



# MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 14 February 2024  
at 6:30PM



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Hornsby Shire Council – Minutes of General Meeting of 14 February 2024

## **WELCOME TO 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, McIntosh, Pillamarri (remote), Salitra, Tilbury and Waddell.

## **NATIONAL ANTHEM**

## **OPENING PRAYER**

Pastor David Nathan from The Hive 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:

1. Apology and request for leave of absence from Councillor McClelland in respect of an inability to attend the General Meeting on 14 February 2024 be accepted and a leave of absence be granted.
2. Request to attend the General Meeting on 14 February 2024 remotely from Councillor

Pillamarri, 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**

COUNCILLOR WADDELL declared a Pecuniary Interest in relation to Item 6 – PC1/24 – Report on Submissions – Rural Lands Planning Proposal. Refer to that item for details.

COUNCILLOR WADDELL declared a Less Than Significant Non-Pecuniary Interest in relation to Item 9 - IM1/24 – Galston Village Public Domain Plan. Refer to that item for details.

COUNCILLOR GREENWOOD declared a Less Than Significant Non-Pecuniary Interest in relation to Item 9 - IM1/24 – Galston Village Public Domain Plan. Refer to that item for details.

#### **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 December 2023 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**

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, 6, 7, 11 and 12 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 2, 4, 5, 8 and 9 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 10 was called over and noted.

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 GM3/24 December 2023 Performance Report on the 2023-2026 Delivery Program and Quarterly Budget Review Statement**

**(F2023/00012)**

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

THAT the:

1. December 2023 Performance Report showing progress of the 2023-2026 Delivery Program including the 2023/24 Operational Plan and Budget, be received and noted.
2. Quarterly Budget Review Statement for the period ending December 2023 be received and noted.

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

AGAINST: NIL

### **CORPORATE SUPPORT DIVISION**

#### **2 CS2/24 Investments and Borrowings for 2023/2024 - Status for the Period Ending 30 November 2023 and 31 December 2023**

**(F2004/06987-02)**

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

THAT the contents of Director's Report No. CS2/24 be received and noted.

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

AGAINST: NIL

#### **3 CS3/24 Election of Deputy Mayor**

**(F2004/07075)**

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

THAT:

1. Council elect a Deputy Mayor for the period to September 2024.
2. The election of Deputy Mayor be conducted using the Open Voting method.

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

RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

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The General Manager announced that he had received two written nominations for the position of Deputy Mayor, those being for Councillor Heyde and Councillor Tilbury. No further nominations were received. Councillor Heyde and Councillor Tilbury confirmed and accepted the nominations.

The General Manager explained the procedures for voting by the Open Voting method and conducted the election in respect of the candidates.

At the conclusion of the count, the General Manager announced that Councillor Heyde received four votes and Councillor Tilbury received five votes.

The General Manager advised that Councillor Tilbury was elected as Deputy Mayor for the period to September 2024.

**4 CS4/24 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 TILBURY,

THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2023 to 31 December 2023 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

**COMMUNITY AND ENVIRONMENT DIVISION**

**5 CE3/24 Correcting the Naming of Forsters Reserve, Middle Dural**

**(F2004/08086)**

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

THAT a proposal to correct the spelling of 'Forsters' to 'Fosters' Reserve and Waterhole, Middle Dural

be submitted to the Geographical Names Board of New South Wales.

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

AGAINST: NIL

## **PLANNING AND COMPLIANCE DIVISION**

### **6 PC1/24 Report on Submissions – Rural Lands Planning Proposal**

**(PP/1/2023)**

Note: COUNCILLOR WADDELL declared a pecuniary interest in this item under Clause 4.16 of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR WADDELL on the Declaration of Interest form as: "I am a resident and business owner in Galston a rural area of the Shire. I believe it is possible that some of the proposed amendments could result in a pecuniary benefit for myself or my family. I will be leaving the meeting for this item". COUNCILLOR WADDELL was not present at, or in sight of, the Meeting when this item was being debated or voted on.

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

THAT:

1. Council progress the Rural Lands Planning Proposal, attached to Director's Report No. PC1/24 to the LEP plan making stage for finalisation.
2. Council approve the draft amendments to the Hornsby Development Control Plan, as attached to Director's Report No. PC1/24.
3. Notification of the approved amendments be published on Council's website and submitters be advised of Council's decision.

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

AGAINST: NIL

### **7 PC3/24 Low and Mid-Rise Housing Reforms**

**(F2015/00146)**

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

THAT Council make a submission in response to exhibition of the Explanation of intended effect: Changes to create low and mid-rise housing outlining Council's:

1. Concerns and recommendations outlined in Director's Report No. PC3/24 including the absence of local planning, density of development permitted under the controls, impacts on character, heritage, natural environment and tree canopy loss, infrastructure and risks of over development in hazard areas.
2. Commitment to facilitate the delivery of a diverse range of housing as detailed in Hornsby Local Housing Strategy 2020 and request the release of revised housing targets, including a medium density component.
3. Methodology and precinct-based approach to the preparation of a local medium density housing strategy and request the opportunity to continue progressing Council's own local strategy that responds to the character of our area and community expectations to gain exemption from the proposed changes.
4. Willingness to continue to investigate opportunity for appropriate housing delivery in the future, should a medium density housing target be identified.
5. Concerns regarding wastewater infrastructure and request consultation with Sydney Water to confirm infrastructure requirements, commitment of funding for capital improvements to service additional development and assurance from the NSW Environmental Protection Authority that no alterations will be made to licenses to permit increased pollutant load.

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

AGAINST: NIL

**8 PC4/24 Hornsby Local Planning Panel - Interim Panel Chairs**

**(F2017/00294#003)**

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

THAT:

1. Council appoint Penny Holloway, Alison McCabe, Elizabeth Kinkade, Anthony Hudson, Stephen Leathley, Michael Leavey and Heather Warton as interim Panel Chairs on the Hornsby Local Planning Panel until 30 June 2024.
2. The Department of Planning, Housing and Infrastructure and Environment be advised of Council's resolution.
3. Council write to the outgoing Panel Chairs and technical experts acknowledging their service on the Hornsby Local Planning Panel.



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

AGAINST: NIL

## INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

### 9 IM1/24 Galston Village Public Domain Plan

(F2018/00311-002)

Note: COUNCILLOR GREENWOOD 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 GREENWOOD on the Declaration of Interest form as "As a resident of Galston, Item 9 will have an impact on me as my residence is within 800 meters of the Galston Village Public Domain Plan proposal". And the explanation of why the interest does not require further action in the circumstances was "There is no direct impact on me only that there will be revised changes that may affect my normal everyday life in the Galston community".

Note: COUNCILLOR WADDELL 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 WADDELL on the Declaration of Interest form as "I am a resident and business owner in Galston". And the explanation of why the interest does not require further action in the circumstances was "I do not believe this item will impact on myself or my family in an unfair way. I will stay for debate".

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

THAT:

1. Council adopts for public exhibition the draft Galston Village Public Domain *Plan* for a minimum period of twenty-eight (28) days.
2. A further report to be presented to Council following the public exhibition considering any comments received.

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

AGAINST: NIL

## **PUBLIC FORUM – NON AGENDA ITEMS**

Mr Mathew Pearce, of Pennant Hills addressed Council regarding customer service and issues relating to tree removal.

Mr Martin Pluss, of Pennant Hills addressed Council to offer his thanks and appreciation for the maps provided of the local area.

## **QUESTIONS WITH NOTICE**

Nil

## **MAYOR'S NOTES**

**10 MN1/24 Mayor's Notes 01 December 2023 to 31 January 2024**

**(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.*

Friday 1<sup>st</sup> December 2023 – The Mayor attended Coronation StrEat Opening Event, in Coronation Street, Hornsby.

Friday 1<sup>st</sup> December 2023 – The Mayor attended Bradfield Community Christmas Drinks, (celebrating Hornsby Ku-Ring-Gai Women's Shelter) for Paul Fletcher, in Lindfield.

Saturday 2<sup>nd</sup> December 2023 – The Mayor attended Studio Artes International Day for People with Disabilities, at Studio Artes, Hornsby.

Tuesday 5<sup>th</sup> December 2023 – On behalf of the Mayor, Deputy Mayor, Councillor Waddell attended Barker Junior School Celebration, at Barker College, Hornsby.

Tuesday 5<sup>th</sup> December 2023 – On behalf of the Mayor, Deputy Mayor, Councillor Waddell attended Annual Presentation Evening, at Galston High School, Galston.

Tuesday 5<sup>th</sup> December 2023 – The Mayor attended Pennant Hills High School Presentation Evening, at Pennant Hills High School, Pennant Hills.

Wednesday 6<sup>th</sup> December 2023 – The Mayor attended Walk the Talk with Women's Shed, at PCYC, Waitara.

Wednesday 6<sup>th</sup> December 2023 - The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Wednesday 6<sup>th</sup> December 2023 – On behalf of the Mayor, Councillor Pillamarri attended Thanksgiving Eucharist and Presentation Assembly, at Mount St Benedict College, Pennant Hills.

Wednesday 6<sup>th</sup> December 2023 – On behalf of the Mayor, Deputy Mayor, Councillor Waddell attended Barker Secondary School Celebration, at Barker College, Hornsby.

Wednesday 6<sup>th</sup> December 2023 – On behalf of the Mayor, Councillor Greenwood attended The Arden School Presentation Day, at the Darling Harbour Convention Centre, Sydney.

Thursday 7<sup>th</sup> December 2023 – The Mayor attended Year 12 Presentation Day, at Clarke Road School, Hornsby.

