



SUPPLEMENTARY BUSINESS PAPER

**(Mayoral Minutes)
GENERAL MEETING**

**Wednesday 12 November 2025
at 6:30 PM**



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12 RESIGNATION OF GENERAL MANAGER AND APPOINTMENT OF AN ACTING GENERAL MANAGER - DELEGATION AND POWER OF ATTORNEY

After seven years at Hornsby Shire Council, Mr Steven Head has resigned from his position as General Manager.

Steven has served as General Manager since 2018, bringing a wealth of experience from senior roles in metropolitan Sydney councils and the NSW Government. Over the past seven years, he has made a significant and lasting contribution to Hornsby Shire, helping to shape its future through a number of transformative projects and initiatives.

Steven's achievements during his tenure at Council have been many. In particular, his prudent financial management has resulted in Council being in a strong financial position paving the way for a positive future. He steered Council through the COVID 19 Pandemic and simultaneously relocated office staff to Thornleigh while the Administration Centre was refurbished and cleared of asbestos. His dedication and passion to the development of Hornsby Park have resulted in a substantial transformation of the site and first stages of the project will soon be open to the public.

Under Steven's leadership, Council delivered key milestones including the Hornsby Town Centre Masterplan, the adoption of a Special Rate Variation and a substantial uplift in capital works. He also guided the development of strategic frameworks such as *Your Vision Your Future*, the Local Strategic Planning Statement (LSPS), and the Local Environmental Plan (LEP) review.

Steven was also a Board Member of Statewide Mutual - Council's insurer and was a leading figure in the local government waste management sector.

Council extends its thanks to Steven Head for his years of leadership and commitment to the Shire.

Given the resignation of the General Manager the Council needs to consider the appointment of an Acting General Manager until an appropriate time an external recruitment process can be undertaken to find a replacement. It is my recommendation that in lieu of commencing the recruitment process for a replacement General Manager over the end of year period, the Director Corporate Support – Mr Glen Magus, be appointed Acting General Manager from 12 November 2025 to 12 November 2026 or until such time as the new General Manager is appointed.

Subject to Council's endorsement of Glen Magus to the position of Acting General Manager for the period nominated in this Mayoral Minute, it is appropriate to grant a Delegation of Authority to Mr Magus and also appoint him to be Council's attorney.

Pursuant to Section 377 of the Local Government Act 1993 (the Act) a Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council other than matters set out in Section 377 of the Act. Some of the functions which cannot be delegated to a General Manager under Section 377 of the Act include the making of rates, the fixing of charges, the setting of fees, the borrowing of money and the adoption of the annual financial statements.

The General Manager may, pursuant to Section 378 of the Act, delegate, or sub-delegate, any of the functions of a General Manager, other than this power of delegation, to any person or body, including another employee of the Council. A large number of staff consequently have individual delegations from the General Manager in accordance with these provisions. The only exception to this power of delegation granted to the General Manager is that, pursuant to Section 379 of the Act, the General Manager can only delegate a regulatory function of a Council to a committee of the Council (the members of which are all Councillors, or are either Councillors or employees of the Council) or an employee of the Council, and not to any other person or body.

Section 381 of the Act requires that a person must not, under any other Act, delegate a function to the General Manager except with the approval of the Council, or delegate a function to another employee of council except with the approval of the both the Council and the General Manager.

The formal delegation of authority from Council to the General Manager, and from the Acting General Manager to other designated staff, provides for efficient and effective decision making and delivery of Council services.

Although broad functions are delegated to the General Manager, and then subsequently delegated to staff, this does not preclude the Mayor or any Councillor specifically requesting that a matter be placed before the Council for determination. This right is stated in the delegation document. Similarly, the General Manager is not delegated to make decisions on major unique items where no policy, practice or code of the Council exists.

Council's record in the exercise of delegations has been demonstrated over a long period of time to be appropriate with the General Manager and senior staff ensuring that matters of significant interest to Councillors are advised through weekly communiques and other communication with Council. Where relevant, staff have demonstrated a willingness on potentially sensitive matters to consult with Council in the application of their delegations.

There have been no issues associated with the operation of the General Manager's delegation since the last review in December 2024 and the delegation has recently been reviewed by a panel lawyer. The core delegations are recommended to remain unchanged and no change to the existing practice, and delegations given to the General Manager, is proposed. The wording of the delegation is shown in the recommendation to this report.

Delegations of Authority to staff include reference to the appropriate Acts, and areas of delegation such as operational, financial, personnel, management, and determination of applications.

The Power of Attorney document has also been recently reviewed by a panel lawyer. There have been no issues associated with the operation of this Power of Attorney since the last review in December 2024 and the powers and restrictions set out in the document are recommended to remain unchanged. The wording of the Power of Attorney is shown in the recommendation to this report. The end date for this Power of Attorney is nominated to be 12 November 2026 being 12 months from the date of commencement which is the maximum tenure for an Acting General Manager pursuant to section 351 of the Act.

In the normal course of operation, the General Manager's delegation of authority typically outlines the General Manager's powers and responsibilities, allowing them to make decisions and take actions on behalf of Council within specified parameters. There may be situations that require the General Manager to hold additional legal powers beyond what is typically granted in the general delegation of authority. Accordingly, the Power of Attorney as proposed in this Report, grants the General Manager further authority to engage in certain transactions or negotiations that involve legal formalities or

requirements not covered in the Delegation of Authority. In certain instances, a Power of Attorney might otherwise be required to ensure that the General Manager has the necessary legal standing to act on behalf of Council and bind it to legal obligations.

The granting of a Power of Attorney to the General Manager has the following benefits:

1. Council would not have to specifically resolve to affix the Seal to documents which the General Manager or other Officers have the authority to execute, such as positive covenants, restrictions as to users, leases and licences.
2. It would not be necessary for the Mayor or a Councillor to have to be present to sign a document which otherwise requires the Seal of Council.
3. A Power of Attorney can be registered at the Land Titles Office and, as such, is evidence in its own right of the necessary Council authorisation should a document signed by the attorney be presented for registration.
4. It greatly reduces administrative procedures required to execute documents.
5. It would reduce instances of delay for Council customers requiring dealings to be executed by Council.

Should Council agree with the approach to grant such Power of Attorney, the Power of Attorney document would then be executed under Council's Seal. From then on, documents executed pursuant to the Power of Attorney would not need to be sealed with Council's Seal, merely signed by the General Manager as the person appointed as Council's attorney. Of course, this would not prevent Council specifically resolving to affix its Seal to certain documents at any time in the future.

In accordance with Council's Higher Duties Determination it is appropriate that whilst acting in the role of Acting General Manager, Mr Magus's Total Remuneration Package (TRP) initially sit at 95% of the TRP of the General Manager.

Having regard to the abovementioned information, the matter is submitted to Council for consideration. The proposed wordings of the Delegation of Authority and Power of Attorney set out in the recommendation below have been reviewed by Council's legal representative, Keith Redenbach at Redenbach Legal.

RECOMMENDATION

THAT:

1. Council thank Mr Steven Head for his outstanding service, dedication and commitment to the Hornsby Shire community and extend our best wishes to him for the next stages of his career.
2. That the Power of Attorney granted to Mr Steven Head on 11 December 2024 be revoked.
3. Council appoints the Director Corporate Support, Mr Glen Magus to be Acting General Manager from 12 November 2025 until 12 November 2026 or until such time as the new General Manager is appointed.
4. The following delegation be granted to the Acting General Manager, and any person holding the position in an acting capacity:

Delegation of Authority

Pursuant to the powers of delegation conferred on Council by Sections 377 and 381 of the *Local Government Act 1993* (NSW), **HORNSBY SHIRE COUNCIL** delegates to **GLEN MAGUS**, Acting General Manager of the Council, the power to exercise all the functions, powers, duties, and authorities conferred upon Council pursuant to:

1. The *Local Government Act 1993* (NSW).
2. The *Environmental Planning and Assessment Act 1979* (NSW).
3. All other Acts whatsoever under which Council has functions, powers, duties, and authorities.
4. All regulations, by-laws, rules and the like made by or under any of the Acts referred to in 1, 2 or 3 above.

Subject to any resolution made from time to time by the said Council and provided always that such delegation of powers shall not and shall not be deemed to extend to:

1. Any of the matters expressly reserved to the Council in section 377 of the *Local Government Act 1993* (NSW).
2. The alteration of the meeting cycle of Council.
3. The overview and direction of business activities.
4. The role of the Mayor as provided for in and determined under section 226 of the *Local Government Act 1993* (NSW).
5. Major unique items where no policy, practice or code of the Council exists.
6. Adoption of Local Environmental Plans, Development Control Plans and section 7.11 and 7.12 Contribution Plans pursuant to the *Environmental Planning and Assessment*

Act 1979 (NSW).

7. Adoption of Council policies and codes.
8. Items in respect of which the Mayor or a Councillor has specifically requested the Acting General Manager to place before Council for determination by Council.

Subject to the provisions of the *Local Government Act 1993* (NSW) and the other Acts referred to above the functions, powers, duties and authorities hereby delegated by Council to the General Manager pursuant to this resolution remain in force until otherwise revised or revoked by resolution of the Council; and

Subject to Council reviewing each delegation during the first 12 months of each term of office.

