

## **MINUTES OF GENERAL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 14 November 2018  
at 6:30PM



## **PRESENT**

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

## **NATIONAL ANTHEM**

## **OPENING PRAYER**

Father Peter deSouza of Hornsby Cathedral Parish, 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 MCINTOSH, seconded by COUNCILLOR BROWNE,

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

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

AGAINST: NIL

## **POLITICAL DONATIONS DISCLOSURE**

Nil

### **DECLARATIONS OF INTEREST**

COUNCILLOR TILBURY declared a Less Than Significant Non-Pecuniary Interest in relation to Item 17 - NOM33/18 Upgrade of Kenley Park, Normanhurst. Refer to that item for details.

### **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the General Meeting held on Wednesday 10 October 2018 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

### **PETITIONS**

Nil

### **PRESENTATIONS**

The Mayor presented the Deputy General Manager, Infrastructure and Recreation with the IPWEA Local Government Excellence in Road Safety Award for the development of a 2018 Road Safety Calendar.

The Mayor also presented the Manager Design and Construction, the Project Manager Major Projects and Landscape Coordinator with the NSW Institute of Public Works Engineering Australasia (IPWEA) Engineering Excellence Award for a Multi-Disciplinary Project Management in respect of the construction of the George Street, Hornsby pedestrian overbridge.

### **RESCISSION MOTIONS**

Nil

### **MAYORAL MINUTES**

**18 MM23/18 Passing of Mr Hedley Somerville**

**(F2004/05879-05)**

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

THAT Council note the passing of Mr Hedley Somerville and acknowledge his service to the local community.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,

AGAINST: NIL

**20 MM24/18 Heritage Listed Trees in Manor Road, Hornsby**

**(F2010/00588-004)**

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

Mrs Alexi Boyd, of Mount Colah addressed Council regarding this item.

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

Mrs Lucy Bal, of Hornsby addressed Council regarding this item.

Mrs Brigid Ujhazy, of Hornsby addressed Council regarding this item.

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

THAT Council move in to Confidential Session to discuss the legal advice obtained in relation to Item 20 - Mayoral Minute No. MM24/18 - Heritage Listed Trees in Manor Road, Hornsby.

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

AGAINST: NIL

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

THAT Council move out of Confidential Session.

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

AGAINST: NIL

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

THAT Council make an Interim Heritage Order under Section 25 of the NSW Heritage Act 1977 for 62

Manor Road, Hornsby to enable a full and proper evaluation of the heritage significance of the trees and gardens in the subject property adjoining the road reserve to determine which trees and landscape items should form part of the Manor Road Heritage listing.

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

AGAINST: COUNCILLOR TILBURY

#### **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 1, 2, 3, 4, 7, 10, 15, 16 and 17 were withdrawn for discussion.

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

THAT the recommendations in respect of items 5, 6, 8, 9, 11, 12, and 19 be adopted.

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

AGAINST: NIL

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

Note: Items 13 and 14 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**

**1 GM7/18 Hornsby Shire Council Annual Report 2017/18**

**(F2016/00368)**

Mr Joe Nagy, of Wahroonga addressed Council regarding this item

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

THAT:

1. The Hornsby Shire Council Annual Report 2017/18, which has been made available on Council's website, be received and noted.
2. The Annual Report be supplemented by Council's 2017/18 Audited Financial Statements once they are "presented to the public" at the 14 November 2018 General Meeting.
3. A copy of the final Annual Report 2017/18 be submitted to the Office of Local Government by 30 November 2018.

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

AGAINST: NIL

**2 GM8/18 Investigations into an Economic Development Program**

**(F2004/10055-02)**

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

Mrs Alexi Boyd, on behalf of the Hornsby Chamber of Commerce addressed Council regarding this item.

Mr Peter Gregory, of Mount Colah addressed Council regarding this Item.

Ms Susan Hughes, on behalf of the Hornsby Chamber of Commerce addressed Council regarding this item.

