

## **MINUTES OF GENERAL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 13 April 2016  
at 6:34PM



## **PRESENT**

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

## **NATIONAL ANTHEM**

## **OPENING PRAYER**

Pastor Andrew Maxwell, from Asquith Church of Christ, 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 TILBURY, seconded by COUNCILLOR BERMAN, THAT the apologies and requests for leave of absence from Councillors Azizi and Singh in respect of an inability to attend the General Meeting on 13 April 2016 be accepted and leave of absence be granted.

FOR: COUNCILLORS ANISSE, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL 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 less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR BROWNE declared a less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR COX declared a less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR HUTCHENCE declared a less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR RUSSELL declared a less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR TILBURY declared a less than significant non-pecuniary interest in relation to Item 6 – PL24/16 Development Application – Extension of an Existing Vehicle Sales Premises – Section 82A Review – 2-10 Central Avenue, Thornleigh. Refer to that Item for details.

COUNCILLOR ANISSE declared a less than significant non-pecuniary interest in relation to Item 8 – PL21/16 Planning Proposal for Property Nos. 2-18 Epping Road, 2-4 Forest Grove and 725 Blaxland Road, Epping. Refer to that Item for details.

COUNCILLOR ANISSE declared a pecuniary interest in relation to Item 9 – PL20/16 Planning Proposal – Property Nos. 268-278 New Line Road, Dural. Refer to that Item for details.

COUNCILLOR BERMAN declared a less than significant non-pecuniary interest in relation to Item 9 – PL20/16 Planning Proposal – Property Nos. 268-278 New Line Road, Dural. Refer to that Item for details.

COUNCILLOR BROWNE declared a less than significant non-pecuniary interest in relation to Item 9 – PL20/16 Planning Proposal – Property Nos. 268-278 New Line Road, Dural. Refer to that Item for details.

COUNCILLOR RUSSELL declared a less than significant non-pecuniary interest in relation to Item 9 – PL20/16 Planning Proposal – Property Nos. 268-278 New Line Road, Dural. Refer to that Item for details.

### **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the General Meeting held on Wednesday 9 March 2016 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

### **PETITIONS**

Nil

### **PRESENTATIONS**

The Mayor presented an Encouragement Certificate to Samraat Mann of Gosford High School for the extensive work he had undertaken on his Geography Assignment about the liveability of Hornsby Shire.

### **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 1, 4, 5, 6, 7, 9, 11, 12 and 16 were withdrawn for discussion.

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

THAT the recommendations in respect of Items 2, 3, 8, 10 and 13 be adopted.

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

AGAINST: NIL

Item 14 was called over and noted.

Item 15 was withdrawn by Councillor Tilbury. Refer to that Item for details.

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 CS8/16 Operational Plan (including Budget and Fees and Charges) for 2016/17  
- Adoption of Draft Documents for Public Exhibition**

**(F2015/00473)**

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

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

1. Council adopt for public exhibition and make available for public comment from 14 April to 13 May 2016, the draft Operational Plan 2016/17 which includes the draft Budget, Fees and Charges and Rating Structure for 2016/17.
2. Council note that the rating information contained in the draft Operational Plan 2016/17 is in line with the Independent Pricing and Regulatory Tribunal's rate increase approval for NSW councils (i.e. a 1.8% rate increase for 2016/17).
3. Following the public exhibition period and before 30 June 2016, a further report be prepared for Council's consideration which provides details of any submissions received and recommends the adoption of a final Operational Plan 2016/17, including the Budget, Fees and Charges and Rating Structure for that year.

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

AGAINST: NIL

**2 CS7/16 Investments and Borrowings for 2015/16 - Status for Period Ending 29 February 2016**

**(F2004/06987-02)**

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

THAT the contents of Deputy General Manager's Report No. CS7/16 be received and noted.

