

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY

on Wednesday, 19 June, 2013

at 6:31 PM



This is page 1 of the Minutes of the General Meeting of Hornsby Shire Council held on 19 June, 2013.

PRESENT

Councillors Russell (Chairman for consideration of all items except Item 24), Anisse, Azizi, Berman, Browne (Chairman for consideration of Item 24), Cox, Gallagher, Hutchence, Singh and Tilbury.

Note: Councillor Anisse arrived at 6.36pm. He was not present for Confirmation of Minutes.

Note: Councillor Russell was not present for consideration of Item 24.

NATIONAL ANTHEM

OPENING PRAYER

Pastor Karina Kreminski from Community Life Church, Cherrybrook, 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 Eliza Jarrett and Emma Mees of Becroft Cheltenham Venturers:

"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:

"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

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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."

DECLARATIONS OF INTEREST

Nil

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 15 May 2013 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

RESCISSION MOTIONS

Nil

PRESENTATIONS

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, 2, 7, 11, 14, 15, 16, 17, 18, 19, 20, 22, 24, 28 and 29 were withdrawn for discussion.

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

THAT the recommendations in respect of items 3, 4, 5, 6, 8, 9, 10, 12, 13, 21, 23, 25 and 26 be adopted.

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GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

Note: Item 27 was 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.

Note: Persons wishing to address Council on Non Agenda items were permitted to speak after all items on the Agenda in respect of which there was a speaker from the public were finalised by Council. Their names are recorded in the Minutes under the heading "Public Forum - Non Agenda Items".

GENERAL BUSINESS

GENERAL MANAGER'S DIVISION

Nil

CORPORATE SUPPORT DIVISION

1 CS23/13 Local Government Acts Taskforce - Discussion Paper - A New Local Government Act for NSW

(F2009/00463)

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

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

THAT the responses to the Local Government Acts Taskforce's proposals, as detailed in Deputy General Manager's Report No. CS23/13, form the basis of a Council submission to the Taskforce.

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

AGAINST: NIL

2 CS24/13 Investments and Borrowings for 2012-13 - Status for Period Ending 30 April 2013

(F2004/06987)

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GENERAL MANAGER

CHAIRMAN

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

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

THAT the contents of Deputy General Manager's Report No. CS24/13 be received and noted.

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

AGAINST: NIL

3 CS25/13 Outstanding Council Resolutions - Period Until 28 February 2013

(F2005/00112)

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

THAT the contents of Deputy General Manager's Report No. CS25/13 be received and noted.

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

AGAINST: NIL

4 CS26/13 Adoption of Council's Community Strategic Plan 2013-2023, Delivery Program 2013-17, and Operational Plan Including Budget, Rating Structure and Fees and Charges 2013-14

(F2012/00885)

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

THAT Council:

1. Adopt Your Community Plan 2013-2023, Delivery Program 2013-17, Operational Plan including the Budget, Rating Structure and Fees and Charges 2013-14, incorporating the amendments to the documents recommended in Deputy General Manager's Report No. CS26/13 and Late Item Memo No. LM4/13.
2. Make and levy the Ordinary Rates for 2013-14 in accordance with the table shown in the Rates section of Deputy General Manager's Report No. CS26/13.
3. Make and levy the Catchments Remediation Rate on all rateable land in the Shire, in accordance with the table shown in the Rates section of Deputy General Manager's Report No. CS26/13.

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4. Make and levy the Hornsby Quarry Loan Rate on all rateable land in the Shire, in accordance with the table shown in the Rates section of Deputy General Manager's Report No. CS26/13.
5. Continue to provide eligible pensioners with a \$10 concession in respect of the Hornsby Quarry Loan Rate, represented by a reduction in the Base amount.
6. Continue to provide eligible pensioners with an additional \$20 concession in respect of the rate variation represented by a reduction in the Base amount.

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

AGAINST: NIL

5 CS27/13 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2012/00606)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, 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 ANISSE, AZIZI, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE, RUSSELL, SINGH AND TILBURY

AGAINST: NIL

6 CS28/13 Debts To Be Written Off - 30 June 2013

(F2004/06978-02)

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

THAT for 2012-13, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$75,430 (as detailed in Schedule A attached to Deputy General Manager's Report No. CS28/13).
2. Note debts considered bad totalling \$2,301 which will be written off under the General Manager's delegated authority (as detailed in Schedule B attached to Deputy General Manager's Report No. CS28/13).

