



the bushland shire

creating a living environment

MINUTES OF ORDINARY MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 21 March, 2012
at 6:34 pm

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Rev. Jeff Smith of Galston Uniting Church, 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."

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GENERAL MANAGER

CHAIRMAN

ABORIGINAL RECOGNITION

Statement by the Chairman:

"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairman:

"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms."

APOLOGIES / LEAVE OF ABSENCE

Nil

PRESENTATIONS

Nil

DECLARATIONS OF INTEREST

Nil

CONFIRMATION OF MINUTES

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

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 15 February 2012 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

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

THAT the Minutes of the Workshop Council Meeting held on Wednesday 23 November

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2011 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

RESCISSION MOTIONS

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 3, 6, 7 and 10 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 4 and 5 be adopted.

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

AGAINST: NIL

NOTE: Items 8 and 9 were called over and noted.

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

This is page 3 of the Minutes of the Ordinary Meeting of Hornsby Shire Council held on 21 March, 2012.

GENERAL MANAGER

CHAIRMAN

1 CC7/12 Outstanding Council Resolutions - Period Until 30 November 2011

(F2005/00112)

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

THAT the contents of Executive Manager's Report No. CC7/12 be received and noted.

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

AGAINST: NIL

2 CC8/12 Investments and Borrowings for 2011/12 - Status for Period Ending 31 January 2012

(F2004/06987)

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

THAT the contents of Executive Manager's Report No. CC8/12 be received and noted.

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

AGAINST: NIL

3 CC9/12 Code of Meeting Practice - Proposed Amendment to Schedule of Council Meetings - April to October 2012

(F2004/07032)

Mr Peter Waite, of Pennant Hills, addressed Council regarding this item.

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

THAT:

1. The contents of Executive Manager's Report No. CC9/12 be received and noted.
2. Subject to the amendment proposed in Late Items Information Memo to Report No. CC9/12 in respect of the deadline for finalised reports to Council's business paper coordinator and the release of the Business Paper to the website, the documents titled "Schedule of ordinary Council Meetings April 2012 – October 2012"; "Order of Business at ordinary Council Meetings April 2012 – October 2012"; and "Administration of Council Meetings – From April 2012", as attached to Executive Manager's Report No. CC9/12 be adopted.

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3. Subject to amendments to the draft Code of Meeting Practice being included to reflect the amendments in point 2. above, the draft Code of Meeting Practice attached to Executive Manager's Report No. CC9/12, which was publicly exhibited during the period 24 January to 20 February 2012 and about which no submissions were received in the period ending 5 March 2012, be adopted.

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

AGAINST: NIL

4 CC11/12 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2011/00977)

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

THAT Council note the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

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

AGAINST: NIL

ENVIRONMENT DIVISION

5 EN7/12 Proposed Tree Offset Mechanism and Fees

(F2010/00633)

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

THAT:

1. Council adopt for public exhibition and make available for public comment the draft Green Offsets Code for a period of one month.
2. At the conclusion of the exhibition period, a further report be presented to Council detailing the submissions received.
3. If there are no submissions received, the draft Green Offsets Code be considered adopted.
4. The cost of replacement trees to be planted on Council land be established at \$1,000 per 20 square metres of canopy area removed, and included as an estimate in the Draft Fees

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GENERAL MANAGER

CHAIRMAN

and Charges Schedule for 2012/13.

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

AGAINST: NIL

6 EN15/12 Request to Remove Tree at 42 Cowan Road, Mount Colah
(TA/505/2011)

Mrs Anne Hornshaw, of Mount Colah, addressed Council regarding this item.

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

THAT consideration of this matter be deferred until the Council Meeting of 18 April 2012 to
allow a site visit to be undertaken and clarification to be sought in respect of the tree's
dimensions and its distance from the house.

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

AGAINST: NIL

7 EN16/12 Draft Plan of Management for Old Mans Valley
(F2012/00024)

Mrs Betsy Williams, of Hornsby, addressed Council regarding this item.

Ms Leonie Kemp, on behalf of the Association for Berowra Creek, addressed Council
regarding this item.

