

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 12 April 2017
at 6:36PM



PRESENT

Councillors Hutchence (Chairman), Anisse, Berman, Browne, Cox, Gallagher and Singh.

Note: Councillor Anisse arrived at the meeting at 6.43pm and was not present for consideration or voting on Apologies / Leave of Absence, Declarations of Interest or Confirmation of Minutes.

NATIONAL ANTHEM

OPENING PRAYER

Deputy Mayor Councillor Hutchence opened the meeting with Council's 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. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT the apology and request for leave of absence from Councillors Russell, Azizi and Tilbury in the respect of an inability to attend the General Meeting on 12 April 2017 be accepted and leave of absence be granted.

FOR: COUNCILLORS BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE AND SINGH

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 COX, seconded by COUNCILLOR GALLAGHER

THAT the Minutes of the General Meeting held on Wednesday 8 March 2017 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE AND SINGH

AGAINST: NIL

PETITIONS

COUNCILLOR BROWNE tabled a petition with 18 signatures in relation to Development Application No. DA/961/2016 - 14-16 Elabana Crescent, Castle Hill.

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

Nil

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

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

Items 4 and 5 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 3, 6, 7, 8 and 9 be adopted.

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

AGAINST: NIL

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

Note: Item 10 was called over and noted.

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

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

1 CS7/17 Investments and Borrowings for 2016/17 - Status for Period Ending 28 February 2017

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT the contents of Deputy General Manager's Report No. CS7/17 be received and noted.

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

AGAINST: NIL

**2 CS8/17 Operational Plan (including Budget and Fees and Charges) for 2017/18
- Adoption of Draft Documents for Public Exhibition**

(F2016/00368)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT:

1. Council adopt for public exhibition and make available for public comment from 13 April to 15 May 2017, the draft Operational Plan 2017/18 which includes the draft Budget, Fees and Charges and Rating Structure for 2017/18.
2. Council note that the rating information contained in the draft Operational Plan 2017/18 is in line with the Independent Pricing and Regulatory Tribunal's rate increase approval for NSW councils (i.e. a 1.5% rate increase for 2017/18).
3. Following the public exhibition period, and before 30 June 2017, a further report be prepared for Council's consideration which provides details of any submissions received and recommends the adoption of a final Operational Plan 2017/18, including the Budget, Fees and Charges and Rating Structure for that year.

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

AGAINST: NIL

**3 CS9/17 Pecuniary Interest and Other Matters Returns - Disclosures by
Councillors and Designated Persons**

(F2017/00069)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT Council note that 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, BERMAN, BROWNE, COX, GALLAGHER, HUTCHENCE
AND SINGH

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

Nil

PLANNING DIVISION

4 PL19/17 Further Report - Development Application - Dwelling house - 8A

Mr Grant Slade, of Beecroft, addressed Council regarding this item.

Mr Matthew Pearce, the Applicant, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT Development Application No. DA/802/2016 for construction of a dwelling house at Lot 9 DP1089650, No. 8A Kirkham Street, Beecroft be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL19/17 and the following additional condition:

1. Three additional Pencil Pine trees are to be planted to supplement the existing trees along the common property boundary with No. 8 Kirkham Street. Alternative planting may be planted to form a landscape screen along the boundary subject to the written consent of the adjoining property owner.

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

AGAINST: NIL

5 PL11/17 Strategic Planning Program 2017/18

(F2004/10086)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT:

1. The 2017/2018 Strategic Planning Program attached to Group Manager's Report No. PL11/17 be adopted.
2. Council renew its subscription to the Cities Leadership Institute to January 2018.
3. Council acknowledge the strategic importance of the Pennant Hills Town Centre and confirm its commitment to reviewing its vision for the Centre in consultation with the community which has commenced through the Pennant Hills and Thornleigh community survey as the first phase of the master planning process

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

AGAINST: NIL

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT:

1. A submission be forwarded to the Department of Planning and Environment raising concern with Draft SEPP (Educational Establishments and Childcare Facilities) 2017, and addressing the major issues for Hornsby Shire identified in Group Managers Report No. PL15/17, including:
 - a) Ensuring the planning controls are consistent with the priorities in the Draft North District Plan to discourage urban development in the primary production rural areas;
 - b) Requiring that significant private school developments are subject to an independent merit assessment to ensure works respond to the existing or desired future character of the locality;
 - c) Amending the design controls for exempt and complying school developments to appropriately respond to a low density residential and rural environment;
 - d) Limiting the extent of school intensification as complying development that has the potential to impact on local road infrastructure; and
 - e) Avoiding and mitigating the clearing of native vegetation.
2. Council prepare and exhibit amendments to the Hornsby Development Control Plan 2013 to provide consistency with SEPP (Educational Establishments and Childcare Facilities) 2017 as gazetted, including removal of the existing cap on the size of child care facilities.

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

AGAINST: NIL

7 PL17/17 Planning Legislation Updates

(F2004/07180-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT a submission be forwarded to the Department of Planning and Environment indicating Council's general support for the Planning Legislation Updates, subject to the Department addressing the major issues for Hornsby Shire identified in Group Manager's Report No. PL17/17, including:

1. Community Participation Plan Regulation should not fetter Council consultation practices and "public notification" be defined for Statements of Reasons for Decisions as a website notice.
2. Local Strategic Planning Statements be incorporated in LEPs and Regional and District Plans and be reviewed every five years.
3. A maximum timeframe for the Secretary and a "dedicated integrated development

assessment team” be established to resolve delays in the provision of concurrence.

4. Delete categories of Complying Codes which are not routine and remove the need for certifiers to refer complying development proposals to Council for review prior to approval.
5. Provide councils the option to include additional specialists on local planning panels and identify circumstances in which Government can appoint a local planning panel.

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

AGAINST: NIL

8 PL18/17 Infrastructure SEPP Review - Submission Report

(F2004/07599)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT a submission be forwarded to the Department of Planning and Environment raising concern with the Draft SEPP (Infrastructure) Amendment (Review) 2016, addressing the major issues for Hornsby Shire identified in Group Manager’s Report No. PL18/17, including:

1. Continuing to prohibit health services facilities in low density residential and neighbourhood business zones;
2. Restricting the commercial premises that are permitted with consent and as complying development in the grounds of a health services facility;
3. Ensuring that car parks in the grounds of a health services facility may only be approved as complying development where they meet height and setback standards;
4. Avoiding and mitigating the clearing of native vegetation associated with health services facilities;
5. Restricting the physical size and intensity of use of a police station based on a set increase of its existing size before consent is required; and
6. Including reference to all relevant land use terms in the *Standard Instrument* that form traffic generating development.

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

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

9 IR3/17 Waitara Park - Destination Park Development

(F2014/00341-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR COX

THAT Council:

1. Support the development of a new building to serve the needs of the flexible sports space adjacent to Edgeworth David Avenue and visitors to the inclusive playground and other areas of Waitara Park at an estimated capital cost of \$1.2 million.
2. Reaffirm its support for the construction of a new inclusive playground and landscape works in the north-west corner of Waitara Park at an estimated capital cost of \$1.3 million.

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

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Mrs Jacqueline Rahme of Waitara addressed Council regarding parking issues in Waitara Avenue.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

10 MN4/17 Mayor's Notes from 1 to 31 March 2017

(F2004/07053)

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.

Friday 3 March 2017 – The Mayor attended Asquith Girls' High School's Annual International Women's Day Breakfast at the School.

Friday 3 March 2017 – The Mayor officially opened the Seniors Expo as part of Seniors' Week at Hornsby RSL Club.

Saturday 11 March 2017 – The Mayor attended Hornsby North Public School's Autumn Fair and 50th Anniversary Celebrations at the School.

Saturday 11 March 2017 – The Mayor attended the Iranian Senior Women's Association Norooz and Harmony Day Celebrations at Pennant Hills.

Wednesday 15 March 2017 – The Mayor attended the formal launch of Hornsby Connect at Hornsby.

Wednesday 15 March 2017 – The Mayor attended the official launch of the new Hornsby/Ku-ring-gai Branch of Street Work at Hornsby.

Friday 17 March 2017 – The Mayor attended the opening of Granny Flat Solutions new Showroom at Thornleigh.

Tuesday 21 March 2017 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Saturday 25 March 2017 – The Mayor officially opened the Ferry Artists Exhibition at Wisemans

Ferry.

Saturday 25 March 2017 – On behalf of the Mayor, Deputy Mayor Councillor Michael Hutchence attended the Lions Clubs International “District N5 Youth of the Year Final” at Hornsby RSL Club.

Thursday 30 March 2017 – The Mayor attended The Hawkesbury-Hills Student Leadership Programme Launch Dinner at Hawkesbury Race Club, Clarendon.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 7.09pm.

These Minutes were confirmed at the meeting held on Wednesday 10 May 2017, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
