Alive Irrigation Consultancy Pty Ltd and Watermatic Irrigation for Tender T25/2015: Plumbing Services for the works set out in Table 1 to Deputy General Manager's Report No. IR38/15.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

24 IR35/15 Tender RFT26/2015 - Sportsground Lighting at Hayes Oval, Galston Oval - Stage 2

(F2015/00358)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,

THAT:

1. Council accept the tender from Premier Lighting and Electrical in respect of Request for

Tender RFT26/2015 - Sportsground Lighting at Hayes Oval, Galston - Stage 2.

2. The price be made public upon formal acceptance of the Tender.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

CONFIDENTIAL ITEMS

25 CS52/15 Expressions of Interest - Council Properties - Pembroke Street, Epping

This report was deemed confidential under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

(F2014/00499-02)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,

THAT:

1. Council invite tenders for the purchase of 8-10 Pembroke Street, Epping and Chambers Court including the buy-back of community facilities from short-listed respondents to Expressions of Interest as detailed in Confidential Deputy General Manager's Report No. CS52/15.
2. Council confirm its commitment to maintaining community and public recreation facilities within 8-10 Pembroke Street, Epping and a communication strategy be prepared in respect to Council's proposals for "Pembroke Street Park".
3. The results of the Tender process be reported to a meeting of Council for determination.
4. A Planning Proposal be prepared to amend the Hornsby Local Environment Plan 2013 to rezone Lot 1 DP 946027 from RE1 Public Recreation to B2 Local Centre, reclassify the property as "Operational Land" and to permit ground floor community facilities as part of a mixed use residential flat building.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

26 CS51/15 Proposed Disposal of Operational Land Being Former Road Widening Land at Asquith

This report was deemed confidential under Section 10A (2) (c) of the Local Government

Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

(F2015/00342)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,
THAT Council:

1. Approve the sale of two lots identified within Confidential Deputy General Manager's Report No. CS51/15 in accordance with the terms of sale outlined in Confidential Deputy General Manager's Report No. CS51/15.
2. Authorise the Acting General Manager to use reasonable discretion to negotiate the detailed terms and conditions of the sale agreement, generally in accordance with the salient terms of sale outlined in Confidential Deputy General Manager's Report No. CS51/15 and to execute documents in relation to the sale, as deemed appropriate by Council's legal advisers.
3. Authorise the use of its Seal on the Contract for the Sale of Land, Transfer or any legal or other documents related to the sale of the properties identified within Confidential Deputy General Manager's Report No. CS51/15, as deemed appropriate by Council's legal advisers.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

28 IR42/15 Purchase of Land at Westleigh for Public Recreation

This report was deemed confidential under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

(F2015/00456)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR ANISSE,
THAT:

1. Council approve the purchase of proposed Lot 101 in a subdivision of Lot 1 DP 583127 Quarter Sessions Road, Westleigh and delegate to the Acting General Manager power to conclude the final terms and conditions for the purchase at the price detailed in Confidential Deputy General Manager's Report No. IR42/15.
2. Council authorise the use of Council's Seal for the purpose of the Contract for purchase of the property and other associated documents as are deemed appropriate by Council's Solicitor.
3. On completion of the acquisition, the property be classified as "Community Land" pursuant to

Section 31 of the Local Government Act, 1993.

4. A Sports Plan be developed during early 2016 through community engagement to determine the preferred facilities to be developed at the property and to review the use of existing facilities at other nearby parks and sportsgrounds.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, COX, GALLAGHER, HUTCHENCE,
RUSSELL, SINGH AND TILBURY

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Nil

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

27 MN12/15 Mayor's Notes from 1 to 30 November 2015

(F2004/07053)

Sunday 1 November 2015 – The Mayor attended the Our Lady of the Rosary Country Fair hosted by Our Lady of the Rosary School in Waitara.

Friday 6 November 2015 – The Mayor attended the 2015 Hornsby Emerging Artist Exhibition at Wallarobba Arts and Culture Centre.

Friday 6 November 2015 – The Mayor attended the Studio Artes Wild West Ball at Hornsby RSL Club.

Saturday 7 November 2015 – The Mayor attended the 2015 Northern Suburbs Football Association President's Dinner at Killara Golf Club.

Tuesday 10 November 2015 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Tuesday 10 November 2015 – The Mayor attended the 2015 Young Business Mind Awards at Dural Country Club.

Wednesday 11 November 2015 – The Mayor attended the Hornsby RSL Sub-Branch's Remembrance Day Ceremony at Hornsby Cenotaph.

Friday 13 November 2015 – The Mayor officially opened the Quilt and Craft Show at St Paul's Anglican Church, Wahroonga.

Monday 16 November 2015 – On behalf of the Mayor, Councillor Cox attended the Rotary Club of Epping John William Langston Epping Memorial Scholarship Dinner at the Boronia Grove Function Centre in Epping.

Tuesday 17 November 2015 – The Mayor attended the launch of the Kmart 28th Annual Wishing Tree at Westfield Hornsby.

Tuesday 17 November 2015 – The Mayor attended the Ceramics Exhibition Opening Night at the Northern Sydney Institute of TAFE, Hornsby Campus.

Friday 20 November 2015 – The Mayor attended the Triple H 100.1 Awards Lunch at Asquith Golf Club.

Friday 20 November 2015 – The Mayor attended the Let's Light Westside event in the Council Chambers Courtyard.

Friday 20 November 2015 – On behalf of the Mayor, Councillor Browne attended the Hornsby Woodworking Men's Shed Christmas Party at Thornleigh.

Saturday 21 November 2015 – The Mayor attended the Hornsby Art Prize Award Night at Wallarobba Arts and Cultural Centre.

Thursday 26 November 2015 – The Mayor gave a talk on "Our Built Environment" to students at Asquith Public School.

Thursday 26 November 2015 – The Mayor attended the 2015 Ku-ring-gai High School Visual Arts Exhibition at the School.

Friday 27 November 2015 – The Mayor attended the opening night of the 2015 C3 Church Carlingford Art on Loftus Exhibition at Pennant Hills.

Saturday 28 November 2015 – The Mayor attended the 2015 Bushcare Christmas Party at Berowra.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 10.50pm.

These Minutes were confirmed at the meeting held on Wednesday 10 February 2016, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 9 December 2015

ACTING GENERAL MANAGER

CHAIRMAN