



# ORDINARY MEETING OF COUNCIL

Tuesday, 13 September 2022

**ITEM 2 PLANNING PROPOSAL – 30-32 TELFER ROAD, CASTLE HILL (2/2022/PLP)**

**THEME:** Shaping Growth

**MEETING DATE:** 13 September 2022

COUNCIL MEETING

**GROUP:** SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS

SENIOR TOWN PLANNER

**AUTHOR:** DRAGANA STRBAC

**RESPONSIBLE OFFICER:** MANAGER – FORWARD PLANNING

NICHOLAS CARLTON

**PURPOSE**

This report relates to the planning proposal for land at 30-32 Telfer Road, Castle Hill (2/2022/PLP). The matter is being reported to Council for a decision on whether or not the planning proposal should be submitted to the Department of Planning and Environment (DPE) for a Gateway Determination. The proposal seeks to rezone the site from C4 Environmental Living to R2 Low Density Residential and reduce the minimum lot size from 2,000m<sup>2</sup> to 700m<sup>2</sup> to enable subdivision of the land into 4 residential lots (3 additional lots).



**Figure 1**  
Planning Proposal Status and Timeline

**RECOMMENDATION**

The planning proposal for land at 30-32 Telfer Road, Castle Hill be forwarded to the Department of Planning and Environment for Gateway Determination, subject to the following:

1. The proposed minimum lot size controls be amended to a minimum of 1,500m<sup>2</sup> for the front lot containing the existing dwelling and 700m<sup>2</sup> for the balance of the site.
2. Amendments to Clause 2.14.2 in Part B Section 2 - Residential of The Hills Development Control Plan (DCP) 2012 (Attachment 5) be publicly exhibited concurrently with the planning proposal, to remove the site from the mapped 30% site coverage requirement currently applying to C4 Environmental Living zoned land and enable residential outcomes consistent with the objectives of the R2 Low Density Residential zone.

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**IMPACTS**

**Financial**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

**Strategic Plan - Hills Future**

The planning proposal, as recommended, will facilitate the delivery of three (3) additional residential lots, contributing to housing choice in a form that is consistent with the established low density character of the surrounding area, whilst also ensuring environmental constraints affecting the site are able to be suitably managed.

**LINK TO HILLS SHIRE PLAN**

**Strategy:**

5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.

**Outcomes:**

5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity

**LEGISLATIVE CONTEXT**

The legislative framework for Planning Proposals which amend a Council's Local Environmental Plan is established within Part 3, Division 3.4 of the Environmental Planning and Assessment Act 1979 (Clauses 3.31 to 3.37). This report seeks a decision of Council as to whether or not prepare and submit a planning proposal to DPE for Gateway Determination in accordance with Sections 3.33 and 3.34 of the Act.

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**PROPONENT**

JS Architects

**OWNERS**

Mr Maher Mina

**POLITICAL DONATIONS**

None disclosed.

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**EXECUTIVE SUMMARY**

This report recommends that the planning proposal applicable to land at 30-32 Telfer Road, Castle Hill proceed to Gateway Determination, subject to minor amendments. The Planning Proposal, as submitted by the Proponent, seeks to rezone the site from C4 Environmental Living (formerly E4 Environmental Living) to R2 Low Density Residential and reduce the minimum lot size from 2,000m<sup>2</sup> to 700m<sup>2</sup>, to facilitate the subdivision of the land into four (4) residential lots.

Minor amendments to the submitted proposal are recommended, to map a minimum lot size of 1,500m<sup>2</sup> on the front portion of the site (which corresponds with the location of the existing dwelling and larger lot shown within the Proponent's subdivision concepts). The remaining portion of the site would be mapped with a minimum lot size of 700m<sup>2</sup>, as requested by the Proponent. These amendments would facilitate the indicative subdivision layout provided by

the Proponent, whilst ensuring that the streetscape and residential character is maintained in this locality through retention of the larger lot and dwelling at the front of the site.

