

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 12 December 2018
at 6:30PM



PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend James McFarlane of Hornsby Presbyterian 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."

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 BROWNE, seconded by COUNCILLOR WADDELL,

THAT the apology and request for leave of absence from Councillors Hutchence, McIntosh and Tilbury in respect of an inability to attend the General Meeting on 12 December 2018 be accepted and a leave of absence be granted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK
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 WADDELL declared a Less Than Significant Non-Pecuniary Interest in relation to Item 10 - NOM35/18 Family and Domestic Violence. Refer to that item for details.

COUNCILLOR WADDELL declared a Less Than Significant Non-Pecuniary Interest in relation to Item 11 - NOM34/18 Paid Domestic and Family Violence Leave. Refer to that item for details.

NOTE: COUNCILLOR HEYDE declared a Less Than Significant Non-Pecuniary Interest under Clause 51A of Council's Code of Meeting Practice in respect of speakers at previous Council Meetings. The nature of interest was stated by COUNCILLOR HEYDE on the Declaration of Interest form as: “That I know speakers (residents) in previous public Council Meetings to be members of the Greens, namely S Hughes, J Inshaw and B Inshaw.” and the explanation of why the interest does not require further action in the circumstances was “Views they expressed were as residents or members of community organisations. They did not speak on behalf of The Greens”.

NOTE: COUNCILLOR NICITA advised that: Susan Hughes - who has spoken on Economic Development at a past Council meeting and was third on his Party’s ticket at the 2017 elections; and John and Beverley Inshaw (who may speak at tonight’s meeting) are members of the Local Greens Group. Councillor Nicita also wished it to be placed on public record that Stacey Purcell was second on his Party’s ticket at the 2017 elections.

CONFIRMATION OF MINUTES

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR NICITA, THAT the Minutes of the General Meeting held on Wednesday 14 November 2018 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

COUNCILLOR HEYDE tabled a petition with approximately 111 signatures in relation to Ron Payne Park Playground Replacement - Woods Street, North Epping.

COUNCILLOR HEYDE tabled a petition with approximately 40 signatures in relation to Trees in Manor Road, Hornsby.

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

15 MM25/18 Save Our Recycling

(F2004/08805)

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

THAT Council:

1. Endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery.
2. Make representations to State Members, Matt Kean MP, Damien Tudehope MP, Alistair Henskens SC MP and Dominic Perrottet MP in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.
3. Write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Michael Daley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, and the Greens NSW Spokesperson on Waste and Recycling Justin Field MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.
4. Take a lead role in activating the Local Government NSW Save Our Recycling campaign locally.
5. Endorse the distribution and display of the Local Government NSW Save Our Recycling information, as well as involvement in any actions arising from the initiative.
6. Formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK

AND WADDELL

AGAINST: NIL

16 MM26/18 Retirement of Deputy General Manager, Corporate Support - Mr Gary Bensley

(F2004/05879-05)

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

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

THAT the Deputy General Manager, Corporate Support – Mr Gary Bensley - be formally thanked for his long and outstanding service to Hornsby Shire Council and the community.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK 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 5, 6, 8, 9, 10, 11, 12, 13 and 14, were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 3, and 4 be adopted.

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

AGAINST: NIL

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

Note: Item 7 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

1 GM4/18 Code of Conduct Complaints - Annual Report

(F2006/00554)

RESOLVED ON THE MOTION OF COUNCILLOR WADDELL, seconded by COUNCILLOR MARR,
THAT the contents of General Manager's Report No. GM4/18 be received and noted.

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

**2 CS52/18 Investments and Borrowings for 2018/19 - Status for Period Ending 31
October 2018**

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR WADDELL, seconded by COUNCILLOR MARR,
THAT the contents of Deputy General Manager's Report No. CS52/18 be received and noted.

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

AGAINST: NIL

ENVIRONMENT AND HUMAN SERVICES DIVISION

3 EH23/18 Temporary Suspension of Alcohol Free Zone in Hornsby Mall

(F2014/00221-05)

RESOLVED ON THE MOTION OF COUNCILLOR WADDELL, seconded by COUNCILLOR MARR,
THAT Council:

1. Temporarily suspend the alcohol-free zone in Hornsby Mall from 5.30pm to 8.30pm on 1, 8, 15 and 22 February 2019 to accommodate a licensed bar as part of the Sunset Sessions events pursuant to the Ministerial Guidelines on Alcohol-Free Zones.
2. Publish notice of the suspension and temporarily remove signage as required under section 645 (1) and (3) of the Ministerial Guidelines on Alcohol-Free Zones.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, MARR, NICITA, RUDDOCK

AND WADDELL

AGAINST: NIL

PLANNING DIVISION

4 PL33/18 Reporting Variations to Development Standards

(F2004/07599-02)

RESOLVED ON THE MOTION OF COUNCILLOR WADDELL, seconded by COUNCILLOR MARR,
THAT the contents of Group Manager's Report No. PL33/18 be received and noted.

