



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 10 August 2022
at 6:30PM



Hornsby Shire Council – Minutes of General Meeting of 10 August 2022

PRESENT

Councillors Ruddock (Chairman), Ball, Greenwood, Heyde, McIntosh, Pillamarri, Salitra, Tilbury and Waddell.

NATIONAL ANTHEM

OPENING PRAYER

Pastor Ejay Mbakwe from Awesome Rock Church, Asquith and Mr Arjun Mehta, of The Hindu Council of Australia opened the meeting in prayer.

WELCOME TO COUNTRY

A Welcome to Country was given by the Darug and GuriNgai Traditional Owner representative, Uncle Neil Evers.

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."

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 TILBURY,

THAT the apology and request for leave of absence from Councillor McClelland in respect of an inability to attend the General Meeting on 10 August 2022 be accepted and a leave of absence be granted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, 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 TILBURY,

THAT the Minutes of the General Meeting held on Wednesday 13 July 2022 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

1 MM10/22 The Passing of Mr Bill Bradley

(F2004/05878)

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

THAT Council offers its sincere condolences to the family and friends of Mr Bill Bradley, whose contribution to the community was significant.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

15 MM11/22 The Passing of Mr Trevor McCaskill

(F2004/05878)

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

THAT Council offers its sincere condolences to the family and friends of Mr Trevor McCaskill, whose contribution to the community was significant.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, 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 2, 3, 8 and 14 were withdrawn for discussion.

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

THAT the recommendations in respect of items 4, 5, 6, 7, 9, 10, 11 and 12 be adopted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

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

Note: Item 13 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 or 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 provide a written submission or 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

2 GM28/22 Deferred Report - Car Parking Management - Brooklyn

(F2019/00117)

Mr Ray Toman, of Dangar Island addressed Council regarding this item.

Ms Di Bowles, of Brooklyn addressed Council regarding this item.

Mr Gerard Putt, on behalf of Brooklyn Mooring Cooperative addressed Council regarding this item.

Mr Stephen Bruggeman, of Little Wobby addressed Council regarding this item.

Mr Robert Arnold, on behalf of the Brooklyn Community Association addressed Council regarding this item.

Mr Ian Cameron, of Brooklyn addressed Council regarding this item.

Mr Stephen Cribb, of Little Wobby addressed Council regarding this item.

Mr Bronek Karcz, of Dangar Island addressed Council regarding this item.

Mr Tim Morgan, of Dangar Island addressed Council regarding this item.

Ms Sandra Spargo, of Dangar Island provided a submission to Council regarding this item.

Mr Terry Stewart, of Dangar Island addressed Council regarding this item.

Mrs Michelle Armstrong, of Little Wobby addressed Council regarding this item.

Mr Pat Woolley, of Little Wobby provided a submission to Council regarding this item.

Mr Stephen Boyle, on behalf of the Dangar Island League addressed Council regarding this item.

Ms Kathy Merrick, of Dangar Island addressed Council regarding this item.

Mr Peter Godbolt, of Dangar Island addressed Council regarding this item.

Mr Rochman Reese, on behalf of Dangar Island Rural Fire Brigade addressed Council regarding this item.

Mr Graham Key, of Dangar Island addressed Council regarding this item.

Mr Leigh Johnston, of Dangar Island addressed Council regarding this item.

Ms Michelle Gillard, of Little Wobby addressed Council regarding this item.

Mrs Narelle and Mr Steve Gauslaa, on behalf of The Anglers Rest Hotel Brooklyn provided a submission to Council regarding this item.

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

THAT:

1. Council exhibit the draft Brooklyn Carparking Management Plan as outlined in General Manager's Report No. GM24/22.
2. Council undertake consultation with the community, including businesses, in respect of the draft Brooklyn Carparking Management Plan outlined in General Manager's Report No. GM24/22, for a period of eight weeks.
3. Council accept submissions already received associated with General Manager's Report No. GM24/22 and General Manager's Report No. GM28/22 and consider them along with all other submissions received during the exhibition period.
4. Council seek feedback from the community on a preferred potential location for a leased car parking area within Brooklyn.
5. Following the eight week exhibition period, and prior to reporting back to Council, an Informal Councillor Workshop be held to review and consider community and stakeholder feedback including any proposed changes and next steps.
6. The Informal Councillor Workshop is to also consider how Council can support community efforts to access other State Government owned land around Brooklyn to accommodate car parking, including for essential services to the river communities.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

CORPORATE SUPPORT DIVISION

3 CS39/22 Local Government NSW - 2022 Annual Conference - Submission of Motions and Determination of Voting Delegates

(F2022/00123)

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

Ms Katrina Emmett, of Hornsby addressed Council regarding this item.

Dr Jade Norris, on behalf of Australian Pet Welfare Foundation addressed Council regarding this item.

Dr Helen Swarbrick, on behalf of Animal Welfare Charity Campus Cats NSW addressed Council regarding this item.

Ms Sheila Millgate, on behalf of the Sydney North West Regional Group of the Animal Justice Party addressed Council regarding this item.

Ms Cheryl Venables, of Beecroft addressed Council regarding this item.

Mrs Liz Nadalutti, of Glenorie addressed Council regarding this item.

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

THAT:

1. Proposed Motions 1. and 2., dealing with Amendments to the Companion Animals Act as detailed in Director's Report No. CS39/22, be submitted for consideration at the 2022 Local Government NSW (LGNSW) Annual Conference subject to the background notes for Motion 2. being amended to remove references to consultation with the RSPCA.
2. Consideration of proposed Motion 3., dealing with the Protection of Native Wildlife, be deferred so that an Informal Council Workshop can be held to discuss the matter. Such Workshop is to be held as a priority to enable proposed Motion 3. to be further considered by Council at the 14 September 2022 General Meeting.
3. Councillors Ruddock, Ball, Heyde, McClelland, McIntosh, Pillamarri, Salitra, Tilbury, and Waddell be Council's delegates for voting on motions at the 2022 LGNSW Annual Conference.
4. Registrations for attendance at the 2022 LGNSW Annual Conference be confirmed for the voting delegates determined in Point 3. above, and Councillor Greenwood if she decides to attend the Conference as an observer.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**4 CS58/22 Classification of Public Land - Road Widening at Hornsby and Asquith
(F2020/00345)**

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

THAT pursuant to Section 31 of the Local Government Act 1993, Lot 2 DP 1281589, Lot 1 DP 1281566 and Lots 2 and 4 DP 1261538 being land acquired for road widening at Hornsby and Asquith be classified as "Operational Land" and dedicated as Public Road.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**5 CS59/22 Councillor Expenses and Facilities Policy - Reporting Required by
Section 15 of the Policy**

(F2004/09552-02)

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

THAT Council note that details regarding the provision of Councillor expenses and facilities for the
period from 1 July 2021 to 30 June 2022 have been tabled in accordance with the Councillors'
Expenses and Facilities Policy.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**6 CS60/22 Investments and Borrowings (Pre-Audit) for 2021/2022 - Status for the
Period Ending 30 June 2022**

(F2004/06987-02)

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

THAT the contents of Director's Report No. CS60/22 be received and noted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

**7 CE13/22 Hornsby Aboriginal and Torres Strait Islander Consultative Committee
Membership**

(F2005/01147-002)

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

THAT:

1. Council appoint the 14 voluntary community members listed in Director's Report No. CE13/22 as members of the Hornsby Aboriginal and Torres Islander Consultative Committee for the current term of Council.
2. Council amend the Hornsby Aboriginal and Torres Strait Islander Consultative Committee Charter as shown in Attachment 1 to Director's Report No. CE13/22.
3. All applicants be advised of Council's resolution.
4. Council share information with and collaborate on programs or initiatives where appropriate with unsuccessful candidates.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

PLANNING AND COMPLIANCE DIVISION

8 PC18/22 Heritage Advisory Committee Membership

(F2015/00004-003)

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

THAT:

1. Council invite volunteers to participate on the Hornsby Shire Council Heritage Advisory Committee for the current term of Council as follows:
 - a) Ms Anne Conway, Mr David White, and Ms Miriam Moloney as technical specialists.
 - b) Ms Mari Metzke and Mr Rod Best as community representatives.
 - c) Ms Mari Metzke be entitled to nominate another delegate from the Hornsby Shire Historical Society to act on her behalf where she is unable to attend any meeting.
 - d) Mr Robert Browne and Ms Rhonda Ramsey as alternates for the non-Hornsby Shire Historical Society community member position in the event of a vacancy.
2. All applicants be advised of Council's resolution.
3. Council adopt the Heritage Advisory Committee Charter attached to Director's Report No. PC18/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

9 PC19/22 Report on Submissions - Housekeeping Development Control Plan Amendments

(F2013/00498)

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

THAT:

1. Council approve the draft amendments to the Hornsby Development Control Plan 2013, as amended and attached to Director's Report No. PC19/22.
2. Notification of the approval of the amendments be published on Council's website.
3. The submitter and City of Parramatta Council be advised of Council's decision.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

10 CS61/22 Further Report - Land and Property Matter

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.

(F2021/00192)

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

THAT Council authorise the General Manager to progress the matter in line with the next steps outlined in the Discussion Section of Confidential Director's Report No. CS61/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

11 CS62/22 Further Report - Proposal to Create a Drainage Easement Over Community Land at Pennant Hills

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.

(F2021/00282)

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

THAT Council authorise the General Manager to progress the matter in line with the next steps outlined in the Discussion Section of Confidential Director's Report No. CS62/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

12 GM26/22 Expression of Interest - Provision of Renewable Energy Infrastructure

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.

(F2021/00252)

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

THAT Council adopt the recommendations in respect of Expression of Interest No. EOI16/2022 which are contained in the EOI Evaluation Report attached to Confidential General Manager's Report No. GM26/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council regarding the Cherrybrook Station Precinct and rezoning of the local area.

Mr Paul Keighery, on behalf of the East Thornleigh Safety Group addressed Council regarding the Thornleigh Station pedestrian footbridge.

Mr Hussain Ahmed, of Normanhurst addressed Council regarding equal opportunities on Council's Planning Panels.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

13 MN7/22 Mayor's Notes from 1 July 2022 to 31 July 2022

(F2004/07053)

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.

Wednesday 6th July 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Saturday 9th July 2022 – The Mayor attended the Hornsby Gang Show, 'In Technicolour' at the Pioneer Theatre in Castle Hill.

Saturday 16th July 2022 – The Mayor attended the Scouts Association of Australia, NSW Branch AGM, at Baden-Powell Activity Centre in Pennant Hills.

Thursday 21st July 2022 – The Mayor attended the Hornsby Ku-ring-gai District Rural Fire Service Medal Presentation at The Hornsby Fire Control Centre in Cowan.

Sunday 24th July 2022 – The Mayor attended the Camellia Morning Tea and walk at Lisgar Gardens in Hornsby.

Friday 29th July 2022 – The Mayor attended the Studio ARTES 'Together Alone' Art Exhibition at Studio ARTES in Hornsby.

Friday 29th July 2022 – On behalf of the Mayor, Councillor Pillamarri attended the Hornsby Ku-ring-gai Cherrybrook RFS Brigades 70th Anniversary at Pennant Hills Bowling Club in Pennant Hills.

NOTICES OF MOTION

14 NOM3/22 Progressing Aboriginal Reconciliation in Hornsby Shire

(F2010/00123)

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

THAT:

1. Council schedule an Informal Councillor Workshop to discuss the development of a Reconciliation Action Plan (RAP) and the creation of a fixed term, identified Aboriginal or Torres Strait Islander position to facilitate the development and implementation of a RAP and to support Council and Hornsby Aboriginal and Torres Islander Consultative Committee (HATSICC) with broader Aboriginal policy issues.
2. HATSICC be requested to provide feedback and advice regarding those matters mentioned in point 1. above (ideally at its next meeting), prior to any discussions at an Informal Councillor Workshop.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCINTOSH, PILLAMARRI,
 RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

MATTERS OF URGENCY

Nil

THE MEETING concluded at 9.38pm.

These Minutes were confirmed at the meeting held on Wednesday 14 September 2022, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN