

# MINUTES OF GENERAL MEETING

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 13 April 2022  
at 6:30PM



## **PRESENT**

Councillors Ruddock (Chairman), Ball, Greenwood, Heyde, McClelland, McIntosh, Pillamarri, Salitra, Tilbury and Waddell.

## **NATIONAL ANTHEM**

## **OPENING PRAYER**

Pastor Andrew Starr, of Viva 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."*

## **ACKNOWLEDGEMENT OF COUNTRY**

An Acknowledgement of Country was given by the Darug and GuriNgai Traditional Owner representative, Uncle Laurie Bimson.

## **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**

Nil

## **DECLARATIONS OF INTEREST**

Nil

## **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the General Meeting held on Wednesday 9 March 2022 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

## **PETITIONS**

Nil

## **PRESENTATIONS**

Nil

## **RESCISSION MOTIONS**

Nil

## **MAYORAL MINUTES**

**11 MM7/22 Donation to Richmond Tweed Regional Library Service**  
**(F2004/06005)**

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

THAT Council donate \$5,000 to the Richmond Tweed Regional Library Service.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**12 MM8/22 Berowra Waters Ferry**  
**(F2004/08745)**

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

THAT Council:

1. Seek from Transport for NSW:
  - a) The return of the previous larger ferry vessel.
  - b) The Ferry Master, in the interim, allocate the available space on the ferry according to the demand at the time to minimise delays for all users as outlined in this Minute

and particularly during the week when cyclists and pedestrians are much fewer in number.

2. Write to all local State members in Hornsby seeking the same commitment.
3. Publicise our request and submissions via social media, Council's website and other channels.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**1 MM6/22 The Passing of Mr Edward David (Ted) Angelo**

**(F2004/05878)**

Dr Mariko Smith, of Mount Colah addressed Council regarding this item.

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

THAT Council offers its sincere condolences to the family and friends of Edward David (Ted) Angelo, whose contribution to community was significant.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, 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 2, 3 and 6 were withdrawn for discussion.

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

THAT the recommendations in respect of items 4, 5, 7, 8 and 9 be adopted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, 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 address Council, prior to the item being discussed. The names of all 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**

#### **2 GM9/22 Councillor Representation On External And Internal Committees**

**(F2004/07056)**

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

Ms Robin Buchanan, on behalf of STEP, Friends of Berowra Valley and the Powerful Owl Coalition addressed Council regarding this item.

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

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

THAT:

1. Council receive and note the contents of General Manager's Report No. GM9/22.
2. Councillor representation for the period April 2022 to September 2022 be as indicated in the table below:

<b>Council Committee / Working Party</b>	<b>Councillor Representation</b>
Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC)	Cr Ruddock, Cr McIntosh, Cr Pillamarri, Cr McClelland, Cr Ball, Cr Salitra, Cr Heyde.
Hornsby Ku-ring-gai Bush Fire Management Committee	Cr Ruddock, Cr Tilbury, Cr Ball (Alternate)
Hornsby Rural Fire Service Liaison Committee	Cr McClelland, Cr Tilbury (Alternate)
Hornsby Shire Heritage Advisory Committee	Cr McIntosh (Chair), Cr Greenwood, Cr McClelland, Cr Salitra (Alternate), Cr Tilbury (Alternate)
Hornsby Shire Local Traffic Committee	Cr Waddell, Cr Greenwood (Alternate)
NSW Public Libraries Association	Cr McIntosh, Cr McClelland (Alternate)

3. Council advertise for expressions of interest for community representatives to become members of the Hornsby Aboriginal and Torres Strait Islander Consultative Committee and the Hornsby Shire Heritage Advisory Committee for this term of Council.
4. A further informal workshop be held to develop criteria for new Council advisory groups and to discuss an indicative timeframe for their establishment.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**3 GM13/22 Draft 2022-2026 Delivery Program including the Operational Plan,  
Budget and Fees and Charges 2022/23 - Adoption for Public Exhibition**

**(F2022/00059)**

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

THAT:

1. Council adopt for public exhibition the draft 2022-2026 Delivery Program and Operational Plan 2022/23 which includes the draft Budget, Fees and Charges and Rating Structure for 2022/23 and make available for public comment from 14 April to 16 May 2022.
2. Council note the rating information contained in the draft 2022-2026 Delivery Program and Operational Plan 2022/26 aligns with the Independent Pricing and Regulatory Tribunal's (IPART's) rate increase approval for NSW councils (i.e. a 0.7% rate increase for 2022/23).
3. In line with recently published IPART Guidelines, Council apply for a permanent Additional Special Variation (ASV) to General Income (i.e. from 0.7% to 2.28% for 2022/23) on the following basis:
  - a) The additional general income to be received by Council for the 2022/23 financial year as a result of such an ASV would be \$1.1 million.
  - b) The additional income is required to ensure the financial sustainability of Council's services and projects as detailed in General Manager's Report No. GM13/22 and Council's Long Term Financial Plan.
  - c) Council has considered the impact of an ASV on ratepayers and the community in 2022/23 and future years and considers such impact to be reasonable in the circumstances.
4. Following public exhibition, and before 30 June 2022, a report be prepared which outlines any submissions received and recommends the adoption of the 2022-2026 Delivery Program and Operational Plan 2022/23, including Budget, Fees and Charges and Rating Structure which takes into account IPART's decision in respect of Council's ASV application.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

#### **CORPORATE SUPPORT DIVISION**

**4 CS22/22 Investments and Borrowings for 2021/2022 - Status for Period Ending  
28 February 2022**

**(F2004/06987-02)**

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

That the contents of Director's Report No. CS22/22 be received and noted.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**5 CS24/22 Pecuniary Interest and Other Matters Returns - Disclosures by  
Councillors and Designated Persons**

