

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 3 APRIL 2007

Present: The Mayor, Councillor N Ebbeck (Chairperson) (Wahroonga Ward)
Councillors A Andrew & E Malicki (Comenarra Ward)
Councillor I Cross (Wahroonga Ward)
Councillor T Hall (St Ives Ward)
Councillors M Lane & A Ryan (Gordon Ward)
Councillors M Shelley & J Anderson (Roseville Ward)

Staff Present: Acting General Manager (Steven Head)
Acting Director Finance & Business (John Clark)
Director Development & Regulation (Michael Miocic)
Director Technical Services (Greg Piconi)
Manager Sustainability & Natural Environments (Peter Davies)
Director Community Services (Janice Bevan)
Senior Governance Officer (Geoff O'Rourke)
Minutes Secretary (Christina Randall-Smith)

The Meeting commenced at 7.03pm

The Mayor offered the Prayer

95 APOLOGIES

File: S02194

Councillor L Bennett tendered an apology for non-attendance [illness] and requested leave of absence.

Resolved:

(Moved: Councillors Malicki/Lane)

That the apology by Councillor L Bennett for non-attendance be accepted and leave of absence be granted.

CARRIED UNANIMOUSLY

DECLARATIONS OF INTEREST

The Mayor adverted to the necessity for Councillors and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No such interest was declared.

PRESENTATION - BLAND SHIRE DROUGHT RELIEF PROGRAMME

Councillor Shelley presented Council with \$600 worth of Donna Hay Cookbooks and associated materials donated by News Ltd for the Bland Shire Drought Relief Programme and asked that the donation be acknowledged.

This follows a request from Councillor Malicki who was acting on a request from the District Nurse in Bland Shire.

96 **CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING**

File: S02499

Resolved:

(Moved: Councillors Cross/Lane)

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of:

Late Items:

Refer C.1 - Acquisition of Property - Pacific Highway, Gordon

(Section 10A(2)(c) - Information that would confer a commercial advantage)

Report by Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning

Refer C.2 - 9, 15 & 17 Dumaresq Street, Gordon - Acquisition of Property

(Section 10A(2)(c) - Information that would confer a commercial advantage)

Report by the Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning

CARRIED UNANIMOUSLY

DOCUMENTS CIRCULATED TO COUNCILLORS

The Mayor adverted to the documents circulated in the Councillors' papers and advised that the following matters would be dealt with at the appropriate time during the meeting:

Late Items: **Minutes of Ordinary Meeting of Council held 27 March 2007,**
Minutes numbered 78 to 94.

Refer GB.2 - Lane Cove National Park - Addition of Lands -

Memorandum by Acting Director Finance & Business dated 27 March 2007 advising of the a correction to the Purpose of the Report which should read - *To seek the approval of Council for the transfer of four (4) parcels of land adjoining Lane Cove National Park to the Department of Environment and Conservation NSW (DEC NSW), instead of the transfer of 3 parcels of land.*

Refer GB.4 - Review of F3 to M7 Corridor Selection -

Memorandum by Director Technical Services dated 28 March 2007 & amended report to Council noting that on page 30 of the Business Papers & page 2 of the Report under sub-heading **Background**, the motion as printed was not adopted by Council & the adopted resolution of Council reads as follows:

Following the announcement by the Federal Minister for Roads and Local Government to appoint an Inquiry headed by Justice Pearlman into an alternative road link between the F3 and M2, that this Council present a submission to that enquiry on impact of the proposed road through Ku-ring-gai.

Refer GB.5 - Alternative for Hornsby/Ku-ring-gai Bushfire Management Committee - Report by Manager Sustainability & Natural Environment & Director Open Space & Planning dated 3 April 2007.

Confidential Late Items: **Refer C.1 - Acquisition of Property - Pacific Highway, Gordon** (*Section 10A(2)(c) - Information that would confer a commercial advantage*)

Report by Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning.