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GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

**7 CS22/13 Independent Local Government Review Panel - Consultation Paper -
Future Directions for NSW Local Government - Twenty Essential Steps**

(F2004/07217)

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

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE,
THAT the responses to the Independent Local Government Review Panel's Key Proposals and
Options, as detailed in Deputy General Manager's Report No. CS22/13, form the basis of a Council
submission to the Panel.

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

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

**8 EH7/13 T11/2013 - Cleaning and Repair of Stormwater Quality Improvement
Devices (SQIDs) Within Hornsby Shire**

(F2013/00127)

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

THAT Council accept the tender from Envirocivil Pty Ltd for Tender T11/2013 – Cleaning and Repair
of Stormwater Quality Improvement Devices (SQIDs) within Hornsby Shire for a period of three years
with a further option of one year subject to satisfactory performance commencing on 1 July 2013.

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

AGAINST: NIL

**9 EH8/13 T12/2013 - Landscape Maintenance and Bush Regeneration of
Stormwater Quality Improvement Devices (SQIDs) Within Hornsby Shire**

(F2013/00128)

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GENERAL MANAGER

CHAIRMAN

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

THAT Council accept the tenders for Tender T12/2013 – Landscape Maintenance and Bush Regeneration of Stormwater Quality Improvement Devices (SQIDs) within Hornsby Shire for a period of two years with a further option of one year subject to satisfactory performance commencing 1 July 2013 as follows:

- Dragonfly Environmental Pty Ltd (Wetland Contract)
- Sydney Bush Regeneration Company Pty Ltd (Southern Sector)
- Toolijooa Pty Ltd (Northern Sector)

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

AGAINST: NIL

10 EH9/13 T7/2013 Laboratory Analysis of Water Samples Collected by Hornsby Shire Council

(F2013/00145)

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

THAT Council accept the tender from Sydney Water for Tender T7/2013 – Laboratory Analysis of Water Samples Collected by Hornsby Shire Council for a period of three years commencing on 1 July 2013 with the option of a one year extension subject to satisfactory performance.

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

AGAINST: NIL

PLANNING DIVISION

11 PL40/13 Development Application - Five Storey Residential Flat Building - 9, 11 and 15 Balmoral Street, Waitara

(DA/1369/2012)

Mr John Hotham, of Waitara, addressed Council regarding this item.
Ms Roberta Carew, of Waitara, addressed Council regarding this item.
Ms Marcelle Curtis, of Waitara, addressed Council regarding this item.

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GENERAL MANAGER

CHAIRMAN

Mr Johnny Dale, of Balmoral, addressed Council regarding this item.

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

THAT Development Application No. 1369/2012 for demolition of existing structures and construction of two detached, five storey residential flat buildings comprising 60 units and basement car parking at Lot B DP 343526, Nos. 9, 11 and 15 Balmoral Street, Waitara be approved as a deferred commencement subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL40/13.

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

AGAINST: NIL

12 PL50/13 Development Application - Subdivision of One Allotment into Five Lots - 16 Nalya Road, Berowra Heights

(DA/902/2012)

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

THAT Development Application No. 902/2012 for subdivision of one allotment into five lots at Lot 102 DP 771576, No. 16 Nalya Road, Berowra Heights be refused for the reasons of refusal detailed in Schedule 1 of Group Manager's Report No. PL50/13.

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

AGAINST: NIL

13 PL51/13 Development Application - Dwelling House - 36 Millstream Grove, Dural

(DA/356/2013)

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

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. DA/356/2013 for the erection of a dwelling-house at Lot 4 DP 270704, No. 36 Millstream Grove, Dural, subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL51/13.

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

AGAINST: NIL

**14 PL53/13 Development Application - Dwelling-House - 49 Brooklyn Road,
Brooklyn**

(DA/1318/2012)

Mr John Cameron, of Brooklyn, addressed Council regarding this item.

Mr Jason Perica, of Bronte, addressed Council regarding this item.

Mr Graham Hunt, of Croydon, addressed Council regarding this item.

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

THAT Development Application No. 1318/2012 for demolition of the existing dwelling and construction of a new dwelling-house and swimming pool at Lot 4 Sec A DP 5527, No. 49 Brooklyn Road, Brooklyn be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL53/13.

AN AMENDMENT WAS MOVED BY COUNCILLOR GALLAGHER,

THAT consideration of Development Application No. 1318/2012 be deferred until the 17 July 2013 General Meeting to allow the applicant and objector to meet to discuss the objections to the application.

DUE TO A LACK OF SECONDER, THE AMENDMENT LAPSED.

THE MOTION, MOVED BY COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, WAS PUT AND CARRIED.

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

AGAINST: NIL

**15 PL45/13 Further Report - Animal Boarding or Training Establishment –
21 Geelans Road, Arcadia**

(DA/763/2012)

Mr Sig Sovik, of Arcadia, addressed Council regarding this item.

Ms Celia Matthews, of Arcadia, addressed Council regarding this item.

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Mr Ken Hargraves, of Arcadia, addressed Council regarding this item.

Mr John Inshaw, on behalf of Galston Area Residents' Association, addressed Council regarding this item.

Mr Sal Russo, of Arcadia, addressed Council regarding this item.

Mr Andrew Darroch, on behalf of the applicant, addressed Council regarding this item.

Mr Scott Graham, on behalf of the applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE, THAT Development Application No. DA/763/2012 for the use of the site as an animal boarding and training establishment and construction of a dressage arena at Lot 11 DP 217208, No. 21 Geelans Road, Arcadia be approved as a deferred commencement subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL45/13.

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

AGAINST: NIL

16 PL59/13 Further Report - Subdivision of Two Lots into Three and Demolition of an Existing Dwelling - 12 and 12B Surrey Street, Epping

(DA/1398/2011)

Mr Richard Holland, of Epping, addressed Council regarding this item.

Ms Sandra Nichols, on behalf of Transition Epping, addressed Council regarding this item.

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

THAT Development Application No. 1398/2011 for the Torrens Title subdivision of two allotments into three lots and the demolition of a dwelling house Lot 1 DP 503987, Lot 2 DP 503987, Nos. 12 and 12B Surrey Street, Epping be approved as a deferred commencement subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL59/13.

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

AGAINST: NIL

17 PL43/13 Hornsby Quarry Land Filling Assessment

(F2011/00979)

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

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Mr John Lambeth, of Mt Colah, addressed Council regarding this item.

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

THAT Council:

1. Defer consideration of the proposal to fill Hornsby Quarry with off site Virgin Excavated Natural Material at this time.
2. Investigate alternate options for the long term management and stabilisation of the Quarry including filling the Quarry with water.

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

AGAINST: NIL

18 PL39/13 Draft Metropolitan Strategy for Sydney to 2031

(F2010/00554)

Mr Brian Ash, on behalf of Pennant Hills District Civic Trust, addressed Council regarding this item.
Mr John Lambeth, of Mt Colah, addressed Council regarding this item.

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

THAT a submission be forwarded to the Department of Planning and Infrastructure on the draft Metropolitan Strategy addressing the key concerns for Hornsby Shire identified in Group Manager's Report No. PL39/13, including:

1. Ensuring the potential long term provision of commercial development in the commercial core of Major Centres (including Hornsby) and Specialised Precincts;
2. Clarifying whether "Strategic Investigation Sites" (including "South Dural") will be incorporated into the revised Land Release Policy or the draft Metropolitan Strategy;
3. Ensuring the number of new dwellings that the North Subregion will be required to contribute towards any revised target (expressed as a percentage) is not increased;
4. Clarifying why the employment target for Hornsby Centre is being reduced having regard to its classification as a "Major Centre";
5. Mapping productive agricultural and resource lands parallel to preparing the new Land Release Policy;
6. Supporting a North Subregion comprised of Councils aligned within the Northern Sydney Regional Organisation of Councils on the grounds that issues such as transport, housing, open space, education, health and infrastructure are shared within the region;
7. Supporting the priority transport and infrastructure improvements for the North Subregion;

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8. Supporting community input into the preparation of the Draft Metropolitan Strategy.

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

AGAINST: NIL

19 PL47/13 NSW Planning System Review - White Paper Reforms

(F2004/07218-03)

Mr Brian Ash, on behalf of Pennant Hills District Civic Trust, addressed Council regarding this item.
Mr Peter Waite, of Pennant Hills, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR COX, seconded by COUNCILLOR BROWNE,
THAT a submission be forwarded to the Department of Planning and Infrastructure on the White
Paper Reforms addressing the key concerns for Hornsby Shire identified in Group Manager's Report
No. PL47/13 including:

1. Community Participation in relation to the preparation of Community Participation Plans and the delivery of the e-planning solution by councils and the State;
2. Strategic Planning Framework in relation to the funding and operation of Subregional Delivery Boards, the preparation of Subregional Delivery Plans by the Boards and the prescriptive versus performance based approach to Development Guides;
3. Development Assessment in relation to the complexity of Complying Development, concern regarding reduced opportunity for consultation with affected residents, status of Development Guides in Local Plans and the role of Strategic Compatibility Certificates;
4. Infrastructure in relation to the delivery of 'basic community facilities', deferral of payments, benchmarking and exemption thresholds; and
5. Building Certification in relation to occupation certification, damage to council infrastructure and certification of compliance regarding food premises, landscaping works and the like.

