

MINUTES OF GENERAL MEETING

Hosted audio-visually from the
COUNCIL CHAMBERS, HORNSBY
on Wednesday 10 June 2020
at 6:30PM



PRESENT

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

Note: Prior to the playing of the National Anthem, the Mayor made the following statement:

"As this Council Meeting is to be run under the new COVID-19 emergency arrangements, there are many things which need to be done in a different way to what has occurred previously.

Many Councillors and senior staff are "attending" and participating in the Meeting via audio-visual links, whilst members of the public are viewing the Meeting through a link provided on Council's website.

The arrangements put in place by Council for this Meeting are in line with legislation recently enacted by the State Government to assist the efficient and effective operation of Council Meetings during this difficult period.

Whilst members of the public will not be able to participate in the Meeting process in real time, an opportunity has been created for the public to send in their submissions about individual items of business and for those to be read out by Council staff prior to discussion of the item.

I seek your patience and understanding should any issues occur whilst we are adapting to the new arrangements. We are certainly attempting to do our best in these trying circumstances."

NATIONAL ANTHEM

OPENING PRAYER

The General Manager 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 Chairman:

“Tonight’s meeting is being livestreamed as well as audio and video 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. No other persons are permitted to record the Meeting unless specifically authorised by Council to do so.

Councillors are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms.

It is noted that members of the public wishing to address Council at tonight’s Meeting have been requested to provide their comments to Council staff prior to the Meeting. Those comments will be read out by the General Manager at the appropriate time”.

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 Marr in respect of an inability to attend the General Meeting on 10 June 2020 be accepted and a leave of absence be granted.

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

AGAINST: NIL

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairman:

“In accordance with Section 10.4 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 TILBURY, seconded by COUNCILLOR NICITA,
THAT the Minutes of the General Meeting held on Wednesday 13 May 2020 be confirmed, a copy
having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

**10 MM4/20 Support for Community Submission to Heritage NSW Concerning
Property No. 181-183 Beecroft Road, Cheltenham**

(DA/259/2020)

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

THAT Council prepare a letter of support to the Beecroft Cheltenham Civic Trust, Beecroft
Cheltenham History Group and Byles Creek Valley Union for their submission to Heritage NSW
concerning Property No. 181-183 Beecroft Road, Cheltenham.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, 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 1, 4, 6, 7 and 9 were withdrawn for discussion.

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

THAT the recommendations in respect of items 2, 3 and 5 be adopted.

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

AGAINST: NIL

Note: Consideration of Item 8 was deferred - refer to that item for details.

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

Note: Persons wishing to address Council on matters which were on the Agenda were permitted to provide a written submission, which was read to the meeting by the General Manager 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 provide a written submission, which was read to the meeting by the General Manager after all items on the Agenda in respect of which there was a submission 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 GM12/20 Adoption of Council's 2020-2022 Delivery Program Including the Operational Plan 2020/21 (Incorporating the Budget, Rating Structure and Fees and Charges)**

(F2020/00027)

Mr Frank Rayner, of Cheltenham provided a submission to Council regarding this item.

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

THAT:

1. Council note the responses provided in Table 1A to the public submissions received during the exhibition of the draft 2020-2022 Delivery Program and Operational Plan 2020/21.
2. Subject to incorporation of the recommendations detailed in the Budget section and Table 1B of General Manager's Report No. GM12/20, Council adopt the 2020-2022 Delivery Program and Operational Plan 2020/21 (which incorporates the Budget, Fees and Charges and Rating Structure for 2020/21).

3. Council make and levy the 2020/21 Ordinary Rates on all rateable land in the Shire in accordance with Table 2 of General Manager's Report No. GM12/20.
4. Council make and levy the 2020/21 Catchments Remediation Rate on all rateable land in the Shire in accordance with Table 3 of General Manager's Report No. GM12/20.
5. Council write to those who have made submissions in respect of the 2020-2022 Delivery Program and Operational Plan 2020/21 thanking them for their comments.

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

2 CS12/20 Debts to be Written Off - 2019/20 Financial Year

(F2004/06978-02)

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

THAT for 2019/20, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$5,365 (as detailed in Schedule A attached to Director's Report No. CS12/20).
2. Note debts considered bad totalling \$5,991 written off under the General Manager's delegated authority.

