

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 14 February 2018
at 6.36PM



PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend Martin Kemp, from Waitara Anglican 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. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."

"Please note that the meeting is also being video recorded tonight for the purpose of testing video equipment which may be used to livestream Council Meetings in the future. The video will not be made publicly available."

APOLOGIES / LEAVE OF ABSENCE

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

THAT the apology and request for leave of absence from Councillor Browne in respect of an inability to attend the General Meeting on 14 February 2018 be accepted and a leave of absence be granted.

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

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

COUNCILLOR HUTCHENCE declared a Less Than Significant Non-Pecuniary Interest in relation to Item 2 – CS2/18 Proposed Closure and Sale – The Avenue, Hornsby. Refer to that Item for details.

COUNCILLOR RUDDOCK declared a Less Than Significant Non-Pecuniary Interest in relation to Item 2 – CS2/18 Proposed Closure and Sale – The Avenue, Hornsby. Refer to that Item for details.

COUNCILLOR MCINTOSH declared a Pecuniary Interest in relation to Item 6 – EH3/18 Storey Park Community Facility Redevelopment – Project Update. Refer to that Item for details.

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 13 December 2017 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATION

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

14 MM2/18 Signage, Advertising and Corporate Colour Schemes

(F2009/00257)

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

THAT:

1. Council write to the Hon Anthony Roberts, Minister for Planning, seeking amendment to the exemption circumstances for painting under the "minor non-structural building alterations" category of development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to painting of a building where it is consistent with an endorsed colour palette for the area in which the building is located, if an endorsed palette exists.
2. Should amendment be made to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, a report be prepared for Council's consideration seeking endorsement for amendment to the Hornsby Development Control Plan 2013 to include colour palettes for the Shire's commercial centres.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, NICITA, RUDDOCK AND TILBURY

AGAINST: COUNCILLORS HUTCHENCE, MARR, MCINTOSH AND WADDELL

15 MM4/18 Appointment of General Manager; Delegation of Authority and Power of Attorney

This Mayoral Minute was deemed confidential, under Section 10A (2) (a) of the Local Government Act, 1993. This Mayoral Minute contains personnel matters concerning particular individuals (other than councillors).

(F2017/00267)

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

THAT:

1. Council confirm the offer of appointment, subject to satisfactory final employment check results, to the preferred applicant detailed in Confidential Mayoral Minute No. MM4/18 as General Manager of Hornsby Shire Council for a term of four years, utilising the Office of Local Government's Standard Contract for the Employment of General Managers.
2. Council authorise the Mayor to finalise any other contractual details and to execute the employment contract on behalf of Council in line with the contents of the Confidential Mayoral

Minute No. MM4/18.

3. On the day immediately preceding the commencement of the new General Manager, the Power of Attorney currently granted to Mr James Maynard Farrington as Acting General Manager be revoked.
4. The following Delegation of Authority be granted to the preferred applicant detailed in Confidential Mayoral Minute No. MM4/18 for a period of four years from their commencement date:

Delegation of Authority

Pursuant to the powers of delegation conferred on Council by Sections 377 and 381 of the Local Government Act 1993, **HORNSBY SHIRE COUNCIL** delegates to the preferred applicant detailed in Confidential Mayoral Minute No. MM4/18, the power to exercise all the functions, powers, duties and authorities conferred upon Council pursuant to:

1. The Local Government Act 1993; and
2. The Environmental Planning and Assessment Act 1979; and
3. All other Acts whatsoever under which Council has functions, powers, duties and authorities; and
4. All regulations, by-laws, rules and the like made by or under any of the Acts referred to in 1, 2 or 3 above; and

Subject to any resolution made from time to time by the said Council and provided always that such delegation of powers shall not and shall not be deemed to extend to:

1. Any of the matters expressly reserved to the Council in Section 377 of the Local Government Act 1993;
2. The alteration of the meeting cycle of Council;
3. The overview and direction of business activities;
4. The role of the Mayor as provided for in and determined under Section 226 of the Local Government Act 1993;
5. Major unique items where no policy, practice or code of the Council exists;
6. Adoption of Local Environmental Plans, Development Control Plans and Section 94 Contribution Plans pursuant to the Environmental Planning and Assessment Act 1979;
7. Adoption of Council policies and codes;
8. Items in respect of which the Mayor or a Councillor has specifically requested the General Manager to place before Council for determination by Council;

and that subject to the provisions of the Local Government Act 1993 and the other Acts referred to above the functions, powers, duties and authorities hereby delegated by Council to the General Manager pursuant to this resolution be unlimited as to the period during which

they may be exercised.

5. The following Power of Attorney be granted to the preferred applicant detailed in Confidential Mayoral Minute No. MM4/18 for a period of four years from their commencement date:

Power of Attorney

1. The Council appoints the preferred applicant detailed in Confidential Mayoral Minute No. MM4/18, to be its Attorney. Council's Attorney may exercise authority conferred on him by Part 2 of the Powers of Attorney Act 2003 to do on Council's behalf anything Council may lawfully authorise an Attorney to do. Council's Attorney's authority is subject to any additional powers and restrictions specified in Part 2 of this document.
2. This Power of Attorney operates for four years from their commencement date:

Part 2 – Additional Powers and Restrictions

This Power of Attorney is subject to the following conditions and limitations:

- This Power of Attorney authorises the Attorney to execute documents, dealings and instruments relating to the matter detailed in the Schedule and for the purpose of giving effect to resolutions of the Council where resolutions are required relating to the matters, including those detailed in the Schedule:

SCHEDULE

1. The creation (whether by acquisition or other means), disposal or extinguishment of an interest in land;
2. The creation, disposal, variation or extinguishment of a right, obligation, easement or other interest in land;
3. Contracts, and all other necessary documents, for the purchase and sale of land;
4. Licences and leases; and
5. Contracts for works, services and supply of goods.
6. Council express its thanks to both Mr Farrington and Mr Fedorow for their devotion and excellent service through their periods as Acting General Manager.
7. The Common Seal of Council be affixed to the Contract and Power of Attorney documents.

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

AGAINST: NIL

16 MM1/18 Hornsby Connect

(F2004/09189-03)

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

THAT:

1. Council note the work being undertaken by Hornsby Connect in providing support to vulnerable members of our community.
2. Council explore options to vary the tenancy arrangements of Hornsby Connect in the Hornsby Youth and Family Centre, or another suitable facility, to allow greater operational control and access to the facility whilst still maintaining general community access to the facility when not in use by Hornsby Connect.
3. A further report be prepared for Council's consideration outlining the results of investigations into future tenancy options for Hornsby Connect.

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

AGAINST: NIL

17 MM3/18 Recognition of Local Indigenous Business Award Winner

(F2005/01147)

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

THAT Council acknowledge the achievements of Jessica Sinnott of Koori Kinnections in the 2017 Hornsby Small Business Awards.

FOR: COUNCILLORS 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, 6, 7, 12 and 13 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 3, 4, 5, 8 and 9 be adopted.

FOR: COUNCILLORS 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 10 and 11 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.

GENERAL BUSINESS

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

**1 CS1/18 Delivery Program for 2013-17 and Operational Plan (Budget) for
2017/18 - December 2017 Quarter Review**

(F2016/00368)

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

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

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

AGAINST: NIL

2 CS2/18 Proposed Closure and Sale - The Avenue, Hornsby

(F2016/00245)

Note: During consideration of this item 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 "I am an ex-student of Barker College", and the
explanation of why the interest does not require further action in the circumstances was "this will not
affect my decision on this matter".

Note: During consideration of this item COUNCILLOR RUDDOCK 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 RUDDOCK on the Declaration of Interest form as "I am an ex-student of Barker College", and the explanation of why the interest does not require further action in the circumstances was "this will not affect my decision on this matter".

Ms Annette Laurie, of Waitara addressed Council regarding this item.

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

THAT:

1. Council proceed with an application to the NSW Department of Industry – Lands & Forestry for approval to close the public road known as The Avenue, Hornsby.
2. Submitters to the public consultation process be advised of Council's resolution.

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

AGAINST: COUNCILLOR RUDDOCK

3 CS3/18 Investments and Borrowings for 2017/18 - Status for Periods Ending 30 November 2017 and 31 December 2017

(F2004/06987-02)

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

THAT the contents of Deputy General Manager's Report No. CS3/18 be received and noted.

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

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

4 EH4/18 Variation to Fees and Charges for 2017/18 Budget

(F2008/00562)

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

THAT:

1. Council adopt for public exhibition a draft variation to the 2017/18 Fees and Charges relating to vehicle hire on Dangar Island, amending the fee to \$50 per hour.
2. Following the public exhibition period, a further report be prepared for Council's consideration which provides details of any submissions received.

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

AGAINST: NIL

5 EH2/18 Easy to do Business Program

(F2008/00156)

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

THAT Council:

1. Join the Easy to do Business program in partnership with Service NSW.
2. Delegate the relevant customer service functions related to the administration of the Easy to do Business program to the Chief Executive Officer, Service NSW in accordance with a Service Partnership Agreement as required under the Service NSW (One-stop Access to Government Services) Act 2013.
3. Authorise the General Manager to execute any partnership documents associated with the Easy to do Business program and to undertake all actions necessary to give effect to this resolution.

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

AGAINST: NIL

6 EH3/18 Storey Park Community Facility Redevelopment - Project Update

(F2015/00187)

Note: COUNCILLOR MCINTOSH declared a Pecuniary Interest in this item under Clause 52 of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR MCINTOSH on the Declaration of Interest form as: "Adjoining owner to subject site which is 10X and 12 Old Berowra Road". COUNCILLOR MCINTOSH was not present at, or in sight of, the Meeting when the matter was being debated or voted on.

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

THAT Council:

1. Note and endorse the revised scope of works and project costs for the Storey Park Community Facility Redevelopment.
2. Call tenders for the construction of the Storey Park Community Facility.

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

AGAINST: NIL

PLANNING DIVISION

7 PL4/18 Planning Panels - Appointment of Expert and Community Members

(F2013/00295)

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

THAT:

1. Group Manager's Report No. PL4/18 concerning the nomination of technical expert and community member positions on an Independent Hearing and Assessment Panel for Hornsby Shire Council be received and noted.
2. Council write to the Hon. Anthony Roberts, Minister for Planning, requesting an urgent meeting to request an exemption for Hornsby Shire Council with respect to the establishment of an Independent Hearing and Assessment Panel.
3. Should Council be unsuccessful in obtaining an exemption with respect to the establishment of an Independent Hearing and Assessment Panel, that Group Manager's Report No. PL4/18 be again presented to Council for consideration at its 14 March 2018 General Meeting.

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

THAT:

1. Council endorse Juliet Grant and Peter Fryar to serve as technical expert members and Garry Fielding, Steven Layman and Mary-Lynne Taylor to serve as the alternate technical expert members on the Hornsby Shire IHAP for a three year term.
2. Council endorse Brian Scarsbrick (A Ward), Jerome Cox (B Ward) and Barbara Wynn (C Ward) to serve as community members and John Filocamo to serve as the alternate on the Hornsby Shire IHAP for a three year term.

3. Council endorse David White to serve as the 'expert local member', Ross Walker to serve as 'non-expert local member' and alternate for the 'expert local member', and Felicity Findlay to serve as alternate for the 'non-expert local member' on the SNPP for a three year term.
4. The Hornsby Shire IHAP meeting be held in the Council Chambers on the fourth Wednesday of every month commencing at 6.30pm.
5. Council's General Manager be authorised to prepare a Draft Code of Meeting Practice for the adoption by the Hornsby Shire IHAP.
6. SNPP members are to be remunerated (excluding expenses and GST) as follows: - 'expert local members' - \$1,500 per meeting, 'non-expert members' - \$600 per meeting; and the IHAP 'community members' - \$600 per meeting.

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

FOR: COUNCILLOR TILBURY

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

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

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

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

8 IR3/18 Quotation RFQ37/2017 - Westleigh Park Redevelopment

(F2017/00315)

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

THAT Council accept the quotation from Environmental Partnership (NSW) Pty Ltd for Quotation RFQ37/2017 – Westleigh Park Redevelopment.

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

AGAINST: NIL

CONFIDENTIAL ITEMS

9 PL5/18 Variation to Section 94 Contributions Payment

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

(F2010/00015-04)

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

THAT:

1. The General Manager be delegated authority to accept the offer from CBD Core Pty Ltd to pay the reduced sum as detailed in Confidential Group Managers Report No. PL5/18 in Section 94 Contributions and the General Manager be delegated to negotiate the terms of the settlement.
2. In accordance with Clause 213 of the Local Government (General) Regulation and where payment of the sum detailed in Confidential Group Managers Report No. PL5/18 is received, Council write off the bad debt as calculated in Confidential Group Managers Report No. PL5/18.

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

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Nil

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

10 MN1/18 Mayor's Notes from 1 to 31 December 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 1 December 2017 – The Mayor participated in Walk the Talk – a Community Walk against

Violence at Hornsby Mall.

Friday 1 December 2017 – On behalf of the Mayor, Councillor Waddell attended Wideview Public School's Annual Presentation Day at Berowra Heights.

Saturday 2 December 2017 – On behalf of the Mayor, Councillor Browne attended the Fusion Christmas Party at Hornsby.

Thursday 7 December 2017 – The Mayor attended Clarke Road School's Annual Presentation Day at the School in Hornsby.

Thursday 7 December 2017 – The Mayor attended Barker College End of School Year Celebration at Hillsong Church, Baulkham Hills.

Thursday 7 December 2017 – The Mayor hosted his Community Christmas Function at Hornsby RSL Club.

Friday 8 December 2017 – The Mayor attended Asquith Girls' High School's Annual Presentation Day Ceremony at Hornsby RSL Club.

Friday 8 December 2017 – The Mayor attended the Opening of the new Community Recycling Centre at Thornleigh.

Saturday 9 December 2017 – On behalf of the Mayor, Councillor Browne attended the Chinese Language School Presentation Day at Cherrybrook.

Saturday 9 December 2017 – The Mayor attended Studio Artes Ride a Day in My Wheels at Hornsby Mall.

Monday 11 December 2017 – On behalf of the Mayor, Councillor del Gallego attended the Vasey Housing Association's Annual Christmas Luncheon at the Epping Club.

Monday 11 December 2017 – On behalf of the Mayor, Councillor Tilbury attended Asquith Boys' High School's 2017 Presentation Night at the School.

Tuesday 12 December 2017 – The Mayor attended Hills Grammar School's 35th Annual Presentation Awards at Darling Harbour.

Tuesday 12 December 2017 – On behalf of the Mayor, Councillor del Gallego attended 1st Cherrybrook Scout Group's end-of-year Christmas BBQ celebration at Cherrybrook.

Tuesday 12 December 2017 – The Mayor attended the Lions Club of Hornsby AGM and Christmas Dinner at Magpies Waitara.

Thursday 14 December 2017 – The Mayor attended Cheltenham Girls' High School's Annual Presentation Day at Sydney Opera House.

Thursday 14 December 2017 – On behalf of the Mayor, Councillor del Gallego attended Hornsby Girls' High School's Annual Speech day at Sydney Town Hall.

Saturday 16 December 2017 – The Mayor drew the grand prize at Pennant Hills Marketplace Annual Fun Day at Pennant Hills.

Saturday 16 December 2017 – The Mayor attended Wesley Mission's Carols in the Valley at Vision Valley.

Monday 18 December 2017 – The Mayor attended Berowra Combined Churches Christmas Carols at

CALLED OVER AND NOTED

11 MN2/18 Mayor's Notes from 1 to 31 January 2018

(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.

Monday 22 January 2018 – The Mayor attended the Rotary Club of Pennant Hills Australia Day Award Dinner at Pennant Hills Golf Club in Beecroft.

Friday 26 January 2018 – The Mayor hosted the Australia Day Citizenship Ceremony in the Council Chambers.

Friday 26 January 2018 – The Mayor attended the Lions Club of Hornsby Australia Day BBQ at Hornsby Mall.

Wednesday 31 January 2018 – The Mayor attended a Service to welcome Reverend Dougal Michie as senior minister of St Jude's at Dural.

CALLED OVER AND NOTED

NOTICES OF MOTION

12 NOM1/18 Abandoned Shopping Trolleys

(F2004/08769)

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

THAT:

1. Council call on Westfield as a matter of priority to install a wheel locking system at all entrances to the Hornsby Westfield Shopping Centre to prevent shopping trolleys from exiting the centre.
2. Should Westfield not commit to installing such a system, Council commence impounding shopping trolleys which have been abandoned on local streets.
3. Council amend its development application submission guideline to require the submission of a trolley management plan with any new development application for retail premises that provides trolleys for use by its customers.

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

THAT:

1. Council arrange an urgent meeting with Westfield and major retailers to constructively reach an acceptable solution and timeframe to implement an effective trolley control system.
2. An informal briefing be held for Councillors to discuss the results of the negotiations between Council, Westfield and major retailers.

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

FOR: COUNCILLORS HUTCHENCE AND MCINTOSH

AGAINST: COUNCILLORS TILBURY, DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK, AND WADDELL

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

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

AGAINST: COUNCILLORS HUTCHENCE AND MCINTOSH

SUPPLEMENTARY REPORTS

13 IR2/18 Draft Amendments Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation

(F2007/00707-02)

Mrs Patricia Brown, of Beecroft addressed Council regarding this item.

Mrs Alexi Boyd, of Asquith addressed Council regarding this item.

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

Mr John Inshaw, of Galston addressed Council regarding this item.

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

Mr Ken Cregan, of Cheltenham addressed Council regarding this item.

Mr Mick Smart, of Berowra addressed Council regarding this item.

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

THAT Council:

1. Endorse the revised draft Tree and Vegetation Preservation controls attached to Deputy

General Manager's Report No. IR2/18 for insertion in the Hornsby Development Control Plan 2013, subject to the following change:

- a) Amend Table 1B.6 (a) by replacing the definition of fruit trees to "All edible fruit and nut trees except native species such as *Acmena* spp (Lilli Pilli), *Syzygium* spp (lilli Pilli), *Elaeocarpus* spp (Blueberry Ash) or *Macadamia* spp (Macadamia Tree)"
2. Notify all those who lodged a submission of Council's decision.
3. Authorise the preparation of guidance material to support the amended tree preservation provisions.

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

THAT consideration of Deputy General Manager's Report No. IR2/18 - Draft Amendments Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation, be deferred until the 14 March 2018 General Meeting to allow Councillors to discuss this issue at the Strategic Weekend.

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

FOR: COUNCILLORS HUTCHENCE AND MCINTOSH

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK, TILBURY AND WADDELL

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

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

AGAINST: NIL

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 8:45pm.

These Minutes were confirmed at the meeting held on Wednesday 14 March 2018, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 14 February 2018

ACTING GENERAL MANAGER

CHAIRMAN