

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 10 October 2018
at 6:30PM



PRESENT

Councillors Ruddock (Chairman from 6:36 pm), del Gallego (Chairman until 6:36 pm), Heyde, Hutchence, Marr, McIntosh, Nicita, Tilbury and Waddell.

Note: Councillor Ruddock arrived at 6.36pm. He was not present for discussion or voting on Apologies / Leave of Absence and Confirmation of Minutes.

NATIONAL ANTHEM

OPENING PRAYER

Lieutenant Lloyd Stanimirovic of The Salvation Army, 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."

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being video streamed live via Council's website and also 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 audio and video recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, 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 10 October 2018 be accepted and a leave of absence be granted.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, 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

Nil

CONFIRMATION OF MINUTES

RESOLVED ON THE MOTION OF COUNCILLOR NICITA, seconded by COUNCILLOR MCINTOSH, THAT the Minutes of the General Meeting held on Wednesday 12 September 2018 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

The Mayor presented the Manager Natural Resources, Dr Peter Coad with the 2018 NSW Government’s Green Globe Award for Leadership in the Public Sector, for Council’s Hawkesbury Watch which provides information on estuarine health, swimming conditions and water quality.

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

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 3, 4, 5, 7, 8 and 9 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1 and 2 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: Item 6 was called over and noted.

Note: Persons wishing to address Council on matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.

Note: Persons wishing to address Council on Non Agenda items were permitted to speak after all items on the Agenda in respect of which there was a speaker from the public were finalised by Council. Their names are recorded in the Minutes under the heading "Public Forum – Non Agenda Items".

GENERAL BUSINESS

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

1 CS40/18 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2018/00223)

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

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

AGAINST: NIL

2 CS45/18 Investments and Borrowings for 2018/19 - Status for Period Ending 31 August 2018

(F2004/06987-02)

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

THAT the contents of Deputy General Manager's Report No. CS45/18 be received and noted.

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

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

Nil

PLANNING DIVISION

3 PL25/18 Deferred Report - Affordable Housing Discussion Paper

(F2017/00252)

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

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

THAT:

1. The Affordable Housing Discussion Paper attached to Group Manager's Report No. PL25/18 be placed on public exhibition for a period of two months in accordance with the engagement strategy outlined in the Report.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.
3. The consultation and engagement strategy outlined in Group Manager's Report No. PL25/18 for the Affordable Housing Discussion Paper include the engagement of a suitably qualified and experienced consultant to conduct focus groups with the community to seek feedback on the options and questions outlined in the Paper.

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

AGAINST: NIL

4 PL26/18 Deferred Report - Design Excellence Review of Planning Controls

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

Mr Chris Jones, of Berowra addressed Council regarding this item.

Mrs Barbra Wynn, of Beecroft addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR HEYDE, seconded by COUNCILLOR TILBURY,
THAT:

1. The draft amendments to the HDCP 2013 attached to Group Manager's Report No. PL26/18 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.
3. A further report be presented to Council for progression of a Design Excellence Review Planning Proposal to implement proposed changes to the HLEP 2013 as outlined in Group Manager's Report No. PL26/18.
4. Council endorse in principle the establishment of a formal Design Excellence Advisory Panel, with a further report being presented to Council concerning the appointment, constitution, fee structure and yearly budget allocation for the Panel.
5. In the interim, Council endorse the restructure and utilisation of Council's current Design Excellence Panel as set out in Group Manager's Report No. PL26/18 until such time as the formal Panel is established.
6. Council write to the Minister for Planning requesting that a Design Guide apply to all medium density development to promote design excellence.
7. Council renew its subscription to the Cities Leadership Institute to June 2019.

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

AGAINST: NIL

5 PL28/18 Accelerated LEP Review - Strategic Planning Program

(F2018/00162)

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

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE,
THAT:

1. Council endorse the Local Environmental Plan (LEP) Review Report and Accelerated LEP Review Program attached to Group Manager's Report No. PL28/18 for submission to the Department of Planning and Environment to meet the first project deliverable under the

Accelerated LEP Review Funding Agreement.

2. Council acknowledge that local traffic, parking and access issues are often the cause for great community concern whenever LEP's are reviewed. To address this, traffic and parking be highlighted as they relate to the Housing, Employment and Economic Development, Rural Lands and Hornsby Town Centre Projects on the LEP Review Program.
3. A Council micro web site be set up to encourage participation by our community in the Accelerated LEP Review Program, providing a site where online "Have your Say" consultations can be hosted and background documents, consultation events and review schedules can be shared via one location.

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

AGAINST: NIL

INFRASTRUCTURE AND RECREATION DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Mr Artwell Maturure, of Cherrybrook addressed Council regarding R2 low density minimum lot sizes.

Mr Martin Pluss, of Pennant Hills addressed Council regarding the Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

6 MN11/18 Mayor's Notes from 1 to 30 September 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.

Saturday 8 September 2018 – On behalf of the Mayor, Councillor Waddell attended Warrah's Annual Community Spring Fair at Dural.

Tuesday 11 September 2018 – The Mayor participated on the panel for the Brother Tony Whelan Public Speaking Competition at St Patrick's Catholic School at Asquith.

Tuesday 11 September 2018 – On behalf of the Mayor, Councillor Browne attended the 60th Diamond Anniversary of the Lions Club of Hornsby at Hornsby RSL Club.

Saturday 15 September 2018 – On behalf of the Mayor, Councillor Tilbury attended LinC Hornsby's Annual Thanksgiving Service and Annual General Meeting at Mount Colah Uniting Church, Mount Colah.

Saturday 15 September 2018 – On behalf of the Mayor, Councillor Browne officially opened the National Trust of Australia (NSW) Exhibition on “The Life of Marie Byles” at “Ahisma” in Cheltenham.

Sunday 16 September 2018 – On behalf of the Mayor, Councillor Tilbury presented the Hornsby Shire Bowling Cup at the Hornsby Shire Men’s Bowling Competition held at Asquith Bowling Club.

Sunday 16 September 2018 – On behalf of the Mayor, Councillor Browne attended Lisgar Gardens 50th Anniversary of opening to the public at Lisgar Gardens in Hornsby.

Monday 17 September 2018 – On Behalf of the Mayor, Deputy Mayor del Gallego hosted two Citizenship Ceremonies in the Council Chambers.

Thursday 20 September 2018 – On behalf of the Mayor, Councillor Tilbury attended the Hornsby/Ku-ring-gai District RFS Medal Presentation Ceremony at Hornsby Ku-ring-gai Fire Control Centre in Cowan.

Saturday 22 September 2018 – On behalf of the Mayor, Councillor Tilbury attended Ku-ring-gai Historical Society Inc and Hornsby and Districts Amateur Radio Club’s event to celebrate the Centenary of the First Direct Wireless Message from the United Kingdom to Australia at Wahroonga.

Monday 24 September 2018 – The Mayor attended the Arden Year 12 TAS ICON Showcase at Arden Secondary School Campus in Epping.

Wednesday 26 September 2018 – The Mayor attended St Leo’s College Class of 2018 Graduation Mass at The Light of Christ Centre in Waitara.

Thursday 27 September 2018 – The Mayor attended Pacific Hills Christian School’s “Thanking You for your contribution to making a better Community” Morning Tea at the School in Dural.

Friday 28 September 2018 – The Mayor attended Tennis Seniors NSW State Tennis Championships at Pennant Hills.

Friday 28 September 2018 – The Mayor presented awards at the Hornsby/North Western Sydney Regional Volunteer of the Year Award Ceremony at Castle Hill RSL Club.

CALLED OVER AND NOTED

NOTICES OF MOTION

7 NOM28/18 Byles Creek Land Acquisition Strategy

(F2011/00854)

Mrs Robyn Smith, of Beecroft addressed Council regarding this item.

Ms Penny Dean, of Cheltenham addressed Council regarding this item.

Mr Stuart Brown, of Beecroft addressed Council regarding this item.

Mr Peter Nimmo, on behalf of Beecroft Football Club addressed Council regarding this item.

Mrs Barbra Wynn, of Beecroft addressed Council regarding this item.

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

Mrs Patricia Brown, on behalf of Byles Creek Valley Union Incorporated 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.

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

THAT:

1. A report be prepared for Council's consideration on the studies required, timing and resource implications to undertake a review of Council's Byles Creek land acquisition strategy aligned to the review of Council's Local Environmental Plan to be funded from the internally restricted reserve (Sale of 179 Becroft Road, Cheltenham funds).
2. Funds not required in Point 1. above be identified to progress significant improvements to Cheltenham Oval and that options for this be reported to Council.
3. Following the completion of the Oval upgrade referred to in Point 2. above, any surplus funds be used for projects for the benefit of the suburbs within the 2119 post code which can be linked to the following key principles;
 - a) Environmental preservation, restoration and improvements.
 - b) Social and community asset improvements.

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

AGAINST: NIL

8 NOM30/18 Berowra Pool Feasibility

(F2013/00751)

Mr Robert Ledger, of Berowra Heights addressed Council regarding this item.

Mr John Farquhar, of Berowra addressed Council regarding this item.

Mrs Mariko Smith, of Mount Colah addressed Council regarding this item.

Ms. Joanne Caldwell, of Berowra Heights addressed Council regarding this item.

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

THAT:

1. Council fund and undertake an independent study and report on the need and feasibility for an indoor 25 metre pool and a 10 metre program pool to be developed adjacent to the Berowra Community Centre.

2. Funds not in excess of \$50,000 be allocated to this project.

THE MOTION MOVED BY COUNCILLOR MARR, seconded by COUNCILLOR MCINTOSH WAS PUT AND LOST

FOR: COUNCILLORS MARR, MCINTOSH AND NICITA

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE, RUDDOCK, HUTCHENCE, TILBURY AND WADDELL

9 NOM31/18 Surveying the Community

(F2013/00223)

Mrs Mariko Smith, of Mount Colah addressed Council regarding this item.

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

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

THAT:

1. Council prepare a discussion paper for an upcoming informal workshop that considers how the main Rates Notice for the year (the July Rates Notice) could be used to undertake an annual community survey which seeks comprehensive feedback on Council planning, community facilities, local issues and on Council's performance.
2. The discussion paper should consider the format of such a survey, how the feedback will be utilised and the costs and benefits of this approach.

THE MOTION MOVED BY COUNCILLOR MARR, seconded by COUNCILLOR MCINTOSH WAS PUT AND LOST

FOR: COUNCILLORS MARR, MCINTOSH, NICITA AND RUDDOCK

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, TILBURY AND WADDELL

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 9:09 pm.

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

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 10 October 2018

GENERAL MANAGER

CHAIRMAN