



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 21 November, 2012
at 6:33 PM



This is page 1 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 November, 2012.

GENERAL MANAGER

CHAIRPERSON

PRESENT

Councillors Russell (Chairman), Browne, Anisse, Azizi, Berman, Gallagher, Hutchence, Cox, Singh and Tilbury

Note: Councillor Browne arrived at the meeting at 6.36pm after the Opening Prayer.

Note: Councillor Berman arrived at the meeting at 6.44pm. He was not present for Apologies/Leave of Absence and Confirmation of Minutes.

NATIONAL ANTHEM

OPENING PRAYER

The General Manager 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 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

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairman:

This is page 2 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 November, 2012.

“In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.

If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct.”

PRESENTATIONS

The Mayor made the following presentations in respect of Awards that Council has recently received:

Building Inclusive Communities Award - Highly Commended

The Building Inclusive Communities Awards are a joint initiative of the Ethnic Communities Council of NSW and Macquarie University. Council received a High Commendation for its inaugural Healthy Living Festival held throughout March and April this year. The commendation recognises the promotion of harmony and inter cultural understanding.

The Award was presented to Mr David Johnson, Manager Community Services.

Stormwater Industry Award – Excellence in Asset Management - Highly Commended

The commendation, received from the Stormwater Industry Association (SIA) for Asset Management and Infrastructure, was for the Epping Oval Stormwater Harvesting Project and recognised water reuse and stormwater harvesting as a cost effective and environmentally viable option to reducing potable water use in urban areas.

The Award was presented to Mr Steve Fedorow, Group Manager Environment and Human Services.

Stormwater Industry Award – Excellence in Infrastructure - Highly Commended

This Award, also received from the Stormwater Industry Association (SIA) for Asset Management and Infrastructure, was received for Council's work on a Bioretention Basin at Belinda Crescent, North Epping that treats the impacts of residential stormwater, improving water quality in Devlins Creek and correspondingly bushland in Lane Cove National Park. The commendation recognised the significant benefits of using the latest advances in bioretention treatment technology to deliver outstanding environmental, social and financial outcomes.

The award was presented to Mr Steve Fedorow, Group Manager Environment and Human Services.

DECLARATIONS OF INTEREST

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

COUNCILLOR TILBURY declared a less than significant non-pecuniary interest in Item 8 - EH9/12 2012/13 Community Donations Program. Refer to that Item for details.

COUNCILLOR AZIZI declared a less than significant non-pecuniary interest in Item 17 - IR10/12 Northern District Hockey Association Licence - Part of Crown Reserve R45012 Pennant Hills Park, Pennant Hills. Refer to that Item for details.

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 17 October 2012 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: COUNCILLOR GALLAGHER

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

THAT the Minutes of the Workshop Meeting held on 14 November 2012 be confirmed; a copy having been distributed to all Councillors.

FOR: COUNCILLORS ANISSE, AZIZI, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

PETITIONS

COUNCILLOR BROWNE tabled a 'Save our Mature Trees' petition relating to trees in Epping and North Epping (refer Public Forum Non Agenda Items).

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.

This is page 4 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 November, 2012.

Items 2, 4, 8, 15, 18, 21, 22, 23, 24 and 25 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, THAT the recommendations in respect of items 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 19 and 20 be adopted

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

Note: Items 26 and 27 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. Other persons who spoke are shown in the Public Forum Non Agenda Items section in the Minutes.

GENERAL BUSINESS

GENERAL MANAGER'S DIVISION

1 GM7/12 Code Of Conduct Complaints - Annual Report

(F2005/00156)

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

THAT the contents of General Manager's Report No. GM7/12 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

CORPORATE SUPPORT DIVISION

2 CS23/12 Delivery Program for 2011-15 Including the Operational Plan (Budget) for 2012/13 - September 2012 Quarter Review

(F2011/01357)

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

This is page 5 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 November, 2012.

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

THAT:

1. The September 2012 Quarter Review of the 2011-15 Delivery Program including the Operational Plan (Budget) for 2012/13, be received, noted and actioned.
2. Council approve the raising by June 2013 of a loan from external sources for an amount of \$2 million to assist in funding the redevelopment of the Hornsby Aquatic Centre.
3. The General Manager be authorised to accept the best quote offered for the loan funds referred to in 2 above; to complete the necessary documentation relating to the loan; and to advise Councillors of the outcome.
4. If required, the Common Seal of Council be affixed to the loan documentation between Council and the successful Bank for the \$2 million referred to in Deputy General Manager's Report No. CS23/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

3 CS24/12 Investments and Borrowings for 2012/13 - Status for Period Ending 30 September 2012

(F2004/06987)

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

THAT the contents of Deputy General Manager's Report No. CS24/12 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

4 CS26/12 2011/12 Audited Financial Statements - Presentation To The Public

(F2012/00446)

Note: Council's External Auditor, Mr Dennis Banicevic, of PricewaterhouseCoopers, addressed Council regarding this item and responded to questions raised by Councillors.

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GENERAL MANAGER

CHAIRPERSON

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

THAT the General Purpose and Special Purpose Financial Statements (including the Auditor's Report) for the year ended 30 June 2012, as presented to the public on 21 November 2012, be adopted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

5 CS27/12 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2012/00606)

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

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 ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

6 CS28/12 Hornsby Shire Council - Annual Report for 2011/12

(F2004/07317)

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

THAT:

1. Council receive and note the Hornsby Shire Council Annual Report 2011/12 attached to Deputy General Manager's Report No. CS28/12.
2. A copy of the Annual Report be submitted to the Division of Local Government by 30 November 2012.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,

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COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

7 CS29/12 Financial Assistance Grant - 2012/13

(F2004/07229)

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

THAT the contents of Deputy General Manager's Report No. CS29/12 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

8 EH9/12 2012/13 Community Donations Program

(F2012/00684)

Note: COUNCILLOR TILBURY declared a less than significant non-pecuniary interest in this item under Clause 51A of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR TILBURY on the Declaration of Interest form as: "Blow Fly cricket is a community organisation that is to have their application for a community donation program recommended for approval. This group is affiliated with the Hornsby Ku-ring-gai and Hills District Cricket Association. I am President of this Association currently and the explanation of why the interest does not require further action in the circumstances was "This non significant interest will have absolutely no impact on the way I will vote on this item".

MOVED ON THE MOTION OF COUNCILLOR SINGH, seconded by COUNCILLOR BROWNE,

THAT:

1. The organisations listed below receive financial assistance from Council in 2012/13 in accordance with the Policy titled Council Cash and Non Cash Donations and Grants.

Organisation/Group	Amount
Asquith Church of Christ	\$1,300
1 st Dural Scouts	\$1,000
Active Opportunities Inc	\$2,160
Aknoon Cultural Centre (Iranian Community)	\$500

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GENERAL MANAGER

CHAIRPERSON

Autism Community Network	\$1,723
Blowfly Cricket Association	\$582
Brooklyn Community Theatre	\$1,212.55
Cherrybrook Chinese Community Association	\$1,000
Combined Probus Club Cherrybrook Inc	\$500
Easy Care Gardening	\$700
Epping Scout Group	\$3,395
Girl Guides Association North Epping District	\$2,490
Hornsby Chinese Senior Group	\$2,630
Hornsby Kuring-gai PCYC	\$1,200
Ind-Aust Bal Bharati Vidlayawa Hindi School Inc	\$1,700
Indian Senior Group – Hornsby	\$1,920
Iranian Family Community (IFC)	\$500
Lifeline Harbour to Hawkesbury	\$600
Multicultural Integration Community Support Inc	\$1,200
Namaste Indian Community	\$1,000
Parkinson's NSW – Hornsby Kuring-gai Support Group	\$1,150
Russian Community Group	\$2,000
Samarpan Inc	\$2,400
Scout Association of Australia – 1 st Berowra Group	\$2,000
Te Amo Peru	\$1,000
The Beecroft Orchestra inc	\$1,000
The Friends of the Richard Geeves Centre	\$2,000
The Shack Youth Outreach	\$1,000
Vishva Hindu Parishad of Australia Inc	\$2,500
West Pennant Hills Scout Group	\$1,950
Mayors Youth Trust Fund	\$3,000
Emergency Relief Fund	\$5,000
Total	\$52,312.55

2. Council invite unsuccessful groups to debrief their application with relevant Council staff with a view to improving any future applications that may be submitted.
3. Any further requests for financial assistance received in the 2012/13 financial year that meet the criteria of Council Policy POL00209 – Cash and Non Cash Donations and Grants, be referred to the Mayor, General Manager and Manager – Community Services Branch for consideration and determination.
4. Council Policy POL00209 – Cash and Non Cash Donations and Grants be reviewed, with a report detailing the results presented to Council prior to the 2013/2014 Donations Program opening. Amongst other things, the review should explore opportunities for funded groups to work in partnership with Council events and activities.

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AN AMENDMENT WAS MOVED BY COUNCILLOR GALLAGHER, seconded by COUNCILLOR TILBURY

THAT:

1. Council provide financial assistance to community organisations in accordance with the recommended amounts shown in Attachment 1 to Group Manager's Report No. EH9/12.
2. Council allocate \$3,000 to the Mayor's Youth Trust Fund.
3. Council allocate \$5,000 to the Emergency Relief Fund.
4. Council Policy POL00209 – Cash and Non Cash Donations and Grants be reviewed with a report detailing the results presented to Council prior to the 2013/14 Donations Program opening. Amongst other things, the review should consider non-Council sources whereby community groups may seek funding.
5. Until such time as the review has been completed, no further requests for financial assistance are to be accepted, except under exceptional situations such as disasters and the like.

THE AMENDMENT MOVED BY COUNCILLOR GALLAGHER, seconded by COUNCILLOR TILBURY WAS PUT AND CARRIED.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, GALLAGHER, HUTCHENCE, COX, RUSSELL AND TILBURY

AGAINST: COUNCILLORS BROWNE AND SINGH

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL AND TILBURY

AGAINST: COUNCILLOR SINGH

PLANNING DIVISION

9 PL19/12 Development Application - Seniors Living Development - 15 Eyles Avenue, Epping and 15 Anthony Street, Carlingford

(DA/627/2012)

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

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GENERAL MANAGER

CHAIRPERSON

THAT Development Application No. 627/2012 for construction of a Seniors Living development comprising 13 dwellings, flood mitigation works and restoration of a watercourse at Lot 12 DP 28247, Lot 4 DP 201713, No. 15 Eyles Avenue, Epping and No. 15 Anthony Street, Carlingford be refused for the reasons detailed in Schedule 1 of Group Manager's Report No. PL19/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**10 PL32/12 Development Application - Five Storey Residential Flat Building
Comprising 29 Units - 70 and 72 Keeler Street, Carlingford**

(DA/676/2012)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, THAT Development Application No. 677/2012 for construction of a five storey residential flat building comprising 29 units and strata subdivision at Lot 22 DP 32722, Lot 21 DP 32722, Nos. 70 and 72 Keeler Street, Carlingford be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL32/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**11 PL30/12 Development Application - Five Storey Residential Flat Building
Comprising 30 Units - 245 - 247 Carlingford Road, Carlingford**

(DA/569/2012)

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

THAT Development Application No. 569/2012 for the demolition of existing structures and the construction of a five storey residential flat building comprising 30 units, basement car parking and strata subdivision at Lot 16 DP 32722 and Lot 17 DP 32722, Nos. 245-247 Carlingford Road, Carlingford be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Planning Report No. PL30/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

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AGAINST: NIL

**12 PL36/12 Development Application - Five Storey Residential Flat Building
Containing 29 Units - 66 - 68 Keeler Street, Carlingford**

(DA/676/2012)

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

THAT Development Application No. 676/2012 for construction of a five storey residential flat building comprising 29 units and strata subdivision at Lot 7 DP 31556, Lot 8 DP 31556, No 66 and No 68 Keeler Street, Carlingford be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL36/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

13 PL40/12 Reporting Variations to Development Standards

(F2004/07599)

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

THAT the contents of Group Manager's Report No. PL40/12 be received and noted.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**14 PL42/12 Further Report - Subdivision - One Allotment into Two - 25 Lyne Road,
Cheltenham**

(DA/177/2012)

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

THAT Council assume the concurrence of the Director-General of the Department of Planning and Infrastructure pursuant to State Environmental Planning Policy No. 1 and approve Development Application No. 177/2012 for Torrens title subdivision of one allotment into two lots at Lot 6 DP 26088, No. 25 Lyne Road, Cheltenham subject to the conditions of consent detailed in Schedule 1 of Group

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GENERAL MANAGER

CHAIRPERSON

Manager's Report No. PL42/12.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

15 PL43/12 Hornsby West Side Precinct Planning Proposal

(F2011/00441)

Mr Ian Ezzy, of Berowra, addressed Council regarding this item.

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

THAT Council endorse an amendment to the Hornsby West Side Precinct Planning Proposal to provide revised planning controls, including a requirement for a minimum floor space ratio of 1:1 employment generating development, and that the strategic planning studies be progressed on this basis.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

16 PL48/12 Local Nominations for the Joint Regional Planning Panel

(F2004/06261-02)

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

THAT:

1. Council undertake an expression of interest process to select suitable local members and alternative members of the Sydney West Joint Regional Planning Panel for a period of three years.
2. The outcome of the expression of interest process be reported to Council for its endorsement of new local members and alternative members of the Joint Regional Planning Panel.
3. Any 'non-expert' local members be paid a fee of \$600 per meeting and any 'expert' local members be paid a fee of \$1,400.

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GENERAL MANAGER

CHAIRPERSON

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

**17 IR10/12 Northern District Hockey Association Licence - Part of Crown Reserve
R45012 Pennant Hills Park, Pennant Hills**

(F2004/09465)

Note: COUNCILLOR AZIZI declared a less than significant non-pecuniary interest in this item under Clause 51A of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR AZIZI on the Declaration of Interest form as: "Northern District Hockey Association Licence" and the explanation of why the interest does not require further action in the circumstances was "My daughter is just a playing member of the club".

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

THAT:

1. Council, as Reserve Trust Manager, support in principle the granting of a 20 year licence of the two hockey fields and the upper level of the hockey amenities building at Pennant Hills Park, Pennant Hills to the Northern District Hockey Association Inc. generally in accordance with the terms and conditions of the draft licence attached to this report.
2. The draft licence be submitted for the approval of the Minister for Primary Industries.
3. The General Manager be delegated authority for any further negotiations with the Northern District Hockey Association Inc. should changes to the draft licence be required.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

18 IR14/12 Request to Remove Tree at 22 Milson Parade, Normanhurst

(TA/96/2012)

Mrs Maria Clapano, of Normanhurst, addressed Council regarding this item.

Mrs Valentine Leach, of Normanhurst, addressed Council regarding this item.

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GENERAL MANAGER

CHAIRPERSON

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

THAT consideration of this matter be deferred in order that an onsite meeting of Councillors, neighbours and relevant staff can be held and a further report prepared for Council's consideration no later than the 20 February 2013 General Meeting.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**19 IR16/12 Tender T7/2012: The Servicing of Street and Park Litter Bins Within
The Shire of Hornsby**

(F2012/00339)

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

THAT:

1. Council accept the tender from Viking Waste Pty Limited for Tender T7/2012: The Servicing of Street and Park Litter Bins within the Shire of Hornsby in line with the terms and conditions set out in the tender document.
2. The price to be made public upon formal acceptance of the Tender.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

**20 IR18/12 Tender T24/2012 - Sportsground Lighting - Dural, Oakleigh and
Pennant Hills Parks**

(F2012/00799)

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

THAT:

1. Council accept the tender of SMADA Electrical Services Pty Ltd for Tender T24/2012 Sportsground Lighting at Dural Park, Oakleigh Park and Pennant Hills Park Oval No.1.

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2. Council accept the tender of REES Electrical Pty Ltd for Tender T24/2012 Sportsground Lighting at Pennant Hills Park Netball Courts Stage 2.
3. The price to be made public upon formal acceptance of the Tender.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

21 IR19/12 Request to Remove Tree at 11 Nancy Place, Galston

(TA/1261/2010/A)

Mr Abe Ziedan, of Galston, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR GALLAGHER,

THAT:

1. Council approve application TA/1261/2010A to remove one Eucalyptus saligna (Sydney Blue Gum) located at 11 Nancy Place, Galston on condition that two advanced specimens (around 1.5 metres in height with a minimum pot size of 40 litres) of the same species (or similar species indigenous to the locality) are planted on the neighbouring property at 3 Gibbenmount Road, Galston according to the written offer made by the owner of that property.
2. Documentary evidence of the purchase and planting of the two replacement trees is provided to Council prior to the written consent to remove the tree at 11 Nancy Place, Galston is issued by Council.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

CONFIDENTIAL ITEMS

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Ms Sandra Nichols of North Epping, on behalf of Transition Epping, addressed Council in respect of a petition relating to mature trees in Epping and North Epping.

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GENERAL MANAGER

CHAIRPERSON

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

26 MN14/12 Mayor's Notes from 14 to 30 September 2012

(F2004/07053)

Friday 21 September 2012 - The Mayor officially opened the Kevin Betts Ward at Mt Wilga Private Hospital.

Saturday 22 September 2012 - The Mayor attended the Lions Club Fundraising BBQ in Hornsby Mall.

Sunday 23 September 2012 - Cr Gallagher, on the Mayor's behalf, attended the Asquith Bowling Club Hornsby Shire Cup Competition Presentation at the Asquith Bowling Club.

Monday 24 September 2012 - The Mayor attended the National Broadband Network Community Forum at Epping.

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

27 MN16/12 Mayor's Notes from 1 to 31 October 2012

(F2004/07053)

Tuesday 2 October 2012 - The Mayor attended the Rowland Village and Mark Donaldson VC House Thank You High Tea at Galston.

Sunday 7 October - The Mayor attended the Galston Bendigo Bank Community Fun Day and 10th Anniversary Celebrations at Galston High School.

Thursday 11 October - The Mayor visited Grade 3 and 4 Students at Epping North Public School.

Wednesday 17 October - The Mayor attended the Northern Sydney Local Health District Carer's Week Event at Hornsby Leisure and Learning Centre.

Friday 19 October - The Mayor attended The Hills Grammar School Foundation Assembly and Commissioning of School Leaders 2013.

Saturday 20 October 2012 - The Mayor Officially Opened the 2012 Relay for Life

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GENERAL MANAGER

CHAIRPERSON

Event at Fagan Park.

Saturday 20 October - The Mayor and his partner attended the PCYC "Back to Origins" Fundraising Dinner at Hornsby RSL Club.

Monday 22 October 2012 - The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Tuesday 23 October 2012 - The Mayor, Deputy Mayor and Councillors Tilbury and Hutchence attended the Official Opening of the Thornleigh Golf Driving Range.

Thursday 25 October 2012 - The Deputy Mayor, on the Mayor's behalf, attended the Opening of The Habitat Havens Site by Mr John Alexander MP.

Thursday 25 October 2012 - Cr Azizi, on the Mayor's behalf, attended the Achieve Australia DisabiliTea Morning Tea at Epping.

Thursday 25 October 2012 - The Mayor attended the Plein Airs and Graces, Life and Times of George Collingridge Book Launch at Wallarobba.

Friday 26 October 2012 - The Mayor attended the Ability Options DisabiliTea Morning Tea in Hornsby.

Friday 26 October 2012 - The Mayor attended the Opening of the 'Their Service, Our Inheritance' Art Exhibition at Berowra RSL Club.

Saturday 27 October 2012 - Cr Berman, on the Mayor's behalf, attended and officiated at the Cherrybrook Chinese Community Association's Lantern Night at Greenway Park, Cherrybrook.