It is considered that the planning proposal, amended in accordance with the recommendations of this report, is suitable to progress to Gateway Determination, on the basis that:

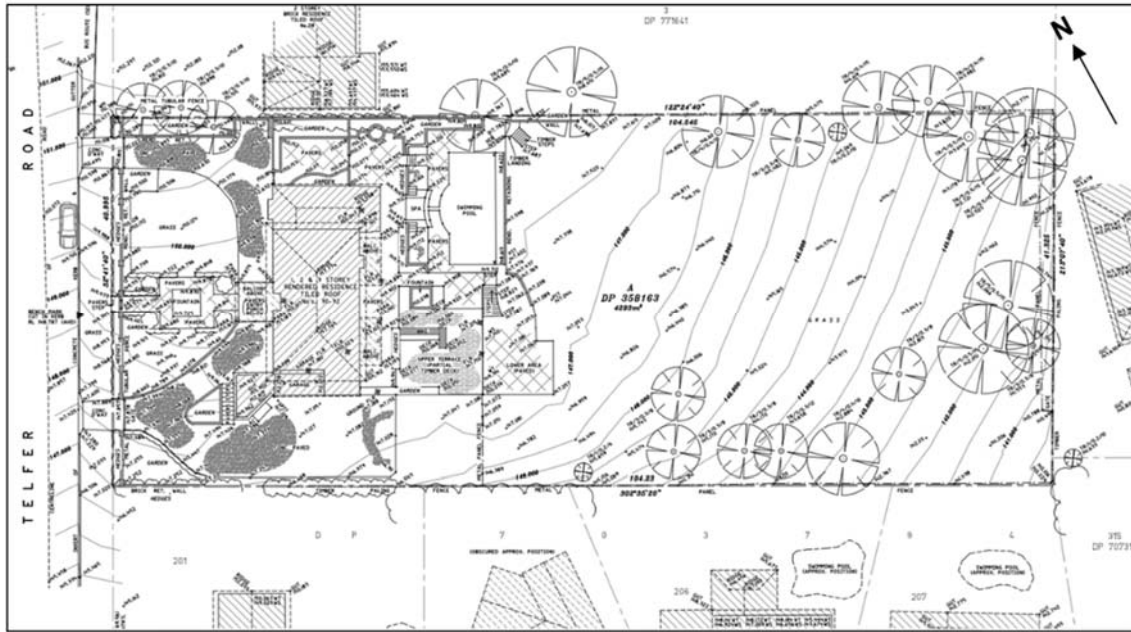
- a) The proposed zone, development controls and indicative subdivision layout will facilitate residential development outcomes that are consistent with the established low density residential development to the south, east and west of the site.
- b) The planning proposal is acceptable from a geotechnical and landslide risk point of view, subject to the implementation of the recommended geotechnical measures to stabilise the land.
- c) Any potential ecological impacts will be suitably addressed through the implementation of the recommended arboricultural measures detailed within the Proponent's Arboricultural Impact Assessment Report. It is also noted that this aspect of the proposal will need to be assessed in more detail as part of a future development application once the detailed design has been determined (including building footprints etc.).
- d) The precedent for other sites in the locality to seek similar outcomes is limited due to the smaller existing lot sizes and the environmental characteristics of the C4 zoned land for north of the subject site, including a more intensive presence of endangered ecological communities (i.e. Blue Gum High Forest) and a more pronounced slope.

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## **1. THE SITE**

The site is located at 30-32 Telfer Road, Castle Hill and is legally described as Lot A DP 358163. It is rectangular in shape with a 41-metre frontage to Telfer Road, a depth of 105 metres and a site area of approximately 4,293m<sup>2</sup>.

The site slopes approximately 10 metres from north-west to south-east and contains various trees concentrated around the periphery of the site. The existing topography is shown in the Proponent's Survey Plan prepared by Summit Geomatic Pty Ltd (as shown in Figure 2 below). The site is zoned C4 Environmental Living (formerly E4 Environmental Living) and is identified on the Landslide Risk Map under The Hills Local Environmental Plan (LEP) 2019.



**Figure 2**  
Survey Plan of Subject Site  
(Source: Summit Geomatic Pty Ltd)

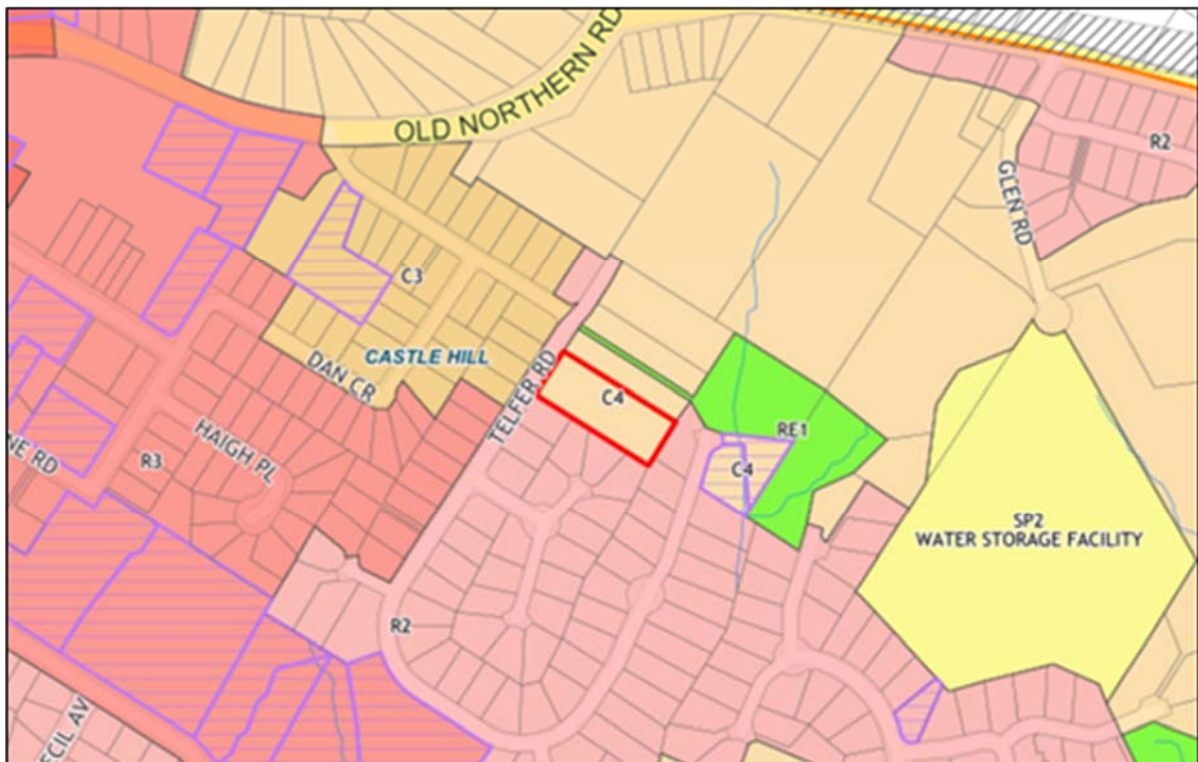
The site currently contains a double storey dwelling house with outbuildings and a swimming pool, which are concentrated on the western portion of the site (towards the Telfer Road frontage). The site is located adjacent to a well-established low density residential area to the south and west, which features a range of single detached dwellings. North of the site is characterised by environmentally sensitive development (predominately single detached dwellings) on relatively larger lot sizes (ranging from approximately 2,250m<sup>2</sup> to 4,000m<sup>2</sup>).

Telfer Way Reserve (a small local park) is also located north-east of the site, which features a playground and runs alongside a small creek. This local park can be accessed via a pathway from Telfer Road (between 26 and 28 Telfer Road). The immediate site context is shown in Figures 3 and 4 below.





**Figure 3**  
Aerial view of subject site (outlined in red) and surrounding locality

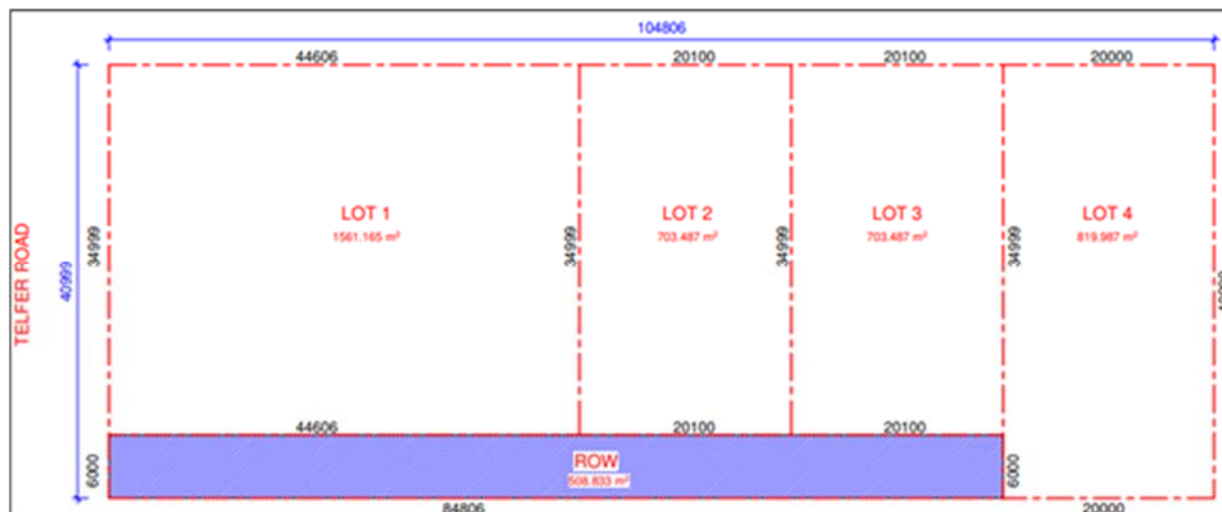


**Figure 4**  
Existing Land Zone Map (LEP 2019) for subject site and surrounds

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**2. DESCRIPTION OF PLANNING PROPOSAL**

The planning proposal seeks to facilitate the subdivision of the existing lot to create a total of four (4) residential lots ranging in size from 703m<sup>2</sup> – 1,561m<sup>2</sup>, with lots at the rear of the site accessed via a right of carriageway (as shown in Figure 5 below). The concept submitted by the Proponent indicates that the existing dwelling on Lot 1 will be retained.



**Figure 5**  
Indicative Subdivision Plan

To achieve this development outcome, the planning proposal seeks to amend LEP 2019 as shown in Table 1 below:

	<b>Current (LEP 2019)</b>	<b>Planning Proposal (as submitted by the Proponent)</b>	<b>Council Officer Recommendation</b>
<b>Zone</b>	C4 Environmental Living (formerly E4 Environmental Living)	R2 Low Density Residential	R2 Low Density Residential
<b>Minimum Lot Size</b>	2,000m <sup>2</sup>	700m <sup>2</sup>	1,500m <sup>2</sup> for proposed Lot 1 and 700m <sup>2</sup> for the remainder of the site

**Table 1**  
Proposed LEP Amendments

It is noted that under the planning controls sought by the application as submitted (being a minimum lot size of 700m<sup>2</sup>), the proposed Lot 1 (as shown in Figure 5 above) could technically be further subdivided into two lots, facilitating a total of five (5) lots on the subject land. This is discussed further in Section 3 below and has prompted Council officers to recommend a minor amendment to the controls sought, if the Council resolves to progress the proposal to Gateway Determination.

**3. MATTERS FOR CONSIDERATION**

A detailed technical assessment of the planning proposal has been completed by Council Officers and is contained within the Council Officer Assessment Report to the Local Planning Panel, dated 18 August 2022 and provided as Attachment 2 to this report.

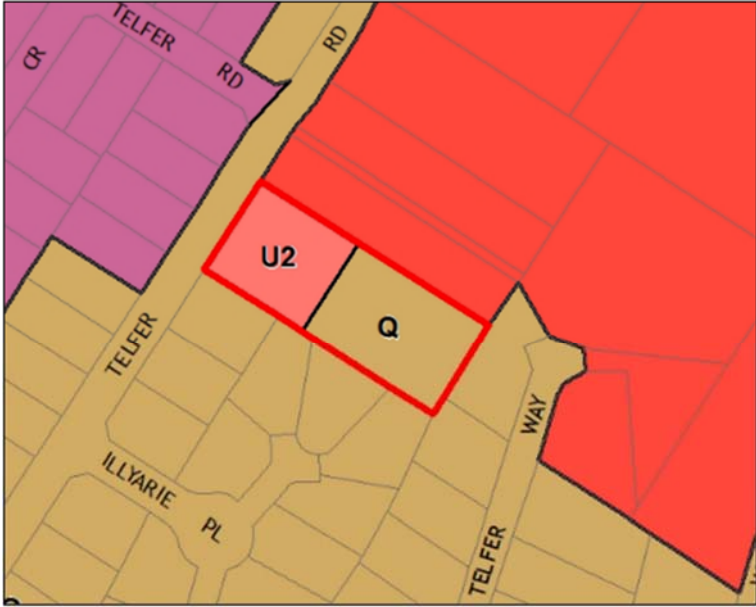
A summary and discussion of the key technical considerations associated with the planning proposal is provided in the table below.

Key Consideration	Comment
Strategic Context	<p>A detailed discussion on the planning proposal’s consistency with all applicable policies of the strategic planning framework is provided within Section 3 of the Council Officer Assessment Report (Attachment 2). In summary, the planning proposal is generally consistent with the applicable strategic planning framework. It will facilitate the delivery of a total of four (4) residential lots (subject to the recommended maximum lot size controls on the land).</p> <p>The proposal represents relatively minor incremental growth adjacent to an existing low density residential area, thereby providing a housing option for residents seeking larger homes to meet lifestyle needs, consistent with the expected family dominant demographic of The Shire. The outcome sought by the application is consistent with the established low density character of adjoining land and is supported by proximate public transport options and a local park.</p>
Environmental Constraints	<p>The site is currently zoned C4 Environmental Living, which is applied to areas of land which is generally constrained by environmental factors and where a larger lot residential outcome has been identified as the form of development which would be most sympathetic to these constraints. The objectives of the zone are to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values and to ensure that residential development does not have an adverse effect on those values.</p> <p>In assessing the potential to rezone the site from C4 Environmental Living to R2 Low Density Residential, consideration has been given to the environmental constraints affecting this land, being Geotechnical and Landslide Risk, Vegetation and Stormwater and Hydrology.</p> <p>Detailed consideration of each of these is contained within Section 4(a) of the Council Officer Assessment Report (Attachment 2), with a summary of the commentary provided below. Based on the assessment completed, it is the view of Council officers that if the proposal was to progress and the planning controls amended as recommended by this report, all potential geotechnical and landslide risks as well as ecological and stormwater constraints can be appropriately overcome as part of future development of the site.</p> <p><u><i>Geotechnical and Landslide Risk</i></u>            Under Clause 7.6 – Landslide Risk of LEP 2019, the site is identified as being susceptible to landslide risk. A Landslide Risk Assessment Report (prepared by Geotesta dated September 2019) was submitted with the proposal. This report concluded that stabilisation of the site is feasible and practical by means of surface and sub-surface drainage, engineer designed retaining structures and avoiding excessive cut and fill.</p>



Key Consideration	Comment
	<p>Given the importance of this particular technical matter, Council officers also engaged an expert consultant (Willows Engineering) to undertake an independent peer review of the Proponent’s Landslide Risk Assessment Report and advise Council on the implications and risks of developing on the land, as it relates to topography and potential instability and erosion. Overall, the Independent Peer Review found that the outcome sought through the planning proposal is considered suitable for the subject site with respect to landslide risk issues, subject to the implementation of the recommended risk mitigation measures as part of any future Development Application process.</p> <p>Further discussion on these findings and the recommended risk mitigation measures is provided in Section 4(a) of the Council Officer Assessment Report prepared for the Local Planning Panel’s consideration (Attachment 2).</p> <p><u>Vegetation</u>                      The Proponent submitted an Arboricultural Impact Assessment Report (dated 22 July 2022) prepared by Seasoned Tree Consulting. This report assesses the potential impact the proposed development is likely to have on trees on the site and recommends methods to mitigate development impacts where appropriate. It is noted that whilst the site does contain some Sydney Blue Gum trees (indicating the presence of Blue Gum High Forest, which is listed as a Critically Endangered Ecological Community under the <i>Biodiversity Conservation Act 2016</i>), these are recommended for retention where they are in good health.</p> <p>This matter will need to be considered in more detailed as part of a future development application, once detailed designs for future development of the site have been determined (including building footprints etc.). Notwithstanding the above, the existing suite of tree protection controls within Part C Section 3 – Landscaping of The Hills DCP 2012 provides a reasonable level of confidence that if the controls were to be amended as recommended by this report, appropriate development outcomes can be achieved on site with minimal impact on existing vegetation.</p> <p>Further discussion on ecological impacts and the findings from the Proponent’s Arboricultural Impact Assessment Report are provided in Section 4(a) of the Council Officer Assessment Report (Attachment 2).</p> <p><u>Stormwater and Hydrology</u>                      Given the subject site slopes approximately 10 metres from north-west to south-east, an on-site stormwater detention (OSD) will be required to compensate for any increase in stormwater runoff due to the increase in impervious surfaces resulting from the proposed development. Further consideration will need to be given to the location of an OSD system, and the potential need for an easement over downstream properties as part of any future Development Application. It is considered that there is adequate ability to resolve</p>

Key Consideration	Comment
	<p>this issue at the development assessment stage, should the planning proposal proceed in its current form. This is discussed in further detail in Section 4(a) of the Council Officer Assessment Report (Attachment 2).</p>
<p>Orderly Development and Access</p>	<p>It is expected that the proposal will facilitate orderly development outcomes on the subject site that would be more consistent with the established pattern of adjoining subdivisions and the prevailing character of the locality in terms of its size, shape, and configuration.</p> <p>However, to enable residential outcomes on the land consistent with the objectives and character of the proposed R2 Low Density Residential zone, amendments to Clause 2.14.2 in Part B Section 2 – Residential of The Hills Development Control Plan (DCP) 2012 are proposed by Council Officers. These changes seek to remove the maximum 30% site coverage mapping that applies to all C4 Environmental Living zoned land, in order to allow for future development to achieve increased site coverage of 60%, consistent with residential zones. This is further discussed in Section 4(b) of the Council Officer Assessment Report (Attachment 2). The recommended DCP amendment, and the proposed DCP sheet map amendment, are provided as Attachments 4 and 5 to this report, respectively.</p> <p>The Proponent’s Indicative Subdivision Plan indicates that a 6m wide battle-axe driveway will be provided, which is intended to service lots 2-4. Should the proposal proceed, various design requirements would need to be met as part of any future subdivision or development application. This is discussed in further detail within Section 4(b) of the Council Officer Assessment Report (Attachment 2).</p>
<p>Streetscape and Residential Character</p>	<p>The surrounding streetscape is generally characterised by single detached dwellings with landscaped front setbacks and wide frontages. Surrounding lots within a 100m radius range from approximately 700m<sup>2</sup> to 15,000m<sup>2</sup>. Whilst most of the lots within this radius are on the lower end of this scale (median lot size for the surrounding residential zoned land is 867m<sup>2</sup>), it is noted that the subject site also directly adjoins lots that are larger in size (greater than 2,000m<sup>2</sup>) to the north.</p> <p>Whilst the Proponent’s Indicative Subdivision Plan demonstrates that the site will be subdivided into four (4) lots, under the proposed planning controls (being a minimum lot size of 700m<sup>2</sup>), Lot 1 could technically be further subdivided into two lots, facilitating a total of five (5) lots on the subject land. Therefore, to facilitate the indicative subdivision layout provided by the proponent, and ensure the streetscape and residential character is maintained, it is recommended that a minimum lot size mapping of 1,500m<sup>2</sup> be applied to the front portion of the lot containing the existing dwelling and 700m<sup>2</sup> be applied to the balance of the site (as shown in Figure 6 below). This will effectively limit the number of lots to a total of four (4) and ensure that a larger lot remains at the street frontage, consistent</p>

Key Consideration	Comment
	<p>with the local residential character and subdivision pattern, as well as the concepts submitted in support of the application.</p>  <p style="text-align: center;"><b>Figure 6</b> Recommended Minimum Lot Size Map</p> <p>This is further discussed in Section 4(c) of the Council Officer Assessment Report (Attachment 2).</p>
<p>Precedent for Other Sites in the Locality</p>	<p>It is acknowledged that proceeding with the subject planning proposal could be seen as a precedent for applications seeking a similar outcome, which would in turn compromise the integrity of C4 Environmental Living zone objectives, noting that the zone extends from the subject site north to Castle Hill Road.</p> <p>Notwithstanding this, the subject site can be clearly distinguished from the other sites in the C4 Environmental Living zone to the north in terms of its location, size, and environmental characteristics. The lots immediately north of the site are relatively smaller in size and have narrower frontages (26-28 Telfer Road) and land further north (24 Telfer Road) is subject to greater environmental constraints including a more intensive presence of endangered ecological communities (i.e., Blue Gum High Forest) and a more pronounced slope. For this reason, it is considered unlikely that these lots could satisfy and overcome the relevant environmental constraints in the same way as this current application.</p> <p>Noting the foregoing, it is not anticipated that other sites will be able to demonstrate the same unique set of characteristics that apply to the subject site and therefore the precedent for other sites in the locality to seek similar outcomes based on the outcome of this particular application is expected to be limited. Notwithstanding, should</p>