**(F2021/00034)**

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

THAT Council note the Written Returns of Interest recently lodged with the General Manager have  
been tabled as required by the Local Government Act.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

#### **COMMUNITY AND ENVIRONMENT DIVISION**

**6 CE4/22 Draft Dual Naming and/or Renaming of Council Facilities Policy**

**(F2005/01147-002)**

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

THAT Council adopt the draft Dual Naming and/or Renaming of Council Facilities Policy attached to the Director's Report No. CE4/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**7 CE5/22 Disability Inclusion Action Plan (Social Inclusion Hornsby)**

**(F2021/00196)**

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

THAT:

1. The draft Disability Inclusion Action Plan (Social Inclusion Hornsby) attached to the Director's Report No. CE5/22 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH, PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

**8 CE6/22 IPART Domestic Waste Management Charge Review**

**(F2013/00751)**

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

THAT Council:

1. Note that IPART propose to regulate NSW councils' Domestic Waste Management Charges (DWMC) where individual councils exceed the "waste peg" and IPART do not accept a Council's justification for the DWMC increase.
2. Note the significant ongoing adverse impacts the IPART draft decisions are likely to have on Council's Domestic Waste Management (DWM) services and other waste services.
3. Note the budget impact of cost shifting approximately \$2.3M for transferring corporate overheads and other waste services to the general fund budget under a Special Rate Variation.



4. Endorse the submission to IPART attached to Late Item Memo No. LM4/22, raising concerns about their Draft Decisions including the proposed introduction of a “waste peg” and incremental cost methodology for corporate overheads.
5. Provide a copy of its IPART submission to the NSW Government, local Members of Parliament, the Treasurer, Minister for Local Government and other relevant stakeholders.
6. Call on the NSW Government and Minister for Local Government to undertake a review of the Local Government Act 1993 - Section 496 and Office of Local Government’s Rates and Revenue Raising Manual 2007 to modernise the scope of DWM Services to include contemporary waste services in consultation with Local Government.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

#### **PLANNING AND COMPLIANCE DIVISION**

Nil

#### **INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**

Nil

#### **CONFIDENTIAL ITEMS**

##### **9 CS23/22 Bequest of Property at Dural**

*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.*

**(F2022/00043)**

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

THAT Council authorise the General Manager to progress the matter in line with the Proposed Next Steps outlined in Confidential Late Item Memo No. LM5/22.

FOR: COUNCILLORS BALL, GREENWOOD, HEYDE, MCCLELLAND, MCINTOSH,  
PILLAMARRI, RUDDOCK, SALITRA, TILBURY AND WADDELL

AGAINST: NIL

#### **PUBLIC FORUM – NON AGENDA ITEMS**

Ms Rhyanne Farache, of Hornsby addressed Council regarding Islam and Ramadan customs and traditions.

Mr Roman Goydych, of Cherrybrook addressed Council, congratulating the new Councillors and providing feedback and observations about the business paper and other Council functions.

## QUESTIONS WITH NOTICE

Nil

## MAYOR'S NOTES

**10 MN2/22 Mayor's Notes from 01 March 2022 to 31 March 2022**

**(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.*

Thursday 3<sup>rd</sup> March 2022 – The Mayor hosted an online Citizenship Ceremony via Zoom.

Tuesday 8<sup>th</sup> March 2022 – The Mayor attended International Women's Day Morning Tea and Local History Talk at Wallarobba House, Hornsby.

Wednesday 9<sup>th</sup> March 2022 – The Mayor attended the Women's Shed Hornsby and Kuring Gai - International Women's Day – 'Break the Bias's' event at PCYC, Waitara.

Monday 14<sup>th</sup> March 2022 – The Mayor attended the Pennant Hills Rotary Club Australia Day Merit Dinner & 62nd Birthday of the Club at Pennant Hills Golf Club, Beecroft.

Wednesday 16<sup>th</sup> March 2022 – The Mayor hosted four Citizenship Ceremonies at Hornsby Shire Council Chambers, Hornsby.

Thursday 17<sup>th</sup> March 2022 – The Mayor attended Australia Chinese Youth Elite Club Harmony Week Celebrations at Pennant Hills Community Centre, Pennant Hills.

Thursday 17<sup>th</sup> March 2022 – The Mayor attended the India Club "Snack and Chat Session" celebrations for Harmony Day and International Women's Day at West Pennant Hills Valley Community Centre, West Pennant Hills.

Saturday 19<sup>th</sup> March 2022 - The Mayor attended the inaugural Berowra Fauna Fair at Berowra District Hall, Berowra.

Tuesday 22<sup>nd</sup> March 2022 – The Mayor attended the Hornsby Village Hub Seniors Launch Event at Storey Park, Asquith.

Thursday 24<sup>th</sup> March 2022 – The Mayor attended the 2022 Hornsby/Ku-ring-gai District RFS Medal Presentation Ceremony at Hornsby / Ku-rung-gai Fire Control Centre, 1049 Pacific Highway, Cowan.

Thursday 24<sup>th</sup> March 2022 – The Mayor attended the Beecroft / Cheltenham Civic Trust AGM at the Presbyterian Hall, Beecroft.

Sunday 27<sup>th</sup> March 2022 – The Mayor attended the World Hindi Day celebrations at Thornleigh West Public School, Thornleigh.

**NOTICES OF MOTION**

Nil

**SUPPLEMENTARY REPORTS**

Nil

**MATTERS OF URGENCY**

Nil

**QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** concluded at 7:17pm.

These Minutes were confirmed at the meeting held on Wednesday 11 May 2022, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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