



MINUTES OF GENERAL MEETING

Hosted audio-visually from the
COUNCIL CHAMBERS, HORNSBY
on Wednesday 11 August 2021
at 6:30PM



Hornsby Shire Council – Minutes of General Meeting of 11 August 2021

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Reverend James McFarlane from Hornsby Presbyterian Church and Imam Saleh Gahit of The Hills District Muslim Society 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 MCINTOSH, seconded by COUNCILLOR HUTCHENCE,

THAT the apology and request for leave of absence from Councillor Browne in respect of an inability to attend the General Meeting on 11 August 2021 be accepted and a leave of absence be granted.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH,
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 MCINTOSH seconded by COUNCILLOR NICITA,

THAT the Minutes of the General Meeting held on Wednesday 14 July 2021 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

PETITIONS

Nil

PRESENTATIONS

Nil

RESCISSION MOTIONS

Nil

MAYORAL MINUTES

1 MM6/21 Support for the Nomination of a Ku-ring-gai Geo-Region

(F2018/00162-002)

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

THAT the Mayor write a letter to the Friends of Ku-ring-gai Environment Inc Steering Committee (FOKE), indicating Council's:

1. In principle support of the nomination for a Ku-ring-gai Geo-Region as a Global GeoPark recognised by UNESCO.
2. Support for ongoing community engagement on this proposal particularly with Traditional Owners.

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

AGAINST: NIL

2 MM7/21 Compliance Levies

(F2019/00118)

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

THAT Council write to the Minister for Planning and Public Spaces to:

1. Express Council's disappointment at the lack of consultation with affected councils in its recent decision to make the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021, with the effect of prohibiting councils from continuing to collect compliance levies after 31 December 2021.
2. Note that Council will now be forced to review funding opportunities for its current compliance services with potential detriment to our community and environment.
3. Indicate the changes may restrict Council's capacity to assist State Government compliance agencies in their investigations and enforcement within Hornsby Shire.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH, NICITA, RUDDOCK, 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 8 and 10 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,
THAT the recommendations in respect of items 3, 4, 5, 6, 7 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: Persons wishing to address Council on matters which were on the Agenda were permitted to provide a written submission or address Council, prior to the item being discussed. The names of all submission writers and 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 provide a written submission or address Council, 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

Nil

CORPORATE SUPPORT DIVISION

3 CS48/21 Schedule of Council Meetings and Order of Business to Apply at Those Meetings - September 2021 to September 2022

(F2004/07032)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,
THAT Council adopt:

1. The schedule of ordinary Council meetings for the period September 2021 to September 2022 as set out in Attachment 1 of Director's Report No. CS48/21.
2. The order of business for the ordinary Council meetings to be held in the period September 2021 to September 2022 as set out in Attachment 2 of Director's Report No. CS48/21.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH,

AGAINST: NIL

4 CS49/21 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 MARR,
THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2020 to 30 June 2021 have been tabled in accordance with the Councillors' Expenses and Facilities Policy.

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

AGAINST: NIL

5 CS51/21 Investments and Borrowings (Pre-Audit) for 2020/2021 - Status for Period Ending 30 June 2021

(F2004/06987-02)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,
That the contents of Director's Report No. CS51/21 be received and noted.

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

AGAINST: NIL

COMMUNITY AND ENVIRONMENT DIVISION

6 CE18/21 Minutes of Council Advisory Committees

(F2005/01147-002)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,
THAT the minutes of the meetings of Council's Advisory Committees held during the period since September 2020 and attached to Director's Report No. CE18/21 and Late Item Memo No. LM6/21 be received and noted.

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

AGAINST: NIL

7 CE19/21 Draft Dual Naming and/or Renaming of Council Facilities Policy
(F2005/01147-002)

RESOLVED ON THE MOTION OF COUNCILLOR MCINTOSH, seconded by COUNCILLOR MARR,
THAT Council adopt the draft Dual Naming and/or Renaming of Council Facilities Policy attached to
Director's Report No. CE19/21 for the purposes of public exhibition.

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

AGAINST: NIL

PLANNING AND COMPLIANCE DIVISION

8 PC12/21 Byles Creek Planning Study
(F2020/00288)

Mr Neil Lewis, of Beecroft provided a submission to Council regarding this item.

Mrs Trish Brown, on behalf of Byles Creek Valley Union Inc. addressed Council regarding this item.

Ms Georgia Cameron, of Beecroft provided a submission to Council regarding this item.

Ms Jan Primrose, on behalf of Protecting Your Suburban Environment Inc. addressed Council
regarding this item.

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

1. The draft Byles Creek Planning Study attached to Director's Report No. PC12/21 be placed
on public exhibition for a period of 60 days in accordance with the consultation strategy
outlined in the Report.
2. Following the exhibition, a report on submissions be presented to Council for its
consideration.

FOR: COUNCILLORS DEL GALLEGO, HEYDE, HUTCHENCE, MARR, MCINTOSH,

NICITA, RUDDOCK, TILBURY AND WADDELL

AGAINST: NIL

9 PC13/21 Reporting Variations to Development Standards

(F2004/07599-02)

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

THAT the contents of Director's Report No. PC13/21 be received and noted.

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

AGAINST: NIL

10 PC4/21 Onsite Sewage Management Systems

(F2004/09495)

Mrs Jill Gleave, on behalf of Berowra Waters Progress Association addressed Council regarding this item.

Ms Annie Crowe, on behalf of Berowra Waters Progress Association addressed Council regarding this item.

Ms Pam Watson, of Galston provided a submission to Council regarding this item.

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

THAT:

1. Council's consideration of the draft Hornsby Shire Council On-Site Sewage Management System Policy be deferred to enable further discussions with key stakeholders including the Berowra Waters Progress Association and Arcadia and Galston Residents Association.
2. Discussions with the key stakeholders include, but not be limited to, the purpose and contents of the draft Policy, the consultation strategy for exhibition of the draft Policy and an education and awareness program to accompany a program of compliance inspections.
3. It be noted that whilst discussions about the formulation of the draft Policy continue, Approval to Operate Licences requiring renewal will be issued as 3-year Licences and Council's current reactive inspection program will be maintained.

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

AGAINST: NIL

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON-AGENDA ITEMS

Mr Basil Alqadoumi, of Cherrybrook addressed Council regarding heritage conservation areas.

Mrs Julianne Lynch, of Beecroft provided a submission to Council regarding the shared cycleway along The Crescent, Beecroft.

Mr Peter Muller, of North Epping addressed Council regarding the dissemination of second hand tobacco smoke across residential properties.

QUESTIONS ON NOTICE

Nil

MAYOR'S NOTES

Nil

NOTICES OF MOTION

Nil

MATTERS OF URGENCY

Nil

THE MEETING concluded at 7:39pm.

These Minutes were confirmed at the meeting held on Wednesday 8 September 2021, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN
