



## **MINUTES OF GENERAL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 21 August 2013  
at 6:34 PM



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This is page 1 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

## **PRESENT**

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

Note: Councillor Berman left the meeting immediately prior to Council moving into Confidential Session. He returned during discussion of Item 18.

Note: The General Manager left the meeting for Council's consideration of Item 19.

## **NATIONAL ANTHEM**

### **OPENING PRAYER**

Reverend Ann Hogan, from Hornsby 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."*

### **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 of the non-confidential parts of the meeting 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**

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

THAT the apology and request for leave of absence from Councillor Browne in respect of an inability to attend the General Meeting on 21 August 2013 be accepted and leave of absence be granted.

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This is page 2 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

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

AGAINST: 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 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 TILBURY, seconded by COUNCILLOR HUTCHENCE,

THAT the Minutes of the General Meeting held on Wednesday 17 July 2013 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

### **PETITIONS**

Nil

### **RESCISSION MOTIONS**

Nil

### **PRESENTATIONS**

**Cherrybrook Movies Under the Stars**

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This is page 3 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

Former Councillor Bruce Mills introduced representatives from the 1<sup>st</sup> Cherrybrook Scout Group (William Mills and Rachael Ingram) and John Purchase School (Raquel Bradley and Daniel Monterro), who presented a brief report about the Cherrybrook Movies Under the Stars event which was held on 9 March 2013.

#### **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 2, 6, 8, 10, 11, 14, 15, 16, 17, 18 and 19 were withdrawn or left for discussion later in the meeting.

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

THAT the recommendations in respect of items 1, 3, 4, 5, 7, 9 and 12 be adopted.

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

AGAINST: NIL

Note: Item 13 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.

#### **GENERAL BUSINESS**

##### **GENERAL MANAGER'S DIVISION**

Nil

##### **CORPORATE SUPPORT DIVISION**

**1 CS36/13 Investments and Borrowings for 2012-13 - Status for Period Ending 30 June 2013**

**(F2004/06987)**

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

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This is page 4 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

GENERAL MANAGER

CHAIRMAN

THAT the contents of Deputy General Manager's Report No. CS36/13 be received and noted.

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

AGAINST: NIL

**2 CS37/13 Local Government Reform - Research Undertaken on Behalf of Council  
(F2013/00305)**

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

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

THAT:

1. The research undertaken for Council by Crosby Textor and PricewaterhouseCoopers be received and noted and briefings on the Crosby Textor research continue to be offered to the Independent Local Government Review Panel and the Minister for Local Government.
2. Due to public interest in this matter, copies of the PricewaterhouseCoopers and Crosby Textor quantitative research be made available with other relevant information on a "Local Government Reform" section of Council's website.
3. Prior to formalising its position on local government reform, Council commission an independent, high level strategic and financial assessment of potential options for structural reform of local government in the northern Sydney area. Such assessment would be similar to assessments already undertaken by Randwick and Warringah Councils for the eastern suburbs and northern beaches areas respectively.

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

AGAINST: NIL

**ENVIRONMENT AND HUMAN SERVICES DIVISION**

**3 EH12/13 Membership Recommendation to the Lower Hawkesbury Estuary  
Management Committee  
(F2009/00394-02)**

RESOLVED ON THE MOTION OF COUNCILLOR GALLAGHER, seconded by COUNCILLOR

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This is page 5 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

TILBURY,

THAT Council:

1. Adopt the amended Terms of Reference for the Lower Hawkesbury Estuary Management Committee included as Attachment 1 to Group Manager's Report No. EH12/13.
2. Appoint the applicants listed in Attachment 2 to Group Manager's Report No. EH12/13 as members of the Lower Hawkesbury Estuary Management Committee.

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

AGAINST: NIL

**4 EH13/13 Draft Plan of Management - One Tree Reach Wetland, Singleton Road,  
Laughtondale**

**(F2008/00258)**

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

THAT Council endorse the Draft Plan of Management - One Tree Reach Wetland for the purpose of  
public exhibition.

