

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 8 November 2017
at 6:33PM



PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend Brian Hall of St Peters Anglican Church, Hornsby 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. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."

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

COUNCILLOR HUTCHENCE declared a Less Than Significant Non Pecuniary Interest, in relation to Item 5 – PL53/17 - Development Application - Construction of a Maintenance Building Ancillary to an Existing Educational Establishment - 28, 28A and 30 Unwin Road, Wahroonga. Refer to that Item for details.

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 11 October 2017 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATION

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

21 MM15/17 Urban Canopy and Tree Preservation in Hornsby Shire

(F2007/00707)

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

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

Dr Graeme Wells, of Hornsby addressed Council regarding this item.

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

THAT a report outlining options to strengthen tree protection measures and re-establish tree canopy across the Shire be prepared for Council's consideration at the earliest opportunity.

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

AGAINST: NIL

22 MM16/17 General Manager Recruitment

(F2017/00267)

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

THAT:

1. The updated Job Description for the General Manager position which is attached to Mayoral Minute No. MM16/17 be approved.
2. McArthur Management Services be appointed as the Recruitment Consultant to undertake the recruitment of Council's new General Manager.
3. The interview process proposed in Mayoral Minute No. MM16/17 for the recruitment of Council's new General Manager be approved.
4. When the recruitment process has been completed, a further Mayoral Minute be submitted for Council's consideration recommending the appointment of the preferred candidate for the General Manager position.

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

AGAINST: NIL

23 MM17/17 Alteration of Boundary Proposal Update

(F2016/00007)

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

THAT:

1. Council seek an urgent meeting with the Minister for Local Government to discuss the timeframe and process for the Minister to consider and determine Council's Alteration of Boundaries Proposal.

2. Council seek an urgent meeting with the State Member for Hornsby, the State Member for Epping, the Federal Member for Berowra as well as the Federal Member for Bennelong to develop a proposal for the provision of capital works projects and a strategy for the redevelopment of the Epping Town Centre which would remove expressed obstacles and allow the NSW Government to return the area south of the M2 Motorway back to Hornsby Shire Council.
3. The proposal in point 2. is to seek agreement from the various parties to:
 - a) A list of public benefit projects in the former Hornsby Local Government Area south of the M2 Motorway to support an agreed population increase.
 - b) An expenditure and financing strategy for the delivery of the projects identified in point 3 a)
 - c) An appropriate service level provision for the projects listed in point 3 a)
 - d) A desirable outcome and zoning strategy for the redevelopment of the Epping Town Centre, including the quantum and location of commercial activities to support the redevelopment of the Parramatta Central Business District and/or the development of the Epping Town Centre as a Strategic Centre.

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

AGAINST: NIL

24 MM18/17 Senior Living Developments In The Rural Areas Of The Shire

(F2007/01473)

Ms Catherine Gordon, of Asquith addressed Council regarding this item.

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

MOVED ON THE MOTION OF COUNCILLOR RUDDOCK, seconded by COUNCILLOR BROWNE,
THAT Council write to:

1. The Honourable Anthony Roberts, Minister for Planning:
 - a) Seeking an urgent meeting to discuss the inconsistency of State Government planning policy which promotes seniors housing development with the recommendations of the Greater Sydney Commission that the values of the rural areas should be maintained.
 - b) Requesting no further site compatibility certificates be issued by the State Government for seniors housing developments in the rural areas of Hornsby Shire until a clear vision for the region is prepared including an infrastructure and funding plan to cater for existing and future development.

2. Local State and Federal Members of Parliament advising them of Council's resolution and seeking their support and assistance in the implementation of the above action and facilitating discussions with the State Government.

AN AMENDMENT WAS MOVED BY COUNCILLOR DEL GALLEGO,

THAT Council write to:

1. The Honourable Anthony Roberts, Minister for Planning:
 - a) Seeking an urgent meeting to discuss the inconsistency of State Government planning policy which promotes seniors housing development with the recommendations of the Greater Sydney Commission that the values of the rural areas should be maintained.
 - b) Requesting no further site compatibility certificates be issued by the State Government for seniors housing developments in rural areas of Hornsby Shire as these are protected under the Greater Sydney Commission's Metropolitan Rural Area Planning Priority N18 - Better Managing Rural Areas, for Council and other planning authorities, State Agencies and State Owned Corporations to:
 - Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes, including rural residential development
 - Limit urban development to within Urban Area.
2. Local State and Federal Members of Parliament advising them of Council's resolution and seeking their support and assistance in the implementation of the above action and facilitating discussions with the State Government.