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Key Consideration	Comment
	<p>landowners seek to submit a similar planning proposal for consideration, detailed individual site analysis will be needed to address and overcome the specific site constraints including (but not necessarily limited to) landslide risk, biodiversity, site topography, lot size and character.</p>
<p>Appropriateness of Proposed R2 Low Density Residential Zone</p>	<p>It is recognised that detached dwellings are a permitted land use within both the C4 Environmental Living zone and the R2 Low Density Residential zone. However, the C4 Environmental Living zone is generally applied to constrained land where a larger lot outcome is anticipated.</p> <p>If the proposal were to be facilitated by retaining the existing C4 Environmental Living zoning but reducing the minimum lot size, this would likely set an undesirable precedent and expectation for other C4 Environmental Living zoned land within The Hills, that similar lot size reductions may be appropriate within that zone. The Hills Development Control Plan 2012 also contains more stringent controls for built form requirements (including minimum road frontages, lot depths etc.) within the C4 Environmental Living zone, which may limit the viability and development potential of future development on the site.</p> <p>Ultimately, it is apparent that the smaller lot sizes sought through this proposal do not align with the objectives and envisaged outcomes within the C4 Environmental Living zone and as such, rezoning the land to R2 Low Density Residential is considered to be the appropriate change in this instance, which ensures that the proposed development can align with the applicable zone objectives and prevailing character of the local area.</p> <p>The R2 Low Density Residential zone is considered to be more appropriate for the site as it will facilitate a minimum 700m<sup>2</sup> subdivision pattern supplemented by controls which are intended to guide development of this density, including a minimum lot width of 18 metres and a minimum lot depth of 27 metres. Relevant setback controls for buildings include the general front setback control of 7.5m, rear setback control of 4m and side setback control of 900mm.</p> <p>The R2 Low Density Residential zone would technically permit a number of additional land uses that are not currently permitted in the C4 Environmental Living zone, such as detached dual occupancies, child care centres and seniors housing.</p> <p>Whilst such land uses are not the intended development outcome submitted by the Proponent, if such uses were to be pursued by a future landowner/s, they would be subject to detailed site-specific consideration including assessment against a range of development standards such as minimum lot size and height limits. Child care centres and dual occupancy development would be subject to a maximum floor space ratio control of 0.5:1, intended to limit the density of development and prevent excessive site coverage. Seniors</p>

Key Consideration	Comment
	housing would be required to demonstrate compliance with specific accessibility requirements (maximum path gradients) which would likely preclude this form of development, noting the topography of the site and lack of take-up of this form of development in the immediate vicinity where the use is also permitted (to the south).
Infrastructure Provision	<p>The proposed development outcome will result in three (3) additional residential dwellings within an existing low density residential environment that is adequately serviced by existing public infrastructure (it is noted that the proposed uplift is only 2 additional lots in comparison to what could theoretically be achieved on the site under the current planning controls).</p> <p>This extent of growth is within the realm of yield and density fluctuation that would be expected within the surrounding locality having regard to the potential development opportunities available on surrounding land (in particular, secondary dwellings and/or dual occupancies).</p> <p>It is therefore considered reasonable for the development to continue to be levied under the existing Section 7.12 Contribution Plan which applies to the land. The Plan identifies and funds new and upgraded local infrastructure required to support minor incremental development such as this, as it occurs across The Hills Shire.</p>

**Table 2**  
Overview of Matters for Consideration

#### 4. LOCAL PLANNING PANEL

On 18 August 2022, the planning proposal was presented to the Local Planning Panel (LPP) for advice. A copy of the Council Officer's Assessment Report and Meeting Minutes are provided as Attachments 2 and 3 of this report, respectively.

The Panel issued the following advice with respect to the subject planning proposal:

*The planning proposal should proceed to Gateway Determination (subject to Council obtaining legal advice confirming that the Complying Development pathway for any proposed dwellings on the proposed lots would not be available on the basis that the land is identified as 'environmentally sensitive land' under Clause 1.19(1)(e)(iv) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 having regard to the fact that the land is identified on the land slip risk map under the applicable LEP). Subject to receipt of this advice:*

1. *The planning proposal applicable to land at 30-32 Telfer Road, Castle Hill, be forwarded to the Department of Planning and Environment for Gateway Determination, subject to amendments which apply a minimum lot size of 1,500m<sup>2</sup> to the front lot containing the existing dwelling and a minimum lot size of 700m<sup>2</sup> for the balance of the site.*
2. *Clause 2.14.2 in Part B Section 2 - Residential of The Hills Development Control Plan (DCP) 2012 be amended to remove the site from the mapped*



