



MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 23 October 2024
at 6.30pm



Hornsby Shire Council – Minutes of General Meeting of 23 October 2024

WELCOME TO COUNTRY

A Welcome to Country was given by the Darug and GuriNgai Traditional Owner representative, Aunty Ros Fogg.

PRESENT

Councillors Waddell (Chairman), Ball, Conley, Greenwood, McClelland, McIntosh, McSweeney, Seaglove, Simons, and Tilbury.

NATIONAL ANTHEM

OPENING PRAYER

Pastor Sabina Gao from Truth to Victory Community 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."

OATH OR AFFIRMATION OF OFFICE

The Mayor advised that all Councillors are required to take an Oath or Affirmation of Office at the beginning of their term of office and this must be done before participating in a Council meeting.

The Mayor took the following Oath of Office:

"I, Warren Waddell, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

The Mayor then invited each Councillor in turn to take an Oath or Affirmation of Office. They all did so in the following order:

Councillor Seaglove took the Affirmation.

“I, Jane Seaglove, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor Simons took the Oath.

“I, Olivia Simons, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor Tilbury took the Oath.

“I, Nathan James Tilbury, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor Ball took the Affirmation.

“I, Monika Ball, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor McClelland took the Oath.

“I, Sallianne Nancy McClelland, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor McIntosh took the Affirmation.

“I, Janelle Christina McIntosh, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment”.

Councillor Conley took the Affirmation.

"I, Matthew Lancaster Conley, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor Greenwood took the Oath.

"I, Verity Anne Greenwood, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

Councillor McSweeney took the Oath.

"I, Benjamin Adam McSweeney, swear that I will undertake the duties of the office of councillor in the best interests of the people of Hornsby Shire and the Hornsby Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment".

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 MCINTOSH, seconded by COUNCILLOR MCCLELLAND,

THAT the Minutes of the General Meeting held on Wednesday 14 August 2024 be confirmed, a copy

having been distributed to all Councillors.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH,
MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

12 MM8/24 Civic Pride in Our Environment - Graffiti Removal

(F2008/00359-005)

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

THAT:

1. The General Manager prepare a report outlining options for a Shire wide graffiti strategy with a strong focus on community involvement in preventing unwanted graffiti and removal of unwanted attacks on private property.
2. The General Manager investigate potential existing and additional dedicated spaces for graffiti art across the shire, to ensure that local street artists and youth have space to create and display their artwork.
3. The General Manager's final report be presented to Council no later than six months from this minute.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH,
MCSWEENEY, SEAGLOVE, SIMONS, 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 1, 3, 4, 5, 6, 9 and 10 were withdrawn for discussion.

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

THAT the recommendations in respect of items 2, 7 and 8 be adopted.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

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

Note: Item 11 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 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 GM48/24 June 2024 Performance Report on the 2023-2026 Delivery Program and Quarterly Budget Review Statement

(F2023/00012)

Mr Roman Goydych, of Cherrybrook addressed Council regarding this item.

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

THAT:

1. The June 2024 Performance Report showing progress of the 2023-2026 Delivery Program including the 2023/24 Operational Plan and Budget be received and noted.
2. The Quarterly Budget Review Statement for the period ending June 2024 be received and

noted.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

2 GM49/24 Revised Community Engagement Strategy for Exhibition

(F2018/00308)

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

THAT:

1. Council adopts for public exhibition the revised draft Community Engagement Strategy attached to General Manager's Report GM49/24 and make the document available for public comment from 24 October to 20 November 2024.
2. Following the public exhibition, a further report be brought to Council for consideration outlining the submissions and proposed amendments for adoption at the December 2024 General Meeting.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

CORPORATE SUPPORT DIVISION

3 CS43/24 General Purpose Financial Reports - 2023/24 Financial Year

(F2023/00141)

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

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

THAT the:

1. 2023/24 General 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 2023/24 Financial Reports.

3. 2023/24 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 2023/24 Financial Reports and Auditor’s Report will be formally “presented to the public”.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

4 CS49/24 Filling of Casual Councillor Vacancies - 2024 to 2028 Council Term

(F2023/00011)

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

THAT:

1. The contents of Director’s Report No. CS49/24 be received and noted.
2. Pursuant to section 291A(1)(b) of the Local Government Act, casual vacancies occurring in the office of Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024, be filled by a countback of the votes cast at that election for the office in accordance with section 291A of the Act.
3. The General Manager notify the NSW Electoral Commission of Council’s decision within seven days of the decision.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

5 CS51/24 Election of Deputy Mayor

(F2004/07075)

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

THAT:

1. Council elect a Deputy Mayor for the period to September 2025.
2. The election of Deputy Mayor be conducted using the Open Voting method.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

The Mayor asked the General Manager to act as Returning Officer and conduct the election of the Deputy Mayor. The General Manager announced that he had received one written nomination for the position of Deputy Mayor, that being for Councillor McIntosh. Councillor McIntosh confirmed her acceptance of the nomination. As no further nominations were received, the General Manager announced that Councillor McIntosh was elected as Deputy Mayor for the period to September 2025.

