

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 12 October 2022
at 6:30PM



PRESENT

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

NOTE: Councillor Heyde arrived at 7.06pm during discussion of Public Forum - Non Agenda Items. Councillor Heyde was not present for Apologies/Leave of Absence, Declarations of Interest, Confirmation of Minutes, Mayoral Minutes, Items Passed by Exception and for consideration of Item 3.

NATIONAL ANTHEM

OPENING PRAYER

Pastor David Nathan of The Hive Church Hornsby, 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.

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 TILBURY, seconded by COUNCILLOR MCINTOSH,

THAT the apology and request for leave of absence from Councillor Greenwood in respect of an inability to attend the General Meeting on 12 October 2022 be accepted and a leave of absence be granted.

FOR: COUNCILLORS BALL, MCCLELLAND, 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 WADDELL, seconded by COUNCILLOR TILBURY,

THAT the Minutes of the General Meeting held on Wednesday 14 September 2022 and the Workshop Meeting held on Wednesday 28 September 2022 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

10 MM15/22 Australian Healthcare and Hospitals Association 2022 Sidney Sax Medal - Award to Professor Susan Kurrle

(F2004/05879-006)

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

THAT Council express its sincere appreciation for the outstanding contribution made by Professor Susan Kurrle and celebrate the recent announcement of the 2022 Sidney Sax Medal Award for Professor Kurrle's outstanding achievements and contribution to the development and improvement of the Australian healthcare system.

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

AGAINST: NIL

11 MM14/22 General Manager's Performance Review for 2021/22 and Establishment of a Performance Agreement for 2022/23

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 RUDDOCK,

THAT:

1. The contents of Confidential Mayoral Minute No. MM14/22, which is submitted on behalf of Council's General Manager Performance Review Committee, be received and noted.
2. Council endorse the following statement made by the Committee on the performance of the General Manager, Mr Steven Head, for the 2021/22 review period:

"The General Manager has demonstrated very strong leadership in what has been a very challenging year with excellent achievement in many areas, but with continuing improvement required in delivering major projects. The Council is fortunate to have in Steven Head, and his very able staff, a loyal and committed team who are performing in the best interests of the Hornsby community".
3. The following priorities detailed in Confidential Mayoral Minute No. MM14/22 be endorsed for inclusion in the General Manager's Personal Performance Agreement for 2022/23:
 - **Special Rate Variation (SRV) and Financial Sustainability** – updating the Long-Term Financial Plan and developing the SRV application
 - **Customer Experience Strategy** - driving the initial phase of the Strategy and linking

customer focus in staff training and development initiatives

- **Property Strategy** – deliver an appropriate Strategy and agree priority actions
 - **Hornsby Town Centre** – develop and agree a Delivery Plan and how to resource the work
 - **Organisation Development and Leadership** – focus on the improvements outlined in the Workforce Management Plan
 - **Project Delivery and Co-ordination** – improve the coordination and delivery of projects; focus on key milestone delivery; and communicate effectively with the community about the projects and their expectations.
4. Having regard to successive annual performance reviews of the General Manager since 2018 which have rated Mr Head's performance at a high level, and the leadership Mr Head has shown to the organisation and the Hornsby community in that period, Council agree to the renewal of Mr Head's contract for a further five-year period under the existing remuneration package arrangements.
5. In respect of such contract renewal, the Mayor, with the assistance of the General Manager Performance Review Committee and taking advice from Mr Stephen Blackadder from Blackadder Associates Pty Ltd be authorised to finalise the contract on behalf of Council.

FOR: COUNCILLORS BALL, MCCLELLAND, 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.

Item 3 was withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 4, 5, 6, 7 and 8 be adopted.

FOR: COUNCILLORS BALL, 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 9 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 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 CS82/22 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2021/00034)

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

THAT Council note the Written Returns of Interest recently lodged with the General Manager by Councillors and Designated Staff have been tabled as required by the Local Government Act and Council's Code of Conduct.

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

AGAINST: NIL

2 CS77/22 Investments and Borrowings for 2022/23 - Status for the Period Ending 31 August 2022

(F2004/06987-02)

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

That the contents of Director's Report No. CS77/22 be received and noted.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

3 CE3/22 Review of Policies and Codes - Community and Environment Division

(F2013/00129)

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. provided a submission to Council regarding this item.

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

THAT Council adopt the recommendations contained in the table in Director's Report No. CE3/22 in respect of each of the current policies under the jurisdiction of the Community and Environment Division.

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

AGAINST: COUNCILLOR BALL

Note: Councillor Ball indicated to the Meeting that she had abstained from voting on this Motion, therefore, in accordance with Clause 11.5 of Council's Code of Meeting Practice, Councillor Ball was taken to have voted against the Motion.

4 CE18/22 RFT 21/2022 - Ron Payne Oval Drainage, Irrigation and Amenities Building

(F2022/00185)

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

THAT Council:

1. Decline the tender submission for RFT 21/2022 - Ron Payne Oval Drainage, Irrigation and Amenities Building and not proceed on the advertised contracted works.
2. Complete the Amenities Building under a separate procurement process to commence expenditure of grant funding within this financial year.

3. Complete the oval drainage and irrigation work next financial year to allow the project scope and delivery model to be amended to reduce costs, as well as grant funding to be sought to assist to supplement the funds required.

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

AGAINST: NIL

PLANNING AND COMPLIANCE DIVISION

Nil

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

5 IM1/22 Hornsby Shire Draft Flood Risk Management Study and Plan

(F2010/00651-07)

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

THAT:

1. Council endorse the draft Hornsby Shire Flood Risk Management Study, including the Hornsby Shire Flood Planning Maps, for public exhibition.
2. Council provide written advice to the owners of properties that have been designated as a Flood Planning Area.
3. Following exhibition, a report on submissions be presented to Council for its consideration.

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

AGAINST: NIL

6 IM3/22 Public Domain Guidelines and Improvements - Beecroft Town Centre

(F2021/00091)

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

THAT:

1. Council endorse the revised Beecroft Town Centre Domain Guidelines for public exhibition for

a minimum of 28 days.

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

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

AGAINST: NIL

CONFIDENTIAL ITEMS

7 CE17/22 Waste Disposal Service Contract Extension and Variation

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.

(F2014/00478)

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

THAT:

1. Pursuant to Section 55(3) of the Local Government Act 1993 (NSW), Council resolves that a satisfactory result would not be achieved by inviting tenders for the provision of the services presently provided under Council's existing Waste Disposal Service Contract (C3/2015) with Veolia Environmental Services (Australia) Pty Ltd due to extenuating circumstances and for the reasons outlined in Confidential Director's Report No. CE17/22.
2. Council authorises the General Manager to negotiate an extension and variation to the existing Waste Disposal Service Contract (C3/2015) with Veolia Environmental Services (Australia) Pty Ltd in accordance with the recommendations contained in the Confidential Director's Report No. CE17/22.

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

AGAINST: NIL

8 CS78/22 Purchase of Land for Open Space 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.

(F2022/00111)

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, 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. CS78/22.

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

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council regarding the Westleigh Park Draft Master Plan engagement process.

Ms Katrina Emmett, of Galston addressed Council regarding the Westleigh Park Draft Master Plan engagement process.

Mr John Inshaw, of Galston addressed Council regarding the Westleigh Park Draft Master Plan engagement process.

Mr Phil Newman, of Westleigh addressed Council regarding the grassland environment at Westleigh Park and the responsible stewardship of the area.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

9 MN9/22 Mayor's Notes from 01 September to 30 September 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.

Saturday 3rd September 2022 – The Mayor attended the Brooklyn Community Association Annual General Meeting in Brooklyn.

Wednesday 7th September 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Friday 9th September 2022 – On behalf of the Mayor, Councillor Greenwood, attended the Bishop's

Breakfast 'Communities in Collaboration – A Focus to the Future' hosted by Most Reverend Anthony Randazzo at The Epping Club in Epping.

Sunday 11th September 2022 – The Mayor attended the Hindi Divas Celebrations hosted by IABBV Hindi School at Thornleigh West Primary School in Thornleigh.

Friday 16th September 2022 – The Mayor hosted four Citizenship Ceremonies on 'Citizenship Day' in the Council Chambers at Hornsby Shire Council in Hornsby.

Saturday 17th September 2022 – On behalf of the Mayor, Deputy Mayor, Councillor Tilbury attended the Ku-ring-gai Netball Finals at Canoon Road Netball Courts in South Turramurra.

Sunday 18th September 2022 – The Mayor attended 'Protecting our Forests Launch' hosted by Hornsby Shire Council in Ginger Meggs Park, Hornsby.

Sunday 18th September 2022 – The Mayor attended the Scouts NSW, Sydney North Region Adult Recognition Awards Ceremony at 1st Lane Cove Scout Hall in Lane Cove.

Sunday 18th September 2022 – On behalf of the Mayor, Deputy Mayor, Councillor Tilbury attended the Memorial Service for Queen Elizabeth II hosted by Julian Leeser MP at Hornsby RSL in Hornsby.

Monday 19th September 2022 – The Mayor hosted a Question and Answer Session with students from The Special Education Unit, Pennant Hills High School in the Council Chambers at Hornsby Shire Council in Hornsby.

Friday 23rd September 2022 – The Mayor attended the Hornsby Ku-ring-gai Community College Art Exhibition at Hornsby Ku-ring-gai Community College in Hornsby.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 7.20pm

These Minutes were confirmed at the meeting held on Wednesday 9 November 2022, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 12 October 2022

GENERAL MANAGER

CHAIRMAN