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

AGAINST: NIL

**3 CS6/16 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons**

**(F2015/00355)**

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

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, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL AND TILBURY

AGAINST: NIL

**ENVIRONMENT AND HUMAN SERVICES DIVISION**

Nil

**PLANNING DIVISION**

**4 PL25/16 Development Application - Three Residential Flat Buildings Comprising 99 Units - 2-8 Hazlewood Place, Epping**

**(DA/364/2015)**

Mr Andrew Christie, of Epping, addressed Council regarding this item.

Mr Ning Wang, of Epping, addressed Council regarding this item.

Mr Allan Caladine, on behalf of the applicant, addressed Council regarding this item.

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

THAT Development Application No. DA/364/2015 for demolition of existing structures and construction of three, five storey residential flat buildings comprising 99 units with basement car parking at Lots 12, 13, 14 and 15 DP 28934, Nos. 2-8 Hazlewood Place, Epping be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL25/16.

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

AGAINST: NIL

**5 PL5/16 Development Application - Five Storey Residential Flat Buildings  
Comprising 44 Units - 554-558 Pacific Highway, Mount Colah**

**(DA/1521/2014)**

Mr Leonard Heaton, of Mount Colah, addressed Council regarding this item.

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

THAT Council delegate authority to the General Manager to 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 building height development standard and approve Development Application No. DA/1521/2014 for demolition of existing structures and construction of two, five storey residential flat buildings comprising 44 units at Lot 6 DP 20511, Lot 7 DP 20511, Lot 8 DP 20511, Nos. 554, 556, 558 Pacific Highway, Mount Colah as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 generally in accordance with the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL5/16, subject to final concurrence conditions from Sydney Trains and the following additional condition of consent:

1. A finger median shall be installed along the Pacific Highway in proximity to the approved driveway, to restrict access into the site to left in and left out only, subject to the approval of Roads and Maritime Services.

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

AGAINST: NIL

**6 PL24/16 Development Application - Extension of an Existing Vehicle Sales  
Premises - Section 82A Review - 2-10 Central Avenue, Thornleigh**

**(DA/619/2015)**

Note: Councillor Anisse declared a less than 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 "The proponent/applicant is a member of the same political party." and the explanation of why the interest does not require further action in the circumstances was "The applicant has only engaged with me in respect to this application. I have not met him before nor was our party affiliation raised as part of any of our discussions."

Note: Councillor Browne declared a less than 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 Browne on the Declaration of Interest form as "A person associated with this application is a member of the same organisation that I am a member." and the explanation of why the interest does not require further action in the circumstances was "Not personally known to me. Will not have an impact on my decision."

Note: Councillor Cox declared a less than 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 Cox on the Declaration of Interest form as "The applicant is a member of an organisation of which I am also a member." and the explanation of why the interest does not require further action in the circumstances was "It has no bearing on the decision making process."

Note: Councillor Hutchence declared a less than 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 Hutchence on the Declaration of Interest form as "I have had representations from an individual who is a member of an organisation I am also a member of." and the explanation of why the interest does not require further action in the circumstances was "I do not know the individual and the membership of the organisation has no bearing on the decision making process."

Note: Councillor Russell declared a less than 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 Russell on the Declaration of Interest form as "I am a member of an organisation to which the applicant is also a member." and the explanation of why the interest does not require further action in the circumstances was "He is known to me from his representations only."

Note: Councillor Tilbury declared a less than 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 Tilbury on the Declaration of Interest form as "The applicant is known to me and a member of the Liberal Party in a local branch. I am also a member of the Liberal Party in a different branch." and the explanation of why the interest does not require further action in the circumstances was "It will have no impact on how I will consider or vote on the matter."

Mr Ian Creak, the applicant, addressed Council regarding this item.

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



THAT Council uphold its decision to refuse Development Application No. DA/619/2015 for the extension of an existing vehicle sales premises at SP 35561, Nos. 2-10 Central Avenue Thornleigh, for the reasons detailed in Schedule 1 of Group Manager's Report No. PL24/16 as amended by Late Item Memo No. LM2/16.

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

AGAINST: COUNCILLOR BERMAN

**7 PL10/16 Development Application - Subdivision Two Lots Into Eight Lots - Nos. 75-77 Bellamy Street, Pennant Hills**

**(DA/963/2015)**

Mr Anthony McBride, of Pennant Hills, addressed Council regarding this item.

Mr Peter Pratt, of Pennant Hills, addressed Council regarding this item.

Mr Matthew Kissane, of Pennant Hills, addressed Council regarding this item.

Ms Margaret Walker, of Pennant Hills, addressed Council regarding this item.

Mr William Bailey, of Pennant Hills, addressed Council regarding this item.

Mrs Johanna Mestanza, of Pennant Hills, addressed Council regarding this item.

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

THAT consideration of Development Application No. DA/963/2015 for demolition of existing structures and community title subdivision of two allotments into eight lots at Lot 22 DP 841114, Lot B DP 411312 Nos. 75-77 Bellamy Street, Pennant Hills be deferred to allow for an onsite meeting involving available Councillors, the applicant and affected residents as needed to better observe and understand the impacts of the proposed subdivision on the environment, traffic and safety issues and impacts on neighbouring properties.

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

AGAINST: NIL

**8 PL21/16 Planning Proposal for Property Nos. 2-18 Epping Road, 2-4 Forest Grove and 725 Blaxland Road, Epping**

**(PP/9/2015)**

Note: Councillor Anisse declared a less than 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 "Employee of Parramatta City Council." and the explanation of why the interest does not require

further action in the circumstances was “Not an item/area which impacts the nature of my role at Parramatta City Council.”

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

THAT:

1. Council not proceed with the Planning Proposal and Voluntary Planning Agreement Letter of Offer, (refer TRIM Document No. D06917467), for the following reasons:
  - 1.1 The proposed urban plaza is inconsistent with the adopted strategy for the Epping Town Centre;
  - 1.2 The bulk and scale of the development concept requires substantial review to address the preferred location of the dedication land and to optimise solar access to Forest Park;
  - 1.3 Additional traffic assessment is required to consider the cumulative impact of development; and
  - 1.4 The proposed public facilities and monetary contribution do not provide a public benefit commensurate with the proposed intensity of development.
2. The proponent be invited to resubmit the proposal subject to addressing the issues raised by Council and consideration of the development concept and DCP controls by Council's Design Excellence Panel.
3. The proponent and submitters be advised of Council's resolution.

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

AGAINST: NIL

**9 PL20/16 Planning Proposal - Property Nos. 268-278 New Line Road, Dural**

**(PP/6/2015)**

Note: Councillor Anisse declared a pecuniary interest in this Item under Clause 52 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 property located across the road.” Councillor Anisse was not present at, or in sight of, the meeting when the Item was being discussed or voted on.

Note: Councillor Berman declared a less than 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 Berman on the Declaration of Interest form as “An interested party is known to me.” and the explanation of why the interest does not require further action in the circumstances was “I felt leaving the Chambers for the item was sufficient.” Councillor Berman was not present at, or in sight of, the meeting when the Item was being discussed or voted

on.

Note: Councillor Browne declared a less than 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 Browne on the Declaration of Interest form as "Persons associated with this application are members of the same organisation that I am a member." and the explanation of why the interest does not require further action in the circumstances was "Will not have an impact on the decision I am required to make."

Note: Councillor Russell declared a less than 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 Russell on the Declaration of Interest form as "I am a member of an organisation to which one of the applicants also belongs." and the explanation of why the interest does not require further action in the circumstances was "He is known to me through the above organisation however whilst I have known this person for many years he has always understood that I will always and have always followed proper planning process."

Ms Judy Pope, on behalf of Dural and Round Corner Chamber of Commerce, addressed Council regarding this item.

Mrs Beverley Inshaw, of Galston, addressed Council regarding this item.

Mr John Inshaw, of Galston, addressed Council regarding this item.

Mr Gavin Duane, on behalf of the applicant, addressed Council regarding this item.

Mr David Ryan, on behalf of the applicant, addressed Council regarding this item.

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

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

1. Council forward the Planning Proposal, (refer TRIM Document No. D06902688) to the Department of Planning and Environment seeking a conditional Gateway Determination that requires the proponent to submit prior to exhibition:
  - 1.1. An updated Economic and Employment Land Assessment that establishes demand for retail and employment floorspace arising from the estimated future population of the South Dural Planning Proposal;
  - 1.2. An updated traffic assessment that considers the future traffic movements arising from the South Dural Planning Proposal; and
  - 1.3. A Voluntary Planning Agreement that secures the provision of traffic facilities as offered by the proponent.
2. The General Manager be authorised to endorse the redrafting of the Planning Proposal into the required format under Council's cover for Gateway Determination.
3. Council write to the proponent advising that Council's ongoing support for the Planning Proposal is conditional upon the progression of the South Dural Planning Proposal which requires the commitment of the NSW Government to fund its share of costs associated with

the upgrade of the State Road Network.

4. Submitters be advised of Council's resolution.

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

AGAINST: NIL

**10 PL18/16 RFT27/2015 - Brooklyn Improvement Master Plan**

**(F2015/00382)**

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

THAT:

1. Council not accept any tender and negotiate with Elton Consulting and McGregor Coxall to arrive at a lump sum tender price.
2. Council decline to invite fresh tenders or seek fresh applications from tenderers or persons expressing interest in the contract for the following reasons:
  - a) Council has tested the market for the project and further tendering or fresh applications are not likely to produce a better result.
  - b) Timing constraints do not unduly delay the project.
3. Unsuccessful tenderers be advised of Council's resolution.
4. Subject to the conclusion of successful negotiations, a further report be prepared for Council's consideration which includes a recommendation in respect of the acceptance of a tender for the preparation of the Brooklyn Improvement Master Plan.

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

AGAINST: NIL

**INFRASTRUCTURE AND RECREATION DIVISION**

**11 IR8/16 Request to Remove Tree - 132 Beecroft Road, Beecroft**

**(TA/574/2014)**

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

THAT consideration of Deputy General Manager's Report No. IR8/16 – Request to Remove Tree – 132 Beecroft Road, Beecroft - be deferred until the 11 May 2016 General Meeting to allow the

applicant to attend the Meeting and address Council about the matter.

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

AGAINST: NIL

**12 IR9/16 Request to Remove Tree - 27 Denman Parade, Normanhurst**

**(TA/508/2015)**

Mr Antonio Lupacchini, the applicant, addressed Council regarding this item.

Mr Kyle Hill, on behalf of the applicant, addressed Council regarding this item.

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

THAT consideration of Deputy General Manager's Report No. IR9/16 – Request to Remove Tree – 27 Denman Parade, Normanhurst – be deferred to allow for an onsite meeting involving the applicant, available Councillors, any appropriate Council officers and/or consultant arborists to allow a better understanding of the impacts and health of the tree and opportunities for revegetation should approval be granted at a future time.

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

AGAINST: NIL

**CONFIDENTIAL ITEMS**

**13 CS10/16 Proposed Sale of Council Property at Hornsby**

*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.*

**(F2015/00489)**

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

THAT Council:

1. Approve the sale of the subject property identified within Confidential Deputy General Manager's Report No. CS10/16 in accordance with option 5, the time limit, the essential terms

of sale and the sale process outlined in the Report.

2. Approve the allocation of the proceeds of the sale to the specific purchase of property identified within Confidential Deputy General Manager's Report No. CS10/16, subject to a future report to Council and resolution of Council for purchase, or alternatively to the embellishment and addition of public parking around the Hornsby Town Centre.
3. Authorise the Acting General Manager to use reasonable discretion to determine and negotiate the essential, desirable and detailed terms and conditions of the sale agreement, and to execute documents in relation to the sale, as deemed appropriate by Council's legal advisers.
4. 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. CS10/16, as deemed appropriate by Council's legal advisers.