Refer C.2 - 9, 15 & 17 Dumaresq Street, Gordon - Acquisition of Property (*Section 10A(2)(c) - Information that would confer a commercial advantage*)

Report by the Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning.

Councillors Information: **Location of Temporary Pedestrian Bridge - Turramurra Railway Station** - Memorandum by Manager Urban Planning dated 23 March 2007 in answer to a Question Without Notice by Councillor Andrew raised at the Ordinary Meeting of Council held on 13 March 2007.

Review of Maclaurin Parade & Pacific Highway Intersection - Memorandum by Director Technical Services dated 28 March 2007 in answer to a Question Without Notice by Councillor Anderson raised at the Ordinary Meeting of Council held on 27 February 2007.

Recycling of Waste - Memorandum by Director Technical Services dated 30 March 1997 in answer to a Question Without Notice by Councillor Hall raised at the Ordinary Meeting of Council held on 27 March 1997.

Distance Measurement for Access for Pedestrians - Killara Community Noticeboard - Memorandum by Director Technical Services dated 30 March 2007 in answer to a Question Without Notice by Councillor Shelley raised at the Ordinary Meeting of Council held on 13 March 2007.

Advertising Structure at Turramurra Railway Station - Memorandum by Director Technical Services dated 30 March 2007 in answer to a Question Without Notice by Councillor Malicki raised at the Ordinary Meeting of Council held on 13 March 2007.

Complaint regarding Lack of Footpaths from Roseville Station - Memorandum by Director Technical Services dated 2 April 2007 with

letter to the Editor of the North Shore Times attached in answer to a Question Without Notice by Councillor Shelley raised at the Ordinary Meeting of Council held on 27 February 2007.

CONFIRMATION OF MINUTES

97 Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 27 March 2007

Minutes numbered 78 to 94

Resolved:

(Moved: Councillors Malicki/Andrew)

That Minutes numbered 78 to 94 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

CARRIED UNANIMOUSLY

GENERAL BUSINESS

98 Depreciation - Annual Financial Statements

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File: S05983

To provide Council with information regarding the existing and proposed methodologies used to value and depreciate assets in its Annual Financial Statements.

Resolved:

(Moved: Councillors Malicki/Ryan)

That the report on the depreciation and valuation of Council's assets in its Annual Financial Statements be received and noted.

CARRIED UNANIMOUSLY

99 Lane Cove National Park - Addition of Lands

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File: S02464

To seek the approval of Council for the transfer of four (4) parcels of land adjoining Lane Cove National Park to the Department of Environment and Conservation NSW (DEC NSW).

Resolved:

(Moved: Councillors Malicki/Ryan)

- A. That Council agree to the transfer of Council land to the Lane Cove National Park as proposed by the Department of Conservation NSW.
- B. That the Common Seal of Council be affixed to the documentation as required.
- C. That the Mayor and General Manager be delegated authority to execute all necessary documentation associated with the transfer of lands.

CARRIED UNANIMOUSLY

100 **Parks, Sport & Recreation Reference Group - Minutes of Meeting held 8 March 2007**

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File: S03447

To bring to the attention of Council, the Minutes from the Parks, Sport and Recreation Reference Group meeting held on Thursday, 8 March 2007.

Resolved:

(Moved: Councillors Malicki/Ryan)

That the Minutes of the Parks, Sport and Recreation Reference Group held on Thursday, 8 March 2007 be received and noted.

CARRIED UNANIMOUSLY

101 **Alternate Delegate to the Hornsby/Ku-ring-gai Bushfire Management Committee**

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File: S02355

For Council to nominate an alternate delegate to the Hornsby/ Ku-ring-gai Bushfire Management Committee.

Resolved:

(Moved: Councillor Andrew/Ryan)

That Councillor Malicki be appointed as the alternate to the Hornsby/Ku-ring-gai Bushfire Management Committee.

CARRIED UNANIMOUSLY

102 **Review of F3 to M7 Corridor Selection**

File: S02301

Ward: Comenarra

To seek Council's endorsement to the draft submission to the review of the F3 to M7 Corridor selection.

Resolved:

(Moved: Councillors Malicki/Ebbeck)

That Council endorses the draft submission and covering letter to be forwarded to the F3 to M7 Review Secretariat.

*For the Resolution: The Mayor, Councillor N Ebbeck, Councillors,
Shelley Andrew, Cross, Lane, Malicki & Ryan*

Against the Resolution: Councillors Hall & Anderson

*The above resolution was CARRIED as an Amendment to the Original Motion.
The Original Motion was:*

(Moved: Councillors Hall/Anderson)

That Council endorses the Purple Option Type A and provide to the Review details of the impact of F3 traffic on Ku-ring-gai with respect to development changes since 2004 and a submission incorporating these matters be prepared for the Review by 13 April.

*Standing Orders were suspended to deal with the
Confidential items last after a
Motion moved by Councillors Lane & Ryan was
CARRIED UNANIMOUSLY*

QUESTIONS WITHOUT NOTICE103 **Garrick Road Pre-School - Traffic Issues**

File: S02432

Question Without Notice from Councillor T Hall

I want to express my appreciation to the Director Operations, Mr Piconi and his staff for assisting me in a site meeting of a large number of parents of Garrick Road, St Ives Pre-school and local residents to find a compromise to the traffic congestion occurring there in morning and afternoon peak times.

It was a very fruitful and amicable meeting and much appreciated by those attending.

Would you, Acting General Manager, pass on these sentiments to the officers involved?

Answer by the Acting General Manager

Yes, I will pass those sentiments onto the appropriate staff.

104 **Appreciation - Field Day at Dalrymple Hay/Browns Forest, St Ives**

File: S02576

Question Without Notice from Councillor A Andrew

Last Saturday, Council with the Department of Environment and Conservation (DEC), undertook the first of a series of field days at Dalrymple Hay/Browns Forest at St Ives. The day was very successful due to the input of staff, consultants, Permaculture North, BARRK and community groups.

Would Council thank those involved in the day expressing Council's thanks for their efforts?

Answer by the Mayor

I am sure I can answer on behalf of the Acting General Manager. Absolutely, yes.

***Council resolved itself into Closed Meeting
with the Press and Public Excluded to deal with the following items:***

105 **9, 15 & 17 Dumaresq Street, Gordon - Outcome of Acquisition Negotiations**
(Section 10A(2)(c) - Information that would confer a commercial advantage)

File: S05930

Report by the Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning dated 3 April 2007.

Resolved:

(Moved: Councillors Ryan/Lane)

That Council receive and note the report on the negotiations for the purchase of 9, 15, 17 Dumaresq Street, Gordon.

CARRIED UNANIMOUSLY

106

Acquisition of Property - Pacific Highway, Gordon*(Section 10A(2)(c) - Information that would confer a commercial advantage)*

File: S05930

Report by Commercial Services Co-ordinator, Acting Director Finance and Business & Director Open Space & Planning dated 3 April 2007.

Resolved:

(Moved: Councillors Shelley/Lane)

That a further report be submitted to Council with regard to this matter as discussed.

*For the Resolution: The Mayor, Councillor N Ebbeck, Councillors
Andrew, Cross, Lane, Malicki, Ryan, Shelley &
Anderson*

Against the Resolution: Councillor Hall

To Open Council

The Acting General Manager adverted to the consideration of the matters referred to in the Minutes numbered 105 and 106, and to resolutions contained in such Minutes.

The Meeting closed at 7.55pm

The Minutes of the Ordinary Meeting of Council held on 3 April 2007 (Pages 1 - 8) were confirmed as a full and accurate record of proceedings on 24 April 2007.

General Manager

Mayor / Chairperson