

MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 9 June 2021
at 6:30PM



PRESENT

Councillors Ruddock (Chairman), Browne, del Gallego, Heyde, Hutchence, Marr, Nicita, Tilbury and Waddell.

NATIONAL ANTHEM

OPENING PRAYER

Father Stephen Wayoyi from St Agatha's Catholic Church, Pennant Hills 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."

ACKNOWLEDGEMENT OF COUNTRY

Statement by the Chairman:

"Council recognises the Traditional Owners of the lands of Hornsby Shire, the Darug and Guringai peoples, and pays respect to their Ancestors and Elders past and present and to their Heritage. We acknowledge and uphold their intrinsic connections and continuing relationships to Country."

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 BROWNE, THAT the apology and request for leave of absence from Councillor McIntosh in respect of an inability to attend the General Meeting on 9 June 2021 be accepted and a leave of absence be granted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, 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 BROWNE, seconded by COUNCILLOR HEYDE,
THAT the Minutes of the General Meeting held on Wednesday 12 May 2021 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR HEYDE,
THAT the Minutes of the Extraordinary Meeting held on Wednesday 19 May 2021 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

PETITIONS

COUNCILLOR HEYDE tabled a petition on behalf of Hornsby Shire Climate Action Group commending Council on its commitment to climate action and urging Council to commit to 100% clean electricity in its next procurement.

COUNCILLOR MARR tabled a petition with 850 signatures from local environmental groups in support of Council's initiatives in the protection of endangered bushland environments in Westleigh Park and Hornsby Quarry.

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 1, 2, 7, 11 and 12 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE seconded by COUNCILLOR TILBURY, THAT the recommendations in respect of items 3, 4, 5, 6, 8 and 9 be adopted.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, 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 matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.

Note: Persons wishing to address Council on Non-Agenda items were permitted to speak after all items on the Agenda 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 GM24/21 Electricity Procurement

(F2008/00466-003)

Ms Susan Day, of Cheltenham addressed Council regarding this item.

Miss Nicoline Elder, of Cheltenham addressed Council regarding this item.

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

1. Council delegate authority to the General Manager to enter into contracts with the preferred electricity retailer(s) in respect of the Program for Energy and Environmental Risk Solutions (PEERS 3) after the receipt of recommendations from Southern Sydney Regional Organisations of Councils Inc (SSROC) Procurement Evaluation Panel.
2. The General Manager seek to procure up to 100% renewable energy in accordance with the principles of financial sustainability and carbon reduction as detailed in General Manager's Report No. GM24/21.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

2 GM25/21 Adoption of Council's 2021-2022 Delivery Program including the Operational Plan 2021/22 (Incorporating the Budget, Rating Structure and Fees and Charges)

(F2020/00348)

Mr Jonathan Gray, on behalf of the Hornsby Ku-ring-gai District Tennis Association addressed Council regarding this item.

Mr James Solomons, of Fiddletown addressed Council regarding this item.

Mr Mick Gallagher, of Mount Colah addressed Council regarding this item.

Mr Ross Walker, on behalf of Beecroft Cheltenham Civic Trust addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE,
THAT:

1. Council note the responses provided in Table 1A to the public submissions received during the exhibition of the draft 2021-2022 Delivery Program and Operational Plan 2021/22.
2. Subject to incorporation of the recommendations detailed in the Budget section, and Table 1A and Table 1B attachments, of General Manager's Report No. GM25/21, Council adopt the 2021-2022 Delivery Program and Operational Plan 2021/22 (which incorporates the Budget, Fees and Charges and Rating Structure for 2021/22).
3. Council make and levy the 2021/22 Ordinary Rates on all rateable land in the Shire in accordance with Table 2 of General Manager's Report No. GM25/21.
4. Council make and levy the 2021/22 Catchments Remediation Rate on all rateable land in the Shire in accordance with Table 3 of General Manager's Report No. GM25/21.