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

AGAINST: NIL

5 PL23/18 Community Consultation Results - Colours of Commercial Buildings

(F2018/00211)

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

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

1. Council write to the Minister for Planning requesting an amendment to the exemption circumstances for painting under the 'minor building alterations (external)' category of development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to exclude bright or fluorescent colours from the exemption circumstances for painting of a building.
2. The Summary of Responses report attached to Group Manager's Report No. PL23/18 be placed on Council's website.
3. Survey respondents and email submitters be advised of Council's resolution.
4. Letters be sent to local State Members seeking their support.

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

AGAINST: COUNCILLOR WADDELL

INFRASTRUCTURE AND RECREATION DIVISION

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

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

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

THAT Council note:

1. The content of Deputy General Manager's Report No. IR12/18 relating to preparation and lodgement of the Development Application and supporting Environmental Impact Statement for a range of works including extraction and placement of additional spoil material won from within the lands surrounding Hornsby Quarry to create a final landform generally in accordance with Option 1 in the Clouston Associates (2014) Recreation Potential Study for Hornsby Quarry and Old Mans Valley Lands (p.88).
2. That the proposed landform will allow for a range of recreation pursuits identified through community engagements undertaken in 2017.
3. That further community engagement will be undertaken prior to confirming the scope of park embellishments to be approved via a separate approval process.

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

AGAINST: NIL

CONFIDENTIAL ITEMS

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Master JD Ninness, of North Epping addressed Council regarding a proposed skate park at Ron Payne Park, North Epping.

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

Ms Jan Primrose, of Berowra addressed Council regarding a review of the 10/50 Vegetation Clearing Code of Practice.

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

MAYOR'S NOTES

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 2 November 2018 – The Mayor opened and attended the Opening Night of Wallarobba Outstanding Local Artist Exhibition at Wallarobba House, Hornsby.

Saturday 3 November 2018 – The Mayor officially opened and participated in the Hornsby Relay for Life at Rofe Park, Hornsby.

Saturday 3 November 2018 – The Mayor attended Swing by Session on the Quarry EIS Proposals held in Hornsby Mall, Hornsby.

Monday 5 November 2018 – The Mayor attended a 'Meet n Greet' Morning Tea at Ku-ring-gai Police Area Command with Commander, Superintendent Chris Keane and Region Commander, North West Metropolitan Region, Assistant Commissioner Mark Jones APM at Hornsby Police Station.

Wednesday 7 November 2018 – The Mayor hosted two Citizenship Ceremonies in the Council Chambers.

Wednesday 7 November 2018 – The Mayor attended the 65th Anniversary of Mt Wilga Hospital at Mt Wilga Hospital in Hornsby.

Thursday 8 November 2018 – The Mayor attended the Official Opening of the Clarke Road School Shed and Farmyard at Clarke Road School, Hornsby.

Friday 9 November 2018 – On behalf of the Mayor, Councillor Nathan Tilbury attended the Official Opening of the New Long Jump for the Northern Districts Athletics Club at Foxglove Oval in Mount Colah.

Saturday 10 November 2018 – On behalf of the Mayor, Councillor Robert Browne attended Remembrance Service and Unveiling of the ANZAC Jawan Cenotaph in Cherrybrook.

Saturday 10 November 2018 – The Mayor attended a Hornsby RSL Sub-Branch Social Function - Art Exhibition - Artex 2018, Centenary of Armistice held at Hornsby RSL, Hornsby.

Sunday 11 November 2018 – On behalf of the Mayor, Councillor Michael Hutchence attended the Beecroft Lions Club of Hornsby Remembrance Day Service at Beecroft Cenotaph in Beecroft.

Sunday 11 November 2018 – On behalf of the Mayor, Councillor Nathan Tilbury attended the Berowra RSL Sub-Branch Remembrance Day Service in Berowra.

Sunday 11th November 2018 – The Mayor attended the Hornsby RSL Sub-Branch Commemoration of Remembrance Day at Hornsby Cenotaph, Hornsby.

Monday 12 November 2018 – The Mayor attended and planted a tree at the Tree Planting Day at Greenway Park in Cherrybrook.

Tuesday 13 November 2018 – The Mayor attended the Official Opening and Ribbon Cutting of the Stephen Street Book Box held on Stephen Street in Hornsby.

Tuesday 13 November 2018 – The Mayor attended a Community Precinct Meeting at Hornsby Police

Station.

Friday 16 November 2018 – On behalf of the Mayor, Councillor Robert Browne attended the Hornsby Men's Shed Christmas Get Together in Thornleigh.

Sunday 18 November 2018 – The Mayor attended International Men's Day Community Fun Day organised by Street Work Hornsby at Hornsby Westfield in Hornsby.

Sunday 18 November 2018 – The Mayor attended the Lisgar Live World Music Concert at Lisgar Gardens in Hornsby.

Sunday 18 November 2018 – The Mayor attend the Choral Recital by Rosalind Carlson at Mount St Benedict's School in Pennant Hills.

Thursday 22 November 2018 – The Mayor attended and officially opened the Canada v Sri Lanka Cricket Game at the Over 50's Cricket World Cup at Pennant Hills Oval, Pennant Hills.

Thursday 22 November 2018 – On behalf of the Mayor, Councillor Vince Del Gallego attended the Christian Community Aid Quarterly Meeting held in Eastwood.

Sunday 25 November 2018 – On behalf of the Mayor, Councillor Robert Browne attended the Golden Kangaroos Concert held at Hornsby War Memorial, Hornsby.

Monday 26 November 2018 – The Mayor attended and officially opened the College Learning Commons at Oakhill College in Castle Hill.

Wednesday 28 November 2018 – The Mayor hosted two Citizenship Ceremonies in the Council Chambers.

Friday 30 November 2018 – On behalf of the Mayor, Councillor Robert Browne attended and officially opened the 2017 Hornsby Shire Emerging Artist - Samantha Wiltshire's Exhibition at Wallarobba House, Hornsby.

CALLED OVER AND NOTED

NOTICES OF MOTION

8 NOM36/18 Footpath Link and Nearby Car Parking - Berowra RSL

(F2014/00505)

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

THAT:

1. As part of Council's planning to provide a missing footpath link beside the Berowra RSL, investigations be undertaken in conjunction with representatives of the RSL to do some basic work to improve the car parking area currently leased by the RSL for its patrons but almost solely used during the week by Berowra commuters.
2. Council undertake further discussion with the owner/lessee of the carpark regarding permanent public access to the carpark.
3. An amount of up to \$10,000 be allocated to allow the investigations and works to be

undertaken.

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

FOR: COUNCILLORS MARR, RUDDOCK AND WADDELL

AGAINST: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE AND NICITA

9 NOM37/18 Lobbying of Mayor and Councillors - Planning Proposals

(F2008/00121)

Ms Jan Primrose, of Berowra addressed Council regarding this item

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

1. Note that the ICAC has published best-practice guidelines to guide councillors, proponents of development and lobbyists in relation to land use planning and development assessment.
2. Adopt the following additional clauses in the Code of Conduct (as an addendum to the Development Decisions section in Part 3 of the Code) to increase transparency:
 - 3(vii) *That in respect of Planning Proposals (including foreshadowed and formally lodged), the Mayor and Councillors must:*
 - (a) *Keep a written record of meetings and other communications with developers, proponents and lobbyists (hereafter referred to as "applicants")*
 - (b) *Request applicants, who have approached you for a meeting, to formally write to Council to request a meeting with all Councillors and relevant council officers and to submit their arguments/proposals in writing prior to the meeting.*
 - (c) *Conduct meetings with applicants in official locations, such as Council premises, and have a senior council officer present at all times.*
 - (d) *Provide copies of information presented by an applicant during a meeting to Council officers for consideration and assessment (if required), distribution to other Councillors and filing in Council's records management system.*
 - (e) *Make a declaration at a Council meeting, during consideration of any relevant planning matter, about the lobbying activities of applicants which were not part of Council's formal engagement/consultation processes.*
3. Create a public register of meetings with applicants for Planning Proposals (foreshadowed and formally lodged) to provide transparency for the people of Hornsby Shire. The register would include meetings between applicants and the Mayor and Councillors, and the applicants be advised that the meeting details will be included in such register.

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

THAT consideration of Notice of Motion No. NOM37/18 – Lobbying of Mayor and Councillors – Planning Proposals - be deferred to allow for discussion at a Councillor Workshop as soon as possible.

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

FOR: COUNCILLORS BROWNE, MARR, RUDDOCK AND WADDELL

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE AND NICITA

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED.

FOR: COUNCILLORS BROWNE, MARR, RUDDOCK AND WADDELL

AGAINST: COUNCILLORS DEL GALLEGO, HEYDE AND NICITA

10 NOM35/18 Family and Domestic Violence

(F2018/00299)

Ms Jan Primrose, of Berowra addressed Council regarding this item

Ms Zoe O'Rourke, on behalf of the United Services Union addressed Council regarding this matter.

