

## MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 5 FEBRUARY 2008

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

Staff Present: Acting General Manager (Greg Piconi)  
Director Corporate (John Clark)  
Director Development & Regulation (Michael Miocic)  
Director Strategy (Andrew Watson)  
Manager Corporate Planning & Sustainability (Peter Davies)  
Manager Urban Planning (Antony Fabbro)  
Senior Governance Officer (Geoff O'Rourke)  
Minutes Secretary (Christina Randall-Smith)

*The Meeting commenced at 7.05pm*

*The Mayor offered the Prayer*

### 3 APOLOGIES

File: S02194

Councillor Ian Cross tendered an apology for non-attendance [family commitment] and requested leave of absence.

#### **Resolved:**

(Moved: Mayor, Councillor Ebbeck/Councillor Ryan)

That the apology by Councillor Cross 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 interest was declared.

**4 Confirmation of Reports to be Considered in Closed Meeting**

File: S02499

**Resolved:**

(Moved: Councillors Bennett/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:

- C.1 **28 Treatts Road, Lindfield - Proposal to Acquire** - *(Section 10A(2)(c) - Information that would confer a commercial advantage)*

**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: Mayoral Minute - Australia Day Honours 2008**

**Refer GB.13 - Council Submission on Improving NSW Planning System Discussion Paper** - Memorandum by Manager Urban Planning dated 31 January 2008 with the following Attachments:

Attachment 1: Submission on improving NSW Planning System Discussion Paper

Attachment 2: Extract from Department of Planning's Discussion Paper outlining their "Summary of Recommendations"

**Councillors Information: Soldiers Memorial Park - Toilets** - Memorandum by Director Operations dated 13 December 2007 in relation to a Question Without Notice raised by Councillor Maureen Shelley at the Ordinary Meeting of Council held 20 November 2007.

**Spread of General Business Items & Number of Meetings & Briefings in 2008** - Memorandum by General Manager dated 14 December 2007 in relation to a Question Without Notice raised by Councillor Elaine Malicki at the Ordinary Meeting of Council held 11 December 2007.

**DDA Transport Standards** - Memorandum by Director Operations dated 2 January 2008 in relation to a Question Without Notice raised by Councillor Maureen Shelley at the Ordinary Meeting of Council held 11 December 2007.

**Footpath - Holy Cross Family School** - Memorandum by Director Operations dated 3 January 2008 in relation to a Question Without Notice raised by Councillor Maureen Shelley at the Ordinary Meeting of Council held 13 November 2007.

**School Zone Signage for Holy Family School, Lindfield** - Memorandum by Director Operations dated 22 January 2008 in relation to a Question Without Notice raised by Councillor Maureen Shelley at the Ordinary Meeting of Council held 11 December 2007.

**Local Government Remuneration Tribunal** - Memorandum by Director Corporate dated 22 January 2008.

## **CONFIRMATION OF MINUTES**

### **5 Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 11 December 2007  
Minutes numbered 516 to 544

#### **Resolved:**

(Moved: Councillors Shelley/Ryan)

That Minutes numbered 516 to 544 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

**CARRIED UNANIMOUSLY**

### **6 Minutes of Extraordinary Meeting of Council**

File: S02131

Meeting held 17 January 2008  
Minutes numbered 1 to 2

#### **Resolved:**

(Moved: Councillors Ryan/Lane)

That Minutes numbered 1 to 2 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting with it being noted that Councillor Tony Hall apologised for non-attendance [work commitment].

**CARRIED UNANIMOUSLY**

**MINUTES FROM THE MAYOR**

7

**Australia Day Honours 2008**

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File: S05063

I am pleased to inform you of the Ku-ring-gai citizens who, through their outstanding achievements and services to the community, have been awarded 2008 Australia Day Honours.

We are very proud to have these dedicated and talented Australians as members of the Ku-ring-gai community.

I would like to read to you the names of these special Ku-ring-gai citizens and, on behalf of Council, congratulate them on their excellent contributions to Australian society.

**JAMES A L T M A N of Killara**

For service to the Jewish community and through fostering intercultural understanding.

