

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 8 APRIL 2008

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

Staff Present: General Manager (John McKee)
Director Corporate (John Clark)
Director Operations (Greg Piconi)
Director Strategy (Andrew Watson)
Manager Regulation & Compliance (Anne Seaton)
Senior Governance Officer (Geoff O'Rourke)
Minutes Secretary (Christina Randall-Smith)

The Meeting commenced at 7.04pm

The Mayor offered the Prayer

83

APOLOGIES

File: S02194

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

NOTE: Director Community & Director Development & Regulation tendered apologies for non attendance.

Resolved:

(Moved: Mayor, Councillor Ebbeck/Councillor Cross)

That the apology by Councillor T Hall 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.

ADDRESS THE COUNCIL

The following member of the public addressed Council on items not on the Agenda:

J Harwood

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: **Refer GB.11 - Proposed Land Reclassification Component (Schedule 4) for Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres)** - Report & Attachments by Director Strategy dated 1 April 2008

Councillors Information: **Local Government Heritage Management Day - Staff Attendance -** Memorandum by Director Strategy dated 31 March 2008 in relation to a Question Without Notice raised by Councillor Jennifer Anderson at the Ordinary Meeting of Council held 25 March 2008.

Off-Leash Areas around Sporting Events - Request Outcome of Additional Surveillance - Memorandum by Director Strategy dated 31 March 2008 in relation to a Question Without Notice raised by Councillor Elaine Malicki at the Ordinary Meeting of Council held 5 February 2008.

Grass Tick Infestation - Memorandum by Director Operations dated 1 April 2008 in relation to a Question Without Notice raised by Councillor Tony Hall at the Ordinary Meeting of Council held 11 March 2008.

Confidential Late Agenda Information: **Refer GB.10 - West Pymble Pool - Expressions of Interest Evaluation** - Attachment 2 - Referee Checks

The Mayor tabled a photographic record of sites and streetscapes in Ku-ring-gai, impacted by residential Development Strategy Stage 1 prepared by FOKE. The Mayor thanked FOKE on behalf of the community.

CONFIRMATION OF MINUTES84 **Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 25 March 2008
Minutes numbered 66 to 82

Resolved:

(Moved: Councillors Cross/Lane)

That Minutes numbered 66 to 82 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

CARRIED UNANIMOUSLY

MINUTES FROM THE MAYOR85 **Eco Ambassador & Sustainable Building Program**

File: S06585

Living sustainability is one of the most pressing issues facing the world today. In recent months I have been involved with the sustainability visioning process, community consultation on climate change and discussions with environmentally committed developers seeking to create sustainable buildings and communities.

The Ku-ring-gai community has also signalled its support for becoming a more sustainable society and is seeking leadership from Council.

I propose that Council consider options for embarking on a comprehensive program aimed at:

1. empowering and rewarding our residents, businesses and developers to become leaders in sustainability
2. fostering an interest in sustainability issues and solutions that embody a socially responsible attitude to environmental stewardship and
3. breaking down the barriers to sustainable behaviour through removing cost and time inhibitors.

The program would have three key elements. The ***Eco Ambassador Award*** scheme would be designed to reward the efforts of households and business that have implemented a range of sustainability initiatives.

The *Sustainable Building Program* would encourage developers to extend beyond the State Environmental Planning Policy BASIX.

And Council would also explore options for a financial assistance package for households to install rainwater tanks and solar panels

The program would feature initiatives such as stormwater re-use, grey water and sewerage recycling, pollution control, energy conservation and generation, waste and recycling and protection of remnant vegetation.

The program would also incorporate social and financial considerations such as recognising the contribution of volunteering, engaging with local organisations and supporting local businesses with a strong environmental and social commitment.

Education and information would be a key part of the program, using measures such as the web, local sustainability festivals and individual liaison through specialist advice.

Having discussed this with the Sustainability Reference Group, I would propose that a sub-group be formed with group members and other committed people to develop the program.

Financially, the program will impact on Council's budget. As part of development of the program, a detailed financial assessment would be carried out to explore options for providing subsidies, grants, philanthropic donations and other means of support.

The time to act is now. I urge Councillors to support this initiative so that Ku-ring-gai can lead a sustainability revolution for both current and future generations.

Resolved:

1. That Council consider options for developing a program featuring:
 - a. an award scheme to reward the efforts of households and businesses for implementing sustainability initiatives; and
 - b. a sustainable building initiative that will offer awards and rewards and recognise excellence in environmental building design, construction and operation;
 - c. a financial assistance package for households to install rainwater tanks and solar panels.
2. That the program be developed in collaboration with the Sustainability Reference Group.
3. That the program be identified within the draft 2008/09 Management Plan.
4. That financial implications be reported back to Council as part of the finalisation and adoption of the 2008/09 Management Plan and budget.

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

Against the Resolution: Councillors Andrew, Bennett, Malicki & Shelley

1st LOST Amendment:

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Bennett/Shelley)

Defer the matter to the next Ordinary Meeting of Council.

2nd LOST Amendment:

The above First Amendment which was LOST was subject to a second Amendment which was also LOST. The Lost Amendment was:

(Moved: Councillors Shelley/Bennett)

That the matter be referred to the Policy Forum.

GENERAL BUSINESS

86 191 Warrimoo Avenue, St Ives - Retention of Caravan

File: P62434

Ward: St Ives

Applicant: Ms S Demirjian

Owner: Mr S Demirjian

To determine an application under Section 68 of the Local Government Act 1993 for retention of a caravan on the subject site to be used as a place of residence whilst the owner seeks development consent & subsequently builds a new dwelling upon the land.

Resolved:

(Moved: Councillors Bennett/Cross)

- A. That consideration of the Retention of a Caravan at 191 Warrimoo Avenue, St Ives be deferred pending a site inspection.
- B. That the applicant be requested to have the location of the proposed development pegged out on site for the inspection.

For the Resolution: *Councillors Andrew, Bennett, Cross, Shelley & Anderson*

Against the Resolution: *The Mayor, Councillor N Ebbeck, Councillors Lane, Malicki & Ryan*

87 **Environmental Levy Programs Meeting - Minutes of 27 February 2008**

File: S04553

To bring to the attention of Council the proceedings from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008.

Resolved:

(Moved: Councillors Ryan/Lane)

That the Minutes and attachment from the Environmental Levy Programs Forum meeting of Wednesday, 27 February 2008 be received and noted.

CARRIED UNANIMOUSLY

88 **Local Heritage Assistance Fund**

File: S05037

To seek Council's agreement to allocate funding for applications received under the Local Heritage Assistance Fund 2007 to 2008.

Resolved:

(Moved: Councillors Ryan/Anderson)

A. That Council allocate heritage assistance funding to the following properties:

• 1202 Pacific Highway, Pymble	\$3,450
• 27 Womerah Street, Turramurra	\$700
• 21 Cleveland Street, Wahroonga	\$3,450
• 17 Braeside Street, Wahroonga	\$500
• 1116 Pacific Highway, Pymble	\$1,000
• 1358 Pacific Highway, Turramurra (deferred)	\$3,000
• 10 Grassmere Road, Killara	\$3,450
• 558 Pacific Highway, Killara	\$1,000
• 11 Bobbin Head Road, Pymble	\$1,000
• 19 Richmond Avenue, St Ives	\$3,450
• 62 Fox Valley Road, Wahroonga	\$1,000

- B. That the heritage assistance funding to the following properties is conditional on sarking not being installed under the slate and that traditional roof plumbing (copper and lead) is specified, not colourbond steel.
- 1202 Pacific Highway, Pymble
 - 1358 Pacific Highway, Turramurra
 - 10 Grassmere Road, Killara
- C. That Council advise the owners of No 6 Winton Street, Warrawee that funding could not be provided because the works are outside the aims of the scheme, development application approval for the fence is required and no quotes were provided with the application.
- D. That Council allocate funds to repair the roof at 1358 Pacific Highway, Turramurra but defer it until contact has been made with the owner of the adjoining shop (No 1360) about repairing both sides of the roof as one job to ensure consistency, economy and ongoing conservation.
- E. That details of the successful applications be made in Council's newsletter and website to promote heritage conservation in Ku-ring-gai.

CARRIED UNANIMOUSLY

89

2007 to 2008 Traffic Facilities Program

File: S03753

To advise Council of additional funding offered by the Roads and Traffic Authority and seek approval to amend the 2007 to 2008 Traffic Facilities Program.

Resolved:

(Moved: Councillors Lane/Ryan)

- A. That Council accept the funding offer from the RTA for the construction of a pedestrian refuge and kerb ramps in Moore St, Roseville at the intersection with Addison Avenue; an accessible ramped connection to the Children's crossing outside Roseville Public School and upgrading the existing Children's crossing in Addison Avenue outside Roseville Public School with a Wombat (raised) crossing.
- B. That Council's 50% share of the cost of the work, totalling \$31,000 be funded from savings in the 2007-2008 Traffic Facilities Program.

CARRIED UNANIMOUSLY

90 **Cromehurst Special School - Request for Financial Assistance**

File: 88/06148/01

Ward: Roseville

To advise Council of a request from Cromehurst Special School to provide financial assistance for the reconstruction of the driveway into the School.

Resolved:

(Moved: Councillors Anderson/Shelley)

- A. That Council advises the Principal of Cromehurst Special School that it will fund 50% of the cost for the reconstruction of the driveway in Tryon Road.
- B. That Council's share be funded from the recurrent budget for access crossings.

CARRIED UNANIMOUSLY

91 **West Pymble Pool - Expressions of Interest Evaluation**

File: S06518

To inform Council of the submissions received during the expressions of interest process and seek Council's approval to commence selective tender processes for the design and for the management of the West Pymble Pool.

Resolved:

(Moved: Councillors Ryan/Lane)

- A. That a selective tender process be used to identify a suitably qualified architectural firm for the design of the West Pymble Pool re-development.
- B. That a report be brought back to Council in late May recommending a successful tenderer for the design of the project.
- C. That on appointment of the design tenderer, Council commence a selective tender for the operation of the facility, inviting only those firms who submitted an EOI.
- D. That all parties who responded to the expression of interest be advised of Council's decision in regard to this matter.

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

Against the Resolution: Councillor Bennett

Standing Orders were suspended to deal with GB.11 first after a Motion moved by Councillors Bennett & Malicki was CARRIED UNANIMOUSLY

92

Proposed Land Reclassification Component (Schedule 4 for Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres))

File: S05094

To consider and determine the Council owned land to be included for proposed reclassification in the public hearing process relating to the deferred Schedule 4 component of draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres).

Resolved:

(Moved: Councillors Ryan/Andrew)

- A. That Council reactivate the reclassification process for the Council lands proposed to be considered for inclusion in Schedule 4 of draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres).

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

Against the Resolution: Councillors Bennett, Malicki & Shelley

- B. That Site 6 at Turramurra known as 3 Stonex Lane and 4 Duff Street, Turramurra being Lot 2 DP 550866 and Lot 1 DP 807766 be excluded from proposed reclassification recognising that it is not required.

CARRIED UNANIMOUSLY

- C. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 2 2 Moree Street, Gordon being:
Lot 4 DP 3965

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

Against the Resolution: Councillors Bennett, Malicki & Shelley

- D. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 3 4 Moree Street, Gordon being:
Lot 5 DP 3965

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

Against the Resolution: *Councillors Bennett, Malicki and Shelley*

- E. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 4 1 Wade Lane, Gordon being:
Old system land part of land in
Conveyance No. 483 Book 2027

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

Against the Resolution: *Councillors Bennett and Malicki*

- F. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Pymble Site 2 2 Alma Street, Pymble being:
Lot A DP 302332

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

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

The above Part F of the Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Bennett/Malicki)

That Council not proceed with reclassification of the following land and exclude it from Schedule 4 of the draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

*Pymble Site 2 2 Alma Street, Pymble being:
Lot A DP 302332*

- G. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Pymble Site 4 65 Grandview Street, Pymble being:
Lot 23 DP 791208

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

Against the Resolution: Councillor Malicki

- H. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Pymble Site 5 Land subdivided from 103 Grandview Street, Pymble being:
Lot 2 DP 582963

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

Against the Resolution: Councillor Malicki

- I. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 1 9 Havilah Lane, Lindfield being:
Lot 21 DP 713207

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

Against the Resolution: Councillors Bennett & Malicki

- J. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 2 3 Kochia Lane, Lindfield being:
Lot 12 DP 225925

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

Against the Resolution: Councillors Bennett & Malicki

- K. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 3 8-10 Tryon Road, Lindfield being:
Lot 2 DP 219628
Lot 3 DP 219628
Lot 5 DP 219146

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

Against the Resolution: Councillors Bennett & Malicki

- L. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 4 1 Beaconsfield Parade & 19 Drovers Way, Lindfield being:
Part Lot 1 DP 929131
Lots 1-16 DP 10993330

For the Resolution: Councillors Andrew, Cross, Lane, Ryan & Anderson

Against the Resolution: The Mayor, Councillor N Ebbeck, Councillors Bennett, Malicki & Shelley

The above Part L of the Resolution was CARRIED as an Amendment to the Original Motion. The Original Motion was:

(Moved: Councillors Shelley/Anderson)

That Council not proceed with the reclassification of the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

Lindfield Site 4 1 Beaconsfield Parade and 19 Drovers Way, Lindfield being:
Part Lot 1 DP 929131
Lots 1-16 DP 10993330

- M. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 10 1/12-18 Tryon Road, Lindfield being:
Lot 1 SP 37466

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

Against the Resolution: Councillor Bennett

(Moved: Mayor, Councillor Ebbeck/Councillor Cross)

- N. That Council not proceed with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

Turramurra Site 1 2-8 Turramurra Avenue, Turramurra being:
Lot 2 DP 840070

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

Against the Resolution: Councillors Andrew, Lane & Ryan

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

*That Council include the following land in Schedule 4 of draft Ku-ring-gai Local
Environmental Plan (2006) Town Centres, for the purpose of undertaking the
statutory public hearing process:*

*Turramurra Site 1 2-8 Turramurra Avenue, Turramurra being:
Lot 2 DP 840070*

(Moved: Mayor, Councillor Ebbeck/Councillor Cross)

- O. That Council not proceed with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

Turramurra Site 2 1-7 Gilroy Road, Turramurra being:
Lot 1 DP 840007

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

Against the Resolution: Councillors Andrew, Lane & Ryan

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

*That Council include the following land in Schedule 4 of draft Ku-ring-gai Local
Environmental Plan (2006) Town Centres, for the purpose of undertaking the
statutory public hearing process:*

*Turramurra Site 2 1-7 Gilroy Road, Turramurra being:
Lot 1 DP 840007*

- P. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turramurra Site 3 12 William Street, Turramurra being:
Lot 1 DP 519532

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

Against the Resolution: Councillors Bennett, Malicki, Shelley & Anderson

*The above Part P of the Resolution was subject to an Amendment which was
LOST. The Lost Amendment was:*

(Moved: Councillors Malicki/Bennett)

*That Council not proceed with the reclassification of the following land and
exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006)
Town Centres:*

*Turramurra Site 3 12 William Street, Turramurra being
Lot 1 DP 519532*

- Q. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turramurra Site 4 5 Ray Street, Turramurra being:
Lot 2 DP 221290

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

Against the Resolution: Councillors Bennett, Malicki & Shelley

*The above Part Q of the Resolution was subject to an Amendment which was
LOST. The Lost Amendment was:*

(Moved: Councillors Malicki/Bennett)

*That Council not proceed with the reclassification of the following land and
exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006)
Town Centres:*

*Turramurra Site 4 5 Ray Street, Turramurra
Lot 2 DP 221290*

- R. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turramurra Site 5 1A-3 Kissing Point Road, Turramurra being:
Lot 2 DP 500761
Lot 2 DP 500077

Lot 2 DP 502388
 Lot A DP 391538
 Lot B DP 435272

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

Against the Resolution: Councillors Bennett, Malicki & Shelley

- S. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

St Ives Site 1 176 Mona Vale Road, St Ives being:
 Lot 103 DP 627012
 Lot 105 DP 629388

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

Against the Resolution: Councillor Shelley

(Moved: Councillors Andrew/Bennett)

- T. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

St Ives Sites 2 & 3 Cowan Road, St Ives being:
 Lot 2 DP 822373
 Lot 1 DP 420106

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

Against the Resolution: Councillor Malicki, Bennett & Shelley

The above Part T of the Resolution was CARRIED as an Amendment to the Original Motion. The Original Motion was:

That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

*St Ives Site 2 Cowan Road, St Ives being:
 Lot A DP 321567
 Lot 1 DP 504794
 Lot A DP 336206
 Lot B DP 336206
 Lot 2 DP 822373
 Lot 1 DP 420106*

(Moved: Councillors Andrew/Bennett)

- U. That Council not proceed with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

St Ives Site 2	Memorial Avenue, St Ives being:
	Lot A DP 321567
	Lot 1 DP 504794
	Lot A DP 336206
	Lot B DP 336206
	Lot B DP 322331
	Lot C DP 322331

For the Resolution: Councillors Andrew, Bennett, Cross, Malicki, Shelley & Anderson

Against the Resolution: The Mayor, Councillor N Ebbeck, Councillors Lane & Ryan

The above Part U of the Resolution was CARRIED as an Amendment to the Original Motion. The Original Motion was:

That Council not proceed with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

<i>St Ives Site 2</i>	<i>Memorial Avenue, St Ives being:</i>
	<i>Lot B DP 322331</i>
	<i>Lot C DP 322331</i>

- V. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

St Ives Site 4	208-210 Mona Vale Road, St Ives being:
	Lot 11 DP 29167
	Lot 12 DP 29167

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

Against the Resolution: Councillors Bennett, Cross, Malicki & Shelley

The above Part V of the Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Bennett/Malicki)

That Council not proceed with the reclassification of the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

*St Ives Site 4 208-210 Mona Vale Road, St Ives being:
Lot 11 DP 29167
Lot 12 DP 29167*

- W. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

*St Ives Site 5 261 Mona Vale Road, St Ives being:
Lot 31 DP 719052*

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

Against the Resolution: Councillor Shelley

- X. That at St Ives (Site 2) any surplus lands after subdivision, sale and completion of development are to be reclassified back to community land.

CARRIED UNANIMOUSLY

*The above Resolution was subject to the following Amendment which was LOST.
The First Lost Amendment was:*

(Moved: Councillors Malicki/Bennett)

- 1. That this item be deferred to allow for full notification to our residents to occur, including but not limited to all those who made a submission to any of the Reclassification Hearings previously.*
- 2. That neither previous chair be included as a potential chair for any hearings due to the need to restore public confidence through a completely new and independent reclassification process.*
- 3. That a rationale be given by staff for any recommendation involving removing individual sites from the present reclassification process.*
- 4. That Council seek advice from the Department of Local Government on the following:*

Where Council wishes to reclassify only part of a site to operational (eg a DP lot), is it necessary to reclassify the whole site in order to effect a subdivision before the remainder can be reclassified back as community?

Or, is there another method which would allow Council to reclassify only that portion of the land that it seeks to make operational?

**Council adjourned for a short interval at 9.45pm
after a Motion moved by Councillors Shelley & Bennett was CARRIED
and the Chairperson ruled accordingly.**

Councillor Shelley departed

The Meeting resumed at 9.55pm

Those present were:

The Mayor, Councillor N Ebbeck
Councillor Anderson
Councillor Andrew
Councillor Bennett
Councillor Cross
Councillor Lane
Councillor Malicki
Councillor Ryan

93 **Amendment to the Council Meeting Cycle for September 2008**

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File: S02355

To amend the Council Meeting Cycle for September 2008.

Motion:

(Moved: Councillors Malicki/Bennett)

That the Meeting Cycle for September 2008 be as follows:

9 September 2008	Ordinary Meeting of Council
23 September 2008	Ordinary Meeting of Council

The above Motion when put to the Vote was LOST

94 **Sustainability Reference Group Meeting - Minutes of 25 February 2008**

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File: S05396

To bring to the attention of Council the proceedings from the Sustainability Reference Group Meeting held on Monday, 25 February 2008.

Resolved:

(Moved: Councillor Malicki/Mayor, Councillor Ebbeck)

That the Minutes of the Sustainability Reference Group Meeting of Monday, 25 February 2008 and attachments be received and noted.

CARRIED UNANIMOUSLY

95

Draft Sustainability Vision Report for Public Exhibition

File: S05592

To present the Draft Sustainability Vision Report for public consultation.

Resolved:

(Moved: Councillor Lane, Cr Ryan)

- A. That the draft Sustainability Vision Report be placed on public exhibition for 40 days through which a series of workshops, meetings and on-line consultations will occur, as outlined in the report.
- B. That a report detailing all community responses to the original document come to Council for its consideration.

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

Against the Resolution: Councillors Bennett & Malicki

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Malicki/Bennett)

- 1. *That the Vision Statement be altered to give emphasis to the natural environment.*
- 2. *That the emphasis and priority in the Vision Statement be Ku-ring-gai's magnificent natural and physical environment, currently in 3rd place in the future aspirations.*
- 3. *That the draft Sustainability Vision Report be placed on public exhibition for 40 days through which a series of workshops, meetings and on-line consultations will occur, as outlined in the report.*
- 4. *That a report detailing all community responses to the original document come to Council for its consideration.*

5. *That a further survey of Council staff be undertaken on the natural and physical environment of Ku-ring-gai and where they see the role of Council staff in retaining and keeping this environment sustainable.*

96

State Environmental Planning Policy (Infrastructure) 2007

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File: S06566

To provide a summary of State Environmental Planning Policy (Infrastructure) 2007 and the actions to be taken by Council to ensure effective implementation at the local level.

Resolved:

(Moved: Councillors Bennett/Malicki)

That a report be prepared and come to Council on what processes may be adopted to ensure public consultation on infrastructure works that will no longer require a development application.

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

Against the Resolution: Councillors Lane & Ryan

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillor Ryan/Lane)

That the report concerning the implications of the State Environmental Planning Policy (Infrastructure) 2007 be received and noted.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

97

Reporting to Council

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File: S06347

Notice of Motion from Councillor T Hall dated 28 March 2008.

In view of the decision of the Ku-ring-gai Planning Panel (Minute No PP8 of 12 March 2008) requiring our Council staff to provide reports to the Panel at least monthly on development applications and the like:

I move:

"That the General Manager also provide to this Council:

- A. A monthly report of all pending Development Applications more than 40 days old with reasons for delay. This report shall include all s96 and s82 Applications.
- B. A report of all development applications refused under his delegation, including reasons for refusal
- C. A copy of all reports provided to the Ku-ring-gai Planning Panel as it resolved on 12 March 2008, for the duration of its term."

The above Notice of Motion was withdrawn

98

Proposed Killara Station Precinct Resident Survey

File: S02848

Notice of Motion from Councillor Adrienne Ryan & Councillor Michael Lane dated 31 March 2008

There is an opportunity to create a new small scale neighbourhood precinct at the gateway to Killara Station on Council owned land Culworth Ave car park. A new mixture of local shops, cafes and services could provide for the needs of existing and new residents of the nearby apartments. The scale of development would be limited to 2 & 3 storeys with the bulk of current above-ground car parking being retained. A local resident's survey could be conducted as the first step to gauge the community's views on such a proposal.

We move:

"That Council conduct a local residents' survey to ascertain the level of support for Council to developing a new local neighbourhood shop precinct. A draft survey be prepared and referred to next Council's planning forum meeting for endorsement."

Resolved:

(Moved: Councillors Ryan/Lane)

That the above Notice of Motion as printed be adopted.

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

Against the Resolution: Councillors Bennett & Malicki

Councillor Cross departed

QUESTIONS WITHOUT NOTICE**99 Vision & Principles of the Sustainability Vision Report - Reflection of Residents Views**

File: S05592

Question Without Notice from Councillor Elaine Malicki

Can I remind you, Mr Mayor, that at the Councillors' Workshop, as a result of the discussion, you personally asked staff to go away and make the Vision and Principles of the Sustainability Vision Report reflect the residents' values about the environment more strongly?

This, of course, did not happen despite your request.

100 Reclassification Hearing

File: S06512

Question Without Notice from Councillor Laura Bennett

Can the Council submission to the Reclassification Hearing be placed on Council's website one week before the Hearing is scheduled?

Answer by the General Manager

Yes, it will be.

101 Reservation of Community Land by St Ives Shopping Village for its Employees

File: S04019

Question Without Notice from Councillor Laura Bennett

There are signs on community land in St Ives reserving the land for St Ives Village Shopping Centre employees.

What is the authority for this use of Council community land by the Shopping Village? Is this use in breach of the Local Government Act?

Answer by the General Manager

I will refer that to Director Piconi and Miss Seaton to take on board and report back.

The Minutes of the Ordinary Meeting of Council held on 8 April 2008 (Pages 1 - 23) were confirmed as a full and accurate record of proceedings on 29 April 2008.

General Manager

Mayor / Chairperson