Note: COUNCILLOR WADDELL 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 WADDELL on the Declaration of Interest form as "I am on the Board of the Hornsby Ku-ring-gai Women's Shelter. Items 10 And 11 make reference to the Women's Shelter and victims of domestic violence." and the explanation of why the interest does not require further action in the circumstances was "My membership to the Board of the Hornsby Ku-ring-gai Women's Shelter would not prejudice my ability to consider leave entitlements to victims of domestic violence in the employ of Hornsby Council. It would only serve to enhance my better understanding of the issue".

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

THAT:

1. Council recognise the unbelievable damage that family and domestic violence can have on a person's life, work and community, and that the consequences can often be felt in the workplace.

2. Council note the invaluable work of the Hornsby Ku-ring-gai Women's Shelter and other similar organisations and community groups in dealing with the impacts of domestic violence in the Hornsby Shire.
3. Council, in principle, supports the idea of providing 10 days paid Domestic and Family Violence Leave to all Council staff.
4. A briefing and/or report be prepared outlining the options for providing this Leave and examining other options for providing information to all staff and options for support.
5. The findings be submitted to the review board being the appropriate body to negotiate the next round of employer/employee terms.
6. Council note the General Manager's undertaking of continued support for any victim of domestic or family violence including appropriate leave or other support as needed as provided for within our current employer/employee agreement
7. Council be updated on progress by March 2019.

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

AGAINST: NIL

11 NOM34/18 Paid Domestic and Family Violence Leave

(F2018/00299)

Note: COUNCILLOR WADDELL 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 WADDELL on the Declaration of Interest form as "I am on the board of the Hornsby Ku-ring-gai Women's Shelter. Items 10 And 11 make reference to the Women's Shelter and victims of domestic violence." and the explanation of why the interest does not require further action in the circumstances was "My membership to the Board of the Hornsby Ku-ring-gai Women's Shelter would not prejudice my ability to consider leave entitlements to victims of domestic violence in the employ of Hornsby Council. It would only serve to enhance my better understanding of the issue".

RESOLVED ON THE MOTION OF COUNCILLOR MARR, seconded by COUNCILLOR BROWNE,
THAT Notice of Motion No. NOM34/18 – Paid Domestic and Family Violence Leave - be withdrawn.

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

AGAINST: NIL

12 NOM38/18 Heritage Significance of Trees in Manor Road, Hornsby

The attachment to Confidential Late Items Memo No. LM16/18 – NOM38/18 – Heritage Significance of Trees in Manor Road, Hornsby - was confidential, under Section 10A (2) (g) of the Local Government Act, 1993. The attachment contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(F2018/00047)

Mrs Jacqui Taylor, of Hornsby 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.

Ms Jan Primrose, of Berowra addressed Council regarding this item

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

THAT Council move in to Confidential Session to discuss the legal advice attached to Confidential Late Items Memo No.LM16/18 – NOM38/18 – Heritage Significance of Trees in Manor Road, Hornsby.

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

AGAINST: NIL

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

THAT Council move out of Confidential Session.

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

AGAINST: NIL

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

THAT consideration of Notice of Motion No. NOM38/18 - Heritage Significance of Trees in Manor Road, Hornsby - be deferred until such time as the legal matters in regards to the Interim Heritage Order for the property at no. 62 Manor Road, Hornsby have been resolved.

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

AGAINST: NIL

SUPPLEMENTARY REPORTS

**13 PL35/18 Report on Submissions - Urban Design Excellence Review
Development Control Plan Amendments**

(F2014/00312)

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

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

THAT:

1. Council adopt the draft amendments to the Hornsby Development Control Plan 2013 as amended after the exhibition period and attached to Group Manager's Report No. PL35/18.
2. Council's Development Application (DA) Submission Guideline be amended to incorporate information regarding maintenance of landscaped areas, water conservation and irrigation and require a plan addressing landscape maintenance as a DA submission requirement.
3. Notification of the adoption of amendments be placed in local newspapers.
4. Submitters be advised of Council's decision.

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

AGAINST: NIL

14 IR13/18 Hornsby Shire Public Domain and Signage Strategy

(F2018/00258)

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

THAT

1. Council note that the General Manager has approved the appointment of the successful consultant to undertake Phase 1 and 2 of the works identified in Deputy General Manager's Report No. IR13/18.
2. The Hornsby Aboriginal and Torres Strait Islander Committee (HATSIC) be consulted as part of the development of this strategy.

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

AGAINST: NIL

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 9:24pm.

These Minutes were confirmed at the meeting held on Wednesday 13 February 2019, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