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

AGAINST: NIL

#### **PUBLIC FORUM – NON AGENDA ITEMS**

Nil

#### **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

#### **MAYOR'S NOTES**

**14 MN4/16 Mayor's Notes from 1 to 31 March 2016**

**(F2004/07053)**

Friday 4 March 2016 – The Mayor attended the Asquith Boys High School Clean Up celebrating 25 years of Schools Clean Up Day at the School.

Saturday 5 March 2016 – The Mayor attended 1<sup>st</sup> Cherrybrook Scout Group's 'Movies under the Stars' at Cherrybrook.

Saturday 5 March 2016 – On behalf of the Mayor, Councillor Singh attended the 2016 Global Organisation of People of Indian Origin (GOPIO) Young Achievers Award Night at Roselea Community Centre, Carlingford.

Tuesday 8 March 2016 – The Mayor attended the Hornsby Ku-ring-gai Women's Shelter Inaugural International Women's Day Breakfast at St Ives Shopping Village.

Tuesday 8 March 2016 – On behalf of the Mayor, Councillor Browne attended the Westleigh Progress

Association Meeting at Thornleigh West Public School.

Friday 11 March 2016 – The Mayor attended the Asquith Girls' High School International Women's Day Breakfast at the School.

Saturday 12 March 2016 – The Mayor attended Hornsby North Public School Autumn Fair at the School.

Saturday 12 March 2016 – The Mayor officially opened the new Tennis Shelters outside Courts 3 and 4 at Westleigh Tennis Club.

Tuesday 15 March 2016 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Wednesday 16 March 2016 – On behalf of the Mayor, Deputy Mayor Councillor Hutchence attended the official reopening of Lober House at ARV Castle Hill.

Saturday 19 March 2016 – On behalf of the Mayor, Councillor Singh attended the Harmony Day High Tea Fundraising Event organised by Rabia Rasul, student at Mount St Benedict College, at Careflight Operations Base Westmead.

Saturday 19 March 2016 – On behalf of the Mayor, Deputy Mayor Councillor Hutchence attended the Pennant Hills Senior AFL Club Season Launch at Pennant Hills Bowling Club.

Tuesday 22 March 2016 – The Mayor attended the Iranian Senior Women's Association Norooz and Harmony Day Celebrations at Pennant Hills Baptist Church.

CALLED OVER AND NOTED

## NOTICES OF MOTION

### 15            **NOM1/16    Storey Park Community Centre Cafe**

**(F2015/00187)**

Note: NOM1/16 – Storey Park Community Centre Café was withdrawn by Councillor Tilbury and was not considered by Council. The subject matter of Notice of Motion No. NOM1/16 was included in the discussions about Item 16 – NOM2/16 Storey Park Community Centre Redevelopment.

### 16            **NOM2/16    Storey Park Community Centre Redevelopment**

**(F2015/00187)**

Mrs Mariko Smith, of Mount Colah, addressed Council regarding this item.

Ms Kim Mullins, of Hornsby, addressed Council regarding this item.

Mr Eric Foster, of Asquith, addressed Council regarding this item.

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

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

THAT:

1. Council authorise the lodging of a development application and construction certificate for redeveloped community facilities at Storey Park including a village scale multipurpose community centre, car park and children's playground.
2. Concurrently, Council embark on a rigorous Expression of Interest (EOI) market testing process to determine the interest in the operation of a café on the site. The EOI process should include but not be limited to financial criteria as well as the quality and experience of the interested parties.
3. In the event the EOI process demonstrates that a café at Storey Park is viable, Council seek to amend the DA for the project to include a café.

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

AGAINST: NIL

**MATTERS OF URGENCY**

Nil

**QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 10.28pm.

These Minutes were confirmed at the meeting held on Wednesday 11 May 2016, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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