DUE TO A LACK OF SECONDER, THE AMENDMENT MOVED BY COUNCILLOR DEL GALLEGO LAPSED.

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

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

AGAINST: COUNCILLOR DEL GALLEGO

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, 7, 8, 9, 12, 13, 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 1, 3, 4, 5, 10, 11 and 14 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: Items 15, 16 and 17 were 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 CS35/17 Investments and Borrowings for 2017/18 - Status for Period Ended 30 September 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. C35/17 be received and noted.

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

AGAINST: NIL

2 CS36/17 2016/17 Audited Financial Statements - Presentation to the Public

(F2017/00104)

Note: Council's External Auditor, Mr Marc Upcroft of PricewaterhouseCoopers, addressed Council

regarding this item and responded to questions raised about the Financial Statements.

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

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

THAT the 2016/17 General Purpose and Special Purpose Financial Statements and associated Auditor's Report, as presented to the public on 8 November 2017, be adopted.

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

AGAINST: NIL

3 CS39/17 Hornsby Shire Council Annual Report 2016/17

(F2015/00473)

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

THAT:

1. The Hornsby Shire Council Annual Report 2016/17, which has been made available on Council's website, be received and noted.
2. The Annual Report be supplemented by Council's 2016/17 Audited Financial Statements once they are "presented to the public" at the 8 November 2017 General Meeting.
3. The Annual Report be supplemented by Council's 'A Snapshot of the Hornsby Shire in 2016' publication, as updated in August 2017.
4. A copy of the finalised Annual Report 2016/17 be submitted to the Office of Local Government by 30 November 2017.

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

AGAINST: NIL

4 CS40/17 Delivery Program for 2013-17 and Operational Plan (Budget) for 2017/18 - September 2017 Quarter Review

(F2016/00368)

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

THAT the September 2017 Quarter Review of the 2013-17 Delivery Program and the Operational Plan (Budget) for 2017/18 be received and noted.

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

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

Nil

PLANNING DIVISION

5 PL53/17 Development Application - Construction of a Maintenance Building Ancillary to an Existing Educational Establishment - 28, 28A and 30 Unwin Road, Wahroonga

(DA/321/2017)

Note: COUNCILLOR HUTCHENCE declared a Less Than Significant Non-Pecuniary Interest in this item under Clause 51A of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR HUTCHENCE on the Declaration of Interest form as "The applicant was my previous school", and the explanation of why the interest does not require further action in the circumstances was "No implications on decision".

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

THAT Development Application No. DA/321/2017 for construction of a new maintenance building for use in conjunction with an existing educational establishment at Lot 1 DP 528800, Lot 2 DP 528800 and Lot 3 DP 564798, Nos. 28, 28A and 30 Unwin Road, Wahroonga be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL53/17 as amended by Late Items Memo No. LM7/17.

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

AGAINST: NIL

6 PL44/17 Development Application - Subdivision Six Allotments Into 13 Lots - 2A & 6 Judith Avenue and 589, 591, 591A & 593 Pacific Highway, Mount Colah

(DA/633/2016)

Mr Peter Loccisano, of Mt Colah addressed Council regarding this item.

Ms Sherry Cook, of Mt Colah addressed Council regarding this item.

Mr Lindsay Dyce, the applicant addressed Council regarding this item.

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

THAT:

1. Consideration of Development Application No. DA/633/2016 for demolition of existing structures and subdivision of six lots into 13 lots in three stages and including two Torrens title lots and 11 community title lots, at Lot 16 DP 608064, Lot 12 DP 236455, Lot 29 DP 587660, Lot 2A DP 354709, Lot A DP 356749, Lot 3 DP 531091, No. 2A and No. 6 Judith Avenue and Nos. 589, 591, 591A and 593 Pacific Highway, Mount Colah be deferred to enable the applicant to submit additional information in relation to contamination on the site, including a Detailed Site Investigation Report and if required a Remediation Action Plan.
2. The additional information should include, but not be limited to, confirmation of the extent and volume of contaminated material on the site, proposed method of management and remediation, confirmation of the finished landform after remediation and evaluation of the environmental impacts of the proposed method of remediation.

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

AGAINST: COUNCILLOR WADDELL

7 PL47/17 Development Application - Townhouse Development Comprising 17 Dwellings - 497 - 501 Pacific Highway, Mount Colah

(DA/706/2017)

Mrs Diane Hartshorn, of Mt Colah addressed Council regarding this item.