5. The following Power of Attorney be granted to the General Manager:

Power of Attorney

1. The Council appoints **Glen Magus**, Acting General Manager of the Hornsby Shire Council to be its Attorney. Council's Attorney may exercise authority conferred on him by Part 2 of the *Powers of Attorney Act 2003* (NSW) to do so on Council's behalf anything Council may lawfully authorise an Attorney to do. Council's Attorney's authority is subject to any additional powers and restrictions specified in Part 2 of this document.
2. This Power of Attorney operates from 12 November 2025 until 12 November 2026 unless the Acting General Manager vacates office prior to this date.

PART 2 – Additional Powers and Restrictions

This Power of Attorney is subject to the following conditions and limitations:

This Power of Attorney authorises the Attorney to execute documents, dealings and instruments relating to the matter detailed in the Schedule and for the purpose of giving effect to resolutions of the Council where resolutions are required relating to the matters, including those detailed in the Schedule:

SCHEDULE

1. The creation (whether by acquisition or other means), disposal or extinguishment of an interest in land.
2. The creation, disposal, variation or extinguishment of a right, obligation, easement, or other interest in land.
3. Contracts, and all other necessary documents, for the purchase and sale of land.
4. Licences and leases.
5. Contracts for works services and supply of goods.

6. The Common Seal of Council be affixed to the Power of Attorney document.

Cr WARREN WADDELL

Mayor

Attachments:

There are no attachments for this report.

File Reference: F2004/09419-015

Document Number: D09256189

ITEM 12

13 ACKNOWLEDGEMENT OF BEECROFT AND DISTRICT GARDEN CLUB

I am very pleased to acknowledge the Beecroft and District Garden Club as a recent recipient of the Garden Clubs of Australia Eleanor McLeod award for outstanding service to their local community - notably the Club's involvement in the Beecroft Station Gardens which includes the Club members maintaining some garden beds.

This involvement first arose back in 2018 when Council officers were planning the then, new park and sought input from the Beecroft and District Garden Club. These plans, with guidance of club members, have since been achieved which has seen the former run-down park, transformed into a park today that contains a planting display that reflects the high level of horticultural interest that exists in the community and a place to eat, rest and play.

Club members participate in working bees that includes mulching, weeding, trimming and planting resulting in improvements in the soil profile and health of the plants. As some Garden Club members have downsized into apartments working in the Station Gardens provides opportunities to socialise and participate in garden activities. Club members also cultivate plants from their home garden and are able to share these and contribute to the plant display in the Station Gardens.

This project has been a successful partnership between the Beecroft and District Garden Club and Council and on behalf of Council I would like to thank and applaud the Club for their efforts at Beecroft Station Gardens and acknowledge their recent receipt of the Eleanor McLeod Award from the Garden Clubs of Australia for service to their local community.

RECOMMENDATION

THAT Council formally acknowledge and thank the Beecroft and District Garden Club for their voluntary service in contribution to the garden display at the Beecroft Station Gardens which was also recently acknowledged by the Garden Clubs of Australia through the Eleanor McLeod Award.

Cr WARREN WADDELL

Mayor

Attachments:

There are no attachments for this report.

File Reference: F2004/05879-007

Document Number: D09257644

14 RECOGNITION OF MRS NAN HORNE OAM

On behalf of Council, I would like to acknowledge and celebrate Mrs Nancy Horne OAM, a distinguished former Councillor and the first and to date, only female to serve as President of Hornsby Shire Council, prior to the title being changed to Mayor.

Born in Albany, Western Australia, in 1925, Nan Horne grew up near Cranbrook. A scholarship to Albany High School sparked her passion for teaching, a career she pursued until her retirement in 1980.

In 1962, Nan Horne and her husband, Ray Horne, great-great-grandson of Samuel Henry Horne, the ex-convict and early police constable after whom Hornsby is named moved to Cherrybrook. There, she became an active community advocate. Her involvement began through the local progress association during discussions about what is now Greenway Park, and she later played a leading role in establishing the Cherrybrook Community Pre-School in 1987.

That same year, Nan Horne was elected to Council, serving the community with distinction for 21 years, from 1987 to 2008. Serving as Deputy Shire President between Sept 1988-Sept 1989 and as President from September 1990 to September 1992, she helped guide the transformation of Cherrybrook from a semi-rural area into a family-oriented suburb with the open space and amenities the community enjoys today.

Her legacy remains across the Shire, particularly in Cherrybrook, through her contributions to local education, parks, and community life.

On behalf of Council and the community, I extend our warmest congratulations to Nan Horne on reaching her 100th birthday and express our sincere appreciation for her many years of dedicated service and lasting contribution to the Hornsby Shire community.

RECOMMENDATION

THAT Council formally recognise and congratulate Mrs Nan Horne on the occasion of her 100th birthday and acknowledge her outstanding service to Hornsby Shire Council and the local community.

Cr WARREN WADDELL

Mayor

Attachments:

There are no attachments for this report.

File Reference: F2004/05879-007

Document Number: D09258406

ITEM 14