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

AGAINST: NIL

**PLANNING DIVISION**

**5 PL57/13 Development Application - Two Storey Dwelling-House - 77 Hannah  
Street, Beecroft**

**(DA/403/2013)**

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

THAT Council assume the concurrence of the Director-General Department of Planning and  
Infrastructure pursuant to State Environmental Planning Policy No. 1 and approve Development  
Application No. DA/403/2013 for the erection of a dwelling-house at Lot 1 DP 1171068, No. 77  
Hannah Street, Beecroft subject to the conditions of consent detailed in Schedule 1 of Group  
Manager's Report No PL57/13.

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2013.

GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

**6 PL74/13 Development Application - Subdivision of One Allotment into Three Lots and Construction of Two Attached Dwellings - 50 Hinemoa Avenue, Normanhurst**

**(DA/1365/2012)**

Mr Mervyn Wilson, of Normanhurst, addressed Council regarding this item.

Mr Bob Fechter, of Wahroonga, addressed Council regarding this item.

Mr Ravi Sharma, on behalf of the applicant, addressed Council regarding this item.

Ms Katharyn Habgood, of Normanhurst, addressed Council regarding this item.

Mr Andrew Willoughby, of Normanhurst, addressed Council regarding this item.

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

THAT Development Application No. DA/1365/2012 for the staged Torrens title subdivision of one allotment into three lots and construction of two attached dwellings at Lot B DP 347185, No. 50 Hinemoa Avenue, Normanhurst be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL74/13 and amendments to conditions 3, 25, 26, 27 and 33 as detailed in Late Item Memo No. LM8/13.

AN AMENDMENT WAS MOVED BY COUNCILLOR GALLAGHER, seconded by COUNCILLOR BERMAN pro forma,

THAT consideration of Development Application No. DA/1365/2012 for the staged Torrens title subdivision of one allotment into three lots and construction of two attached dwellings at Lot B DP 347185, No. 50 Hinemoa Avenue, Normanhurst be deferred to the 18 September 2013 General Meeting to enable the Group Manager, Planning to convene a meeting between the applicant and interested residents.

THE AMENDMENT, MOVED BY COUNCILLOR GALLAGHER, seconded by COUNCILLOR BERMAN WAS PUT AND LOST.

FOR: COUNCILLOR GALLAGHER

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GENERAL MANAGER

CHAIRMAN

AGAINST: COUNCILLORS ANISSE, AZIZI, BERMAN, COX, HUTCHENCE, RUSSELL, SINGH AND TILBURY

THE MOTION MOVED BY COUNCILLOR SINGH, seconded by COUNCILLOR AZIZI WAS PUT AND CARRIED.

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

AGAINST: COUNCILLOR GALLAGHER

**7 PL76/13 Development Application - Subdivision Involving the Realignment of the Boundaries of Two Allotments - 4-6 Sallaway Road, Galston**

**(DA/421/2013)**

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

THAT Council seek the concurrence of the Director-General of the Department of Planning and Infrastructure pursuant to State Environmental Planning Policy No. 1 - Development Standards and approve Development Application No. DA/421/2013 for subdivision involving the realignment of the boundaries of two allotments at Lot B DP 441669 and Lot 1 DP 246539, Nos. 4-6 Sallaway Road, Galston subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL76/13.

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

AGAINST: NIL

**8 PL79/13 Development Application - Alterations and Additions - 112 Somerville Road, Hornsby Heights**

**(DA/634/2013)**

MOVED ON THE MOTION OF COUNCILLOR GALLAGHER, seconded by COUNCILLOR SINGH pro forma,

THAT consideration of Development Application No. DA/634/2013 for the demolition of a carport and alterations and additions to the dwelling-house at Lot 8, DP 211092, No. 112 Somerville Road, Hornsby Heights be deferred to the 18 September 2013 General Meeting to provide an opportunity for

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the objector to attend the meeting.

