



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 8 March 2023
at 6:30PM



Hornsby Shire Council – Minutes of General Meeting of 8 March 2023

ACKNOWLEDGEMENT OF COUNTRY

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

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend Mike Begbie of St Luke's Hornsby Heights Anglican Church, Hornsby 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."

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 Pillamarri in respect of an inability to attend the General Meeting on 8 February 2023 be accepted and a leave of absence be granted.

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

COUNCILLOR TILBURY declared a Less Than Significant Non-Pecuniary Interest in relation to Item 5 – IM1/23 – Westleigh Park - Master Plan and Plan of Management. Refer to that Item for details.

CONFIRMATION OF MINUTES

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

THAT the Minutes of the General Meeting held on Wednesday 8 February 2023 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

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 4, 5, 6 and 8 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE, THAT the recommendations in respect of items 1, 2 and 3 be adopted.

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

AGAINST: NIL

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

Note: Item 7 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 address Council, prior to the item being discussed. The names of 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 GM8/23 Provision of Renewable Energy Infrastructure

(F2021/00252)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE, THAT Council prepare tender documentation for the provision of renewable energy infrastructure that could be installed at Hornsby Park and / or Westleigh Park.

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

2 CS4/23 Administration of Council's 2024 Local Government Election

(F2023/00011)

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

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

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

AGAINST: NIL

3 CS10/23 Investments and Borrowings for 2022/23 - Status for Period Ending 31 January 2023

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR HEYDE,
THAT the contents of Director's Report No. CS10/23 be received and noted.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

4 PC4/23 Report on Submissions - High Street and Ashley Street Planning Proposal

(PP/3/2022)

Mr Stephen Dick, of Hornsby addressed Council regarding this item.

Mr Mario Machado, on behalf of Hornsby RSL addressed Council regarding this item.

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

THAT:

1. Council endorse the High and Ashley Street Planning Proposal as exhibited (attached to Director's Report No. PC4/23) and submit it to the Department of Planning and Environment for finalisation.
2. Council endorse the Hornsby Development Control Plan 2013 amendments (attached to Director's Report No. PC4/23) to come into force upon finalisation of the Planning Proposal.
3. Submitters be advised of Council's decision.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

5 IM1/23 Westleigh Park - Master Plan and Plan of Management

(F2016/00295-003)

Note: COUNCILLOR TILBURY declared a Less Than Significant Non-Pecuniary Interest in this item under Clause 5.11 of Council's Code of Conduct (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 a regular bike rider and I have ridden the mountain bike tracks at Westleigh Park." and the explanation of why the interest does not require further action in the circumstances was "This will not influence me in considering this item in a fair, balance and objective way".

Mr Andrew Wilson, of Pennant Hills addressed Council regarding this item.

Mr Jason Donald, of Normanhurst addressed Council regarding this item.

Mr Phil Newman, of Westleigh addressed Council regarding this item.

Mr Paul Taylor, of Westleigh addressed Council regarding this item.

Ms Michelle Valencia, on behalf of Westleigh H2O Mountain Biking Trails Community addressed Council regarding this item.

Mr John Inshaw, on behalf of Galston Area Residents Association Inc. addressed Council regarding this item.

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

Mr Michael Woods, of Thornleigh addressed Council regarding this item.

Mr Mick Marr, of Berowra Heights addressed Council regarding this item.

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

Ms Melanie Winthorpe, of Westleigh addressed Council regarding this item.

Mr Geoffrey Knowles, on behalf of Westleigh Water Board Alliance addressed Council regarding this item.

Mrs Lidia Mincev, of Westleigh addressed Council regarding this item.

Ms Karen Benhar, on behalf of Friends of Berowra Valley addressed Council regarding this item.

Mrs Allana Mackertich, of Galston addressed Council regarding this item.

Mr Martin Pluss, of Pennant Hills addressed Council regarding this item.

Mrs Kathryn Herbert, of Westleigh provided a submission to Council regarding this item.

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

THAT:

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Council endorse the exhibition of the draft Plan of Management for Westleigh for a minimum period of 28 days.
3. Council endorse the publication of the updated draft Master Plan in conjunction with the exhibition of the draft Plan of Management.
4. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period.

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

THAT:

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Council endorse the exhibition of the draft Plan of Management and draft Master Plan for

Westleigh Park for a minimum period of 28 days.

3. During the exhibition period Council prepare an alternative trail network for the site that:
 - a) Removes all mountain bike trails within the critically endangered Sydney Turpentine-Ironbark Forest and endangered Duffy's Forest ecological communities.
 - b) Replaces the mountain bike trails removed in 3a) above, on the northern platform containing Precinct 1 – Athletics Track and Support Facilities. Further that this area be revegetated to provide the forest experience valued by the mountain biking community.
4. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period.

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

FOR: COUNCILLORS BALL, HEYDE AND SALITRA

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

AN AMENDMENT WAS MOVED BY COUNCILLOR BALL, seconded by COUNCILLOR SALITRA,

THAT:

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Subject to the draft Master Plan and Plan of Management being amended to specify that Precinct 2 – Central Multi-Purpose Sports Field Platform would be a natural turf surface, that Council endorse the exhibition of the draft Plan of Management and Master Plan for Westleigh for a minimum period of 28 days.
3. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period

THE AMENDMENT MOVED BY COUNCILLOR BALL, was seconded by COUNCILLOR SALITRA, WAS PUT AND LOST.

FOR: COUNCILLORS BALL, HEYDE AND SALITRA

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

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

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Subject to the draft Master Plan and Plan of Management being amended to consistently identify that Precinct 2 – Central Multi-Purpose Sports Field Platform could be either a natural turf surface or synthetic surface, that Council endorse the exhibition of the draft Plan of Management and Master Plan for Westleigh for a minimum period of 28 days.
3. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period.

THE AMENDMENT MOVED BY COUNCILLOR BALL, was seconded by COUNCILLOR SALITRA,
WAS PUT AND LOST.

FOR: COUNCILLORS BALL, HEYDE AND SALITRA

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

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

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

FOR: COUNCILLORS GREENWOOD, MCCLELLAND, MCINTOSH, RUDDOCK, TILBURY
AND WADDELL

AGAINST: COUNCILLORS BALL, HEYDE AND SALITRA

6 IM2/23 Hornsby Park

(F2021/00171)

Mr John Inshaw, on behalf of Galston Area Residents Association Inc. addressed Council regarding this item.

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

MOVED ON THE MOTION OF COUNCILLOR MCCLELLAND, seconded by COUNCILLOR

MCINTOSH,

THAT Council:

1. Endorse the development and delivery of the Base Case (crusher Plant, tracks and trails and lookouts to the south and west of the Quarry void) in the short term (mid-2024).
2. Identify a preference for the development and delivery of Option 2 – Canopy Skywalk and Cable Bridge and proceed to delivery subject to available funds as outlined in the budget section of the Deputy General Managers Report No. IM2/23. Funding priority is afforded the canopy skywalk at the expense of the full scope of works in part 1 of this motion.
3. Hold a workshop on the outcome of the commercial partnership market analysis for the Hornsby park/quarry lands to ensure that Council continues planning for future activities on the site that may be funded through commercial partnerships and other fundings sources.

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

THAT Council:

1. Endorse the development and delivery of the Base Case (crusher Plant, tracks and trails and lookouts to the south and west of the Quarry void) in the short term (mid-2024)
2. Identify a preference for the development and delivery of Option 2 – Canopy Skywalk and Cable Bridge and proceed to delivery subject to available funds as outlined in the budget section of the Deputy General Managers Report No. IM2/23.
3. Hold a workshop on the outcome of the commercial partnership market analysis for the Hornsby park/quarry lands to ensure that Council continues planning for future activities on the site that may be funded through commercial partnerships and other fundings sources.

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

FOR: COUNCILLORS BALL, HEYDE AND SALITRA

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

THE MOTION MOVED BY COUNCILLOR MCCLELLAND, seconded by COUNCILLOR MCINTOSH WAS PUT AND CARRIED.

FOR: COUNCILLORS GREENWOOD, MCCLELLAND, MCINTOSH, RUDDOCK, TILBURY AND WADDELL

AGAINST: COUNCILLORS BALL, HEYDE AND SALITRA

PUBLIC FORUM – NON AGENDA ITEMS

Mrs Susan Owen, of Wahroonga addressed Council regarding traffic issues along Alexandria Parade and Highland Avenue, an overgrown property and heritage concerns in the local area.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

7 MN2/23 Mayor's Notes 01 February 2023 to 28 February 2023

(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 1st February 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby

Wednesday 1st February 2023 – The Mayor, Councillors and General Manager attended the opening of the Mark Taylor Oval Indoor Cricket Centre, at Waitara Avenue, Waitara

Saturday 4th February 2023 – The Mayor and Councillors attended the Wisemans Ferry Boat Ramp and car park opening on Old Northern Road, Wisemans Ferry.

Saturday 4th February 2023 – On behalf of the Mayor, Councillor McClelland attended the 75th Anniversary of the Sri Lankan Independence Day at the Thornleigh Community Centre, Corner Phyllis and Central Avenue, Thornleigh.

Wednesday 8th February 2023 – The Mayor and Councillors attended photo shoot to mark the opening of the new viewing platform at Quarter Sessions Road, Westleigh.

Thursday 16th February 2023 – The Mayor attended the Official Opening of Indigenous Supported Playgroup at Waitara Family Centre, 29 Yardley Avenue, Waitara.

Friday 17th and 18th February 2023 – The Mayor and all interested Councillors attended "Taste of Seafood" at Mooney Mooney Club, 5 Kowan Street, Mooney Mooney.

Saturday 18th February 2023 – The Mayor attended the Inauguration of Strzelecki Year at Pennant Hills Community Centre, Function Hall.

Sunday 26th February 2023 – The Mayor attended Pennant Hills Golf Club Centenary Gala Launch Day which included a Flag Raising Ceremony, Book Launch, and Speed Relay Challenge at Pennant Hills Golf Club, Cnr Copeland and Burns Road South, Beecroft.

CALLED OVER AND NOTED

NOTICES OF MOTION

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

That Council:

1. Make representation to local Federal Members, Julian Leeser MP, Member for Berowra; Paul Fletcher MP, Member for Bradfield; Jerome Laxale MP, Member for Bennelong; and Alex Hawke MP, Member for Mitchell in relation to the need for a sustainable federal funding model for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
2. Write to the Federal Minister for the Arts, the Hon Tony Burke MP; the Hon Paul Fletcher MP, Shadow Minister for the Arts; and the Hon Susan Templeman MP, Special Envoy for the Arts calling for sustainable funding to ensure the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
3. Endorse the actions of the NSW Public Libraries Association in lobbying for additional sustainable funds for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
4. Encourage our community members to write to their local Federal MP's and Senators to help them understand the importance of securing ongoing funding for Trove.

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

AGAINST: NIL

MATTERS OF URGENCY

Nil

THE MEETING concluded at 9.40pm.

These Minutes were confirmed at the meeting held on Wednesday 12 April 2023, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN