

MINUTES OF ORDINARY MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 11 March, 2009
at 6:40 pm

PRESENT

Councillors Berman (Chairman), Browne, Chopra, Evans, Hutchence, Martin, McMurdo, Mills, Russell and Smart.

NATIONAL ANTHEM

OPENING PRAYER

Rev. David Misztal, Christ Church, Kenthurst, opened the Meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairman:

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

ABORIGINAL RECOGNITION

Statement by the Chairman:

"We recognise the traditional inhabitants of the land we are meeting on tonight, the Darug and Guringai Aboriginal people, and respect is paid to their elders and their heritage."

This is page 1 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 11 March, 2009.

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairman:

"I advise all present that tonight's meeting is being audio recorded for the purpose of assisting in the accuracy of the Minutes. The recordings may be accessed by members of the public once the Minutes have been finalised and speakers are requested to ensure their comments are relevant to the issue at hand and refrain from making personal comments or criticisms."

APOLOGIES

NIL

PRESENTATIONS

NIL

DECLARATIONS OF INTEREST

COUNCILLOR RUSSELL declared a non-significant non-pecuniary interest in Item 5 – Report No. EN5/09 Generic Plan of Management for Planning Districts 5 & 7. Refer to that Item for details.

CONFIRMATION OF MINUTES

'RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR CHOPRA,

THAT the Minutes of the Ordinary Council Meeting held on Wednesday, 11 February, 2009 be confirmed, a copy having been distributed to all Councillors.

PETITIONS

COUNCILLOR BERMAN presented a petition from residents of Pennant Hills regarding the condition of the road and lack of footpaths along Britannia Street, Pennant Hills and the unsightly appearance of the Council Nursery.

MAYORAL MINUTES

NIL

NOTICES OF MOTION

13 NOM1/09 Bike Path Funding

(F2009/00174)

RESOLVED ON THE MOTION OF COUNCILLOR MARTIN, seconded by COUNCILLOR MCMURDO,

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GENERAL MANAGER

CHAIRMAN

THAT Council investigate applying for a grant from the Federal Government for funding of bike path construction in Hornsby Shire, identifying the options available, including any associated cost implications for Council.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE,
MARTIN, MCMURDO, MILLS, RUSSELL AND SMART

AGAINST: NIL

RESCISSION MOTIONS

NIL

MATTERS OF URGENCY

NIL

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

THE MAYOR ANNOUNCED his intention to deal with the balance of the Business Paper by the exception method and announced the items.

Items 1, 3, 6, 7, 9 and 11 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT the recommendations in respect of items 2, 4, 5, 8 and 10 be adopted.

For the sake of clarity, the above items are recorded in Agenda sequence.

Note: Persons wishing to address Council on matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.

GENERAL BUSINESS

GENERAL MANAGER'S DIVISION

NIL

CORPORATE AND COMMUNITY DIVISION

- 1 CC18/09 Report on the Attendance of the Local Studies Coordinator at the 12th Australasian Congress on Genealogy and Heraldry in New Zealand from 16 to 20 January 2009**

(F2004/05991)

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GENERAL MANAGER

CHAIRMAN

RESOLVED ON THE MOTION OF COUNCILLOR MILLS, seconded by COUNCILLOR EVANS,

THAT the contents of Executive Manager's Report No. CC18/09 be received and noted.

2 CC19/09 January 2009 Investment and Borrowing Report

(F2004/06987)

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT the contents of Executive Manager's Report No. CC19/09 be received and noted.

3 CC21/09 Status Report - Development of a Community Safety Plan and the Potential Implementation of CCTV in the Hornsby Mall

(F2005/00389)

This is page 4 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 11 March, 2009.

GENERAL MANAGER

CHAIRMAN

Superintendent Shane White, on behalf of Hornsby Police, addressed Council regarding this item.

Mr Kevin Larsen, on behalf of Orion Integration P/L, addressed Council regarding this item.

Mr Simon Slevin, on behalf of the Hornsby and District Chamber of Commerce, addressed Council regarding this item.

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

THAT:

1. Council note the contents of Executive Manager's Report No. CC21/09 and the progress made in the preparation of the Community Safety Plan.
2. Council note that no submissions were received in response to the advertising of the potential installation of CCTV in Hornsby Mall and Station Street, Hornsby.
3. Council note the support offered by the local Police to fulfil the requirements of Steps 6 to 11 of the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Spaces*.
4. Council accept, in principle, the Orion CCTV Sponsorship Proposal subject to the successful completion of part 3 of this resolution and a report being submitted and accepted by Council outlining any costs to be incurred in the operation of a CCTV trial.
5. Subject to the acceptance of costs referred to in part 4 of this resolution, Council:
 - a) Install and trial the CCTV scheme for a period of two years.
 - b) Conduct an evaluation of the trial and its outcomes after a period of 12 months to assist in the implementation of the Community Safety Plan.
 - c) Review the full trial and its evaluation after two years to determine the need for the CCTV scheme to be continued.
 - d) Develop and implement a complaints mechanism.
 - e) Develop information strategies to inform the public about the operation of the trial scheme.

ENVIRONMENT DIVISION

4 EN4/09 Tree Removal at 4 Cardinal Avenue, Beecroft

(TA/1206/2008/A)

This is page 5 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 11 March, 2009.

GENERAL MANAGER

CHAIRMAN

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT Council refuse consent to remove 2 x *Syncarpia glomulifera* (Turpentine) located in the front yard of 4 Cardinal Avenue, Beecroft.

5 EN5/09 Generic Plan of Management for Planning Districts 5 & 7

(F2004/07806)

NOTE: COUNCILLOR RUSSELL declared a non-significant non-pecuniary interest in this item under Clause 51A of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). As stated on the Declaration of Interest form by COUNCILLOR RUSSELL, the nature of the interest was "in the past I have used the Kangaroo Point Marina to moor my boat. Some of the users helped me in the recent Council election", and the explanation of why the interest does not require further action in the circumstances was "I don't use this facility now". COUNCILLOR RUSSELL remained present for discussion and voting on the item

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT:

1. The draft Generic Plan of Management for "community" land and Crown reserves in Districts 5 and 7 be placed on public exhibition for a minimum period of 42 days.
2. A further report be provided to Council following the public exhibition period and public hearing.

6 EN6/09 Licence of Carparking spaces at 4 Chilvers Road and 29 Sefton Road Thornleigh to Northridge Vineyard Christian Fellowship Incorporated

(F2008/00671)

Mr Philip Henry, on behalf of Northridge Vineyard Church, addressed Council regarding this item.

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

THAT Council grant Northridge Vineyard Christian Fellowship Incorporated a three year licence to use a maximum of 30 carparking spaces at 4 Chilvers Road and 29 Sefton Road Thornleigh on the following basis:

1. A licence fee equal to \$750 per annum (excluding GST) for each car parking space, pro-rataed on the basis of proposed usage.
2. The licence fee shall be reviewed annually in accordance with the movement in the Consumer Price Index.
3. The car parking spaces shall only be used by members, guests and/or representatives of Northridge Vineyard Christian Fellowship Inc on weekends outside the hours of operation of Fluoro Pacific Pty Limited and SOS Removal Man Pty Ltd.
4. Council shall not be responsible to the Northridge Vineyard Christian Fellowship Inc to prevent unauthorised persons from parking on or within the car parking area at any time.
5. Northridge Vineyard Christian Fellowship Inc shall ensure that whilst using the car park no matter or thing is done that may prohibit, constrict or limit the use of pathways, driveways or other common areas of the premises.
6. Northridge Vineyard Christian Fellowship Inc shall indemnify Council against all claims whilst using the car parking spaces in respect of public liability. Indemnity amount of \$10 million with such Policy to note Council as an interested party.
7. Northridge Vineyard Christian Fellowship Inc shall bear the costs incurred in the preparation of the necessary licence documentation.

7 EN7/09 Adoption of Lower Hawkesbury Estuary Management Plan
(F2006/00723)

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

THAT:

1. Council adopt The Lower Hawkesbury Estuary Management Plan.
2. Council establish a Lower Estuary Management Committee to oversee the implementation of the Plan, and publicly seek membership for such a committee.
3. Council's representation on the Lower Hawkesbury Management Committee be:
 - Councillor Wendy McMurdo – Chairperson
 - Councillor Mick Smart – Deputy Chairperson
 - Councillor Steve Russell – Member

PLANNING DIVISION

NIL

STRATEGY DIVISION

8 ST2/09 Amended Terms of Reference for the Employment & Economic Development Taskforce

(F2004/10055)

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT the amended terms of reference for the Employment and Economic Development Task Force, as outlined in Executive Manager's Report No. ST2/09 be noted and adopted.

WORKS DIVISION

9 WK9/09 Car Share Scheme

(F2007/01499)

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GENERAL MANAGER

CHAIRMAN

RESOLVED ON THE MOTION OF COUNCILLOR MARTIN, seconded by COUNCILLOR MCMURDO,

THAT:

1. Council call for expressions of interest from the three companies operating car share in Sydney to determine their ability, conditions and locations of operation of a car share scheme in the Hornsby Shire.
2. Car share schemes are to be taken into consideration when developing the Development Control Plans for the areas proposed for the Hornsby Shire Housing Strategy (2008-2016) and Employment Strategy.

10 WK10/09 "Wellum Bulla" - Hornsby Shire Council Materials Handling Facility Monitoring Committee

(F2004/09261)

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT Council note the Minutes of the Hornsby Shire Council Materials Handling Facility Monitoring Committee held on 19 February 2009, as attached to Executive Manager's Report No. WK10/09.

11 WK11/09 Car Parking - Hornsby Town Centre

(F2008/00066)

RESOLVED ON THE MOTION OF COUNCILLOR CHOPRA, seconded by COUNCILLOR EVANS,

THAT:

1. The contents of Executive Manager's Report No. WK11/09 be received and noted.
2. Council further consider the need for additional car parking in the Hornsby Town Centre in the context of the car parking policy/strategy currently being prepared by the Traffic and Road Safety Branch.

SUPPLEMENTARY REPORTS

NIL

PUBLIC FORUM – NON AGENDA ITEMS

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GENERAL MANAGER

CHAIRMAN

NIL

MAYOR'S NOTES

12 MN2/09 Mayor's Notes from 1 to 31 January 2009

(F2004/07053)

Tuesday 20 January – The Deputy Mayor, on behalf of the Mayor, attended the Rotary Club of Pennant Hills Australia Day Award Presentation at Beecroft Bowling Club.

Monday 26 January – The Mayor hosted the Australia Day Citizenship Ceremony and Presentation of Citizen and Young Citizen of the Year at Pennant Hills Community Centre.

Wednesday 29 January – The Mayor attended a Service to celebrate the commencement of Ministry of Reverend Brian Leslie Heath as Rector of St John's Church at Asquith.

Friday 30 January – The Mayor attended the Bharatiya Vidya Bhavan Australia Interfaith Prayer Meeting at Parliament House, Sydney.

Friday 30 January – The Mayor attended the Australian Chinese Community Association 2009 Chinese New Year Banquet at the Marigold Citymark Seafood Restaurant, Sydney.

Saturday 31 January – Councillor Hutchence, on behalf of the Mayor, attended the Year of China in Australia 2008-2009 Festival Closing Ceremony at the State Theatre, Sydney.

Please note that these are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

NIL

CONFIDENTIAL ITEMS

NIL

QUESTIONS WITHOUT NOTICE

NIL

THE MEETING terminated at 7.45 pm.

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GENERAL MANAGER

CHAIRMAN

These Minutes were confirmed at the meeting held on Wednesday, 8 April, 2009, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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GENERAL MANAGER

CHAIRMAN