



## **MINUTES OF GENERAL MEETING**

Hosted audio-visually from the  
COUNCIL CHAMBERS, HORNSBY  
on Wednesday 14 October 2020  
at 6:30PM



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Hornsby Shire Council – Minutes of General Meeting of 14 October 2020

## **PRESENT**

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

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

*"This Council Meeting will be run under the COVID-19 emergency arrangements.*

*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:

*"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 NICITA, THAT the apology and request for leave of absence from Councillor Browne in respect of an inability to attend the General Meeting on 14 October 2020 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 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 MCINTOSH, seconded by COUNCILLOR HUTCHENCE,

THAT subject to the last sentence in the third Note for Item 16 on page 18 of the Minutes being amended from "Councillor Ruddock was taken to have voted against the amendment" to "Councillor Ruddock was taken to have voted against the motion", the Minutes of the General Meeting held on

Wednesday 9 September 2020 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

#### **PRESENTATIONS**

Nil

#### **RESCISSION MOTIONS**

Nil

#### **MAYORAL MINUTES**

Note: As Mayoral Minute No. MM6/20 was confidential, it is dealt with in the Confidential Section of these Minutes (refer pages 11-13).

#### **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, 7, 8, 9, 10, 11, 13 and 15 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 3, 4, 5, 6 and 14 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 12 was called over and noted.

Note: Persons wishing to address Council on matters which were on the Agenda were permitted to provide a written submission and these were provided to Councillors and senior staff prior to the Meeting. A selection of the submissions was read to the Meeting by the General Manager prior to the

item being discussed. The names of all submission writers are recorded in the Minutes in respect of the 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 GM26/20 COVID-19 Pandemic - Update on Council's Response**

**(F2009/00827)**

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

THAT the contents of General Manager's Report No. GM26/20 be received and noted.

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

AGAINST: NIL

#### **2 GM23/20 Draft Economic Development and Tourism Strategy 2020-2025 for Public Exhibition**

**(F2018/00162#03)**

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

THAT:

1. The draft Economic Development and Tourism Strategy 2020-2025 attached to General Manager's Report No. GM23/20 be placed on public exhibition for a period of 42 days.
2. In line with a consistent policy being adopted for all Council's strategies, plans, etc, an acknowledgement of the traditional owners be included as part of the introduction to the final version of this Strategy and that Council liaise with the Hornsby Aboriginal and Torres Strait Islander Consultative Committee to discuss appropriate wording along the following lines:-

*"Council recognises the traditional owners of the lands of Hornsby Shire, the Darug and Guringai Aboriginal people, and pay respect to their elders past, present and emerging and to their heritage. We acknowledge and uphold their intrinsic connection and continuing relationship to Country."*

3. Following exhibition, a report on submissions be presented to Council for its consideration.

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

AGAINST: NIL

#### **CORPORATE SUPPORT DIVISION**

**3 CS29/20 Investments and Borrowings for 2020/21 - Status for Period Ending 31 August 2020**

**(F2004/06987-02)**

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

THAT the contents of Director's Report No. CS29/20 be received and noted.

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

AGAINST: NIL

**4 CS30/20 General Purpose and Special Purpose Financial Reports - 2019/20 Financial Year**

**(F2019/00148)**

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

THAT the:

1. 2019/20 General Purpose and Special Purpose Financial Reports be received and noted and referred for audit.
2. Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2019/20 Financial Reports.
3. 2019/20 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. General Manager be delegated authority to fix the date of the General Meeting at which the 2019/20 Financial Reports and Auditor's Report will be formally "presented to the public"

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

AGAINST: NIL

**5 CS31/20 Pecuniary Interest and Other Matters Returns - Disclosures by  
Councillors and Designated Persons**

**(F2019/00288)**

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

THAT Council note the Written Returns of Interest 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

**COMMUNITY AND ENVIRONMENT DIVISION**

**6 CE8/20 IPART Domestic Waste Management Charge Review**

**(F2018/00082)**

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

THAT:

1. Council endorse the draft submission attached to Director's Report No. CE8/20 for  
submission to the Independent Pricing and Regulatory Tribunal (IPART) Domestic Waste  
Management Charge Review.
2. A copy of Council's submission be provided to local Members of Parliament.

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

AGAINST: NIL

**7 CE9/20 Recruitment of New Members for the Catchments Remediation Rate Expenditure Review Panel**

**(F2005/00829-03)**

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

1. Endorse Nilmini De Silva, Warren Birkinshaw, Dilini Kumarasinghe and James Hazelton as community representatives of the Catchments Remediation Rate Expenditure Review Panel.
2. Write to all nominees thanking them for their interest in participating on the Catchments Remediation Rate Review Panel.

FOR: COUNCILLORS DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH,  
NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

**8 CE12/20 Draft Play Plan**

**(F2018/00312)**

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

1. The draft Play Plan attached to Director's Report No. CE12/20 be placed on public exhibition for a period of 42 days.
2. In line with a consistent policy being adopted for all Council's strategies, plans, etc, an acknowledgement of the traditional owners be included as part of the introduction to the final version of this Plan and that Council liaise with the Hornsby Aboriginal and Torres Strait Islander Consultative Committee to discuss appropriate wording along the following lines:-  
  
*"Council recognises the traditional owners of the lands of Hornsby Shire, the Darug and Guringai Aboriginal people, and pay respect to their elders past, present and emerging and to their heritage. We acknowledge and uphold their intrinsic connection and continuing relationship to Country."*
3. Following exhibition, a report on submissions be presented to Council for its consideration.
4. Information regarding the finalised Play Plan be sent to all the participating schools, playgroups, aged care providers and named individuals from the consultation process, so they can see the outcome of the feedback they provided.

FOR: COUNCILLORS DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH,  
NICITA, RUDDOCK, TILBURY AND WADDELL



AGAINST: NIL

## PLANNING AND COMPLIANCE DIVISION

### 9 PL18/20 Hornsby Employment Land Study

(F2018/00162-002)

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

THAT:

1. The draft Hornsby Employment Land Study attached to Director's Report No. PL18/20 be placed on public exhibition for a period of 42 days in accordance with the consultation strategy outlined in Director's Report No. PL18/20.
2. In line with a consistent policy being adopted for all Council's strategies, plans, etc, an acknowledgement of the traditional owners be included as part of the introduction to the final version of this Study and that Council liaise with the Hornsby Aboriginal and Torres Strait Islander Consultative Committee to discuss appropriate wording along the following lines:-  
*"Council recognises the traditional owners of the lands of Hornsby Shire, the Darug and Guringai Aboriginal people, and pay respect to their elders past, present and emerging and to their heritage. We acknowledge and uphold their intrinsic connection and continuing relationship to Country."*
3. Following the exhibition, a report on submissions be presented to Council for its consideration.

FOR: COUNCILLORS DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH,  
NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

### 10 PC21/20 Planning Proposal - Vegetation Mapping Update

(F2020/00021)

Mr John Inshaw, of Galston provided a submission to Council regarding this item.

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. provided a submission to Council regarding this item.

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

THAT:

1. Council endorse the progression of the Planning Proposal attached to Director's Report No. PC21/20 to update and expand the Terrestrial Biodiversity Map within the Hornsby Local Environmental Plan 2013 for preliminary community consultation.
2. Preliminary community consultation on the Planning Proposal be undertaken in accordance with the consultation strategy identified in Director's Report No. PC21/20.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC21/20 for preliminary community consultation concurrently with the Planning Proposal.
4. Following the preliminary consultation, a report on submissions be prepared to assist Council in its consideration of submission of the Planning Proposal to the Department and Planning, Industry and Environment for a Gateway Determination.