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

AGAINST: NIL

3 CS13/20 Investments and Borrowings for April 2020 - Status for Period Ending 30 April 2020

(F2004/06987-02)

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

THAT the contents of Director's Report No. CS13/20 be received and noted.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

4 PL8/20 Report on Submissions - Housekeeping Amendment Planning Proposal

(F2019/00392)

Ms Jan Primrose, of Berowra provided a submission to Council regarding this item.

Mrs Jacqui Taylor, of Hornsby provided a submission to Council regarding this item.

Mrs Patricia Brown, of Beecroft provided a submission to Council regarding this item.

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

THAT:

1. Council endorse the Housekeeping Amendment Planning Proposal (as amended) attached to Director's Report No. PL8/20.
2. The Planning Proposal be submitted to the Department of Planning, Industry and Environment to meet the last funding milestone under the Accelerated LEP Review Program.
3. Submitters be advised of Council's decision.

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

AGAINST: NIL

5 PL10/20 Reporting Variations to Development Standards

(F2004/07599-02)

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

THAT the contents of Director's Report No. PL10/20 be received and noted.

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

AGAINST: NIL

6 PL13/20 Proposed Changes to Development Contributions System

(F2010/00015-04)

Ms Jan Primrose, of Berowra provided a submission to Council regarding this item.

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

THAT the submission attached to Director's Report No. PL13/20 on the proposed changes to the infrastructure contributions system, including the comments in relation to the COVID-19 legislative amendment, be endorsed for submission to the Department of Planning, Industry and Environment.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON-AGENDA ITEMS

Mr Martin Pluss, on behalf of Pennant Hills District Civic Trust provided a submission to Council regarding National Reconciliation Week.

Dr Hanneke Chudleigh, of Galston provided a submission to Council regarding the reopening of Council's Aquatic Centres.

Mr Scott Summer, of Cherrybrook provided a submission to Council regarding the reopening of Council's Aquatic Centres.

Ms Jan Primrose, of Berowra provided a submission to Council regarding the exhibition of Council's Draft Section 7.11 Development Contribution Plan.

QUESTIONS ON NOTICE

Nil

MAYOR'S NOTES

Nil

NOTICES OF MOTION

7 NOM11/20 Concerns About The Inclusion Of The Planning Proposal For 55 Coonara Avenue, West Pennant Hills in The NSW Government's Fast-Track Assessments

(F2004/06485-004)

Ms Jan Primrose, of Berowra provided a submission to Council regarding this item.

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust provided a submission to Council regarding this item.

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

1. Council write to the Minister for Planning and Public Spaces:
 - a) Objecting to the inclusion of the Mirvac Planning Proposal for 600 dwellings at 55 Coonara Avenue, West Pennant Hills under Tranche Two of the NSW Government's Planning System Acceleration Program Fast-tracked Assessments and request that the Department of Planning, Infrastructure and Environment determine not to proceed with the rezoning.
 - b) Requesting that any consideration of the merits of a change to zoning for 55 Coonara Avenue only be considered in the context of a vision and implementation plan for the wider Cherrybrook precinct. In this way, appropriate consideration will be given to a coordinated approach to infrastructure planning including roads, open space, community facilities and pedestrian connections as well as necessary funding mechanisms.
2. Copies of Council's letter be provided to the relevant State and Federal Members and to The Hills Shire Council.

FOR: COUNCILLORS BROWNE, DEL GALLEGOS, HEYDE, HUTCHENCE, MCINTOSH,
 NICITA AND WADDELL

AGAINST: COUNCILLORS RUDDOCK AND TILBURY

Note: Councillor Ruddock did not vote on the Motion. In accordance with Clause 11.5 of Council's Code of Meeting Practice, Councillor Ruddock was taken to have voted against the Motion.

8 NOM12/20 War on Weeds Workshop

(F2009/00401)

Note: As Councillor Marr was not present, and in line with Clause 10.4 (b) of Council's Code of Meeting Practice, the Mayor advised that consideration of Notice of Motion No. NOM12/20 – War on Weeds Workshop, would be deferred to the 8 July 2020 General Meeting to provide an opportunity for Councillor Marr to move the motion.

SUPPLEMENTARY REPORTS

9 GM13/20 COVID-19 Pandemic - Update on Council's Response

(F2009/00827)

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

THAT the contents of the General Manager's Report No. GM13/20 be received and noted.

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

AGAINST: NIL

MATTERS OF URGENCY

Nil

THE MEETING terminated at 7:26 pm.

These Minutes were confirmed at the meeting held on Wednesday 8 July 2020, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 10 June 2020

GENERAL MANAGER

CHAIRMAN