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

22 MM7/12 General Manager - Delegation and Power of Attorney

(F2004/09419-08)

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

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

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GENERAL MANAGER

CHAIRPERSON

THAT:

- A. The following Delegation of Authority be granted to the General Manager, Scott Phillips:

Delegation of Authority

Pursuant to the powers of delegation conferred on Council by Sections 377 and 381 of the Local Government Act 1993, HORNSBY SHIRE COUNCIL delegates to SCOTT FREDERICK PHILLIPS, General Manager of the Council, the power to exercise all the functions, powers, duties and authorities conferred upon Council pursuant to:-

1. The Local Government Act 1993; and
2. The Environmental Planning and Assessment Act 1979; and
3. All other Acts whatsoever under which Council has functions, powers, duties and authorities; and
4. All regulations, by-laws, rules and the like made by or under any of the Acts referred to in 1, 2 or 3 above; and

Subject to any resolution made from time to time by the said Council and provided always that such delegation of powers shall not and shall not be deemed to extend to:-

1. Any of the matters expressly reserved to the Council in Section 377 of the Local Government Act 1993;
2. The alteration of the meeting cycle of Council;
3. The overview and direction of business activities;
4. The role of the Mayor as provided for in and determined under Section 226 of the Local Government Act 1993;
5. Major unique items where no policy, practice or code of the Council exists;
6. Adoption of Local Environmental Plans, Development Control Plans and Section 94 Contribution Plans pursuant to the Environmental Planning and Assessment Act 1979;
7. Adoption of Council policies and codes;
8. Items in respect of which the Mayor or a Councillor has specifically requested the General Manager to place before Council for determination by Council;

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and that subject to the provisions of the Local Government Act 1993 and the other Acts referred to above the functions, powers, duties and authorities hereby delegated by Council to the General Manager pursuant to this resolution be unlimited as to the period during which they may be exercised.

B. The following Power of Attorney be granted to the General Manager, Scott Phillips:

Power of Attorney

1. The Council appoints Scott Frederick Phillips, General Manager of the Council, to be its Attorney. Council's Attorney may exercise authority conferred on him by Part 2 of the Powers of Attorney Act 2003 to do on Council's behalf anything Council may lawfully authorise an Attorney to do. Council's Attorney's authority is subject to any additional powers and restrictions specified in Part 2 of this document.
2. This Power of Attorney operates immediately.

PART 2 – Additional powers and restrictions

3. This Power of Attorney is subject to the following conditions and limitations:

This Power of Attorney authorises the Attorney to execute documents, dealings and instruments relating to the matter detailed in the Schedule hereto and for the purpose of giving effect to resolutions of the Council where resolutions are required relating to the matters detailed in the Schedule hereto:

SCHEDULE

- The creation (whether by acquisition or other means), disposal or extinguishment of an interest in land;
- The creation, disposal or extinguishment of a right, obligation or interest other than in land;
- Contracts for works, services and supply of goods.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE,
COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

25 MM12/12 Epping Town Centre Urban Activation Precinct Program - Councillor

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Representation

(F2012/00866)

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

THAT: the following Councillors and staff represent Council on the Steering Committee for the Epping Town Centre under the Department of Planning and Infrastructure's Urban Activation Precinct Program:

- Councillor Representatives – Robert Browne, Michael Hutchence, Jerome Cox (Alternate), and Bernadette Azizi (Alternate).
- Staff Representatives – James Farrington - Group Manager Planning and Karen Harragon - Principal Strategic Planner.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

NOTICES OF MOTION

23 NOM5/12 Community Forum Meetings in 2013

(F2006/00508)

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

THAT a report be prepared for Council's consideration which discusses opportunities for the holding of a Community Forum meeting in each Ward during 2013. The report is to provide options associated with the format of the Forums having regard to Council's previous experience in conducting Open Forums a number of years ago.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

24 NOM6/12 Epping to Thornleigh Third Track Project - Beecroft Railway Station

(F2006/00508)

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GENERAL MANAGER

CHAIRPERSON

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

THAT the General Manager write to the Minister for Transport, The Hon. Gladys Berejiklian, urging her to further consider the financial and other benefits to be gained by including the upgrade of Beecroft Railway Station in the Epping to Thornleigh Third Track Project.

FOR: COUNCILLORS ANISSE, AZIZI, BERMAN, BROWNE, GALLAGHER, HUTCHENCE, COX, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING TERMINATED at 8.28pm.

These Minutes were confirmed at the meeting held on Wednesday, 19 December, 2012, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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GENERAL MANAGER

CHAIRPERSON