Ms Kim Mullins, on behalf of Community Voice, addressed Council regarding this item.

Mr Peter Waite, of Pennant Hills, addressed Council regarding this item.

Mr Martin Wiseta, of Hornsby, addressed Council regarding this item.

Mr Craig Starling, on behalf of Sydney North Offroad Cyclists, addressed Council regarding
this item.

Ms Jacs Betlem, former resident of Hornsby Shire, addressed Council regarding this item.

Mr Noel Gurney, of Thornleigh, addressed Council regarding this item.

Dr Gabe Lomas, of Berowra Heights, addressed Council regarding this item.

Mr Robert Zivcic, of Hornsby, addressed Council regarding this item.

Mr Christopher Chavasse, of Hornsby, addressed Council regarding this item.

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

THAT:

A. 1) The contents of Executive Manager's Report No. EN16/12 be received and noted.

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March, 2012.

GENERAL MANAGER

CHAIRMAN

- 2) The document attached to Executive Manager's Report No. EN16/12 and titled "Public Hearing Report – Proposed Recategorisation of Community Land in Old Mans Valley, Hornsby – Public Hearing 2: 9 February 2012" be received and noted.
- 3) Council categorise the community land in Old Mans Valley according to the categorisations shown in Figure 9 of the Old Mans Valley Community Land Draft Plan of Management dated January 2012.
- 4) Council adopt the Old Mans Valley Community Land Draft Plan of Management dated January 2012.

B. In respect of the Mountain Bike Trails proposed to be constructed in Hornsby Park and the Review of Environmental Factors that has been prepared regarding such, the results of the Review of Environmental Factors be provided to Councillors at an informal briefing to be held within three weeks.

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

AGAINST: NIL

PLANNING DIVISION

Nil

WORKS DIVISION

Nil

CONFIDENTIAL ITEMS

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Nil

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

8 MN3/12 Mayor's Notes from 1 to 31 December 2011

(F2004/07053)

Thursday 1 December 2011 - The Mayor attended Mt St Benedict's Presentation Day at

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GENERAL MANAGER

CHAIRMAN

Hornsby RSL Club.

Thursday 1 December 2011 - The Mayor attended a lunch for the 2012 Arts Scholarship recipients at Asquith Boys High School.

Friday 2 December 2011 - Cr McMurdo, on the Mayor's behalf, attended the Keep Australia Beautiful NSW Clean Beaches 2011 Awards Ceremony.

Friday 2 December 2011 - The Mayor attended the Parkinson's NSW Hornsby Ku-ring-gai Support Group Christmas Luncheon at Asquith Bowling Club.

Friday 2 December 2011 - The Mayor attended Waitara Public School's Year 6 Photography Exhibition at Hornsby Library.

Saturday 3 December 2011 - The Mayor attended the Studio Artes "Ride a Day in My Wheels" Fundraising Event in Hornsby Mall.

Tuesday 6 December 2011 - The Mayor attended the Galston High School Annual Presentation.

Wednesday 7 December 2011 - The Mayor attended the Waitara Public School End of Year Presentation.

Wednesday 7 December 2011 - Mrs Berman attended the Berowra Christian Community School Presentation.

Thursday 8 December 2011 - The Mayor attended the Asquith Public School Annual Presentation Day.

Thursday 8 December 2011 - The Mayor attended the Ku-ring-gai Creative Arts High School Annual Presentation.

Thursday 8 December 2011 - The Mayor attended the Loreto Normanhurst Year 7 - 11 Awards Ceremony.

Friday 9 December - The Mayor attended the Cheltenham Girls' High School Annual Presentation Day at Sydney Opera House.

Saturday 10 December 2011 - The Mayor attended the Hornsby Shire Council Christmas Spectacular at Rofe Park, Galston.

Sunday 11 December 2011 - The Mayor attended the Hornsby Dog Training Club's Christmas Party at Rofe Park, Galston.

Monday 12 December 2011 - The Mayor attended the Meals on Wheels Christmas Lunch.

Monday 12 December 2011 - The Mayor attended the Rotary Club of Beecroft Carols by Candlelight at Beecroft Village Green.

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GENERAL MANAGER

CHAIRMAN

Monday 12 December 2011 - The Mayor attended the Asquith Boys High School Presentation Night.

Tuesday 13 December 2011 - The Mayor attended the Hornsby Girls' High School Annual Speech Day at Sydney Town Hall.

Tuesday 13 December 2011 - The Mayor attended the Normanhurst Boys High School Presentation Night at Hornsby RSL Club.

Wednesday 14 December 2011 - The Mayor attended the Asquith Girls High School Presentation at Hornsby RSL Club.

Thursday 15 December 2011 - The Mayor hosted the Mayor's Annual Christmas Reception at Asquith Leagues Club.

Friday 16 December 2011 - The Mayor and Mrs Berman attended the Mayor of Ryde's Christmas Reception at Brush Farm House, Eastwood.

Friday 17 December 2011 - The Mayor and Mrs Berman attended the Sri Lanka Association's Christmas Party at Roselea Community Centre.

Sunday 18 December 2011 - The Mayor attended the Hindu Social Services Foundation - People with a Disability Event at Pennant Hills Community Centre.

Monday 19 December 2011 - The Mayor and Councillor Chopra attend Mr Paul Fletcher MP's Community Christmas Drinks at the Greengate Hotel.

Tuesday 20 December 2011 - The Mayor and Councillors Chopra and Browne attend Mr Matt Kean MP's Community Christmas Drinks at Hornsby Railway Hotel.

Note: 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.

CALLED OVER AND NOTED

9 MN4/12 Mayor's Notes from 1 to 29 February 2012

(F2004/07053)

Saturday 4 February - The Mayor attended the Commemoration of the 64th Anniversary of Independence of Sri Lanka at Roselea Community Centre.

Sunday 12 February - The Mayor attended the Transparent Charity Inc. launch at Willow Park.

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Sunday 12 February - The Mayor attended the Greek Festival at Greenway Park, Cherrybrook.

Monday 13 February - The Mayor attended the Normanhurst Public School P and C Meeting.

Tuesday 14 February - The Mayor attended the Northern Sydney Local Health District Board Inaugural Annual Public Meeting at the Royal North Shore Hospital.

Tuesday 14 February - The Mayor attended the National Year of Reading Program Launch at Hornsby Library.

Tuesday 14 February - The Mayor attended the Pennant Hills High School Presentation Evening.

Saturday 18 February - The Mayor officiated at Movies Under the Stars in Epping.

Sunday 19 February - The Mayor attended the Hornsby Community Church Official Opening at their new venue at Event Cinema Hornsby.

Thursday 23 February - The Mayor, Deputy Mayor and Councillor Browne attended the JRPP Meeting for the Hornsby Aquatic Centre Development Application at Council Chambers.

Saturday 25 February - The Mayor officiated at the Movies Under the Stars at Asquith.

Monday 27 February - The Deputy Mayor, on the Mayor's behalf, attended the Thornleigh Sports Club AGM and Life Membership Presentations at the Pennant Hills Bowling Club.

Tuesday 28 February - The Deputy Mayor, on the Mayor's behalf, attended the Penno 1000 VIP Legends Lawn Bowls Tournament at Pennant Hills Bowling Club.

Note: 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.

CALLED OVER AND NOTED

MAYORAL MINUTES

Nil

NOTICES OF MOTION

Nil

SUPPLEMENTARY AGENDA

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GENERAL MANAGER

CHAIRMAN

10 NOM1/12 Hornsby Aquatic Centre - Public Access Options

(F2009/00386)

Ms Leonie Kemp, of Hornsby Heights, addressed Council regarding this item.

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

THAT:

1. The Acting Executive Manager, Works Division arrange for the independent assessment of all public access options to service the Hornsby Aquatic Centre.
2. The results of the independent assessment of the various access options be provided to Councillors for their consideration.
3. Work associated with the Hornsby Aquatic Centre commence by 1 June 2012.

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

AGAINST: NIL

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 8.16pm.

These Minutes were confirmed at the meeting held on Wednesday 18 April, 2012 at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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GENERAL MANAGER

CHAIRMAN