FOR: COUNCILLORS BROWNE, DEL GALLEGOS, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

CORPORATE SUPPORT DIVISION

3 CS29/21 Debts to be Written Off - 2020/21 Financial Year

(F2004/06978-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT for 2020/21, and in accordance with Clause 213 of the Local Government (General)
Regulation, Council:

1. Write off debts considered bad totalling \$2,854 (as detailed in Schedule A attached to Director's Report No. CS29/21).
2. Note debts considered bad totalling \$13,320 written off under the General Manager's delegated authority (as detailed in Schedule B attached to Director's Report No. CS29/21).

FOR: COUNCILLORS BROWNE, DEL GALLEGOS, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

4 CS30/21 Local Government Remuneration Tribunal - 2021 Report and

Determination - Mayor and Councillor Fees - 2021/22 Financial Year

(F2004/09552-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT:

1. As a consequence of the 2021 Report and Determination of the Local Government Remuneration Tribunal, Council note that it remains in the Metropolitan Medium Category of NSW councils for the period 1 July 2021 to 30 June 2022.
2. In accordance with Section 248 of the Local Government Act and having considered the 2021 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$26,310 be paid to each Councillor for the period 1 July 2021 to 30 June 2022.
3. In accordance with Section 249 of the Local Government Act and having considered the 2021 Report and Determination of the Local Government Remuneration Tribunal, an additional annual fee of \$69,900 be paid to the Mayor for the period 1 July 2021 to 30 June 2022.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

5 CS31/21 Investments and Borrowings for 2020/2021 - Status for Period Ending 30 April 2021

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT the contents of Director's Report No. CS31/21 be received and noted.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

6 CE9/21 Waitara Park Plan of Management

(F2014/00341-02)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT Council:

1. Note the findings of the Public Hearing attached to Director's Report No. CE9/21.
2. Adopt the amended Draft Plan of Management for Waitara Park attached to Director's Report No. CE9/21.
3. Provide public notice of the adoption of the Plan of Management.

FOR: COUNCILLORS BROWNE, DEL GALLEG0, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

7 CE12/21 Report on Submissions - Draft Off-leash Dog Park Strategy
(F2020/00302)

Mrs Di Bowles, on behalf of Brooklyn Community Association addressed Council regarding this item.

Ms Bronwyn Page, of Mount Kuring-gai addressed Council regarding this item.

Mrs Fiona Lisle, of Mount Kuring-gai addressed Council regarding this item.

Dr Julie Zetler, on behalf of Beecroft Cheltenham Civic Trust addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR TILBURY, seconded by COUNCILLOR BROWNE,
THAT:

1. Subject to the removal of the recommendation for a new fully fenced off-leash dog park at Salt Pan Reserve, Brooklyn, Council adopt the amended Off-Leash Dog Park Strategy attached to Directors Report No. CE12/21.
2. Information regarding the finalised Off-Leash Dog Park Strategy be sent to all the participating named individuals from the consultation process, so they can see the outcome of the feedback they provided.

FOR: COUNCILLORS BROWNE, DEL GALLEG0, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

PLANNING AND COMPLIANCE DIVISION

8 PC11/21 Hornsby Local Planning Panel - Appointment of Expert Panel Members
(F2013/00295-002)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT:

1. Council appoint the following expert panel members to the Hornsby Local Planning Panel: Ms Juliet Grant; Ms Linda McClure; Mr Garry Fielding; Mr Steven Layman; Ms Mary-Lynne Taylor; Mr Scott Barwick and Ms Alison McCabe.
2. The expert members be appointed for the term until 29 February 2024.
3. Council advise the Planning Panels Secretariat at the Department of Planning, Industry and Environment in writing of the appointments to the Hornsby Local Planning Panel.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

9 GM23/21 Renewable Energy Proposal

This report was deemed confidential, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

(F2021/00048)

RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR TILBURY,
THAT Council authorise the General Manager to progress the matter in line with the next steps outlined in the Discussion Section of Confidential General Manager's Report No. GM23/21.

FOR: COUNCILLORS BROWNE, DEL GALLEGO, HEYDE, HUTCHENCE, MARR, NICITA,
RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

PUBLIC FORUM – NON AGENDA ITEMS

Mr Martin Pluss, of Pennant Hills addressed Council regarding road safety issues along Cobah Road, Arcadia.

Mr Christopher Bradbury, on behalf of Northholm Grammar School addressed Council regarding road safety issues along Cobah Road, Arcadia.

QUESTIONS ON NOTICE

Nil

MAYOR'S NOTES

10 MN5/21 Mayor's Notes from 01 May - 31 May 2021

(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.

Sunday 2nd May 2021 – The Mayor attended the Knox Grammar School ANZAC Service and Parade held at Knox Grammar School in Wahroonga.

Sunday 2nd May 2021 – The Mayor attended An Australian Community Inspired Association Inc. Tennis Day held at Dural Tennis Centre in Dural.

Wednesday 5th May 2021 – The Mayor hosted four Citizenship Ceremonies held at Council Chambers in Hornsby.

Thursday 6th May 2021 – The Mayor attended the Ku-ring-gai Police Area Command Awards Ceremony held at Magpies Waitara.

Saturday 8th May 2021 – On behalf of the Mayor, Councillor Tilbury attended the Northern Districts Hockey Club Opening Day held at Pennant Hills Park in Pennant Hills.

Sunday 16th May 2021 – The Mayor attended the 'Greening Our Shire' Cherrybrook Community Planting held at Greenway Park East in Cherrybrook.

Wednesday 19th May 2021 – The Mayor hosted four Citizenship Ceremonies held at Council Chambers in Hornsby.

Saturday 22nd May 2021 - The Mayor attended Australia's Biggest Morning Tea with Sydney Community Group held at Greenway Park Club House in Cherrybrook.

Tuesday 25th May 2021 – On behalf of the Mayor, Councillor Tilbury attended the Official Opening of the new Hornsby Berowra Men's Shed in Mount Kuring-gai.

CALLED OVER AND NOTED

NOTICES OF MOTION

11 NOM2/21 Galston Public Domain Project

(F2020/00027)

Mrs Sonja Cameron, on behalf of Arcadia and Galston Residents Association addressed Council regarding this item.

Mr Sal Russo, of Galston addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR DEL GALLEGO, seconded by COUNCILLOR NICITA,
THAT:

1. The \$7.1 million Galston Public Domain project as identified in the Long-Term Financial Plan be placed on hold and incur no further expenditure.
2. An informal workshop be organised after the 2021 Council elections to discuss and review the Galston Public Domain project scope, with options provided by staff, to achieve significant savings to the current forecast expenditure of \$7.1 million whilst still delivering meaningful works that prioritises improved safety and accessibility in Galston Village.
3. Any significant savings achieved by amending the Galston Public Domain project scope be considered for re-allocation to other urgent projects or asset management priorities in the development of a revised Long-Term Financial Plan.

THE MOTION MOVED BY COUNCILLOR DEL GALLEGO, seconded by COUNCILLOR NICITA,
WAS PUT AND LOST

FOR: COUNCILLORS DEL GALLEGO AND NICITA

AGAINST: COUNCILLORS BROWNE, HEYDE, HUTCHENCE, MARR, RUDDOCK, TILBURY
AND WADDELL

12 NOM3/21 Pacific Highway Between Cowan and Brooklyn

(F2005/00324)

Mrs Di Bowles, on behalf of Brooklyn Community Association addressed Council regarding this item.

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

THAT Council:

1. Acknowledge the serious accidents and the unacceptable impacts on residents from noisy and dangerous behaviours of motorcyclists and drivers along the stretch of the Pacific Highway between Cowan and Brooklyn.
2. In addition to the Secretary of Transport for NSW, write to the Minister for Transport, local state and federal Members of Parliament seeking a Road Safety Review of the stretch of the

Pacific Highway between Cowan and Brooklyn and the implementation of corrective actions arising from the Review

FOR: COUNCILLORS BROWNE, DEL GALLEG0, HEYDE, HUTCHENCE, MARR, NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

MATTERS OF URGENCY

Nil

THE MEETING concluded at 8:42pm.

These Minutes were confirmed at the meeting held on Wednesday 14 July 2021, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