Ms Deanne York Douglas, on behalf of Hornsby Ku-Ring-Gai Community College addressed Council regarding this item.

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

THAT:

1. Council note the research undertaken in response to Notice of Motion No. NOM 12/17 which is summarised in the attachment to General Manager's Report No. GM8/18.
2. Council amend the Delivery Program 2018-21 at the six-monthly review to include economic development as a key initiative under the theme Productivity.
3. Council thank community members that participated in the consultation process and provide consolidated feedback on Council's adopted response.
4. A further report be presented to Council in early 2019 outlining how a local, collaborative Economic Development Forum could be convened and managed to provide Council and our

business community with a local group that could provide ongoing advice, information and local intelligence regarding business, town centres, tourism and economic development in our Shire. This group should include representation from our local Chambers and business networking groups, business support and training providers, as well as representatives from our town centres, home based business operators, emerging business owners and specific industry clusters, including tourism.

5. The report referred to in 4 above further outline how Council could promote and support the activities of the range of non-profit business networking groups in our community through promotion on Council's website and through the support of regular annual umbrella events such as Small Business Month.

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

AGAINST: NIL

### **CORPORATE SUPPORT DIVISION**

#### **3 CS43/18 2018/19 Budget - September 2018 Quarter Review**

**(F2017/00322)**

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

THAT:

1. The September 2018 Quarter Review of the Operational Plan (Budget) for 2018/19 be received and noted.
2. Consideration of the proposed \$1,250,000 budget allocation associated with the 25,000 Trees by 2020 Program be deferred to enable an informal workshop of Councillors regarding the Program including, but not limited to:
  - a) planting locations.
  - b) use of advanced specimens for greater impact.
  - c) grant opportunities such as the NSW Government's 5 Million Trees for Greater Sydney grant program.
  - d) Council's Program budget and budget sources.
3. Council reaffirm its commitment and endorsement of Mayoral Minute No. MM12/18 dealing with this subject.

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

THAT:

1. The September 2018 Quarter Review of the Operational Plan (Budget) for 2018/19 be

received and noted.

2. An informal workshop of Councillors be held at the earliest opportunity to discuss details of the 25,000 Trees by 2020 Program.

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

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

AGAINST: COUNCILLORS BROWNE, HUTCHENCE AND MCINTOSH

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLOR HUTCHENCE

#### **4 CS46/18 2017/18 Audited Financial Statements - Presentation to the Public**

**(F2018/00076)**

Mr Kenneth Leung from the Audit Office of NSW and Mr Marc Upcroft of Pricewaterhouse Coopers made a presentation in respect of Council's 2017/18 Audited Financial Statements.

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

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

THAT:

1. The 2017/18 General Purpose and Special Purpose Financial Statements and associated Auditor's Report, as presented to the public on 14 November 2018, be adopted.
2. Council note and thank the representatives from the Audit Office of NSW and PricewaterhouseCoopers for their presentation.

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

AGAINST: NIL



**5 CS48/18 Investments and Borrowings for 2018/19 - Status for Period Ending 30 September 2018**

**(F2004/06987-02)**

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

THAT the contents of Deputy General Manager's Report No. CS48/18 be received and noted.

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

AGAINST: NIL

**6 CS49/18 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons**

**(F2018/00223)**

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

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 AND TILBURY

AGAINST: NIL

**ENVIRONMENT AND HUMAN SERVICES DIVISION**

**7 EH18/18 25,000 Trees by 2020 Program Progress Report**

**(F2018/00213)**

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

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

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

THAT the contents of Group Manager's Report No. EH18/18 be received and noted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR,

AGAINST: NIL

**8 EH20/18 Catchments Remediation Rate (CRR) Annual Expenditure Report 2017/2018**

**(F2005/00829-03)**

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

THAT the contents of Group Manager's Report No. EH20/18 be received and noted.

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

AGAINST: NIL

**PLANNING DIVISION**

Nil

**INFRASTRUCTURE AND RECREATION DIVISION**

**9 IR9/18 Review of Policies and Codes - Infrastructure and Recreation**

**(F2013/00454)**

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

THAT Council adopt the recommendations contained in the table in Deputy General Manager's Report No. IR9/18 in respect of each of the current policies and codes under the jurisdiction of the Infrastructure and Recreation Division.

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

AGAINST: NIL

**10 IR10/18 Hornsby Sportsground Strategy**

**(F2016/00360)**

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

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

THAT Council:

1. Endorse the Hornsby Sportsground Strategy attached to Deputy General Manager's Report No. IR10/18.
2. Consider the prioritisation of the improvements identified in the Sportsground Strategy in the preparation of the Delivery Program 2018-21 and the draft 2019/20 Operational Plan and Annual Budget.
3. Notify all of those who lodged a submission of Council's decision.

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

AGAINST: COUNCILLOR HEYDE

**11 IR11/18 Tender RFT18/2018 - Supply, Delivery, Prepare Surface and Lay Cultivated Turf**

**(F2018/00166)**

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

THAT Council not accept any tender for the Supply, Delivery, Prepare Surface and Lay Cultivated Turf and instead use the Northern Sydney Regional Organisation of Councils (NSROC) panel of contractors for the same purpose.

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

AGAINST: NIL

**CONFIDENTIAL ITEMS**

**12 CS51/18 Proposed Aquisition of Land For Road Realignment Purposes**

*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.*

**(F2018/00072)**

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR

MCINTOSH,

THAT:

1. Council approve the acquisition of the land identified in Confidential Deputy General Manager's Report No. CS51/18, for road realignment purposes, in accordance with the agreement with the owner detailed in Confidential Deputy General Manager's Report No. CS51/18.
2. Council authorise the General Manager to negotiate final terms and conditions for the acquisition of the land identified in Confidential Deputy General Manager's Report No. CS51/18 and to execute any documents in relation to this matter as deemed appropriate by Council's legal advisers.
3. In the absence of the 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 acquisition of the land identified in Confidential Deputy General Manager's Report No. CS51/18, as deemed appropriate by Council's legal advisers

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

AGAINST: NIL

**19 CS53/18 Legal Proceedings Update**

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

**(F2017/00313-002)**

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

THAT the General Manager be delegated authority to settle the legal proceedings in accordance with the terms outlined in Confidential Deputy General Manager's Report No. CS53/18.

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

AGAINST: NIL

**PUBLIC FORUM – NON AGENDA ITEMS**

Mr Ross Walker, on behalf of the Beecroft Cheltenham Civic Trust addressed Council regarding damage to a Heritage Item at 8 Malton Road, Beecroft.

Mr Peter Crane, of Glenhaven addressed Council in respect of the treatment of asbestos.

## QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

**13 QWNHBG1/18 Public Library Funding**

**(F2004/05999-03)**

ASKED BY COUNCILLOR HUTCHENCE

To the Group Manager, Environment and Human Services:

Having regard to NOM21/18 - Public Library Funding, which raised the issue of public library funding, can the Group Manager, Environment and Human Services advise Council what funding the NSW Government has committed to fund local libraries.

### Response

Council has received correspondence from the Minister for the Arts advising that the NSW Government has provided an extra \$60 million in funding over four years to transform NSW public libraries across the State and that that all councils will receive an increase in annual library funding of between 40 and 50 per cent by 2022/23. The Minister also advised that a new \$24 million infrastructure grants program over four years will be rolled out for public libraries from 2019/20. A copy of the Minister's letter has been included for Council's information.

Further information was sought from the State Library regarding details of the timing and roll out of the increased funding. It is summarised in the table below.

| Year                  | Current<br>(18/19) | 19/20  | 20/21  | 21/22  | 22/23  |
|-----------------------|--------------------|--------|--------|--------|--------|
| Per Capita<br>Funding | \$1.85             | \$2.45 | \$2.55 | \$2.65 | \$2.85 |

The State Library have also advised that an increase of \$2 million will be made to the subsidy adjustment payment pool from 2019/20 (adjusted upwards from 2020/21), which will be used to ensure that smaller and needier communities receive meaningful increases to their annual payments. This will be implemented through modifications to the current subsidy adjustment model, which stakeholders will be consulted on.

Further information regarding public library funding can be found at <https://www.sl.nsw.gov.au/public-library-services/subsidies-grants/public-library-funding-201920>.

**CALLED OVER AND NOTED**

## MAYOR'S NOTES

**14 MN13/18 Mayors Notes from 1 to 31 October 2018**

*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 7 October 2018 – On behalf of the Mayor, Councillor Hutchence attended The Candlelight Charity Bowls Day in North Epping.

Wednesday 10 October 2018 – The Mayor participated in the Tree Planting Day at Ginger Meggs Park in Hornsby.

Tuesday 16 October 2018 – The Mayor attended the Cherrybrook Community Forum at Cherrybrook Technology High School.

Wednesday 17 October 2018 – The Mayor hosted two Citizenship Ceremonies in the Council Chambers.

Thursday 18 October 2018 – The Mayor attended the Pennant Hills District Civic Trust AGM at Pennant Hills Bowling Club.

Saturday 20 October 2018 – The Mayor attended the Edgeworth David Open Day and 2nd Anniversary at Edgeworth David Gardens in Hornsby.

Saturday 20 October 2018 – The Mayor attended and planted a tree at the Official Opening of Beecroft Station Gardens.

Saturday 20 October 2018 – On behalf of the Mayor, Councillor Browne attended The Hornsby Art Prize Award Night held at Wallarobba House in Hornsby.

Friday 26 October 2018 – On behalf of the Mayor, Councillor Waddell attended the Northholm Grammar School – RFS Cadet Graduation Ceremony held at Northholm Grammar School in Arcadia.

Saturday 27 October 2018 – The Mayor attended the Hornsby Ku-ring-gai District Tennis Association Charity Fundraiser Event at Hornsby Ku-ring-gai District Tennis Association in Asquith.

Sunday 28 October 2018 – The Mayor attended and planted a tree at the Tree Planning Day at Kenley Park in Normanhurst.

Monday 29 October 2018 – The Mayor attended and was on a Panel for the St Vincent de Paul Community Forum at Hornsby RSL.

Tuesday 30 October 2018 – The Mayor attended the Official Opening of the new Heritage Café in Pennant Hills.

**CALLED OVER AND NOTED**

## **NOTICES OF MOTION**

### **15 NOM29/18 Garden and House Competition**

(F2009/00619)

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

THAT:

1. During the development of the 2019/20 Budget, Council give consideration to developing a Hornsby Shire Award that celebrates leading examples of sustainability and pride in our environment and in our gardens.
2. The Awards should include a number of categories such as best garden, most sustainable garden, best garden/open space in a residential flat building or medium density development and an open day to share ideas with the whole community.

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

AGAINST: NIL

**16 NOM32/18 Proposal to Remove Cherrybrook as a Priority Planned Precinct**

**(F2012/00597-03)**

Mr Ted Simpson, on behalf of Oliver Way Executive Committee addressed Council regarding this item.

Ms Jacqueline Goddard, of Cherrybrook addressed Council regarding this item.

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

Mr Frank Khamsi, of Cherrybrook addressed Council regarding this item.

Mr Herman Monserrat, on behalf of Cherrybrook Resident Association addressed Council regarding this item.

Mr Patrick Cowley, of Cherrybrook addressed Council regarding this item.

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

THAT Council:

1. Write to the Hon. Anthony Roberts MP, Minister for Planning to:
  - 1.1 Request that the State Government:
    - a) Amend the Cherrybrook Station Structure Plan to include only Government owned land within the Station Precinct.
    - b) Confirm that any proposal for rezoning of Government owned land will be accompanied by technical studies to demonstrate any increase in density would be supported by the provision of infrastructure and services for the growing community.
    - c) Ensure that traffic and transport studies for the precinct address impacts of development for the region and incorporate infrastructure schedules with clear identification of funding mechanisms to deliver necessary improvements to the road network.

- d) Remove reference to the wider precinct (i.e. all lands outside the Government owned lands) from the Cherrybrook Station Structure Plan.
- e) Not support proponent led rezoning planning proposals outside the Government owned lands as there would be no strategic planning framework to support them following amendment of the Cherrybrook Station Structure Plan.
- f) Continue to consult with Council and the community in the preparation of plans for the Government owned land.

1.2 Inform the State Government that:

- a) Strong community opposition to the Cherrybrook Planned Precinct has existed from the very outset, as confirmed in various surveys completed by the Department of Planning and Environment, and this feedback must be acted upon.
- b) Rezoning of Government land in the vicinity of the Station to facilitate well-planned and landscaped medium density dwellings, up to three stories high, would likely receive greater community support.
- c) Cherrybrook lacks the attributes for an Urban Renewal Corridor as defined by the Greater Sydney Commission as it is a well-established, low density neighbourhood with a constrained road network with limited capacity to cater for any significant increase in density.
- d) The low density character of Cherrybrook contributes to housing diversity as the immediate areas of Castle Hill and Epping transform into high growth, medium to high density suburbs.

2. Write to local State members to seek their support for Council's resolution.

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

THAT Council write to:

- 1. The Hon. Anthony Roberts MP, Minister for Planning raising concerns about the length of time it has taken to progress the planning for the Cherrybrook Planned Precinct and the ongoing lack of certainty about timing for finalisation of the project and to reaffirm Council's position that:
  - a) Any proposal to focus on the Government-owned land diminishes the importance of, and potentially prejudices the outcomes of, an overall strategy for education, health, housing diversity, community facilities and open space and infrastructure (including road improvements) for the entire region.
  - b) Any proposal for rezoning of land within the Cherrybrook Planned Precinct will be accompanied by technical studies to demonstrate any increase in density would be supported by the provision of infrastructure and services for the growing community.
  - c) Traffic and transport studies for the precinct must address impacts of development for



the region and incorporate infrastructure schedules with clear identification of funding mechanisms to deliver necessary improvements to the road network.

- d) The lack of commitment by the State Government for the timing for the release of the technical studies for the entire precinct is resulting in significant angst and speculation in the community which must be addressed as a priority with clear commitment to project timeframes.
- e) Proponent led rezoning planning proposals within the Cherrybrook Planned Precinct should not be supported until planning for the area has been completed.
- f) The State Government should continue to consult with Council and the community in the preparation of plans for the Government owned land.

2. Local State members to seek their support for Council's resolution.

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

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

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE AND NICITA

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE AND NICITA

**17 NOM33/18 Upgrade of Kenley Park, Normanhurst.**

**(F2004/09554)**

Note: COUNCILLOR TILBURY 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 TILBURY on the Declaration of Interest form as "I am Vice President of the Hornsby Historical Society who meet in Collingridge Hall which is located in Kenley Park, Normanhurst which is the subject of NOM33/18", and the explanation of why the interest does not require further action in the circumstances was "My role is a voluntary one in a non-for-profit organisation. This NOM is asking for consideration in the 2019/20 budget for an upgrade in that year only".

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

1. Council investigate opportunities to provide formal pathways, enclosing and improving the children's playground including the provision of benches and tables, improvements to the amenities block, and security lighting.
2. Prior to the development of the 2019/20 Budget, an informal workshop be held addressing the above matters including indicative costings and staging options for any proposed works over multiple financial years.

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

AGAINST: NIL

**SUPPLEMENTARY REPORTS**

Nil

**MATTERS OF URGENCY**

Nil

**QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 11:04 pm

These Minutes were confirmed at the meeting held on Wednesday 12 December 2018, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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