FOLLOWING DISCUSSION OF THE MOTION, COUNCILLOR SINGH WITHDREW HIS PRO FORMA SECONDING AND THE MOTION LAPSED DUE TO THE LACK OF A SECONDER.

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

THAT Development Application No. DA/634/2013 for the demolition of a carport and alterations and additions to the dwelling-house at Lot 8, DP 211092, No. 112 Somerville Road Hornsby Heights be approved, subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL79/13.

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

AGAINST: COUNCILLOR GALLAGHER

**9 PL75/13 Reporting Variations to Development Standards**

**(F2004/07599)**

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

THAT the contents of Group Manager's Report No. PL75/13 be received and noted.

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

AGAINST: NIL

**10 PL77/13 Section 94 and 94A Development Contributions Plans - After Exhibition**

**(F2010/00015)**

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

THAT Council adopt the Hornsby Shire Council Section 94 Development Contributions Plan 2012-2021 and the Hornsby Shire Council Section 94A Development Contributions Plan 2012-2021.

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GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

#### INFRASTRUCTURE AND RECREATION DIVISION

11 IR21/13 Request to Remove Tree - 134 New Line Road, Cherrybrook  
(TA/376/2011)

Mr Brian Furrer, of Pennant Hills, addressed Council regarding this item.

Mr Gordon Cadzow, of Westleigh, addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR BERMAN, seconded by COUNCILLOR COX,

THAT:

1. Council approve Tree Application No. TA/376/2011 to allow the applicant to remove one *Eucalyptus saligna* and one *Eucalyptus pilularis* and prune one *Eucalyptus pilularis* by one third of the crown.
2. The applicant be required to plant replacement trees of suitable species determined in consultation with Council.

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

THAT Council:

- A.
  1. Approve part of Tree Application No. TA/376/2011 to allow the applicant to remove one *Eucalyptus saligna*.
  2. The applicant be required to plant a replacement tree of a suitable species determined in consultation with Council.
- B. Refuse the other part of Tree Application No. TA/376/2011 by not allowing the applicant to remove one *Eucalyptus pilularis* and prune one *Eucalyptus pilularis* by one third of the crown.

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

FOR: COUNCILLORS GALLAGHER AND TILBURY

AGAINST: COUNCILLORS ANISSE, AZIZI, BERMAN, COX, HUTCHENCE, RUSSELL AND SINGH

THE MOTION, MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR COX WAS PUT

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GENERAL MANAGER

CHAIRMAN

AND CARRIED.

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

AGAINST: NIL

### **CONFIDENTIAL ITEMS**

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

THAT Council move in to Confidential Session to consider Item 18 – Confidential Group Manager's Report No. PL88/13 – Update Report in Respect of Legal Actions Concerning Hornsby Quarry (for the reason given below the item) and the confidential attachment to Item 19 – Mayoral Minute No. MM14/13 – General Manager's Performance Review 2013 and Renewal of Contract (for the reason given in the Mayoral Minute).

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

AGAINST: NIL

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

THAT Council move out of Confidential Session.

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

AGAINST: NIL

### **12 CS35/13 Proposed Acquisition of Land for Road Purposes**

*This report was deemed confidential, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

**(F2013/00314)**

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

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GENERAL MANAGER

CHAIRMAN

THAT:

1. Subject to the general terms of negotiation detailed in Confidential Deputy General Manager's Report No. CS35/13, Council approve the purchase for public road purposes of the two small parcels of land identified within Confidential Deputy General Manager's Report No. CS35/13 and delegate authority to the General Manager to progress such purchases.
2. Council authorise the General Manager to execute relevant and appropriate documentation in relation to the matter as deemed appropriate by Council's solicitors.
3. If required by the absence of the General Manager or by legal statute, and subject to review and authorisation by a Deputy General Manager or Group Manager or on the advice of Council's solicitors, Council authorise the use of the Council seal on any legal, survey or other documents directly related to the subject acquisitions.

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

AGAINST: NIL

**18 PL88/13 Update Report in Respect of Legal Actions Concerning Hornsby Quarry**

*This report was dealt with in confidential session, 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.*

**(F2007/01279-08)**

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

THAT:

1. The contents of Confidential Group Manager's Report No. PL88/13 presenting advice from Council's legal team concerning the Hornsby Quarry legal proceedings be received and noted.
2. Council delegate authority to the General Manager to undertake the necessary steps to implement the recommended actions outlined in Confidential Group Manager's Report No. PL88/13.

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

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GENERAL MANAGER

CHAIRMAN

AGAINST: NIL

## **PUBLIC FORUM – NON AGENDA ITEMS**

Nil

## **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

## **MAYOR'S NOTES**

**13 MN8/13 Mayor's Notes from 1 to 31 July 2013**

**(F2004/07053)**

Monday 1 July 2013 - The Mayor attended the Rotary Club of Waitara's Changeover Dinner at Hornsby RSL Club.

Tuesday 2 July 2013 - The Deputy Mayor, on the Mayor's behalf, attended the funeral of Mr Peter Laverty at St James Anglican Church, Turramurra.

Friday 5 July 2013 - The Deputy Mayor, on the Mayor's behalf, officially opened the Hornsby Ku-ring-gai Community College Annual Art Show in Hornsby.

Friday 5 July 2013 - The Deputy Mayor, on the Mayor's behalf, attended the Hornsby Gang Show at Asquith Boys High School.

Tuesday 9 July 2013 - The Deputy Mayor, on the Mayor's behalf, attended the NAIDOC Week Celebrations at Hornsby Library.

Friday 12 July 2013 - The Mayor and Deputy Mayor attended the Successful Completion Celebrations at Wahoonga Gardens.

Sunday 14 July 2013 - The Deputy Mayor, on the Mayor's behalf, attended the Galston Equestrian Club's Opening of a new storage shed celebrations.

Friday 19 July 2013 - The Mayor hosted the Rural Fire Service Annual Dinner at Hornsby RSL Club.

Tuesday 23 July 2013 - The Mayor attended the Hornsby Lions Club Changeover Dinner at Event Cinemas, Hornsby.

Thursday 25 July 2013 - The Mayor and Deputy Mayor attended Ezzy Architects Christmas in July Celebrations in Waitara.

Tuesday 30 July 2013 - The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Wednesday 31 July 2013 - The Mayor and Councillor Anisse attended the Hornsby Shire Council apprenticeship and Traineeship Expo at Hornsby War Memorial Hall.

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

AGAINST: NIL

**19 MM14/13 General Manager's Performance Review 2013 and Renewal of Contract  
(F2013/00402)**

Note: The confidential attachment to Mayoral Minute No. MM14/13 was discussed in Confidential Session and the General Manager was not present at, or in sight of, the meeting when the Item was being discussed or voted on.

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

THAT Council:

1. Receive the 'Final Report' August 2013 General Manager's Performance Review.
2. Renew the contract with Scott Phillips as General Manager of Hornsby Shire Council for a term of five years commencing 26 August 2013 at a total annual remuneration package of \$339,500 utilising the Division of Local Government Standard Contract for the Employment of General Managers.
3. Authorise the Mayor to finalise any other contractual details and to execute the employment contract on behalf of Council.

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

AGAINST: NIL

**NOTICES OF MOTION**

**16 NOM7/13 Opportunities for Villa/Townhouse Development in Hornsby Shire  
(F2013/00295)**

MOVED ON THE MOTION OF COUNCILLOR BERMAN, seconded by COUNCILLOR AZIZI,

THAT:

1. Having regard to Council's Housing Strategy which identifies the need to address housing affordability and the provision of greater housing choice for older people wishing to down size and young families trying to enter the property market, Council consider the progression of a

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GENERAL MANAGER

CHAIRMAN

project to increase opportunities for villa/townhouse development in Hornsby Shire in the next annual review of the Strategic Planning Program in March 2014.