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

AGAINST: NIL

20 PL56/13 Hornsby Shire Swimming Pool Barrier Inspection Program

(F2011/00835)

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RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by COUNCILLOR AZIZI,
THAT:

1. Council endorse the draft Hornsby Shire Swimming Pool Barrier Inspection Program attached to Group Manager's Report No. PL56/13 for public exhibition on Council's website and in local newspapers for a period of 28 days.
2. A further report be presented to Council on submissions received in response to the exhibition of the draft Program.
3. To implement the Program, funding up to \$150,000 be allocated to the Planning Division 2013/14 budget to cover the cost of employing additional staff as the need for resources arises.
4. Council write to the Minister for Local Government and Local Government NSW raising concern that the regulated swimming pool inspections fees results in unnecessary cost shifting onto local councils.
5. A Motion be prepared for consideration at the 2013 Local Government NSW Conference on the matter.
6. Council write to the Minister for Planning and Infrastructure seeking amendment to the Building Professionals Regulation to allow people who have completed Swimming Pool and Spa Association (SPASA) Courses 1926.1 – Safety Barriers for Swimming Pools and 1926.2 – Location of Safety Barriers for Swimming Pools to become accredited to inspect swimming pool barriers and operate as an independent inspection service similar to the private certification industry to reduce Council's and rate payers' exposure to the cost associated with this program.

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

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

21 IR10/13 Tender T26/2012 - Bulk Landscaping Materials

(F2012/00831)

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

THAT Council accept the tenders of Australian Native Landscapes, Benedict Sand and Gravel, SITA Organics and Thomson Landscape Supplies as Council's preferred suppliers for Tender T26/2012 - Bulk Landscaping Materials for a period of two years with a further option of one year subject to satisfactory performance.

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GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

22 IR13/13 Review of 2011 Tree Preservation Order

(F2012/00449)

Ms Sandra Nichols, on behalf of Transition Epping, addressed Council regarding this item.

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

THAT the list of tree species at Attachment 1 of Deputy General Manager's Report No. IR13/13 be
publicly exhibited for inclusion in an amended Tree Preservation Order and a further report be brought
to Council reporting on the results of the public exhibition.

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

AGAINST: NIL

**23 IR15/13 Hayes Oval, Galston Recreation Reserve - Licence for Club Meeting
Room**

(F2012/00430)

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

THAT the draft lease attached to Deputy General Manager's Report No. IR15/13 allowing the
Hills Hawks Football Club Inc. access of a meeting room at Hayes Oval, Galston Recreation Reserve
be forwarded for approval by the Minister for Regional Infrastructure and Services.

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

AGAINST: NIL

24 IR17/13 NSROC Regional Shared Services and Regional Waste Project

(F2004/07191)

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

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2013.

Note: The Mayor left the Meeting and was not present for consideration of this Item. The Deputy Mayor assumed the Chair for consideration of this Item.

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

THAT Council agree to:

1. Participate in preparations to go to tender for the procurement of waste disposal/processing services for NSROC Councils for a contract commencing in 2014, noting that a further report on tender criteria will come to Council in July-August 2013 for a final agreement as to participation in the tender.
2. Be part of an application for authorisation (through revocation and substitution of 2003 authorisation) from the Australian Competition and Consumer Commission for group purchasing of waste disposal services.
3. Participate in formal participation arrangements with NSROC Councils as shown diagrammatically at Figure One of the attachment, and to contribute to the costs of establishing partnership arrangements for shared services procurement and management by NSROC Councils, on a case-by-case basis, commencing with the waste disposal tender.
4. Contribute to the governance structure establishment costs on an equal basis amongst all NSROC Councils, and the tender preparation costs, in line with volumes participation in the waste contract.

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

AGAINST: NIL

25 IR18/13 Tender T5/2013 - Demolition and Construction of Rural Fire Station on Dangar Island

(F2013/00202)

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

THAT Council accept Castlereagh Construction Group Pty Ltd as preferred supplier for Tender T5/2013 - Demolition and Construction of a Rural Fire Station on Dangar Island.

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

AGAINST: NIL

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GENERAL MANAGER

CHAIRMAN

26 IR19/13 Tender T13/2013 - Supply and Deliver Precast Concrete Drainage Products

(F2013/00126)

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

THAT Council not accept any tender for all works under Tender No. T10/2013 - Supply and Delivery of Precast Concrete Drainage Products and invite fresh open tenders for these works.

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

AGAINST: NIL

CONFIDENTIAL ITEMS

29 PL70/13 Update Report in Respect of Legal Actions Concerning Hornsby Quarry

This report was deemed confidential, under Section 10A (2) (g) of the Local Government Act, 1993. This report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(F2007/01279-07)

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

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

THAT:

1. The contents of Confidential Group Manager's Report No. PL70/13 presenting advice from Council's solicitor concerning the Hornsby Quarry legal proceedings be received and noted.
2. Council's legal team be instructed to progress the recommended action contained in the legal advice attached to Confidential Group Manager's Report No. PL70/13.

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

AGAINST: NIL

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PUBLIC FORUM – NON AGENDA ITEMS

Mr Peter Waite, of Pennant Hills, addressed Council regarding the Northern Sydney Regional Organisation of Councils (NSROC) and the M2/F3 tunnel.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

27 MN6/13 Mayor's Notes from 1 to 31 May 2013

(F2004/07053)

Wednesday 1 May 2013 - The Mayor hosted an afternoon tea for members of the Berowra Lions Club to welcome Jenny Nickols to the Shire during her charity bike ride.

Monday 6 May 2013 - The Mayor attended the Rotary Club of Hornsby's Pride of Workmanship Awards at Asquith Golf Club.

Friday 10 May 2013 - The Mayor attended the Northern Sydney Leaders Breakfast at North Ryde RSL Club.

Saturday 11 May 2013 - The Mayor attended the Cherrybrook Chinese Community Association Mother's Day Concert at Cherrybrook High School.

Monday 13 May 2013 - The Deputy Mayor, on the Mayor's behalf, attended the Beecroft Cheltenham District Civic Trust Public Meeting at Cheltenham Recreation Club.

Wednesday 15 May 2013 - The Mayor attended the Ku-ring-gai Hornsby Volunteer Service Lunch at Roseville Golf Club.

Thursday 16 May 2013 - The Mayor attended the official opening of the newly re-furbished Waitara Family Centre.

Saturday 18 May 2013 - The Deputy Mayor, on the Mayor's behalf, attended the James Park Upgrade Celebrations in Hornsby.

Tuesday 21 May 2013 - The Mayor attended a Tri-Levels of Government Breakfast Meeting at Epping.

Thursday 23 May 2013 - The Mayor attended A Portrait of Hornsby: Photography Works by Hornsby TAFE Students Exhibition at Wallarobba Arts & Cultural Centre.

Friday 24 May 2013 - The Mayor attended the Pacific Hills Christian School 2013 School Musical.

Saturday 25 May 2013 - The Mayor attended the Novus Foundation Annual Charity Dinner.

Saturday 25 May 2013 - Cr Gallagher, on the Mayor's behalf, attended the Annual General Meeting of NSW/ACT Girl Guides at Glengarry House Girl Guides Training Centre, North Turramurra.

Saturday 25 May 2013 - Cr Browne, on the Mayor's behalf, attended the Higgins family group gathering at the historical Higgins family cemetery at Old Man's Valley, Hornsby.

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Tuesday 28 May 2013 - The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Thursday 30 May 2013 - Cr Berman, on the Mayor's behalf, attended the NSW Police North West Metropolitan Zone Awards Ceremony at Asquith Golf Club.

Thursday 30 May 2013 - The Mayor officially opened the Hornsby Shire Council Thank You Event in Hornsby Mall.

Friday 31 May 2013 - The Mayor officiated at the Children's Voices for Reconciliation Event in Hornsby Mall.

Friday 31 May 2013 - The Mayor hosted the annual Thank You Dinner for SES Volunteers.

Note: These are 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

28 MM8/13 Metropolitan Mayors' Association

(F2004/07217)

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

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

THAT Council write to the President of NSROC advising that Council will not be joining the Metropolitan Mayors' Association.

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

AGAINST: NIL

NOTICES OF MOTION

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 10.54pm.

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GENERAL MANAGER

CHAIRMAN

These Minutes were confirmed at the meeting held on Wednesday, 17 July, 2013, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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GENERAL MANAGER

CHAIRMAN