

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 9 April 2025
at 6:30 PM



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 Rob Giles from Northbridge Vineyard Church, Thornleigh 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 a request for leave of absence from Councillor Simons for the period 8 May 2025 to 5 June 2025 be accepted and leave of absence be granted.

FOR: COUNCILLORS BALL, CONLEY, GREENWOOD, MCCLELLAND, MCINTOSH, MCSWEENEY, SEAGLOVE, SIMONS, 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 MCINTOSH, seconded by COUNCILLOR GREENWOOD,

THAT the Minutes of the General Meeting held on Wednesday 12 March 2025 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

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 2, 7 and 9 were withdrawn for discussion.

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

THAT the recommendations in respect of items 1, 3, 4, 5 and 6 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 8 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 GM17/25 Audit Risk and Improvement Committee - Terms of Reference and Membership

(F2019/00136)

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

THAT:

1. The Terms of Reference for the Audit Risk and Improvement Committee, as amended, be adopted.
2. Mr Stephen Coates be reappointed as Chairperson of the Audit Risk and Improvement Committee for a further 4-year term effective from 10 November 2025.
3. The fee for the Chairperson be set at \$17,600 per annum effective from 10 November 2025.
4. The other independent members of the Committee be invited to seek reappointment, or new members be invited to join the Committee through an Expression of Interest, in accordance

with the process outlined in General Manager's Report No.GM17/25.

5. The fee for the independent members be set at \$1,980 per meeting effective from 9 March 2026.

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

AGAINST: NIL

2 GM18/25 Draft 2025-2029 Delivery Program including the 2025/26 Operational Plan, Budget and Fees and Charges - Adoption for Public Exhibition

(F2025/00067)

MOVED ON THE MOTION OF COUNCILLOR MCSWEENEY, seconded by COUNCILLOR GREENWOOD,

THAT:

1. Council adopt for public exhibition the draft 2025-2029 Delivery Program and 2025/26 Operational Plan which includes the draft Budget, Fees and Charges and Rating Structures for 2025/26 and make available for public comment from 10 April to 12 May 2025.
2. Council note the rating information contained in the draft 2025-2029 Delivery Program and 2025/26 Operational Plan that aligns with Year 3 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 6.5% rate increase for 2025/26).
3. Following public exhibition, after consideration of all submissions, the 2025-2029 Delivery Program and 2025/26 Operational Plan, including Budget, Fees and Charges and Rating Structure, be referred to Council for further consideration and adoption before 30 June 2025.
4. Council note the access and parking limitations for users of Cheltenham Oval, and that Council holds an informal Councillor briefing to explore practical opportunities to sustainably improve access and drop-off arrangements at this facility.

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

THAT:

1. Council adopt for public exhibition the draft 2025-2029 Delivery Program and 2025/26 Operational Plan which includes the draft Budget, Fees and Charges and Rating Structures for 2025/26 and make available for public comment from 10 April to 12 May 2025.
2. Council note the rating information contained in the draft 2025-2029 Delivery Program and 2025/26 Operational Plan that aligns with Year 3 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 6.5%

rate increase for 2025/26).

3. Following public exhibition, after consideration of all submissions, the 2025-2029 Delivery Program and 2025/26 Operational Plan, including Budget, Fees and Charges and Rating Structure, be referred to Council for further consideration and adoption before 30 June 2025.

THE AMENDMENT MOVED BY COUNCILLOR MCINTOSH, seconded by BALL WAS PUT AND LOST

FOR: COUNCILLORS BALL, MCINTOSH AND SIMONS

AGAINST: COUNCILLORS CONLEY, GREENWOOD, MCCLELLAND, MCSWEENEY, SEAGLOVE, TILBURY AND WADDELL

THE MOTION MOVED BY COUNCILLOR MCSWEENEY, seconded by COUNCILLOR GREENWOOD WAS PUT AND CARRIED.

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

AGAINST: NIL

CORPORATE SUPPORT DIVISION

3 CS3/25 Review of Policies and Codes - General Manager's and Corporate Support Divisions

(F2025/00014)

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

THAT Council adopt the recommendations contained in the table in Director's Report No. CS3/25 in respect of each of the current policies under the jurisdiction of the General Manager's and Corporate Support Divisions.

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

AGAINST: NIL

4 CS12/25 Draft Asset Management Strategy 2025/26 to 2034/35

(F2024/00060)

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

THAT Council adopt the Asset Management Strategy and Asset Management Plans 2025/26 to 2034/35 attached to Director's Report No. CS12/25.

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

AGAINST: NIL

5 CS14/25 Investments and Borrowings for 2024/2025 - Status for the Period Ending 28 February 2025

(F2004/06987-02)

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

THAT the contents of Director's Report No. CS14/25 be received and noted.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

6 PC7/25 Draft Heritage Amendments to the Hornsby Development Control Plan

(F2020/00185#008)

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

THAT:

1. The draft Heritage Development Control Plan Amendments attached to Director's Report No. PC7/25 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

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

AGAINST: NIL

7 PC8/25 Draft Dual Occupancy Amendments to the Hornsby Development Control Plan

(F2021/00318)

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

THAT:

1. The draft Dual Occupancy Development Control Plan amendments attached to Director's Report No. PC8/25 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

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

THAT Council move in to Confidential Session to discuss Item 9. Confidential General Manager's Report No. GM22/25 Legal Advice.

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

AGAINST: NIL

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

THAT Council move out of Confidential Session.

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

AGAINST: NIL

9 GM22/25 Legal Advice

This report was dealt with in confidential session, under Section 10A (2) (g) of the Local Government Act, 1993. This report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(F2016/00186-003)

MOVED ON THE MOTION OF COUNCILLOR BALL, seconded by COUNCILLOR SIMONS,

THAT Council progress actions as outlined in Option 1. contained within Confidential General Manager's Report No. GM22/25.

AN AMENDMENT WAS MOVED BY COUNCILLOR MCINTOSH, seconded by COUNCILLOR MCCLELLAND,

THAT Council progress actions as outlined in Option 3. contained within Confidential General Manager's Report No. GM22/25.

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

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

AGAINST: COUNCILLORS BALL AND SIMONS

THE AMENDMENT THEREBY BECAME THE MOTION WHICH WAS PUT AND CARRIED

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

AGAINST: COUNCILLORS BALL AND SIMONS

PUBLIC FORUM – NON AGENDA ITEMS

Mr George Nadwie, on behalf of Galston Area Residents Association addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Mr Martin Pluss, on behalf of Pennant Hills Civic Trust addressed Council regarding the Natural Areas Recreational Strategy process and the amenity of Pennant Hills Town Centre.

Mr John Inshaw, on behalf of Galston Area Residents Association addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Miss Zara Queenan, of Galston addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Mrs Clair Queenan, of Galston addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Mr David Martin, on behalf of Hornsby Conservation Society addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

Ms Katrina Emmett, of Galston addressed Council regarding the Draft Planning Proposal, 1-3 Johnson Road, Galston.

QUESTIONS WITH NOTICE

Nil

MAYOR'S NOTES

8 MN3/25 Mayor's Notes 01 March 2025 to 31 March 2025

(F2004/07053-002)

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 March 2025 – The Mayor attended Art North Exhibition, at Grace Cossington Smith Gallery, Abbotsleigh Girls High School.

Tuesday 4th March 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended the 'Time to Shine' exhibition, Wallarobba Arts & Cultural Centre.

Friday 7th March 2025 – The Mayor attended Food Truck Fridays, at Galston Recreation Reserve,

Galston.

Monday 10th March 2025 – The Mayor attended Mark Taylor Oval Pavilion Sod Turning Ceremony, Waitara.

Tuesday 11th March 2025 – The Mayor attended Soroptimist International of Hornsby's International Women's Day Breakfast, at Kipling's Garage Bar, Turramurra.

Saturday 15th March 2025 – The Mayor attended Binnowee Kindergarten's 90th Anniversary, West Pennant Hills.

Saturday 15th March 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended a Welcome Picnic and Smoking Ceremony, at Jack and Jill Kindergarten, Hornsby.

Tuesday 18th March 2025 – On behalf of the Mayor, Councillor McClelland attended Ku-ring-gai Financial Services Limited's 21st Birthday Grand Presentation Night, at Lindfield Rollers Bowling Club, East Lindfield.

Tuesday 18th March 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended the Cyrus Association of Australia's Chaharshanbe Suri Celebration, Berowra.

Wednesday 19th March 2025 – The Mayor hosted three Citizenship Ceremonies in the Council Administration Building, Hornsby.

Friday 21st March 2025 – The Mayor attended Terry White Chemmart Hornsby's 10th birthday cake cutting event, Hornsby.

Friday 21st March 2025 – The Mayor attended the Harmony Day Morning Tea, at Hornsby Library.

Friday 21st March 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended Chantal Cottage Blessing and Opening Ceremony, Wahroonga.

Wednesday 26th March 2025 – The Mayor attending the community screening of The Last Anniversary, at Event Cinemas, Hornsby.

Sunday 30th March 2025 – On behalf of the Mayor, Councillor McClelland attended the 1st concert of the year for Golden Kangaroos Hornsby Concert Band, Epping.

Sunday 30th March 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended the three series book launch by Dudley Hood, at the Hornsby RSL.

CALLED OVER AND NOTED

NOTICES OF MOTION

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 7.46pm.

These Minutes were confirmed at the meeting held on Wednesday 14 May 2025, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

Hornsby Shire Council – Minutes of General Meeting of 9 April 2025

GENERAL MANAGER

CHAIRMAN