*30% site coverage requirement currently applying to C4 Environmental Living zoned land, to enable residential outcomes consistent with the objectives of the R2 Low Density Residential zone.*

In accordance with the Panel's advice, Council Officers have since sought legal advice on the matter, which generally supports the position and conclusion set out in Section 4(a) of the Council Officer's report to the Local Planning Panel, indicating that the Complying Development Pathway would not be likely to be available for future development on the land, given the identification of the land on the LEP Landslide Risk Map. However, should the proposal proceed to Gateway Determination, further clarification on the interpretation of the Government's SEPP will be sought from the Department of Planning and Environment as part of the Gateway process. If the Department's advice does not align with Council officer's technical interpretation and the legal advice obtained, there remains opportunity for Council to consider further changes to the proposal at the post-exhibition stage (before finalisation) to address this matter.

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## CONCLUSION

The Planning Proposal generally aligns with the relevant strategic planning framework and will enable the subdivision of the land into a total of four (4) residential lots. The proposed development outcome will facilitate orderly development and future development that reflects the objectives of the R2 Low Density Residential zone and aligns with the prevailing character of the locality, with environmental constraints (vegetation, landslide risk and stormwater management) able to be suitably resolved. For the reasons set out within this report, it is recommended that the planning proposal applicable to land at 30-32 Telfer Road, Castle Hill, demonstrates adequate strategic and site-specific merit to warrant progression to Gateway Determination by the Department of Planning and Environment.

To facilitate the indicative subdivision layout provided by the Proponent and ensure the streetscape and residential character of the surrounding area is maintained, this report recommends that a minimum lot size of 1,500m<sup>2</sup> be applied to the front portion of the lot (containing the existing dwelling) and that a minimum lot size of 700m<sup>2</sup> (as requested by the Proponent) be applied to the balance of the site. This will effectively limit the number of lots that could be created to a total of four (4) lots and will facilitate the intended development outcome as submitted by the Proponent.

It is further recommended that the DCP Clause 2.14.2 in Section 2 of Part B of the DCP be amended to remove the site from the mapped 30% site coverage requirement currently applying to C4 Environmental Living zoned and to enable residential outcomes on the land consistent with the objectives and character of the R2 Low Density Residential zone which would be applied.

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## ATTACHMENTS

1. Peer Review – Landslide Risk Assessment Report (21 pages)
2. Council Officer Assessment Report – Local Planning Panel, 18 August 2022 (20 pages)
3. Local Planning Panel Minutes, 18 August 2022 (5 pages)
4. Existing Development Control Plan – Residential Map Sheet 28 (1 Page)
5. Draft Development Control Plan – Residential Map Sheet 28 (1 Page)
6. Arboricultural Impact Assessment Report (41 pages)



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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 13 September 2022**

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**VOTING FOR THE MOTION**

Mayor Dr P Gangemi  
Clr M Hodges  
Clr V Ellis  
Clr M Blue  
Clr J Brazier  
Clr R Boneham  
Clr J Cox  
Clr Dr M Kasby  
Clr Dr B Burton  
Clr R Tracey  
Clr F De Masi

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr A Hay OAM  
Clr R Jethi

**CALL OF THE AGENDA**

A MOTION WAS MOVED BY COUNCILLOR COX AND SECONDED BY COUNCILLOR BONEHAM THAT items 4, 5, 6 and 7 be moved by exception and the recommendations contained therein be adopted.

THE MOTION WAS PUT AND CARRIED.

**418 RESOLUTION**

Items 4, 5, 6 and 7 be moved by exception and the recommendations contained therein be adopted.

**ITEM 4 LEASE TO CONTOUR CLINICS – SUITE 2, 8 MCMULLEN AVENUE, CASTLE HILL**

**419 RESOLUTION**

Council agrees to enter into a lease with Contour Clinics at Suite 2, 8 McMullen Avenue, Castle Hill subject to the terms as detailed in this report and the lease be executed under Seal.

**ITEM 5 AMENDMENT – LEASE TO CBK SELECT PTY LTD – SHOP 5, 269 OLD NORTHERN ROAD CASTLE HILL**

**420 RESOLUTION**

Council agrees to adopt amended key terms and enters into a lease for Shop 5, 269 Old Northern Road, Castle Hill as detailed in this report and the lease be executed under seal.