2. The timeframe for the progression of any project be considered in the context of the identification of a dwelling target for Hornsby Shire under the State Government's Draft Metropolitan Strategy for Sydney 2031 and/or Subregional Plan, and Council's commitment to existing projects on the Strategic Planning Program.

AN AMENDMENT WAS MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR COX,

THAT:

1. Having regard to Council's Housing Strategy which identifies the need to address housing affordability and the provision of greater housing choice for older people wishing to down size and young families trying to enter the property market, Council consider the progression of a project to increase opportunities for villa/townhouse development in Hornsby Shire in the next annual review of the Strategic Planning Program in March 2014.
2. The timeframe for the progression of any project be considered in the context of Council's commitment to existing projects on the Strategic Planning Program.

THE AMENDMENT, MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR COX WAS PUT AND LOST.

FOR: COUNCILLORS AZIZI, COX, GALLAGHER AND HUTCHENCE

AGAINST: COUNCILLORS ANISSE, BERMAN, RUSSELL, SINGH AND TILBURY

THE MOTION, MOVED BY COUNCILLOR BERMAN, seconded by COUNCILLOR AZIZI WAS PUT AND CARRIED.

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

AGAINST: NIL

**17 NOM9/13 Draft Hornsby Development Control Plan Amendment - Tree and Vegetation Preservation**

**(F2007/00707)**

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

THAT:

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- A. 1. The Draft Hornsby Development Control Plan be amended by inserting a list of tree species considered to have cultural heritage value as identified in draft amendments to Council's Tree Preservation Order as currently being progressed for public consultation.
2. Council exhibit amendments to the Draft Hornsby Development Control Plan concurrently with amendments to the Tree Preservation Order for a minimum period of 28 days.
3. A further report be presented to Council reporting on the results of the public exhibition.
- B. The Deputy General Manager, Infrastructure and Recreation investigate the prospects of successfully prosecuting the illegal tree removal at 88 Malton Road, Beecroft in the Land and Environment Court.
- C. The Group Manager, Environment and Human Services and the Deputy General Manager, Infrastructure and Recreation investigate options to mitigate unauthorised removal of vegetation in high value areas.

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

AGAINST: NIL

#### **MATTERS OF URGENCY**

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

THAT Councillor Hutchence be permitted to raise a Matter of Urgency regarding funding from the Bendigo Bank for facilities and improvements in the North Epping area.

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

AGAINST: NIL

#### **20 MOU1/13 Bendigo Bank - Funding of Projects in North Epping**

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

THAT:

1. In anticipation of a public announcement within the next two weeks, Council express its appreciation to the local branch of the Bendigo Bank and the local member for Bennelong, Mr John Alexander MP, for commitments of around \$200,000 to fund multipurpose facilities and

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improvements in the North Epping area.

2. Subject to the receipt of the above funds, Council authorise the Deputy General Manager, Infrastructure and Recreation to program the construction of additional facilities, and depending on actual construction costs and other possible contributions, other facilities prior to December 2014.

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

AGAINST: NIL

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

THAT Councillor Hutchence be permitted to raise a Matter of Urgency regarding Council's support to community groups who participate in Council's Community Events Program.

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

AGAINST: NIL

## **21 MOU2/13 Council's Community Events Program**

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

THAT the General Manager investigate opportunities to provide ongoing support to community groups who participate in Council's Community Events Program such as Movies Under The Stars.

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

AGAINST: NIL

## **QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 9.43pm.

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This is page 18 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

These Minutes were confirmed at the meeting held on Wednesday, 18 September, 2013, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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This is page 19 of the Minutes of the General Meeting of Hornsby Shire Council held on 21 August 2013.

GENERAL MANAGER

CHAIRMAN