



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 14 September 2022
at 6:30PM



Hornsby Shire Council – Minutes of General Meeting of 14 September 2022

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

The Mayor opened the meeting in prayer.

Note: Following the prayer, one minute's silence was observed in memory of Her Majesty Queen Elizabeth II.

WELCOME TO COUNTRY

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

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

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 PILLAMARRI, seconded by COUNCILLOR TILBURY,

THAT the Minutes of the General Meeting held on Wednesday 10 August 2022 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

COUNCILLOR BALL tabled a petition of 21 hand written signatures and approximately 519 online submissions on behalf of the Animal Justice Party relating to cat management.

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

14 MM13/22 The Passing of Her Majesty Queen Elizabeth II

(F2021/00101)

RESOLVED ON THE MOTION OF COUNCILLOR RUDDOCK, seconded by COUNCILLOR

MCINTOSH,

THAT Council write to His Majesty King Charles III and the Royal Family, extending the condolences of the people of Hornsby Shire, acknowledging Queen Elizabeth II's immense contribution to Australia and the Commonwealth, and include with this formal letter the condolence books signed by the people of Hornsby Shire.

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

AGAINST: COUNCILLOR HEYDE

15 MM12/22 Vegetation Mapping Planning Proposal

(F2020/00021)

Mr Ross Walker, on behalf of the Beecroft Cheltenham Civic Trust addressed Council regarding this item.

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

1. Council submit a formal Gateway review request with supporting justification to the Department of Planning and Environment to seek progression of the Vegetation Mapping Planning Proposal.
2. A further meeting with the Minister for Planning and other relevant State members be requested to outline the strategic and environmental importance of the Proposal.

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

AGAINST: COUNCILLOR TILBURY

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, 7, 8 and 11 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 3, 4, 9, 10 and 12 be adopted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, 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 address Council, prior to the item being discussed. The names of all speakers are recorded in the Minutes in respect of the 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 GM29/22 June 2022 Performance Report on the 2021-2022 Delivery Program,
and Quarterly Budget Review Statement**

(F2020/00348)

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

THAT the:

1. June 2022 Performance Report showing progress of the 2021-2022 Delivery Program including the 2021/22 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the period ending June 2022 be received and noted.

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

2 CS67/22 Schedule of Council Meetings and Order of Business to Apply at

Those Meetings - September 2022 to September 2023

(F2004/07032)

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

THAT Council adopt the:

1. Schedule of ordinary Council meetings for the period September 2022 to September 2023 as set out in Attachment 1. of Director's Report No. CS67/22.
2. Order of business for the ordinary Council meetings to be held in the period September 2022 to September 2023 as set out in Attachment 2. of Director's Report No. CS67/22.

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

AGAINST: NIL

3 CS68/22 Investments and Borrowings for 2022/2023 - Status for the Period Ending 31 July 2022

(F2004/06987-02)

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

That the contents of Director's Report No. CS68/22 be received and noted.

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

AGAINST: NIL

4 CS69/22 General Purpose and Special Purpose Financial Reports - 2021/22 Financial Year

(F2022/00096)

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

THAT the:

1. 2021/22 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 2021/22 Financial Reports.
3. 2021/22 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 2021/22 Financial Reports and Auditor’s Report will be formally “presented to the public”.

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

AGAINST: NIL

5 CS72/22 Further Report - Local Government NSW - 2022 Annual Conference - Submission of Motions

(F2022/00123)

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

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

MOVED ON THE MOTION OF COUNCILLOR TILBURY,

THAT Council not submit a motion dealing with the Protection of Native Wildlife for consideration at the 2022 Local Government NSW Annual Conference.

THE MOTION LAPSED DUE TO THE LACK OF A SECONDER.

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

THAT Council submit a motion dealing with the Protection of Native Wildlife for consideration at the 2022 Local Government NSW Annual Conference. The wording of the motion is as follows:

That Local Government NSW lobby the NSW Government to:

1. In conjunction with industry associations, introduce enforceable standards for the preparation of flora and fauna management plans.
2. Consider Codes of Practice and Guidelines for handling native wildlife and other best practice and animal welfare laws in development of the standards.
3. Consult with Councils, National Parks and Wildlife Service, Ecological Consultants Association of NSW, wildlife rescue organisations and other relevant agencies in the

preparation of the standards.

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

AGAINST: COUNCILLORS PILLAMARRI AND TILBURY

**6 CS73/22 Councillor Representation on Committees and Working Parties -
October 2022 to September 2023**

(F2004/07056)

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

THAT Councillor representation on Committees, Working Parties and Other Relevant Groups for the
period October 2022 to September 2023 be as indicated in the table below:

Council Committee / Working Party	Councillor Representation
Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC)	Cr Ruddock, Cr McIntosh, Cr Pillamarri, Cr McClelland, Cr Ball, Cr Salitra, Cr Heyde
Hornsby Ku-ring-gai Bush Fire Management Committee	Cr Ruddock, Cr Tilbury, Cr Ball (Alternate)
Hornsby Rural Fire Service Liaison Committee	Cr McClelland, Cr Tilbury (Alternate)
Hornsby Shire Heritage Advisory Committee	Cr McIntosh (Chair), Cr Greenwood, Cr McClelland, Cr Salitra (Alternate), Cr Tilbury (Alternate)
Hornsby Shire Local Traffic Committee	Cr Waddell, Cr Greenwood (Alternate)
NSW Public Libraries Association	Cr McIntosh, Cr McClelland (Alternate)

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

7 CE14/22 Healthy Ageing Hornsby

(F2021/00196)

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

THAT:

1. The draft Healthy Ageing Hornsby Strategy attached to Director's Report No. CE14/22 be placed on public exhibition for a period of 28 days.
2. Prior to the commencement of the public exhibition period, a consultation plan for the draft Healthy Ageing Hornsby Strategy be prepared and circulated to Councillors for comment.
3. Following exhibition, a report on submissions be presented to Council for its consideration.

AN AMENDMENT WAS MOVED BY COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE,

THAT:

1. The draft Healthy Ageing Hornsby Strategy attached to Director's Report No. CE14/22 be placed on public exhibition for a period of 28 days.
2. Council write to all residents who participated in the initial consultation informing them of the exhibition of the draft Healthy Ageing Hornsby Strategy and inviting them to review and make a submission on the draft Strategy.
3. Following exhibition, a report on submissions be presented to Council for its consideration.

THE AMENDMENT MOVED BY COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE WAS PUT AND LOST

FOR: COUNCILLORS BALL, HEYDE, MCCLELLAND, MCINTOSH AND SALITRA

AGAINST: COUNCILLORS GREENWOOD, PILLAMARRI, RUDDOCK, TILBURY AND WADDELL

Note: The Mayor exercised his casting vote to vote against the amendment.

THE MOTION MOVED BY COUNCILLOR GREENWOOD, seconded by COUNCILLOR TILBURY WAS PUT AND CARRIED.

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

AGAINST: NIL

8 CE15/22 Arts and Cultural Advisory Group

(F2004/06058)

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

THAT Council:

1. Establish an Arts and Cultural Advisory Group.
2. Adopt the draft Terms of Reference for the Arts and Cultural Advisory Group included at Attachment 1. to Director's Report No. CE15/22.
3. Seek Expressions of Interest from the local arts affiliated community and interested persons for membership to the Arts and Cultural Advisory Group.

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

AGAINST: NIL

9 CE16/22 Community Grants and Sponsorship Policy

(F2007/01391)

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

THAT Council adopt the Community Grants and Sponsorship Policy attached to the Director's Report No. CE16/22.

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

AGAINST: NIL

PLANNING AND COMPLIANCE DIVISION

10 PC20/22 Reporting Variations to Development Standards

(F2004/07599-02)

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

THAT the contents of Director's Report No. PC20/22 be received and noted.

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

AGAINST: NIL

11 PC21/22 Exhibition of Cherrybrook Station Precinct and State Significant Precinct Planning Proposal

(F2020/00123)

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

Mr Ross Walker, on behalf Beecroft Cheltenham Civic Trust addressed Council regarding this item.

Mr Vince Del Gallego, of Cherrybrook addressed Council regarding this item.

Mr Michael Rosettenstein, on behalf of Pennant Hills District Civic Trust addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR PILLAMARRI, THAT the two submissions regarding the Cherrybrook State Significant Precinct Planning Proposal and Place Strategy attached to Director's Report No. PC21/22 be forwarded to the Department of Planning and Environment in response to the exhibition to advocate for amendments to the Planning Proposal and Place Strategy prior to implementation.

AN AMENDMENT WAS MOVED BY COUNCILLOR HEYDE, seconded by COUNCILLOR BALL, THAT:

1. The two submissions regarding the Cherrybrook State Significant Precinct Planning Proposal and Place Strategy attached to Director's Report No. PC21/22 be forwarded to the Department of Planning and Environment in response to the exhibition to advocate for amendments to the Planning Proposal and Place Strategy prior to implementation.
2. Council indicate its preference in respect of progression of the Strategy for Option 2: "Each Council to prepare their own planning proposals to implement the rezoning".

THE AMENDMENT MOVED BY COUNCILLOR HEYDE, seconded by COUNCILLOR BALL WAS PUT AND LOST

FOR: COUNCILLORS BALL, HEYDE AND SALITRA

AGAINST: COUNCILLORS GREENWOOD, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, TILBURY AND WADDELL

THE MOTION MOVED BY COUNCILLOR TILBURY, seconded by COUNCILLOR PILLAMARRI WAS

PUT AND CARRIED.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

12 CS71/22 Further Report - Purchase of Property for Intersection Upgrade at Hornsby

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.

(F2015/00419)

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

THAT Council authorise the General Manager to progress the matter in line with the next steps outlined in the Discussion Section of Confidential Directors Report No. CS71/22.

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

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Mrs Janet Meggitt, of Asquith addressed Council regarding kerb and guttering along Queens Road, Asquith.

Mrs Susan Owen, of Wahroonga addressed Council regarding drainage and footpaths along Ingalara Avenue, Wahroonga.

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council regarding changes to the Companion Animals Act.

Mr Paul Keighery, of East Thornleigh addressed Council regarding the Thornleigh Station pedestrian footbridge and a raised pedestrian crossing for the area.

Mr Andrew McDonald, of Pennant Hills addressed Council regarding the Thornleigh Station upgrade and further planning of the area.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

13 MN8/22 Mayor's Notes from 01 August to 31 August 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.

Monday 1st August 2022 – The Mayor attended the Pennant Hills Girl Guides Presentation of The Queen's Guide Award at the Leisure and Learning Centre in Pennant Hills.

Wednesday 3rd August 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Thursday 11th August 2022 – The Mayor attended the Official Opening of the New Amenities of Ern Holmes Oval, Pennant Hills Oval in Pennant Hills.

Sunday 14th August 2022 – The Mayor attended the Centenary Service and Celebration for St Stephens Anglican Church, Normanhurst at Barker College, Hornsby.

Monday 15th August 2022 – The Mayor attended the Hindu Council of Australia 75th Anniversary of India's Independence in Hornsby Park in Hornsby.

Sunday 21st August 2022 – The Mayor attended the 40th Anniversary of the Castle Hill Dolphins Swimming Club at Castle Hill RSL in Castle Hill.

Thursday 25th August 2022 – The Mayor attended the Women's Community Shelters 'Apron Project' Hornsby to Cootamundra at Wallarobba House in Hornsby.

Thursday 25th August 2022 – The Mayor attended the Hills Annual Charity Gala Ball at Bivianos Restaurant in Dural.

Friday 26th August 2022 – The Mayor hosted and attended the Hornsby Ku-ring-gai Rural Fire District's Mayoral Dinner at Hornsby RSL in Hornsby.

Tuesday 30th August 2022 – The Mayor attended and spoke with Year 6 of Pacific Hills Christian School for 'Gratitude Week' at Pacific Hills Christian School in Dural.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 8.29pm.

These Minutes were confirmed at the meeting held on Wednesday 12 October 2022, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
