



## **MINUTES OF GENERAL MEETING**

Hosted audio-visually from the  
COUNCIL CHAMBERS, HORNSBY  
on Wednesday 11 November 2020  
at 6:30PM



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Hornsby Shire Council – Minutes of General Meeting of 11 November 2020

## **PRESENT**

Councillors Ruddock (Chairman), Browne, 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.*

*An opportunity has been created for the public to address Council about individual items of business.*

*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**

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 14 October 2020 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

## **PETITIONS**

COUNCILLOR TILBURY tabled a petition with approximately 257 signatures on behalf of Dangar Island residents regarding parking in Brooklyn.

## **RESCISSION MOTIONS**

Nil

## **MAYORAL MINUTES**

Nil

### **Statement by Councillor Tilbury**

Note: At this point in the meeting the Mayor allowed Councillor Tilbury to address the meeting.

Councillor Tilbury made the following statement:

*"It has been brought to my attention that some of my Facebook posts and comments at Meetings around the Terrestrial Biodiversity Maps issue were inappropriate and appeared to target an individual community member. I apologise unreservedly for this and will ensure it does not happen again."*

## **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 4 and 6 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 3, 5, 7 and 8 be adopted.

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

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

## **GENERAL BUSINESS**

### **OFFICE OF THE GENERAL MANAGER**

Nil

### **CORPORATE SUPPORT DIVISION**

**1 CS36/20 Investments and Borrowings for 2020/21 - Status for Period Ending 30**

**September 2020**

**(F2004/06987-02)**

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

THAT the contents of Director's Report No. CS36/20 be received and noted.

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

AGAINST: NIL

**2 CS40/20 2020/21 Budget - September 2020 Quarter Review**

**(F2020/00027)**

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

THAT the September 2020 Quarter Review of the Operational Plan (Budget) for 2020/21 be received and noted.

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

AGAINST: NIL

**COMMUNITY AND ENVIRONMENT DIVISION**

**3 CE11/20 Single Use Plastics Policy**

**(F2018/00082)**

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

THAT Council adopt the Single Use Plastics Policy and the Waste Management Guidelines for Event Organisers 2020.

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

AGAINST: NIL

Ms Dianne Bowles, on behalf of the Brooklyn Community Association addressed Council regarding this item.

Ms Liz Surrent on behalf of Mrs Anna Jones from the Brooklyn Community Hall Project Committee addressed Council regarding this item.

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

THAT:

1. The draft Community and Cultural Facilities Strategic Plan 2020-2030 attached to Director's Report No. CE13/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to a Councillor Briefing prior to being presented to a General Council Meeting for formal consideration.

AN AMENDMENT WAS MOVED BY COUNCILLOR DEL GALLEGO, seconded by COUNCILLOR NICITA,

THAT:

1. The draft Community and Cultural Facilities Strategic Plan 2020-2030 attached to Director's Report No. CE13/20 be amended to remove reference to the Cherrybrook Station Precinct as a preferred location when making recommendations for a new Cherrybrook Community Hub (inclusive of a co-located 1000sqm library and 300sqm multipurpose community space).
2. The amended draft Community and Cultural Facilities Strategic Plan 2020-2030 be placed on public exhibition for a period of 42 days.
3. Following exhibition, a report on submissions be presented to a Councillor Briefing prior to being presented to a General Council Meeting for formal consideration.

THE AMENDMENT MOVED BY COUNCILLOR DEL GALLEGO seconded by COUNCILLOR NICITA WAS PUT AND LOST.

FOR: COUNCILLORS DEL GALLEGO, MARR AND NICITA

AGAINST: COUNCILLORS BROWNE, HEYDE, HUTCHENCE, MCINTOSH, RUDDOCK, TILBURY AND WADDELL

THE MOTION MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR BROWNE

WAS PUT AND CARRIED.

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

AGAINST: COUNCILLOR DEL GALLEGO

## **PLANNING AND COMPLIANCE DIVISION**

### **5 PC22/20 Report on Submissions - Draft Local Housing Strategy**

**(F2020/00096)**

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

THAT:

1. Council adopt the Hornsby Housing Strategy 2020 attached to Director's Report No. PC22/20.
2. The Strategy be published on the NSW Planning Portal to meet legislative requirements of the Accelerated LEP Review Program.
3. Council request a briefing by representatives from the Greater Sydney Commission and local housing providers on housing diversity and affordability, including a tour of best-practice examples of affordable housing developments.
4. Submitters be advised of Council's decision.

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

AGAINST: NIL

### **6 PC23/20 Byles Creek Planning Study**

**(F2020/00288)**

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council regarding this item.

Mrs Trish Brown, on behalf of Byles Creek Valley Union Inc. addressed Council regarding this item.

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

THAT:

1. Council endorse progression of the Byles Creek Planning Study in accordance with the Study Brief attached to Report No. LM15/20.
2. Restricted asset funds from the sale of 179 Beecroft Road, Cheltenham be used to fund consultant input and the allocation of an additional temporary Strategic Planner for a period of 12 months.

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

AGAINST: COUNCILLORS DEL GALLEGO AND NICITA

Note: A Rescission Motion in respect of this item was lodged prior to the Minutes being finalised. This Motion will be considered at the 9 December 2020 General Meeting.

**7 PC24/20 Hornsby Development Control Plan Amendments - Housekeeping Planning Proposal**

**(F2019/00392)**

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

THAT:

1. The draft amendments to the building height controls of the Hornsby Development Control Plan 2013 attached to Director's Report No. PC24/20 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for consideration.

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

AGAINST: NIL

**8 PC25/20 Reporting Variations to Development Standards**

**(F2004/07599-02)**

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

THAT the contents of Director's Report No. PC25/20 be received and noted.

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



MCINTOSH, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

#### **INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**

Nil

#### **PUBLIC FORUM – NON-AGENDA ITEMS**

Mr Marcus Graham, of Normanhurst addressed Council regarding noise levels emitted from domestic leaf blowers and their impact on the environment and surrounding neighbours.

Mr Bronek Karcz, on behalf of the Danger Island community addressed Council regarding parking in Brooklyn.

#### **MAYOR'S NOTES**

Nil

#### **NOTICES OF MOTION**

Nil

#### **MATTERS OF URGENCY**

Nil

#### **QUESTIONS ON NOTICE**

Nil

**THE MEETING** concluded at 7:58pm.

These Minutes were confirmed at the meeting held on Wednesday 9 December 2020, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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