6 CS50/24 Councillor Representation on External Committees and Working Parties - October 2024 to September 2025

(F2004/07056)

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

THAT Councillor representation on external Committees and Working Parties for the period October 2024 to September 2025 be as indicated in the table below:

Council Committee/Working Party	Councillor Representation
Hornsby Kuring-gai Bush Fire Management Committee	Delegates – Mayor, Clr McSweeney Alternates – Clr Ball, Clr Tilbury, Clr Seaglove
Hornsby Kuring-gai Rural Fire Service Liaison Committee	Delegates – Mayor Alternates – Clr Seaglove, Clr Ball, Clr Conley
Hornsby Shire Traffic Committee	Delegate – Clr Greenwood, Alternate – Clr McSweeney
NSW Public Libraries Association	Delegate – Clr McIntosh Alternate – Clr McClelland, Clr Simons
Hornsby Shire Dementia Alliance	Delegates – Clr McIntosh, Clr Greenwood Alternate – Clr McClelland

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

7 CS47/24 Investments and Borrowings for 2024/2025 - Status for the Period Ending 31 July 2024 and 31 August 2024

(F2004/06987-02)

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

THAT the contents of Director's Report No. CS47/24 be received and noted.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

8 CS53/24 Pecuniary Interest and Other Matters Returns - Disclosures by Councillors and Designated Persons

(F2023/00191)

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

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 Councils Code of Conduct.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

9 CS54/24 Local Government NSW - 2024 Annual Conference - Determination of Voting Delegates

(F2023/00176)

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

THAT Councillors Waddell, Ball, Conley, Greenwood, McIntosh, McSweeney, Seaglove, Simons, and Tilbury be registered to attend and act as Council's voting delegates for voting on Motions at the 2024 LGNSW Annual Conference.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

10 CS56/24 Northern Sydney Regional Organisation of Councils (NSROC) - Appointment of Councillors to the Board

(F2004/07056)

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

THAT:

1. Councillors Waddell and Tilbury be appointed as Council's delegates to the Northern Sydney Regional Organisation of Councils (NSROC) Board.
2. Councillors McIntosh and McClelland be appointed as Council's alternative delegates to the NSROC Board.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, TILBURY AND WADDELL

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

Nil

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS

Mr Roman Goydych, of Cherrybrook addressed Council in relation to information provided to Council.

Ms Stacey Powell, of Berowra Heights addressed Council in relation to building and compliance issues in the local area.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

11 MN7/24 MAYORS NOTES 01 AUGUST 2024 TO 30 SEPTEMBER 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.

Wednesday 7 August 2024 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Wednesday 14 August 2024 – The Mayor attended opening of the new Hornsby NRMA Insurance Branch, in Hornsby.

Wednesday 21 August 2024 – On behalf of the Mayor, the Deputy Mayor Councillor Tilbury attended the CAPA (Creative and Performing Arts) Festival at Pennant Hills High School.

Saturday 31 August 2024 – The Mayor attended the Westleigh Rural Fire Brigade 60th Anniversary Dinner at Magpies, Waitara.

Saturday 7 September 2024 – The Mayor attended the Netball Grand Finals at the netball courts on Cannon Road, South Turramurra.

Sunday 8 September 2024 – On behalf of the Mayor, the Deputy Mayor Councillor Tilbury attended IABBV Hindi School celebrates Hindi Divas 2024 at Thornleigh West Pennant Hills Community Hall at Thornleigh.

Tuesday 17 September 2024 – The Mayor, hosted two Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Tuesday 24 September 2024 – The Mayor attended the Rise for Unity Graduation Ceremony at the PCYC Hornsby Ku-Ring-Gai, Waitara.

Thursday 26 September 2024 – The Mayor attended the Waitara Public School School's Annual Exhibition of Learning Showcase at Waitara.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

SUPPLEMENTARY REPORTS

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 7.17pm.

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

CONFIRMED

CHAIRMAN