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

THAT:

1. Development Application No. DA/706/2017 for demolition of existing structures and construction of 17, two-storey townhouses with attics over a basement car park at Lot 6 DP 1003238, Nos. 497 – 501 Pacific Highway, Mount Colah be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL47/17.
2. A report be prepared outlining the background and objective of the existing control requiring 10 per cent of townhouse developments to be one bedroom as contained within the Hornsby Development Control Plan 2013, addressing the economic and practical feasibility of achieving this requirement and the merits of retaining the control in light of the dwelling mix

and diversity of housing being provided in accordance with Council's Housing Strategy.

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

AGAINST: COUNCILLOR MARR

8 PL49/17 Development Application - Townhouse Development Comprising 24 Dwellings - 12 to 18 Baldwin Avenue, Asquith

(DA/394/2017)

Mr Mark Hammond, of Asquith addressed Council regarding this item.

Ms Catherine Gordon, of Asquith addressed Council regarding this item.

Mr Jim Watt-Smith, on behalf of the applicant addressed Council regarding this item.

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

THAT Development Application No. DA/394/2017 for demolition of existing structures and construction of 24, two-storey townhouses with attics over basement car parking at Lot 3 DP 17085, Lot 4 DP 17085, Lot D DP 403886 and Lot E DP 403886 – Nos. 12-18 Baldwin Avenue, Asquith 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. PL49/17.

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

AGAINST: COUNCILLOR MARR

9 PL60/17 Further Report - Development Application - Childcare Centre - 60-74 The Crescent, Cheltenham

(DA/191/2017)

MOVED ON THE MOTION OF COUNCILLOR HEYDE, seconded by COUNCILLOR NICITA

THAT consideration of Development Application No. DA/191/2017 for construction of a 92 place childcare centre at Lots 1-5 DP 5440, Lot C DP 306966, Lot C DP 328704, Lot 1 DP 335423, Lot G DP 360935, Lot J DP 374758, Lot A DP 303812, Nos 60-74 be deferred.

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

THAT Development Application No. DA/191/2017 for construction of a 92 place childcare centre at Lots 1-5 DP 5440, Lot C DP 306966, Lot C DP 328704, Lot 1 DP 335423, Lot G DP 360935, Lot J DP 374758, Lot A DP 303812, Nos 60-74 The Crescent, Cheltenham be approved subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. PL60/17.

THE AMENDMENT MOVED BY COUNCILLOR BROWNE, seconded by COUNCILLOR HUTCHENCE WAS PUT AND CARRIED.

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

AGAINST: COUNCILLORS HEYDE AND NICITA

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLORS HEYDE AND NICITA

10 PL57/17 Reporting Variations to Development Standards

(F2004/07599)

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

THAT the contents of Group Manager's Report No. PL57/17 be received and noted.

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

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

11 IR16/17 Tender RFT19/2017 - Supply and Delivery of Concrete

(F2017/00110)

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

THAT Council not accept any tender and invite fresh tenders based on the same Request for Tender details for the "Supply and Delivery of Concrete".

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

AGAINST: NIL

12 IR17/17 Request to Remove Tree - 20 Dean Street, West Pennant Hills

(TA/350/2016)

Mr Robert Hillbrick, of West Pennant Hills addressed Council regarding this item.

Mrs Sharon Hillbrick, of West Pennant Hills addressed Council regarding this item.

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

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

THAT Council refuse consent to remove one Eucalyptus saligna (Sydney Blue Gum) located at the front of the property at 20 Dean Street, West Pennant Hills.

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

AGAINST: NIL

CONFIDENTIAL ITEMS

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

THAT Council move in to Confidential Session to consider Item 13, for the reasons given below the item.

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

AGAINST: NIL

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

THAT Council move out of Confidential Session.

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

AGAINST: NIL

13 CS41/17 Proposed Sale - Land Adjoining 57 Berowra Waters Road, Berowra

This report was dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. The 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.

(F2015/00386)

MOVED ON THE MOTION OF COUNCILLOR MARR, seconded by COUNCILLOR DEL GALLEGO,
THAT consideration of Confidential Deputy General Manager's Report No. CS41/17 - Proposed Sale -
Land Adjoining 57 Berowra Waters Road, Berowra be deferred until the 13 December 2017 General
Meeting.

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

THAT:

1. Council agree to the sale of Lot 29 DP 232641 being vacant land adjoining 57 Berowra Waters Road, Berowra subject to the commercial terms outlined in Confidential Deputy General Manager's Report CS41/17.
2. The Acting General Manager be authorised to negotiate final terms and conditions for the sale and to execute any documents in relation to this matter as deemed appropriate by Council's legal advisers.
3. 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 the sale as deemed appropriate by Council's legal advisers.
4. Council note that Clause 5.3 "Development Near Zone Boundaries" of Hornsby Local Environmental Plan 2013 will be relied upon to seek approval for residential development on the consolidated site as it enables Council to permit development that is ordinarily prohibited in the SP2 Infrastructure zone but is permitted with consent in the adjoining R2 Low Density Residential zone.

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

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

AGAINST: COUNCILLOR MARR

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLOR MARR

14 EH6/17 Waste Collection Contract Update

This report was deemed confidential, under Section 10A (2) (c) of the Local Government Act, 1993. The 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.

(F2009/00768)

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

THAT Council grant the price adjustment detailed in Confidential Group Manager's Report No. EH6/17 to Cleanaway and their subcontractor G&S Gauslaa for the next two years.

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

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

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

Mr John Inshaw, of Galston addressed Council regarding car parking at the rear of Council's administration building.

Mr Martin Pluss, on behalf of Pennant Hills District Trust addressed Council regarding the Greater Sydney Commission Draft Plan 2056.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

15 MN9/17 Mayor's Notes from 1 to 31 August 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 4 August 2017 – The Mayor attended the Annual Knit In at Hornsby Library.

Friday 11 August 2017 – On behalf of the Mayor, Councillor Cox attended Arden Anglican School's Visual Arts Exhibition at Epping.

Saturday 12 August 2017 – On behalf of the Mayor, Councillor Browne attended the Hornsby Junior Rugby Club's "Red, Black and Gold Ball" at Hornsby RSL Club.

Monday 14 August 2017 – The Mayor attended the Blue Datto Foundation Keeping Safe Program presentation at Loreto Normanhurst.

Tuesday 15 August 2017 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Sunday 20 August 2017 – On behalf of the Mayor, Deputy Mayor Councillor Hutchence attended Berowra RSL Sub Branch's Annual Service to Commemorate Victory in the Pacific and Vietnam Veterans Day at Berowra Heights.

Friday 25 August 2017 – On behalf of the Mayor, Councillor Cox attended Cheltenham Girls' High School's Official Launch of 'In the Pink' and the Official Opening of the 60th Anniversary Celebrations at the School.

Friday 25 August 2017 – The Mayor hosted Hornsby/Ku-ring-gai Rural Fire District's Mayoral Dinner at Hornsby RSL Club.

Friday 25 August 2017 – On behalf of the Mayor, Councillor Cox attended Arden Anglican School's Music Ensembles Showcase at the School.

Saturday 26 August 2017 – On behalf of the Mayor, Councillor Azizi unveiled the new Sundial at Beecroft Village Green for Beecroft Rotary Club.

Monday 28 August 2017 – On behalf of the Mayor, Deputy Mayor Councillor Hutchence presented trophies at the Northern Suburbs District Women's Bowling Association's Annual Hornsby Shire Trophy Competition at West Pennant Hills Bowling Club in Cherrybrook.

CALLED OVER AND NOTED

16 MN10/17 Mayor's Notes from 1 to 30 September 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 15 September 2017 – On behalf of the Mayor, Councillor Tilbury attended Berowra Community School's Band Festival at the Berowra Community Centre.

Saturday 16 September 2017 – On behalf of the Mayor, Councillor Tilbury attended the Annual General Meeting of LinC Hornsby at St Mark's Anglican Church in Berowra.

Saturday 16 September 2017 – On behalf of the Mayor, Councillor Tilbury attended Berowra Netball Club's Junior and Senior Presentation Ceremonies at Club Berowra.

Sunday 17 September 2017 – The Mayor attended Pennant Hills Junior Australian Football Club's

New Scoreboard Commissioning Ceremony at Ern Holmes Oval, Pennant Hills Park.

Sunday 17 September 2017 – On behalf of the Mayor, Councillor Tilbury attended 1st Hornsby Heights/Normanhurst Venturer Unit's Queen Scout Presentation at Crosslands Reserve in Hornsby Heights.

Sunday 17 September 2017 – On behalf of the Mayor, Councillor Browne attended the Friends of Lisgar Gardens' Teddy Bears Picnic at Lisgar Gardens in Hornsby. The Mayor also called in during the afternoon.

Sunday 17 September 2017 – On behalf of the Mayor, Councillor Browne presented the Hornsby Shire Bowling Cup at the Hornsby Shire Men's Bowling Competition held at Asquith Bowling Club.

Monday 18 September 2017 – The Mayor attended Arden Anglican School's TAS Showcase 'ICON' at the school in Epping.

Wednesday 20 September 2017 – The Mayor attended the Official Opening of the new Woolworths supermarket at Beecroft Place in Beecroft.

Wednesday 20 September 2017 – The Mayor attended the Official Opening of Beecroft Place in Beecroft.

Wednesday 20 September 2017 – On behalf of the Mayor, Councillor Waddell attended Wisemans Ferry Sunshine Group's 26 Year Birthday Celebrations at Wisemans Ferry. The Mayor joined the celebrations for lunch.

Thursday 21 September 2017 – The Mayor attended Asquith Boys' High School's Welcome Luncheon for 2018 Scholarships at the school in Asquith.

Thursday 21 September 2017 – The Mayor attended the Launch of the Cities Leadership Institute in Sydney.

Friday 22 September 2017 – The Mayor attended Hornsby Ku-ring-gai Community College's Art Exhibition at the College in Hornsby.

Saturday 23 September 2017 – The Mayor attended Ku-ring-gai Netball Association's 50th Anniversary Celebration Dinner at Terry Hills Golf and Country Club.

Saturday 30 September 2017 – The Mayor and Mrs Ruddock attended Hornsby Musical Society's Production of the 'The Music Man' at Hornsby RSL Club.

CALLED OVER AND NOTED

17 MN11/17 Mayor's Notes from 1 to 31 October 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.

Sunday 1 October 2017 – The Mayor and Mrs Ruddock attended Cheltenham Girls' High School Old Girls Association 60th Anniversary Dinner at Pennant Hills Golf Club.

Tuesday 3 October 2017 – The Mayor attended the Launch of Hornsby Ku-ring-Gai Women's

Shelter's Apron Project at Westfield Hornsby.

Thursday 5 October 2017 – The Mayor opened Beecroft Uniting Church's Healthy Retirement Expo at the Church in Beecroft.

Saturday 7 October 2017 – The Mayor attended the Little India Deepavali Fair – Indian Festival of Lights in Harris Park.

Saturday 7 October 2017 – The Mayor attended Diwali in the Hills at Castle Hill.

Sunday 8 October 2017 – The Mayor officiated at the Motorcycle Awareness Day, flagging off riders at Berowra on their journey to Cessnock.

Saturday 14 October 2017 – The Mayor attended Dural and District Historical Society's Annual General Meeting at Galston.

Saturday 14 October 2017 – The Mayor attended the opening night of Hornsby RSL Sub-Branch's Art Exhibition "ARTEX, PACIFIC BATTLES WORLD WAR II" at Hornsby War Memorial Hall.

Sunday 15 October 2017 – The Mayor officiated at the San RunforLife at Sydney Adventist Hospital in Wahroonga.

Sunday 15 October 2017 – The Mayor attended the 200th Anniversary of the Birth of Baha'u'llah at the Baha'i House of Worship in Ingleside.

Tuesday 17 October 2017 – The Mayor attended the Hornsby Women's Leadership Forum Breakfast in Hornsby.

Friday 20 October 2017 – The Mayor officially opened Hornsby Shire Festival of the Arts and the 2017 Hornsby Shire Emerging Artist Exhibition at Wallarobba Arts and Cultural Centre.

Saturday 21 October 2017 – The Mayor officially opened the Galston Spring Fair at Galston.

Tuesday 24 October 2017 – The Mayor hosted two Citizenship Ceremonies in the Council Chambers.

Wednesday 25 October 2017 – The Mayor presented awards at the 2017 Hornsby Local Business Awards Presentation Evening at Hornsby RSL Club.

Sunday 29 October 2017 – The Mayor attended Our Lady of the Rosary Spring Fair at Waitara.

CALLED OVER AND NOTED

NOTICES OF MOTION

18 NOM13/17 Overdevelopment and Inappropriate Development in the Hornsby Shire (F2013/00811-10)

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

Ms Catherine Gordon, of Asquith addressed Council regarding this item.

Mr Mark Grubski, on behalf of Glenorie Farmers Group addressed Council regarding this item.

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

item.

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

MOVED ON THE MOTION OF COUNCILLOR DEL GALLEGO, seconded by COUNCILLOR HEYDE,
THAT:

1. A briefing for Councillors be conducted concerning options to address issues of over development and inappropriate development in Hornsby Shire. The briefing is to include an outline of Council's obligations for future housing supply under the State Government's Metropolitan Strategy and North District Plan, Council's capacity for housing supply under its existing housing strategies, and infrastructure and environmental constraints that impact Council's ability to meet future housing targets
2. Council make representations to, and request a meeting with, the Minister for Planning to discuss any agreed actions arising from the briefing to address Council's future dwelling obligations and the type, density and quality of dwellings currently being built in the Shire.
3. A copy of the correspondence mentioned in point 2 above be sent to local, State and Federal Members of Parliament to seek their support.

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

THAT:

1. Council note that a Councillor Briefing has been scheduled for 15 November 2017 which provides an appropriate opportunity for Councillors to discuss the Hornsby Local Environmental Plan and Development Control Plan and the introduction of Independent Hearing and Assessment Panels.
2. In response to concerns raised in the community relating to the built form outcomes of Council's previous housing strategies and other matters, Council make as its top strategic planning priority a review of its planning controls to inform amendments to the Hornsby Local Environmental Plan and Development Control Plan.
3. At the Briefing mentioned in 1. above, Council consider the scope and methodology for the review of its planning controls as well as the resource and financial implications.
4. Any review of planning controls should include, but not be limited to, the introduction of further landscaping requirements such as increased deep soil planting areas, provisions for canopy tree planting, introduction of material and colour schedules and greater opportunities for "Green Walls" on residential flat buildings.

THE AMENDMENT MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR MCINTOSH WAS PUT AND CARRIED.

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

AGAINST: COUNCILLORS DEL GALLEGO AND HEYDE

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLORS DEL GALLEGO AND HEYDE

19 NOM14/17 Expansion of Design Excellence Provisions

(F2013/00811-10)

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

Ms Catherine Gordon, of Asquith addressed Council regarding this item.

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

RESOLVED ON THE MOTION OF COUNCILLOR HEYDE, seconded by COUNCILLOR TILBURY,
THAT a report be prepared for Council's consideration presenting amendments to the Hornsby Local Environmental Plan 2013 and Hornsby Development Control Plan 2013 to expand the application of the Design Excellence provisions to town houses and all residential flat buildings.

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

AGAINST: NIL

20 NOM15/17 Adjacent Over Development Affecting Hornsby Shire

(F2015/00054)

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

Miss Catherine Woolnough, of Baulkham Hills addressed Council regarding this item.

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

Mr Raymond Sloss, on behalf of Robert Road Action Group addressed Council regarding this item.

Ms Jacqueline Goddard, on behalf of Residents' Infrastructure and Planning Alliance addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR BROWNE,
THAT:

1. Council write to The Hills Shire Council advising that Hornsby Shire Council has received a number of concerns from members of the community that the Planning Proposal for property No. 55 Coonara Avenue, West Pennant Hills would facilitate approval of a development which exceeds community expectations, place an unnecessary burden on local infrastructure and adversely impact on the natural environment.
2. Council indicate that it welcomes the opportunity to review and make a submission on the Planning Proposal when it is placed on public exhibition with accompanying supporting studies in accordance any requirements of any Gateway Determination.
3. A report be prepared for Council's consideration evaluating the implications of the Planning Proposal for Hornsby Shire when the Proposal is formally exhibited for community comment.

AN AMENDMENT WAS MOVED BY COUNCILLOR TILBURY

THAT Council:

1. Forward any submissions received from residents of Hornsby Shire commenting on the Planning Proposal for property No. 55 Coonara Avenue, West Pennant Hills to The Hills Shire Council for its consideration in evaluating the progression of the Proposal and request that submitters be advised and invited to comment when the Planning Proposal is formally exhibited.
2. Indicate that it welcomes the opportunity to review and make a submission on the Planning Proposal when it is placed on public exhibition with accompanying supporting studies in accordance with any requirements of any Gateway Determination.

DUE TO A LACK OF SECONDER, THE AMENDMENT MOVED BY COUNCILLOR TILBURY LAPSED.

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

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

AGAINST: COUNCILLOR TILBURY

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 11:05pm.

These Minutes were confirmed at the meeting held on Wednesday 13 December 2017, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 8 November 2017

ACTING GENERAL MANAGER

CHAIRMAN