



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 9 November 2022
at 6:30PM



Hornsby Shire Council – Minutes of General Meeting of 9 November 2022

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend James McFarlane of Hornsby Presbyterian Church, opened the meeting in prayer.

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

Councillor Tilbury declared a Pecuniary Interest in relation to Item 9 - NOM4/22 Council Support For Sydney WorldPride 2023 - Local Activities in Hornsby Shire. Refer to that Item for details.

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 12 October 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

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

10 MM16/22 Friends of Lisgar Gardens

(F2021/00006-002)

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

THAT Council:

1. Formally acknowledge and thank the contribution made by the Friends of Lisgar Gardens.
2. Commit to maintaining promotional activities for Lisgar Gardens as well as its other beautiful parks and gardens. This includes key seasonal milestones such as the peak camellia flowering season.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, 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.

Items 3, 5 and 9 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 4, 6 and 7 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 8 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 GM35/22 Hornsby Shire Council 2021-2022 Annual Report

(F2020/00348)

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

THAT the:

1. Hornsby Shire Council 2021-2022 Annual Report be endorsed.
2. Annual Report be supplemented by Council's 2021/22 Audited Financial Statements once they are "presented to the public" at the 9 November 2022 General Meeting (CS89/22).

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

2 CS87/22 Investments and Borrowings for 2022/2023 - Status for Period Ending 30 September 2022

(F2004/06987-02)

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

That the contents of Director's Report No. CS87/22 be received and noted.

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

AGAINST: NIL

3 CS89/22 2021/22 Audited Financial Statements - Presentation to the Public

(F2022/00096)

Ms Karen Taylor, on behalf of the Audit Office of NSW made a presentation in respect of Council's 2021/22 Audited Financial Statements.

RESOLVED ON THE MOTION OF COUNCILLOR HEYDE, seconded by COUNCILLOR WADDELL, THAT the 2021/22 General Purpose Financial Statements and associated Auditor's Report, as presented to the public on 9 November 2022, be adopted.

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

AGAINST: NIL

4 CS92/22 2022/23 Budget - September 2022 Quarter Review

(F2022/00059)

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

THAT:

1. The September 2022 Quarter Review of the Operational Plan (Budget) for 2022/23 be received and noted.
2. The General Manager be granted delegation to:
 - a) Seek an extension from the Office of Local Government to the Stronger Community Funds expenditure deadline for the Hornsby Park project until 31 December 2025.
 - b) Seek an extension from the Office of Local Government to the Stronger Community Funds expenditure deadline for the Westleigh Park project until 31 December 2027.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

5 PC22/22 Housekeeping Amendments to Hornsby Development Control Plan 2013

(F2013/00498)

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

THAT:

1. The draft housekeeping amendments to the Hornsby Development Control Plan 2013 attached to Director's Report No. PC22/22 be placed on public exhibition for a period of 28

days.

2. Following exhibition, a Councillor Briefing be conducted to discuss the implications of progressing the draft amendments and outline issues raised in any submissions.
3. A report on submissions be presented to Council for consideration after the Briefing with Councillors.

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

AGAINST: COUNCILLOR WADDELL

6 PC23/22 Reporting Variations to Development Standards

(F2022/00271)

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

THAT the contents of Director's Report No. PC23/22 be received and noted.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

7 CS93/22 Extension of Lease - 34 Hunter Street, 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.

(F2004/06465)

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

THAT:

1. Council approve the extension of the Lease at 34 Hunter Street, Hornsby as outlined in

Confidential Director's Report No. CS93/22.

2. The General Manager be authorised to negotiate the detailed terms and conditions of the Agreement for Lease and to execute documents in relation to the tenancy as deemed appropriate by Council's legal advisers.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, 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 planning decision updates on Council's website and the reasons matters are referred to the Local Planning Panel.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

8 MN10/22 Mayor's Notes 1 October 2022 to 31 October 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 1st October 2022 – On behalf of the Mayor, Councillor Pillamarri attended the Durja Puja 2022 - Sharodiya Durgotsov Hindu Event at Cherrybrook Community Centre in Cherrybrook.

Wednesday 5th October 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Wednesday 5th October 2022 – On behalf of the Mayor, Deputy Mayor, Councillor Tilbury, attended the Ku-ring-gai Police Area Command Awards Ceremony at Asquith Leagues Rugby Club in Waitara.

Saturday 8th October 2022 – The Mayor attended the Hornsby Musical Society's performance of Nickelodeon's The SpongeBob Musical at Hornsby RSL in Hornsby.

Monday 10th October 2022 – The Mayor attend The Centre for Volunteering Upper North Shore Regional Volunteer of the Year Awards at Hornsby RSL in Hornsby.

Friday 14th October 2022 – The Mayor attended Unveiling Ceremony for the Blue Plaque commemorating Dr Mark Lidwill at The Arden School in Beecroft.

Saturday 15th October 2022 – The Mayor attended 'Love in the Name of Christ', Hornsby Region

AGM at Northern Baptist Church in Hornsby.

Wednesday 19th October 2022 – The Mayor attended the Official Opening of Kokoda Residences – ‘Jessie’s Place’ in Waitara.

Wednesday 19th October 2022 – The Mayor attended the Hornsby Ku-ring-gai Local Business Awards Gala Presentation Evening at Hornsby RSL in Hornsby.

Thursday 20th October 2022 – The Mayor attended a Tree Planting Ceremony for The Queen’s Platinum Jubilee Program in the Village Green at the Sydney Adventist Hospital in Wahroonga.

Saturday 22nd October 2022 – The Mayor attended St Patrick’s Catholic School Fete at St Patrick’s Catholic School in Asquith.

Saturday 22nd October 2022 – The Mayor attended the Ladies Division Tennis NSW Premier League - Superb Tennis at Mills Park in Asquith.

Saturday 22nd October 2022 – On behalf of the Mayor, Councillor McIntosh and Councillor McClelland attended and handed out Awards to the recipients of the Hornsby Arts Prize 2022 at Wallarobba House in Hornsby.

Sunday 23rd October 2022 – The Mayor attended the Inala Fair 2022 at Inala School in Cherrybrook.

Thursday 27th October 2022 – On behalf of the Mayor, Councillor Waddell attended the KU Grevillea Preschool - 50th Anniversary Celebrations at KU Grevillea Preschool in Hornsby Heights.

Saturday 29th October 2022 – The Mayor attended ‘Go for Broke’ – Ride for Depression - a Cycle Race from Berowra to Broke commencing at Berowra Christian School in Berowra.

Saturday 29th October 2022 – The Mayor attended the Galston 500 - Endurance Mini Train Event - Multiple Sclerosis Fundraiser at Galston Valley Railway in Galston.

Saturday 29th October 2022 – The Mayor attended the India Club Iconic Diwali May 2022 ~ Celebrating "Community Harmony and Social Cohesion" Event at Castle Grand Pioneer Hall in Castle Hill.

CALLED OVER AND NOTED

NOTICES OF MOTION

9 NOM4/22 Council Support For Sydney WorldPride 2023 - Local Activities in Hornsby Shire

(F2013/00458)

NOTE: COUNCILLOR TILBURY declared a pecuniary interest in this item under Clause 4.16 and 4.17 of Council's Code of Conduct for Councillors (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR TILBURY on the Declaration of Interest form as: "I am currently working in the Electorate Office of the Local State MP Matt Kean. Motion 9 is recommending to write to Local MP seeking funding". COUNCILLOR TILBURY was not present at, or in sight of, the Meeting when the matter was being debated or voted on.

Mr Phillip Abadee, of Wahroonga addressed Council regarding this item.

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

THAT:

1. Council note the Sydney WorldPride 2023 Festival is being held between February 17 and March 5, 2023, providing local educational and community opportunities in and around Hornsby Shire to raise awareness of and celebrate the diversity in our community.
2. Council show its support for the local LGBTQIA+ community and liaise with stakeholders for the Sydney WorldPride 2023 with a view to aligning currently planned and budgeted for events, activations and activities within the Hornsby LGA with World Pride 2023.
3. Council write to Local MP Matt Kean, Member for Hornsby seeking State Funding and statement of support for local events.
4. When developing its Social Plan, Council seeks to engage with the LGBTQIA+ community amongst others to ensure that the Social Plan reflects the diversity of our community.

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

AGAINST: NIL

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 7.15pm.

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

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 9 November 2022

GENERAL MANAGER

CHAIRMAN