**DAVID C O O P E R of North Turramurra**

For service to the community through veterans' organisations, and to the Army Cadet movement.

**JEFFORY F A I R B R O T H E R of St Ives**

For service to the poultry industry through research and advisory roles, and the development of regulatory policies on animal and welfare and food safety standards.

**HELEN R Y A N of Warrawee**

For service to the community, particularly in the field of choral music.

**WARWICK S M I T H of Pymble**

For service to the Parliament of Australia, to the telecommunications industry as a contributor to reform and debate within the sector, to the promotion of international trade and tourism, and to philanthropy through a range of charitable and community organisations.

On behalf of Council, I congratulate all award winners on their outstanding achievements.

Ku-ring-gai is proud to have so many citizens being recognised at the highest levels for their selfless dedication, commitment and contribution to local, national and international communities.

**Resolved:**

That Council acknowledge the outstanding contribution made by these recipients of 2008 Australia Day Honours to the Ku-ring-gai community and to the well-being of our society.

**CARRIED UNANIMOUSLY**

**PETITIONS****8 Bus Service to Lindfield West - (Twenty-Six [26] Signatures)**

File: S02126

"Lindfield West supports an aging community with an influx of young families. The current bus service to this area is very limited.

A significant number of school children walk to the designated bus stop at Carramar Road/Bradfield Road. The bus stop at Booraba Road/Bradfield Road is unavailable to these children and they must walk the distance of Bradfield Road. Though the walk is not arduous, you need to bear in mind that often these children are carrying heavy bags and musical instruments.

With the increased number of children requiring bus services, it seems necessary that Shorelink and the Council address the problem that the area currently has inadequate bus service. Bus availability all the way down Bradfield Road would benefit everyone in the Lindfield West community; the elderly, the families with young children and the teenagers travelling to high school".

**Resolved:**

(Moved: Councillors Shelley/Anderson)

That the Petition be received and referred to the appropriate officer of Council for attention.

**CARRIED UNANIMOUSLY**

**GENERAL BUSINESS****9 28 Treatts Road, Lindfield - Proposal to Acquire**  
*(Section 10A(2)(c) - Information that would confer a commercial advantage)*

File: P60845

Report by Director Operations dated 22 January 2008.

**Resolved:**

(Moved: Councillors Andrew/Anderson)

That consideration of the proposal to acquire 28 Treatts Road, Lindfield be deferred pending a site inspection.

**CARRIED UNANIMOUSLY****10 Environmental Levy Programs & Audit Forum -Minutes of Meeting held 26 November 2007**

.  
File: S04553

To bring to the attention of Council the proceedings from the Environmental Levy Programs and Audit Forum meeting held on Monday, 26 November 2007.

**Resolved:**

(Moved: Councillors Ryan/Lane)

That the Minutes of the Environmental Levy Programs and Audit Forum meeting of Monday, 26 November 2007 be received and noted.

**CARRIED UNANIMOUSLY****11 Re-Adoption of Amendment to Development Control Plan No 56**

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File: S03673

To re-confirm the Council resolution to amend Development Control Plan No 56 (DCP 56) to require notification and advertising of development applications for firearms outlets.

**Resolved:**

(Moved: Councillors Ryan/Shelley)

- A. That Draft Development Control Plan No 56 – Notification, as attached, be adopted.
- B. That a notice be placed in the local paper in accordance with the provisions of the Environmental Planning Assessment Regulation 2000.

**CARRIED UNANIMOUSLY****12 The Swain Gardens Landscape Masterplan**

.  
File: S05919

To seek Council adoption of the landscape masterplan for The Swain Gardens.

**Resolved:**

(Moved: Councillors Shelley/Anderson)

- A. That Council adopt The Swain Gardens Landscape Masterplan without amendment.
- B. That Council apply to the Geographical Names Board to finalise naming of "The Swain Gardens".

**CARRIED UNANIMOUSLY**

13 **Council Submission on improving NSW Planning System Discussion Paper**

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File: S04554

To provide a submission in response to the "Improving NSW Planning System Discussion Paper" for Council consideration.

**Resolved:**

(Moved: Councillors Ryan/Lane)

- A. That the attached submission on "Improving the NSW Planning System Discussion Paper" be endorsed by Council and submitted to the Department of Planning by 8 February 2008.
- B. That copy of the submission be placed on Council's website for the information of the Community

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

*Against the Resolution:   Councillor Shelley*

**Councillor Hall arrived**

14 **Amendment to Sports Grounds Generic Plan of Management – Saturday Evening Sport at Hassell Park, St Ives**

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File: S02285

To seek Council adoption of the Amended Sports Grounds Generic Plan of Management to enable Saturday evening competition sport at Hassell Park, St Ives on up to nine Saturdays per year.

**Resolved:**

(Moved: Councillors Ryan/Bennett)

- A. That Council adopt the amended Sports Grounds Generic Plan of Management.
- B. That existing parking restriction signs in surrounding streets be amended to reflect the additional Saturday use of Hassell Park.
- C. That St Ives Rugby Club be advised to submit a Section 96 application to modify DA consent in accordance with the amended Sports Grounds Generic Plan of Management.

**CARRIED UNANIMOUSLY**

15     **10 to 16 Marian Street, Killara - To Extinguish Existing Drainage Easement & Create a New Easement over Newly Constructed Stormwater Pipeline**

File: DA1388/04-12

Ward: Gordon

For Council to consider granting approval to extinguish the existing drainage easement and create a new easement over the new stormwater pipeline traversing the development site of No.10 to 16 Marian Street, Killara.

**Resolved:**

(Moved: Councillors Ryan/Lane)

- A. That Council grants approval for the extinguishment of the existing easement and creation of a new drainage easement 2.2, 3.05 m wide and variable over the new pipeline as shown on the attached sketch.
- B. That authority be given to affix the common seal of the Council to the instrument for release and creation of the new easement.
- C. That the full cost of altering the terms of the extinguishment and creation of the easement for drainage, including council's legal costs and disbursements, be borne by the applicant.

**CARRIED UNANIMOUSLY**



16 **West Pymble Pool Stage 5 - Preferred Tenderer**

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File: S05442

To recommend the appointment of a contractor to undertake Stage 5 renovations of 50m swimming pool at West Pymble Pool.

**Resolved:**

(Moved: Councillors Ryan/Malicki)

- A. That Council accepts the tender from Crystal Pools Pty Ltd for the Stage 5 works at West Pymble pool.
- B. That additional funding of \$78,000 be transferred from the internally restricted reserves for the work to be completed in 2008/09 and that the balance of funding is made available from the 2007/08 and 2008/09 building maintenance programs.
- C. That the Mayor and General Manager be delegated authority to execute all necessary documents relating to the contract.
- D. That the Seal of Council be affixed to all necessary documents relating to the contract.
- E. That the pool be closed on 12 April 2008 to allow sufficient time for the works to be completed prior to the commencement of the 2008/09 swimming season.
- F. That the tenderers be advised of Council's decision.

**CARRIED UNANIMOUSLY**

**MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

17 **State Government Planning Powers**

.  
File: S04151

**Notice of Motion from Councillor E Malicki dated 25 January 2008.**

I move:

- "A. That Council hold a poll of electors of Ku-ring-gai at the next Local Government Elections in September, to determine the views of our community on whether or not the State Government and the Minister should have the power to become involved in local planning and, to withdraw planning powers of a democratically

elected Council. The question(s) should make particular reference to the appointment of Planning Panels and the Minister's powers under Section 3A of the Act.

- B. That the wording for the poll be set at the next Policy Forum.
- C. That Council approach NSROC for support and also approach the Local Government Association asking them to approach other councils to follow our lead in conducting a poll at the September elections. This would enable the residents of Council areas throughout Sydney and possibly NSW as a whole to democratically express their views on the interference by the State Government and the Minister in the local planning process"..

**Resolved:**

(Moved: Councillors Malicki/Andrew)

That the matter be deferred for discussion at the Workshop.

**CARRIED UNANIMOUSLY**

*Standing Orders were suspended in order that  
the following matter could be dealt following a motion  
moved by the Mayor, Councillor Ebbeck & Councillor Shelley  
which was CARRIED UNANIMOUSLY*

**Conduct Committee Findings - Breach of Confidentiality Clauses  
September/October 2007**

File: S04462  
*Vide Minute No 533*

In accordance with Minute No 533, Councillor Hall formally and unconditionally apologised to Council.

**GENERAL BUSINESS (cont)**

18 **Guidelines for Ku-ring-gai Council Office of the Internal Ombudsman**

File: S02850

That Guidelines for the position of Internal Ombudsman be adopted by resolution of the Council.

**Resolved:**

(Moved: Councillors Anderson/Hall)

That consideration of the matter be deferred and referred to the next Policy Forum.

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

*Against the Resolution: Councillors Bennett & Shelley*

*The above Resolution was CARRIED as an Amendment to the Original Motion and two LOST AMENDMENTS.*

*The Original Motion was:*

*(Moved: Councillors Bennett/Shelley)*

*That Council endorse Guidelines for the Office of the Internal Ombudsman with the following amendments:*

*2.2 Reporting - Add in additional Paragraph:*

*"The Internal Ombudsman shall Report to an Ordinary Meeting of Council each February. The Report shall include statistics of:*

- The number of matters dealt with by the Ombudsman.*
- The outcome of each matter.*
- Time frame for determination of matters and advice to complainants.*
- The number of matters actioned by the GM.*
- The number of matters that the ombudsman declined to investigate and the reason under 7.1 of the Code.*
- Annual budget expenditure*
- And, any other matter which the Internal Ombudsman wishes to bring to Council's attention."*

*3.1 Organisation of the Office - Add the following words*

*"subject to Council providing a budget allocation for this purpose".*

*9.4 Report to Complainant - Delete the following sentence:*

*"in such manner and at such time as the Internal Ombudsman considers proper" and replace with "in writing and within one month of the Ombudsman's determination of the result at the latest."*

*9.6 Reporting Process - Delete ii and replace with -*

*"The person or persons shall be invited to respond to the issues raised."*

- 10.1 *That Clause 10.1 be referred to the next Policy Forum for further discussion.*

*A complainant may only seek a review of matters investigated and reported by the Internal Ombudsman from a body external to Ku-ring-gai Council.*

- 10.3 *Add in final sentence - "It is not appropriate for the Ombudsman to comment on particular investigations."*

11. *Breach and penalty - Delete Sections a & b*

*Add in additional sentence at the end of the section -*

*"Any such breach under this section will not constitute a separate breach under the Code of conduct. It may be considered as a matter relevant to consideration of the alleged breach referred by the Code of Conduct Committee."*

13. *Review of guidelines - The internal ombudsman shall review these guidelines and report to Council every two years to ensure currency of the guidelines.*

*The first LOST AMENDMENT was:*

*(Moved: Councillors Shelley/Bennett)*

*That Council endorse Guidelines for the Office of the Internal Ombudsman with the following amendments:*

- 2.2 *Reporting - Add in additional Paragraph:*

*"The Internal Ombudsman shall Report to an Ordinary Meeting of Council each February. The Report shall include statistics of:*

- The number of matters dealt with by the Ombudsman.*
- The outcome of each matter.*
- Time frame for determination of matters and advice to complainants.*
- The number of matters actioned by the GM.*
- The number of matters that the ombudsman declined to investigate and the reason under 7.1 of the Code.*
- Annual budget expenditure*
- And, any other matter which the Internal Ombudsman wishes to bring to Council's attention."*

- 3.1 *Organisation of the Office - Add the following words*

*"subject to Council providing a budget allocation for this purpose".*

9.4 *Report to Complainant - Delete the following sentence:*

*"in such manner and at such time as the Internal Ombudsman considers proper" and replace with "in writing and within one month of the Ombudsman's determination of the result at the latest."*

9.6 *Reporting Process - Delete ii and replace with -*

*"The person or persons shall be invited to respond to the issues raised."*

10.1 *That Clause 10.1 be referred to the next Policy Forum for further discussion.*

*A complainant may only seek a review of matters investigated and reported by the Internal Ombudsman from a body external to Ku-ring-gai Council.*

10.3 *Add in final sentence - "It is not appropriate for the Ombudsman to comment on particular investigations."*

11. *Breach and penalty - Delete Sections a & b*

*Add in additional sentence at the end of the section -*

*"Any such breach under this section will not constitute a separate breach under the Code of conduct. It may be considered as a matter relevant to consideration of the alleged breach referred by the Code of Conduct Committee."*

13. *Review of guidelines - The internal ombudsman shall review these guidelines and report to Council every two years to ensure currency of the guidelines.*

*plus*

*That Clause 10.3 read as follows:*

*"All media enquiries regarding the Office of the Internal Ombudsman are to be referred to the General Manager / the Mayor for comment. It is not appropriate for the Ombudsman to comment on particular investigations".*

*The second LOST AMENDMENT was:*

*(Moved: Councillors Ryan/Lane)*

*That Council endorse Guidelines for the Office of the Internal Ombudsman with the following amendments:*

2.2 *Reporting - Add in additional Paragraph:*

*"The Internal Ombudsman shall Report to an Ordinary Meeting of Council each February. The Report shall include statistics of:*

- *The number of matters dealt with by the Ombudsman.*
- *The outcome of each matter.*
- *Time frame for determination of matters and advice to complainants.*
- *The number of matters actioned by the GM.*
- *The number of matters that the ombudsman declined to investigate and the reason under 7.1 of the Code.*
- *Annual budget expenditure*
- *And, any other matter which the Internal Ombudsman wishes to bring to Council's attention."*

*3.1 Organisation of the Office - Add the following words*

*"subject to Council providing a budget allocation for this purpose".*

*9.4 Report to Complainant - Delete the following sentence:*

*"in such manner and at such time as the Internal Ombudsman considers proper" and replace with "in writing and within one month of the Ombudsman's determination of the result at the latest."*

*9.6 Reporting Process - Delete ii and replace with -*

*"The person or persons shall be invited to respond to the issues raised."*

*10.1 That Clause 10.1 be referred to the next Policy Forum for further discussion.*

*A complainant may only seek a review of matters investigated and reported by the Internal Ombudsman from a body external to Ku-ring-gai Council.*

*10.3 Add in final sentence - "It is not appropriate for the Ombudsman to comment on particular investigations."*

*11. Breach and penalty - Delete Sections a & b*

*Add in additional sentence at the end of the section -*

*"Any such breach under this section will not constitute a separate breach under the Code of conduct. It may be considered as a matter relevant to consideration of the alleged breach referred by the Code of Conduct Committee."*

*13. Review of guidelines - The internal ombudsman shall review these guidelines and report to Council every two years to ensure currency of the guidelines.*

*Plus - Condition 11 as per recommendation.*

*- Part (b) of Condition 11 – contain the words “reasonable request”...*

*- Plus Condition 3.1 as per recommendation.*

19 **Local Government Managers Association 2008 National Congress**

File: S04567

For Council to determine if it wishes to send delegates to the Local Government Managers Association 2008 National Congress.

**Resolved:**

(Moved: Councillor Ryan/Mayor, Councillor Ebbeck)

That all interested Councillors inform the General Manager by 5pm on 8 February 2008 of their intention to attend the Local Government Managers Association 2008 National Congress.

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

*Against the Resolution: Councillors Bennett & Malicki*

20 **Investment Report as at 30 November 2007**

File: S05273

To present to Council investment allocations and returns on investments for November 2007.

**Resolved:**

(Moved: Councillors Ryan/Lane)

A. That the summary of investments and performance for November 2007 be received and noted.

B. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

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

*Against the Resolution: Councillors Bennett & Malicki*

21 **Investment Report as at 31 December 2007**

File: S05273

To present to Council investment allocations and returns on investments for December 2007.

**Councillor Hall withdrew**

**Resolved:**

[Moved: Councillors Ryan/Lane]

- A. That the summary of investments and performance for December 2007 be received and noted.
- B. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

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

*Against the Resolution: Councillors Bennett & Malicki*

**Councillor Shelley departed  
during discussion of the above item**

**Councillor Hall returned**

**Councillor Ryan withdrew**

22 **Companion Animals Advisory Committee - Minutes of 29 November 2007**

File: S03449

To submit Minutes of the Companion Animals Advisory Committee Meeting of 29 November 2007.

**Councillor Ryan returned during discussion**



**Resolved:**

(Moved: Councillors Hall/Anderson)

- A. That the Minutes of the Companion Animals Advisory Committee Meeting of 29 November 2007 be received and noted.
- B. The membership changes recommended by the Committee (Minute No 223) be agreed to, as per the Charter.
- C. A staff report be provided on the Committee's Minute No 228 for Council's further consideration.

*For the Resolution:       The Mayor, Councillor N Ebbeck, Councillors Hall, Lane & Ryan*

*Against the Resolution:   Councillors Andrew, Bennett, Malicki & Anderson*

*The voting being EQUAL, the Mayor exercised his Casting Vote  
IN FAVOUR of the Motion*

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

*(Moved: Councillors Malicki/Hall)*

*That the Minutes of the Companion Animals Advisory Committee Meeting of 29 November 2007 be received and noted.*

23

**Bushland, Catchments & Natural Areas Reference Group - Minutes of Meeting held 19 November 2007**

File: S03448

To bring to the attention of Council the proceedings from the Bushland, Catchments & Natural Areas Reference Group meeting held on Monday, 19 November 2007.

**Resolved:**

(Moved: Councillors Malicki/Andrew)

- A. That the Minutes of the Bushland, Catchments & Natural Areas Reference Group Meeting of Monday, 19 November 2007 and attachments be received and noted.

- B. That methods for determining current emissions and the setting of climate change targets, as recommended by the BC& NA Reference Group, should be discussed at the first meeting of the Sustainability Reference Group.
- C. That the Mapping & Assessment Method for Endangered Ecological Communities be sent to those experts who participated in the initial consultation for comment or voluntary peer review.

**CARRIED UNANIMOUSLY**

**Councillor Hall withdrew  
during discussion of the above item**

24 **Submissions on Documentation to Support Biobanking**

File: S02552

To provide a response to the NSW Government's Draft Biobanking methodology, Compliance Strategy and proposed Threatened Species Conservation (Biodiversity Banking) Regulation 2007 amendments.

**Resolved:**

[Moved: Councillors Bennett/Malicki]

- A. That Council's submission on the NSW Government's Draft Biobanking methodology, Compliance Strategy and proposed Threatened Species Conservation (Biodiversity banking) Regulation amendments (2007) be sent to the Department of Environment and Climate Change for their consideration, with deletion of 1 from the Summary of Key Recommendations.
- B. That the submission include a statement that the Biodiversity Corridors and bushland managed by Ku-ring-gai Council not be traded as Biobanking Credits.

**CARRIED UNANIMOUSLY**

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

*(Moved: Councillors Ryan/Lane)*

- A. *That Council's submission on the NSW Government's Draft Biobanking methodology, Compliance Strategy and proposed Threatened Species Conservation (Biodiversity banking) Regulation amendments (2007) be sent to the Department of Environment and Climate Change for their consideration.*
- B. *That the submission include the Biodiversity Corridors and bushland managed by Ku-ring-gai Council not be traded as Biobanking Credits.*

25      **Draft Climate Change Policy**

File: S06055

To seek Council's approval to exhibit for public comment the draft climate change policy.

**Resolved:**

(Moved: Councillors Lane/Ryan)

That the draft Policy be referred to the Sustainability Reference group and the Policy Forum for review and then be referred back to Council.

**CARRIED UNANIMOUSLY**

**Councillor Hall returned**

26      **North Sub-Regional Strategy - Final Submission**

File: S04554

The Draft North Regional Strategy, which provides a more detailed level of planning than the Metropolitan Strategy, was released by the Department of Planning (DOP) on 31 October 2007, and is on public exhibition until 8 February 2008. A draft submission was initially presented to Council on 11 December 2007.

**Resolved:**

(Moved: Councillors Ebbeck/Ryan)

- A. That the draft submission on the North Subregional Strategy be endorsed by Council and be submitted to the Department of Planning by 8 February 2008.
- B. That Staff ensure that all references in the submission that relate to resolutions of Council and Council's planning strategies, are consistent with all such resolutions. This should include but not be limited to road widening, housing choice, housing targets and affordable housing.
- C. That the Mayor and the General Manager sign off on the submission prior to final delivery.
- D. That a copy of the final submission be placed on Council's website for the information of the community.
- E. That the submission include Council's concerns relating to the strategic bus corridor impact on intersections and roads such as those along The Comenarra

Parkway at Kissing Point Road and Fox Valley Road. The submission also should address Council's concerns of the likely congestion on Mona Vale and Ryde Roads due to the expansion of the Macquarie Park Business Centre.

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

*Against the Resolution:   Councillor Bennett*

27     **Playground Replacement in Roseville Park Due to Tree Damage**

File: S02621

Ward: Roseville

To request funding for reconstruction of the existing playground at Roseville Park that was damaged by falling overhead branches.

**Resolved:**

(Moved: Councillors Anderson/Ryan)

- A.     That approval be given to bring forward the reconstruction of the new playground in Roseville Park and that funding be provided from the pre 1993 Section 94 plan and the Playgrounds Reserve in a total amount of \$75,000.
- B.     That the heritage impacts of a reconstructed playground on both Firs Cottage and Roseville Park be referred to the Heritage Advisory Committee for comment and/or recommendation to Council.
- C.     That the tenants of Firs Cottage be consulted.
- D.     That Council staff assess and appropriately address any significant safety concerns in the interim.

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

*Against the Resolution:   Councillor Bennett*

**QUESTIONS WITHOUT NOTICE**

28     **St Ives Showground - Cattle Ring Enclosure**

File: S02673

Question Without Notice from Councillor T Hall

Following Council's approval tonight to consider the enclosure of the Cattle Ring at the St Ives Showground, would the General Manager prepare a request for a grant,

urgently, towards its cost from the owner of the Showground, the NSW Department of Lands, please, so dog behaviour training can be undertaken as part of Council's responsibility under the Companion Animals Act 1998?

**Answer by the Acting General Manager**

We will look at the item and do a report on the matter to determine what can be available and what can be done.

29      **Off-Leash Areas around Sporting Events - Request Outcome of Additional Surveillance**

Files: S02258, S03014

Question Without Notice from Councillor E Malicki

Can we have a memo informing us of the outcome of the Council resolution for additional surveillance by Compliance Staff of dogs off-leash around sporting events?

**Answer by the Director Development & Regulation**

We can provide that.

30      **Climate Change - Council's Zip Water Heaters**

File: S06055

Question Without Notice from Councillor E Malicki

As a symbolic climate change gesture, could Mr Piconi please examine the costs of putting timers on all Council's zip heaters which run 24/7?

I recognise that this will severely disadvantage all those Staff and Councillors who like to have cups of tea at 2am on weekend nights and public holidays.

**Answer by Manager Corporate Planning & Sustainability**

Will take that on notice and report back to Council.

31      **Blackburn Street/Acron Road, St Ives Public Reserve 225006 & Playground**

File: S02622

Question Without Notice from Councillor T Hall

Could the Acting General Manager provide advice on improving the parlous condition of this public reserve and playground, please?

**Answer by the Acting General Manager**

We will provide advice on that via a memo in terms of what Council can do and what its current priorities are.

**INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS**

The next Inspections Committee will take place on Monday, 11 February 2008 commencing at 4.00pm to view the following property:

28 Treatts Road, Lindfield

*The Meeting closed at 10.53pm*

The Minutes of the Ordinary Meeting of Council held on 5 February 2008 (Pages 1 - 22) were confirmed as a full and accurate record of proceedings on 26 February 2008.

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General Manager

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Mayor / Chairperson