Thursday 7<sup>th</sup> December 2023 – The Mayor attended Loreto Year 7-11 Awards Ceremony, at Loreto, Normanhurst.

Thursday 7<sup>th</sup> December 2023 – On behalf of the Mayor, Councillor Tilbury attended Carols Under the Stars, at Warrina Street Oval, Berowra.

Thursday 7<sup>th</sup> December 2023 – The Mayor and Councillors attended the Mayor's Christmas Party, which was at Storey Park, Hornsby.

Saturday 9<sup>th</sup> December 2023 – The Mayor attended The Dural and District Historical Society Lunch, at Glenorie RSL, Glenorie.

Saturday 9<sup>th</sup> December 2023 – The Mayor attended Carols by Candlelight, at Fagen Park, Galston.

Saturday 9<sup>th</sup> December 2023 – On behalf of the Mayor, Councillor Tilbury attended Berowra RSL Sub-Branch Annual Local Veteran Function, at Club Berowra, Berowra.

Sunday 10<sup>th</sup> December 2023 – The Mayor attended Asquith Carols by Candlelight, at Mills Park Tennis Centre, Asquith.

Monday 11<sup>th</sup> December 2023 – The Mayor attended the Ku-ring-gai Financial Services Limited (KSFL) Christmas Function, at Kipling's Garage, Turramurra.

Tuesday 12 December 2023 – The Mayor attended Asquith Boys High School 63<sup>rd</sup> Presentation Day, at Asquith Boys High School, Asquith.

Tuesday 12<sup>th</sup> December 2023 – The Mayor attended Normanhurst Boys High School Presentation Night, at Hornsby RSL, Hornsby.

Wednesday 13<sup>th</sup> December 2023 – The Mayor attended Asquith Girls High School Annual Presentation Day Ceremony, at Hornsby RSL, Hornsby.

Thursday 14<sup>th</sup> December 2023 – The Mayor attended the Volunteer Christmas Party, at Hornsby Library, Hornsby.

Wednesday 17<sup>th</sup> January 2024 – The Mayor attended Coffee and Chat with Hello Hornsby, at Hornsby Library, Hornsby.

Wednesday 24<sup>th</sup> January 2024 – The Mayor attended Pennant Hills Rotary Club Australia Day Dinner, at Pennant Hills Golf Club, Pennant Hills.

Friday 26<sup>th</sup> January 2024 – The Mayor hosted an Australia Day Citizenship Ceremony, at Hornsby Park.

Friday 26<sup>th</sup> January 2024 – The Mayor attended Indian Republic Day/Australia Day Celebrations, at Delhi Heights Indian Restaurant, Dural.

**CALLED OVER AND NOTED**

## NOTICES OF MOTION

### 11 NOM1/24 Murals on Public Infrastructure in Mount Kuring-Gai and Berowra

(F2004/09188-02)

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

THAT:

1. Council write to the Minister for Transport and Transport for NSW seeking its permission for a mural to be painted on the Pacific Highway pedestrian overpass at Mount Kuring-Gai and on the side of the Mount Kuring-Gai road bridge.
2. Council write to the Minister for Water and Sydney Water seeking its permission for a mural to be painted on the Berowra Waters Road reservoir.
3. Subject to the agreement of either Sydney Water or Transport for NSW for murals to be painted on their assets, that Council work with local community groups that have previously expressed an interest in funding the cost of providing the mural(s).
4. Council work with local primary schools to encourage submissions for proposed mural(s) themes.

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

AGAINST: NIL

## SUPPLEMENTARY REPORTS

### 12 CE6/24 Community Event Grants Program

(F2010/00630)

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

THAT Council allocate funding from the Community Event Grants Program as shown in the table below:

| Applicant   | Event                                | Amount  |
|---|--------------------------------------|---------|
| Brooklyn Sustainability Committee<br>(Brooklyn Community Association) | Hawkesbury River Waste Less<br>Fest  | \$3,000 |
| Brooklyn Spring Fair  | Hawkesbury River Childcare<br>Centre | \$2,851 |
| Yarra Foundation  | Yarra Nowruz Market                  | \$2,999 |

|  |  |          |
|--|--|----------|
| Thornleigh West Public-School Parents and Citizens (P&C) | Thornleigh West Public-School Fair       | \$3,000  |
| Hornsby RSL Sub-Branch                                   | Seniors Week Afternoon Tea Dance         | \$1,800  |
| Eulora Toastmasters                                      | Toastmasters Public Speaking Competition | \$800    |
| Bobbin Head Cycle Classic                                | Bobbin Head Cycle Classic 2024           | \$3,000  |
|  | Total                                    | \$17,450 |

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

AGAINST: NIL

**MATTERS OF URGENCY**

Nil

**THE MEETING** concluded at 7.30pm.

These Minutes were confirmed at the meeting held on Wednesday 13 March 2024, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN