

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 11 October 2017
at 6:32PM



PRESENT

Councillors Ruddock (Chairman), Browne, del Gallego, Heyde, Hutchence, Marr, McIntosh, Nicita, Tilbury and Waddell.

NATIONAL ANTHEM

OPENING PRAYER

Reverend Kodjo Nkrumah, of 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."

WELCOME TO COUNTRY

Following on from a Smoking Ceremony held prior to the Council Meeting in the Council Chambers Courtyard, a Welcome to Country was given by the Darug and Guringai Traditional Owner representatives, Aunty Kerrie Kenton (Darug) and Uncle Laurie Bimson (Guringai).

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."

OATH OR AFFIRMATION OF OFFICE

The Mayor advised that as a result of recent amendments to the Local Government Act, all Councillors are required to take an Oath or Affirmation of Office at the beginning of their term of office and this must be done before participating in a Council meeting.

The Mayor took the following Oath of Office:

"I, Philip Ruddock, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

The Mayor then invited each Councillor in turn to take an Oath or Affirmation of Office. They all did so in the following order:

Councillor Waddell took the Oath.

"I, Warren Waddell, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Marr took the Affirmation.

"I, Mick Marr, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Tilbury took the Oath.

"I, Nathan Tilbury, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor McIntosh took the Affirmation.

"I, Janelle McIntosh, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Browne took the Oath.

"I, Robert Browne, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Nicita took the Oath.

"I, Joe Nicita, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Hutchence took the Oath.

"I, Michael Hutchence, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Heyde took the Affirmation.

"I, Emma Heyde, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor del Gallego took the Oath.

"I, Vince del Gallego, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

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 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 BROWNE,

THAT the Minutes of the General Meeting held on Wednesday 9 August 2017 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: COUNCILLOR MCINTOSH

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

1 MM13/17 Improved Community Engagement and Consultation

(F2006/00508)

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust, addressed Council regarding this item.

Ms Mariko Smith, of Mt Colah addressed Council regarding this item.

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

THAT:

1. The General Manager provide a briefing and prepare a report for Council's consideration on the options, costs and feasibility of:
 - a) Live streaming Council meetings.
 - b) Rotating Council meetings through the different wards.
 - c) Implementing local community forums for residents to engage with their elected councillors.
2. To assist in the preparation of the briefing and report referred to above, a 'pilot' public forum be arranged for North Epping residents in November 2017 with all Councillors invited to attend.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

21 MM14/17 General Manager Recruitment

(F2017/00267)

RESOLVED ON THE MOTION OF COUNCILLOR RUDDOCK, seconded by COUNCILLOR

MCINTOSH,

THAT Council commence the recruitment process to appoint a new General Manager.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: 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 2, 3, 4, 5, 9, 10, 11, 12, 13, 15, 18, 19 and 20 were withdrawn for discussion.

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

THAT the recommendations in respect of items 6, 7, 8, 14, 16 and 17 be adopted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

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

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

2 CS31/17 Election of Deputy Mayor

(F2004/07075)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR

HUTCENCE,

THAT:

1. Council elect a Deputy Mayor for the period to September 2018.
2. The election of Deputy Mayor be conducted using the Open Voting method.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

The Mayor asked the Acting General Manager to act as Returning Officer and conduct the election of the Deputy Mayor.

The Acting General Manager announced that he had received one written nomination for the position of Deputy Mayor, that being for Councillor del Gallego. Councillor del Gallego confirmed his acceptance of the nomination.

As no further nominations were received, the Acting General Manager announced that Councillor del Gallego was elected as Deputy Mayor for the period to September 2018.

Note: At this point in the meeting the Mayor, with the support of all current Councillors, expressed thanks for the previous Council and the service they had provided to the community.

3 CS33/17 Councillor Representation on Committees, Working Parties and Other Relevant Groups - October 2017 to September 2018

(F2004/07056)

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

THAT:

1. Council apply to re-join the Northern Sydney Regional Organisation of Councils.
2. Councillor representation on Committees, Working Parties and other relevant groups for the period October 2017 to September 2018 be as indicated in the table below:

Council Committee / Working Party	Councillor Representation
Bushland Management Advisory Committee (BMAC)	Cr Browne (Chair), Cr Hutchence, Cr Marr, Cr Nicita
Brooklyn Masterplan Project Control Group	Cr Hutchence, Cr Marr, Cr Tilbury, Cr Waddell

Catchments Remediation Rate (CRR) Expenditure Review Committee	Cr Browne (Chair)
Floodplain Risk Management Committee (FRMC)	Cr Nicita, Cr Hutchence (Alternate)
Friends of Lisgar Gardens	Cr Browne, Cr Heyde (Alternate)
Homelessness Task Force	Cr Nicita, Cr Waddell (Alternate)
Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC)	Cr Ruddock, Cr Browne, Cr Heyde, Cr McIntosh, Cr Nicita
Hornsby Art Prize Committee	Cr Browne (Chair)
Hornsby Ku-ring-gai Bush Fire Management Committee	Cr Ruddock, Cr Hutchence (Alternate), Cr Marr (Alternate), Cr McIntosh (Alternate), Cr Tilbury (Alternate)
Hornsby Ku-ring-gai Police and Community Youth Club	Cr Browne, Cr Nicita (Alternate)
Hornsby Rural Fire Service Liaison Committee	Cr Ruddock, Cr Hutchence (Alternate), Cr Nicita (Alternate), Cr McIntosh (Alternate), Cr Tilbury (Alternate)
Hornsby Shire Heritage Advisory Committee	Cr Browne (Chair), Cr McIntosh (Deputy Chair), Cr Heyde, Cr Hutchence, Cr Nicita (Alternate), Cr Tilbury (Alternate)
Hornsby Shire Local Traffic Committee	Cr Hutchence, Cr Browne (Alternate), Cr del Gallego (Alternate)
Local Government Reference Group – North West Rail Link Urban Renewal Program	Cr Ruddock, Cr Browne, Cr del Gallego, Cr Heyde, Cr Hutchence, Cr McIntosh
Lower Hawkesbury Estuary Management Committee	Cr Tilbury (Chair), Cr Waddell (Deputy Chair), Cr Marr
Northern Sydney Regional Organisation of Councils (NSROC)	Cr Ruddock, Cr Tilbury, Cr Browne (Alternate), Cr del Gallego (Alternate), Cr Heyde (Alternate), Cr McIntosh (Alternate)
NSW Public Libraries Association	Cr Heyde, Cr McIntosh (Alternate), Cr Nicita (Alternate)
“Wellum Bulla” Hornsby Shire Council Materials Handling Facility Monitoring Committee	Cr Browne, Cr Hutchence

3. All business papers and minutes for the Committees and Working Parties referred to in 2. above be provided to all Councillor representatives of the Committees and Working Parties (including alternate members).
4. An informal briefing of Councillors be organised by March 2018 to review the scope, terms of

reference and community membership of the Bushland Management Advisory Committee, Heritage Advisory Committee, Hornsby Aboriginal and Torres Strait Islander Consultative Committee, Hornsby Shire Local Traffic Committee and "Wellum Bulla" Hornsby Shire Council Materials Handling Facility Monitoring Committee and to enable consideration of how Council can gain best value from these Committees.

5. A report be prepared for Council's consideration to enable consideration of Hornsby Ku-ring-gai Community College's request for Council to nominate one person to their College Council.
6. Council embark upon a process of reviewing the existing Committees and Working Parties, with a view to greater public participation and information. This is intended to retain the status of these Committees as 'advisory committees' to Council, but also to provide information to the public via Council's website as to the regularity of their meetings, working papers, minutes and recommendations to Council. Where possible, and taking into account confidential or privacy matters, these meetings should be open to the public.
7. An informal briefing of Councillors be held as soon as is practicable to further discuss the principles outlined in point 6.; the existing Committees and Working Parties and their charters and objectives; and any proposed new Committees and Working Parties.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

4 CS28/17 Local Government NSW - 2017 Annual Conference - Determination of Attendees and Voting Delegates

(F2017/00218)

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

THAT:

1. All Councillors be registered to attend the 2017 Annual Conference of Local Government NSW (LGNSW).
2. Councillors Browne, del Gallego, Heyde, Hutchence, McIntosh, Ruddock and Waddell be appointed as voting delegates on policy motions at the Conference.
3. Councillors Browne, del Gallego, Heyde, Hutchence, McIntosh, Ruddock and Waddell be appointed as voting delegates for the election of Office Bearers and the LGNSW Board.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

5 CS29/17 Delivery Program 2013-17 Including Operational Plan (Budget) for 2016/17 - June 2017 Quarter Review

(F2015/00473)

RESOLVED ON THE MOTION OF COUNCILLOR HEYDE, seconded by COUNCILLOR TILBURY,
THAT the June 2017 Quarter Review of the Delivery Program, including the 2016/17 Operational Plan and Budget, be received and noted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

6 CS30/17 General Purpose and Special Purpose Financial Reports - 2016/17 Financial Year

(F2017/00104)

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

THAT:

1. The 2016/17 General Purpose and Special Purpose Financial Reports be received and noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2016/17 Financial Reports.
3. The 2016/17 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. The Acting General Manager be delegated authority to fix the date of the General Meeting at which the 2016/17 Financial Reports and Auditor's Report will be formally "presented to the public".

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

7 CS32/17 Investments and Borrowings for 2017/18 - Status for Periods Ending 31 July 2017 and 31 August 2017

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR

BROWNE,

THAT the contents of Deputy General Manager's Report No. CS32/17 be received and noted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

8 CS37/17 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2016/00234)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, 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 BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,
MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

9 CS38/17 Alteration of Boundaries Proposals - Hornsby Shire Council and City of Parramatta Council

(F2016/00007)

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic trust addressed Council regarding this item.

Mr Josh Andrews, of Mt Colah addressed Council regarding this item.

Mr Mick Gallagher, of Mt Colah addressed Council regarding this item.

Ms Jan Primrose, of Berowra addressed Council regarding this item.

Mr Russell Carey, of Wahroonga addressed Council regarding this item.

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

THAT:

1. Council, under section 218E of the Local Government Act, submit to the Minister for Local Government the Alteration of Boundaries Proposal (dated 14 July 2017) included as Attachment 2 to Deputy General Manager's Report No. CS38/17.

2. The Acting General Manager be authorised to seek legal advice in respect of:
- a) Defending any action that the City of Parramatta Council may bring against Hornsby Shire Council in respect of the transfer of rates and other income, information and records associated with Hornsby Shire Council's loss of the land south of the M2 Motorway to the City of Parramatta Council in May 2016.
 - b) Options for joining the NSW Government to any action brought by the City of Parramatta Council against Hornsby Shire Council, particularly in light of public statements made by representatives of the NSW State Government that Hornsby Shire Council and its residents will not be worse off financially as a consequence of the loss of the area south of the M2 Motorway to the City of Parramatta Council.
3. An informal briefing of Councillors be organised to discuss means to inform Hornsby Shire Council residents of the implications of the loss of the area south of the M2 Motorway to the City of Parramatta Council in terms of provision of services across Hornsby Shire.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

10 EH8/17 Extension to Waste Collection Contract

(F2009/00768)

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

THAT Council exercise the two year option period remaining on contract C25/2008 for waste collection services from 1 February 2018 to 31 January 2020 to the current contractor Transpacific Cleanaway.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

PLANNING DIVISION

11 PL51/17 Development Application - Townhouse Development Comprising of 13 Dwellings - 503 and 505 Pacific Highway, Mount Colah

(DA/306/2017)

Mr John Sukari, of Wahroonga addressed Council regarding this item.

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

THAT Development Application No. DA/306/2017 for demolition of existing structures and construction of 13, two-storey townhouses with attics over basement car parking at Lot 3 DP 100320, Lot 4 DP 1053450, Nos.503 and 505 Pacific Highway, Mount Colah be approved as a deferred commencement pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL51/17.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HUTCHENCE, MARR, MCINTOSH, RUDDOCK, TILBURY AND WADDELL

AGAINST: COUNCILLORS HEYDE AND NICITA

12 PL38/17 Development Application - Subdivision of an Existing Multi-Unit Housing Development - 9 Braidwood Avenue, North Epping

(DA/531/2017)

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

THAT Council assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 and approve Development Application No. DA/531/2017 for the Torrens title subdivision of one allotment into two lots at Lot 11 DP 30369, No.9 Braidwood Avenue, North Epping subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL38/17.

FOR: COUNCILLORS BROWNE, HUTCHENCE, MARR, MCINTOSH, RUDDOCK, TILBURY AND WADDELL

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE AND NICITA

13 PL52/17 Development Application - Childcare Centre - 60-74 The Crescent, Cheltenham

(DA/191/2017)

Mr Tim Earnshaw, of Cheltenham addressed Council regarding this item.

Mr Peter Chapman, of Cheltenham addressed Council regarding this item.

Ms Lesley Tregoning, on behalf of Cheltenham Recreation Club addressed Council regarding this item.

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust addressed Council regarding this item.

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

THAT consideration of Development Application No. DA/191/2017 – Childcare Centre – 60-74 The Crescent Cheltenham, be deferred until the 8 November 2017 General Meeting to allow an onsite meeting to be held between the applicant, Council officers and available Councillors. The intent of the deferral and onsite meeting is to better observe the implications of the development on the surrounding properties and neighborhood and to allow the owners of No. 1 The Boulevard, Cheltenham to submit the acoustic report mentioned during discussion on this item and have it considered by Council officers and Councillors.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK AND TILBURY

AGAINST: COUNCILLOR WADDELL

14 PL54/17 Development Application - Construction of a Vehicle Sales Premises- 56 - 62 Pacific Highway, Waitara

(DA/337/2017)

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

THAT Council assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 and approve Development Application No. DA/337/2017 for the construction of a two storey vehicle sales premises with associated workshop at Lot 12 DP 804181, Nos. 56 – 62 Pacific Highway, Waitara subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL54/17.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

15 PL48/17 Independent Hearing and Assessment Panels

(F2013/00295)

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

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

THAT:

1. Council make a submission to the Department of Planning and Environment requesting that

the matters outlined in Group Manager's Report No. PL48/17 be addressed in finalising the guidelines for the establishment of Independent Hearing and Assessment Panels (IHAPs) including additional community representation, cost recovery for the operational of the panel, and opportunity to refer additional matters of public interest to the panel.

2. Council indicate its intention to establish a stand-alone IHAP for Hornsby Shire and seek expressions of interest for a community representative from each Ward (and alternates) for the Panel.
3. Expressions of interest be sought for the two local representative positions on the Sydney North Planning Panel concurrently with the advertising of the IHAP positions.
4. The outcome of the expression of interest processes be reported to Council for its endorsement of the community representative Panel members.
5. To assist persons interested in preparing an expression of interest for the community representative positions, information briefing sessions be held to outline the composition and function of the Panels, role of community members in representing the views of the community and recruitment process including interviews by Council.
6. An informal briefing of Councillors be held to discuss how best to provide information to the local community about the recently introduced legislation, the commencement of the new Panels, and how their structure, function and operations will affect community consultation and engagement in the planning process.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

16 PL50/17 Draft City of Parramatta Section 94 and Section 94A Contributions Plans

(F2010/00015-03)

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

THAT a submission be forwarded to the City of Parramatta Council raising concern with the Draft Parramatta Section 94 and Section 94A Contribution Plans and addressing the major issues for Hornsby Shire identified in Group Manager's Report No. PL46/17, including that:

1. Confirmation should be provided by the City of Parramatta Council to the draft principles for apportionment of monetary contributions between the Councils.
2. The Draft Plans should not be made until after there is an agreement between the councils in relation to the apportionment of existing funds.
3. The proposed development assumptions should be reviewed to ensure the draft Plans meet the relevant principles outlined in the Department of Planning and Environment's

4. Any future refunds of monetary contributions to developers arising from the adoption of the proposed Section 94 Plans should be met entirely by the City of Parramatta Council.

FOR: COUNCILLORS BROWNE, DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

Nil

CONFIDENTIAL ITEMS

17 CS34/17 Proposed Closure and Sale - The Avenue, Hornsby

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.

(F2016/00245)

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

THAT:

1. Council make application to the NSW Department of Industry – Lands and Forestry to close the public road known as The Avenue, Hornsby.
2. Upon closure of The Avenue, the former road be classified as “Operational Land” for the purposes of the Local Government Act.
3. The Acting General Manager be authorised to create any easements deemed necessary to facilitate closure of The Avenue.
4. Council approve the sale of the closed road on the commercial terms outlined in Confidential Deputy General Manager’s Report No. CS34/17.
5. The Acting General Manager be authorised to negotiate final terms and conditions for closure and sale of The Avenue and to execute any documents in relation to this matter as deemed appropriate by Council’s legal advisers.
6. In the absence of the Acting General Manager, or as legally required, Council authorise the use of its Seal on any legal document, survey or other documents, directly related to closure and sale of The Avenue, as deemed appropriate by Council’s legal advisers.

FOR: COUNCILLORS BROWNE, DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Dr Graeme Wells, on behalf of Hornsby Heritage Precinct (west side of Hornsby), addressed Council regarding the removal of a heritage tree.

Mr Mick Gallagher, of Mt Colah addressed Council regarding the 2012-2017 Council and the new Council.

Mr Doug Cohen, on behalf of the Arcadian and Regional Action Group addressed Council regarding a development application in Geelans Road, Arcadia.

Ms Jackie Baker, of Arcadia, addressed Council regarding a development application in Geelans Road, Arcadia.

Mr Peter Waite, of Pennant Hills, addressed Council regarding various matters.

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust addressed Council congratulating the new Councillors and offering to work with them over their term.

Mr Paul Taylor, of Pennant Hills addressed Council regarding a program for small business economic development.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

Nil

NOTICES OF MOTION

18 NOM10/17 Annual Design Awards

(F2004/05841-02)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR, THAT Council investigate the feasibility of conducting annual Design Awards within our Shire, to recognise and promote excellence in architecture, design, sustainability, heritage and landscaping such that the initiative can be discussed at the Councillor Strategic Planning Weekend.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

19 NOM11/17 Consulting With Our Community

Ms Mariko Smith of Mt Colah, addressed Council regarding this item.

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

THAT:

1. Council investigate ways in which it can improve community consultation and engagement with our community.
2. An informal briefing of Councillors be arranged to discuss an amendment to the Order of Business for General Council Meetings which would see Public Forum Non-Agenda Items listed for consideration ahead of the published Agenda items.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

20 NOM12/17 Economic Development Program

(F2004/10055-02)

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

THAT:

1. Council investigate the options, costs and feasibility of providing a Council Economic Development Program such that the initiative can be discussed at the Councillor Strategic Planning Weekend.
2. The investigation should include, but not be limited to:
 - a) Consulting with Chambers of Commerce and the local business community to understand their needs.
 - b) Consulting with the community to gain an understanding of how the community would like Council to support small business.
 - c) Researching other Council's economic development programs including their specific areas of focus, staffing, costs and outcomes.
 - d) A review of Hornsby Shire Council's previous attempts at economic development initiatives.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 10:16pm.

These Minutes were confirmed at the meeting held on Wednesday 8 November 2017, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