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

FOR: COUNCILLORS TILBURY AND WADDELL

AGAINST: COUNCILLORS DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA AND RUDDOCK

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Note: As no decision was made by Council on the progression of the Vegetation Mapping Planning Proposal, the Mayor indicated to the Meeting that he was prepared to accept a motion for recommitment of the item.

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RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE, THAT Item 10 - Director's Report No. PC21/20, Planning Proposal - Vegetation Mapping Update - be recommitted for Council's consideration.

FOR: COUNCILLORS DEL GALLEG0, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

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

1. Council endorse the progression of the Planning Proposal attached to Director's Report PC21/20 to update and expand the Terrestrial Biodiversity Map within the Hornsby Local Environmental Plan 2013 for submission to the Department and Planning, Industry and Environment for a Gateway Determination.
2. The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in Director's Report No. PC21/20.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC21/20 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for its consideration.

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

AGAINST: COUNCILLORS HUTCHENCE AND TILBURY

## INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

### 11 IM5/20 Draft Walking and Cycling Strategy

(F2018/00293)

Mr Martin Pluss, on behalf of Pennant Hills District Civic Trust provided a submission to Council regarding this item.

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

1. The draft Walking and Cycling Strategy attached to Deputy General Manager's Report No. IM5/20 be placed on public exhibition for a period of 42 days.
2. In line with a consistent policy being adopted for all Council's strategies, plans, etc, an acknowledgement of the traditional owners be included as part of the introduction to the final version of this Strategy and that Council liaise with the Hornsby Aboriginal and Torres Strait Islander Consultative Committee to discuss appropriate wording along the following lines:-

*"Council recognises the traditional owners of the lands of Hornsby Shire, the Darug and Guringai Aboriginal people, and pay respect to their elders past, present and emerging and to their heritage. We acknowledge and uphold their intrinsic connection and continuing relationship to Country."*

3. Following exhibition, a report on submissions be presented to Council for its consideration.

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

AGAINST: NIL

## CONFIDENTIAL ITEMS

### MAYORAL MINUTES

**14 MM6/20 General Manager's Performance Review for 2019/20 and Establishment of a Performance Agreement for 2020/21**

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

**(F2013/00402)**

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

THAT:

1. The contents of Confidential Mayoral Minute No. MM6/20, which is submitted on behalf of the General Manager Performance Review Committee, be received and noted by Council.
2. Council note the following statement made by the Committee on the 2019/20 performance of the General Manager:

“The Committee congratulates Steven Head on his impressive progress and maturity in the role of General Manager and notes his very competent performance in the review period, in particular his leadership in handling the many emergencies throughout the year”.
3. The following priorities detailed in Confidential Mayoral Minute No. MM6/20 be endorsed for inclusion in the attached General Manager's Personal Performance Agreement for 2020/21:
  - Development of a program which provides pre-election education of those members of the community who wish to stand for election in September 2021 and incorporates the post-election induction and training of those who are elected as councillors at that election
  - Progression and completion of agreed major projects to timelines and budget
    - Completion of the Hornsby Library refurbishment prior to September 2021
    - Further progression of public domain and signage installation
    - Commencement of major earthworks at Hornsby Park and finalisation of the

Park Masterplan

- Completion of the Westleigh Park Masterplan and presentation to Council for final adoption
  - Inclusion of financial management requirements for expenditure, funding and priorities
    - Review of the Long-Term Financial Plan to incorporate Council's updated priorities in the context of current budgetary constraints
  - Completion of the Customer Experience Strategy
  - Completion of highlighted service reviews and implementation of relevant outcomes
  - Continuation of organisational development and a high-level organisation review
  - Having shovel ready projects prepared so that advantage can be taken of emerging grant funding opportunities
  - Development of clearer place management guidelines which detail the role and purpose of place management in guiding Council actions; and promotion of a greater sense of internal understanding and focus on place management and associated priority actions
4. Council renew Mr Steven Head's contract of employment as General Manager effective from 14 October 2020 for a period of five years on the basis that the current contract is terminated and a new contract is entered into under the same remuneration and contract conditions as presently exist.

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

AGAINST: NIL

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

THAT Council move into Confidential Session to discuss Item 15 - GM31/20 - Property Management Matter - for the reasons given below the item.

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

AGAINST: NIL

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,  
THAT Council move out of Confidential Session.

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

AGAINST: NIL

**15 GM31/20 Property Management Matter**

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

**(F2020/00277)**

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

THAT the contents of Confidential General Manager's Report No. GM31/20, which provides advice that asbestos has been located in the roof cavity of the Administration Building at 296 Peats Ferry Road Hornsby, and that appropriate investigations are underway, be received and noted.

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

AGAINST: NIL

**PUBLIC FORUM – NON AGENDA ITEMS**

Mr Colin McKenna, of Beecroft provided a submission to Council regarding the need for supply of social housing within Hornsby Shire.

Mr Bill and Mrs Carmel Aitken, of Normanhurst provided a submission to Council regarding the need for social housing throughout NSW and within the Hornsby area.

Mr Brian Ash, of Beecroft provided a submission to Council regarding local roads and the NorthConnex traffic model.

**QUESTIONS WITH NOTICE**

Mr John Inshaw of Galston, provided a submission to Council regarding this item.

Mr Gary Schroder of Hornsby, provided a submission to Council regarding this Item.

Ms Catherine Gordon of Hornsby, provided a submission to Council regarding this Item.

**Asked by COUNCILLOR TILBURY to the General Manager:**

Noting that my Notice of Motion No. NOM15/20 – Council Decisions – was not supported by Council at the 9 September 2020 General Meeting and noting that Council has a number of policies in place to guide Councillors' interaction with, and response to, members of the community, can the General Manager advise what avenues are available to ensure consistent and equitable treatment to all our constituents. Is there opportunity to amend any of these policies to include specific guidelines so that particular individuals or groups do not receive a disproportionate amount of attention and time from Councillors and/or staff, particularly when similar concerns continue to be raised by the one person or group.

**Response by the General Manager**

There are a number of internal and external publications and documents which guide Hornsby Shire Councillors' interaction with, and response to, members of the community. Such guidelines provide a basis to ensure a consistent and equitable treatment of all constituents.

The guiding publications and documents include the:

- Local Government Act
- Office of Local Government's (OLG) Councillor Handbook
- OLG's Stand for Your Community publication
- Independent Commission Against Corruption (ICAC) Guide – Lobbying local government councillors
- Council's Code of Conduct
- Council's Community Engagement Strategy
- Council's Code of Meeting Practice
- Council's Complaints Handling Policy
- Council's Customer Service Policy

The two main Council policies dealing with the treatment of customers and constituents in respect of Council decisions and services are the Customer Service Policy and the Complaints Handling Policy.

The Customer Service Policy advises that:

- Council acknowledges its diverse range of customers and will endeavour to provide fair,

effective and appropriate customer service irrespective of individual background and difference

- Staff and Councillors will strive to meet the needs of customers in a friendly, professional and ethical manner with courteous and efficient service
- Council will respond to all correspondence within 14 days
- Staff should keep the customer reasonably informed of progress on matters that require lengthy action or investigation

The Complaints Handling Policy sets customer expectations for the management of complaints and provides guidance in respect of:

- The lodgement of complaints
- Customers who cannot be satisfied
- Customers who make unreasonable demands
- Customers who constantly raise the same issues with different staff
- Customers who are rude, abusive or aggressive
- Limiting a customer's access to Council

Whilst Council has an opportunity to review its policies at any time, and in any case every two years, it is felt that the Customer Service and Complaints Handling Policies adequately provide avenues to ensure that particular individuals or groups do not receive a disproportionate amount of attention and time. Notwithstanding, should Council consider that a change to the Policies is necessary, this needs to be formally considered and resolved by Council.

Under the current Complaints Handling Policy, the General Manager has authority to deal with customers who cannot be satisfied; customers who make unreasonable demands; customers who constantly raise the same issues with different staff; and customers who are rude, abusive or aggressive. The General Manager also has authority to limit a customer's access to Council.

If such action is deemed necessary by the General Manager, an appropriate mechanism exists for the customer to be contacted and their views sought on the intention to limit their access to Council. The customer's views would then be required to be taken into account prior to a final decision on access being made. This approach is in line with the NSW Ombudsman's Manual on the matter and requires that OLG and NSW Ombudsman be provided with details of Council's intent and final decision.

If a Councillor or staff member believes that action should be commenced against a customer in line with Council's Complaints Handling Policy, it is important that I be provided with details of the relevant concerns so that a decision can be made about what action needs to be taken. Front line staff receive training in effective ways of servicing customers including dealing with difficult people. Training is available for Councillors should they wish to further develop their skills in effectively engaging with the community.

Apart from the above, a further mechanism to ensure that particular individuals or groups do not receive a disproportionate amount of attention and time from Councillors and/or staff is contained in



the Public Forum section of Council's Code of Meeting Practice.

Although only used sporadically by the current Council, previous Councils have used the mechanism to assist Councillors with understanding the extent of community input being represented by an individual public speaker. Under the provisions of the Code, when a member of the public advises they are representing the community or speaking on behalf of a community group during Public Forum, the Mayor/Chairperson is able to invite the speaker to provide details about:

- The name of the group
- What position they hold in the group
- The number of members in the group
- The authorisation by the group to make representation to Council on the matter

It is open for Council to utilise this provision more often at future General Meetings if considered necessary.

Having regard to the above, a Councillor's role as an elected representative is to provide an essential link between the community and Council. In doing this, Councillors must attempt to find a balance between their obligation to represent the interests of individual constituents and the need to make decisions which most appropriately reflect the needs and desires of the whole community.

CALLED OVER AND NOTED

## **MAYOR'S NOTES**

Nil

## **NOTICES OF MOTION**

### **13            NOM16/20 Strategies for Disability Inclusion Action Plan and Development of an Age Friendly Shire Strategy**

**(F2017/00061)**

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

1. A workshop be held with Councillors to discuss the review of Council's Disability Inclusion Action Plan (2017-2020), which requires a process of consultation and engagement with both the community and a range of key Council staff to complete;
2. Council note that the NSW Ageing Strategy 2016-2020 is currently being reviewed, and that following release of the revised NSW Ageing Strategy, Council develop an Age-friendly Strategy for our Shire, which would address the needs of seniors in our Shire and incorporate the requirements for a Dementia-friendly Community, which was previously resolved by

Council in 2018.

3. Council note that the proposal to complete this review and creation of a new strategy concurrently would save Council time and resources through shared consultation and engagement sessions and place Council in the best possible position to address these key issues for our community and to seek funds for the support of these actions.
4. As part of the creation of these two Strategies, it is proposed that key staff from across Council be engaged in training and professional development activities to ensure that the needs of seniors and people with a disability can be addressed across the full range of Council services, facilities and planning.
5. Council note that both of these Strategies require a comprehensive communication and consultation with the community, recognition of current best practice and will benefit from the exploration of opportunities for partnerships with aged and disability organisations and other agencies within in our community.

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

AGAINST: NIL

#### **MATTERS OF URGENCY**

Nil

#### **QUESTIONS ON NOTICE**

Nil

**THE MEETING** concluded at 8:03pm.

These Minutes were confirmed at the meeting held on Wednesday 11 November 2020, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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Hornsby Shire Council – Minutes of General Meeting of 14 October 2020

GENERAL MANAGER

CHAIRMAN