

## COMMENCEMENT

The meeting opened with Acknowledgement of Country and Prayer at 6pm.

## IN ATTENDANCE

The Mayor Zac Miles, Councillors Ross Williams (via Zoom), Jim Sanderson, Richard Quinn (via Zoom), Tatyana Virgara and Julia Prieston.

## ALSO PRESENT

General Manager Mitchell Murphy (via Zoom), Director Finance and Corporate Strategy Maria Kenny, Director Community & Customer Services Annie Goodman, Director Infrastructure and Environmental Sustainability Samantha Urquhart, Director Town Planning Steve Kourepis, Director People and Culture Rosanna Guerra, Manager Communication and Events Shery Demian, Jade Reed (recording), Sarah Jenkins (minute-taker) and Rev'd Michael Armstrong (for the prayer).

## APOLOGIES

Apologies were received from Deputy Mayor Elizabeth Krassoi.

## DECLARATIONS OF INTEREST

The Mayor called for Declarations of Interest without response.

## CONFIRMATION OF MINUTES

- 002/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Virgara That the Minutes of Ordinary Meeting No. 4531, 25 March 2024 be confirmed.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was carried unanimously (noting that Clr Quinn had not yet joined the meeting).

## MOVE ITEM

- 003/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Sanderson That at 06:08 pm Item No. 4.15 be brought forward to be discussed prior to Item No. 2.1

RECORD OF VOTING
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For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

4.15 MINUTES OF THE HUNTERS HILL LOCAL AREA TRAFFIC COMMITTEE HELD ON 21 MARCH 2024

PROCEEDINGS IN BRIEF

Mr Jacques Callaud addressed the meeting in support of the proposed parking changes in Le Vesinet Drive and St Malo Avenue.

Ms Ann Smart addressed the meeting in support of the proposed parking changes in Le Vesinet Drive and St Malo Avenue.

**004/24** RESOLVED on the MOTION of Councillor Sanderson, seconded Councillor Prieston That the Minutes be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

MAYORAL MINUTES & REPORTS

2.1 MAYORAL MINUTE: VALE ROSALIE DAVID

PROCEEDINGS IN BRIEF

**005/24** RESOLVED on the MOTION of Mayor Miles

1. That the report be received and noted.
2. That a letter of condolence be forwarded to Rosalie David's family.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	

Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

## 2.2 PETITION - REMOVAL OF MORETON BAY FIG TREE (15 HUNTER STREET)

### PROCEEDINGS IN BRIEF

**006/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

## COUNCIL REPORTS

### 4.1 DRAFT HENLEY PRECINCT PLAN

#### PROCEEDINGS IN BRIEF

**007/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Quinn

1. That the report be received and noted.
2. That the draft Henley Precinct Plan be placed on public exhibition for a period of 35 days.
3. That following the public exhibition phase a further report be brought back to the June Ordinary Meeting of Council with an analysis of community submissions received and a recommendation for adoption of the draft Henley Precinct Plan.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	

Councillor Julia Prieston	
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The MOTION was CARRIED unanimously.

#### 4.2 REVIEW OF HUNTERS HILL LOCAL ENVIRONMENTAL PLAN 2012

##### PROCEEDINGS IN BRIEF

##### **RECOMMENDATION**

1. That Council supports the recommendations set out below:

- (A) Forward the Planning Proposal included as Attachment 1 of this report to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979* to amend Hunters Hill Local Environmental Plan 2012.
- (B) Subject to (A) above, advise the Department of Planning, Housing and Infrastructure that Council will be seeking to be authorised as the Local Plan Making Authority.
- (C) Subject to (A) above, Council endorse for public exhibition the Planning Proposal as outlined in (A).
- (D) Note that following public exhibition, the Planning Proposal would be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
  - (1) To proceed with the Planning Proposal as exhibited.
  - (2) To proceed with amended controls in the Planning Proposal to that exhibited.
  - (3) To not proceed with the Planning Proposal.
- (E) Delegate authority to the General Manager to make amendments to the Planning Proposal that:
  - (1) Are minor and do not alter the intent of the Planning Proposal; or
  - (2) Are required in order to comply with the Gateway Determination.

MOVED on the MOTION of Councillor Sanderson, seconded Councillor Williams

An AMENDMENT was moved by Cllr Jim Sanderson seconded by Cllr Ross Williams:

- 1. That Council defer lodgement of the LEP Planning Proposal for Gateway Determination, until there has been further consideration and analysis of:
  - a. The impact of the proposed LEP Clause 6.9 on garden area;
  - b. Protection of tree canopy;

- c. Possible provisions to better control excessive excavation;
- d. The impact of excisions from Conservation Areas;
- e. DCP Character Statements;
- f. Mapping contributory buildings in each Heritage Conservation Area; and
- g. The impact proposed housing reforms.

Clr Sanderson tabled a document illustrating the potential impacts of the revised landscape definition when applied to landscaped area calculations.

MOVED on the MOTION of Councillor Prieston

Clr Prieston foreshadowed the recommendation in the report:

1. That Council supports the recommendations set out below:
  - (A) Forward the Planning Proposal included as Attachment 1 of this report to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979* to amend Hunters Hill Local Environmental Plan 2012.
  - (B) Subject to (A) above, advise the Department of Planning, Housing and Infrastructure that Council will be seeking to be authorised as the Local Plan Making Authority.
  - (C) Subject to (A) above, Council endorse for public exhibition the Planning Proposal as outlined in (A).
  - (D) Note that following public exhibition, the Planning Proposal would be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
    - (1) To proceed with the Planning Proposal as exhibited.
    - (2) To proceed with amended controls in the Planning Proposal to that exhibited.
    - (3) To not proceed with the Planning Proposal.
  - (E) Delegate authority to the General Manager to make amendments to the Planning Proposal that:
    - (1) Are minor and do not alter the intent of the Planning Proposal; or
    - (2) Are required in order to comply with the Gateway Determination.

The AMENDED MOTION was put to the meeting:

1. That Council defer lodgement of the LEP Planning Proposal for Gateway Determination, until there has been further consideration and analysis of:
  - a. The impact of the proposed LEP Clause 6.9 on garden area;

- b. Protection of tree canopy;
- c. Possible provisions to better control excessive excavation;
- d. The impact of excisions from Conservation Areas;
- e. DCP Character Statements;
- f. Mapping contributory buildings in each Heritage Conservation Area; and
- g. The impact proposed housing reforms.

RECORD OF VOTING	
For	Against
Councillor Ross Williams	Mayor Zac Miles
Councillor Jim Sanderson	Councillor Richard Quinn
	Councillor Tatyana Virgara
	Councillor Julia Prieston

The AMENDED MOTION was LOST

**008/24** RESOLVED on the FORESHADOWED MOTION of Councillor Prieston, seconded Councillor Quinn

1. That Council supports the recommendations set out below:
  - (A) Forward the Planning Proposal included as Attachment 1 of this report to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979* to amend Hunters Hill Local Environmental Plan 2012.
  - (B) Subject to (A) above, advise the Department of Planning, Housing and Infrastructure that Council will be seeking to be authorised as the Local Plan Making Authority.
  - (C) Subject to (A) above, Council endorse for public exhibition the Planning Proposal as outlined in (A).
  - (D) Note that following public exhibition, the Planning Proposal would be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
    - (1) To proceed with the Planning Proposal as exhibited.
    - (2) To proceed with amended controls in the Planning Proposal to that exhibited.
    - (3) To not proceed with the Planning Proposal.
  - (E) Delegate authority to the General Manager to make amendments to the Planning Proposal that:
    - (1) Are minor and do not alter the intent of the Planning Proposal; or
    - (2) Are required in order to comply with the Gateway Determination.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Ross Williams
Councillor Richard Quinn	Councillor Jim Sanderson
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED

#### 4.3 BORONIA PARK SPORTS AND COMMUNITY FACILITY

##### PROCEEDINGS IN BRIEF

**009/24** MOVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That Council note the re-allocation of funding from the 2023/24 Capital Works budget to the Boronia Sports and Community Facility project for urgent boring works undertaken to enable the completion of the stormwater. This will be done as part of the quarterly budget review process.
2. That Council approves the disposal of stockpiled spoil, associated with the trenching for stormwater, as outlined in the body of this report.
3. The Council note that the costs associated with the disposal of the stockpiled spoil will be outlined in a separate confidential report, referenced within this current Council agenda.
4. That Council delegate authority to the General Manager to approve and execute any documentation required to give effect to the matters contained within this report.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

#### 4.4 DRAFT CONSOLIDATED STORMWATER MANAGEMENT POLICY

##### PROCEEDINGS IN BRIEF

**010/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Quinn

1. That the report be received and noted.
2. That the Stormwater Management Policy be placed on public exhibition for a period of 28 days.

3. That a Final Report be submitted to Council and the revised Stormwater Management Policy be adopted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

#### BULK MOVEMENT OF ITEMS

- 011/24** RESOLVED on the MOTION of Councillor Quinn, seconded Councillor Prieston to move Items 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.16 and 5.1 in bulk

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

#### 4.5 WATERCRAFT STORAGE ON FORESHORE & PUBLIC LANDS POLICY

##### PROCEEDINGS IN BRIEF

- 012/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn
1. That Council places the Watercraft Storage on Foreshore and Public Lands Policy, as shown at Attachment 1, on public exhibition for 28 days; and
  2. That Council amend the Fees and Charges, as outlined in the body of this report as part of the assessment of its operational plan, for adoption from 1 July 2024; and
  3. That a further report be brought back to a future Council Meeting, for consideration and adoption of the updated Watercraft Storage on Foreshore and Public Lands Policy.



4. That a further review of the Watercraft Storage on Foreshore & Public Lands Policy be undertaken every three (3) years, or in line with any legislative updates.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

#### 4.6 REQUEST FOR FEE WAIVER - MAMAS & CO. CHOIR FUNDRAISING CONCERT

##### PROCEEDINGS IN BRIEF

**013/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That Council supports the Mamas & Co. Choir fundraising concert by waiving the hire fees for the Henley Community Centre on 2 November in the amount of \$1524.
2. That the Mamas & Co. Choir be required to pay a bond of \$500.
3. That the Mamas & Co. Choir be required to pay a fee to cover the cost of cleaning Henley Community Centre following the event in the amount of \$200.
4. That any after-hours call outs to Council Officers during the event will be charged at \$160 per hour, minimum one hour, as per Council's fees and charges.
5. That the Mamas & Co. Choir be required to acknowledge Council's sponsorship in presenting the fundraising concert.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

#### 4.7 ACCESS TO INFORMATION POLICY

##### PROCEEDINGS IN BRIEF

**014/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.
2. That Council adopt the Access to Information Policy.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.8 SUMMARY OF COUNCIL INVESTMENTS AS AT 31 MARCH 2024

PROCEEDINGS IN BRIEF

**015/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.9 DEVELOPMENT APPLICATIONS DETERMINED BY THE SYDNEY NORTH PLANNING PANEL IN MARCH 2024

PROCEEDINGS IN BRIEF

**016/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	

Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.10 DEVELOPMENT APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL UNIT IN MARCH 2024

PROCEEDINGS IN BRIEF

**017/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.11 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY IN MARCH 2024

PROCEEDINGS IN BRIEF

**018/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.12 REPORT OF LEGAL MATTERS - MARCH 2024

PROCEEDINGS IN BRIEF

- 019/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn
1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.13 COUNCILLOR BRIEFINGS AND WORKSHOPS

PROCEEDINGS IN BRIEF

- 020/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn
1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.14 MINUTES OF THE CONSERVATION ADVISORY PANEL HELD ON 20 MARCH 2024

PROCEEDINGS IN BRIEF

- 021/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn
- That the Minutes be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

4.16 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE HELD ON 3 APRIL 2024

PROCEEDINGS IN BRIEF

**022/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the Minutes be received and noted.
2. That Council adopt the attached Internal Audit Charter that has been reviewed and endorsed by the Audit, Risk & Improvement Committee.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

CORRESPONDENCE

5.1 CORRESPONDENCE FROM LUKE GOSLING, CHAIR OF THE COMMITTEE RE: INQUIRY INTO LOCAL GOVERNMENT SUSTAINABILITY

PROCEEDINGS IN BRIEF

**023/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

## GENERAL BUSINESS

Clr Williams advised that he attended the Ryde Local Police Command meeting. He reported concerning statistics with regards to police staffing numbers. Clr Williams commended the outstanding work the local police are doing in our local area.

## QUESTIONS WITH OR WITHOUT NOTICE

7.1 CR TATYANA VIRGARA (SUBJECT: CRESCENT STREET, CAPITAL WORKS)

### PROCEEDINGS IN BRIEF

#### **QUESTIONS FROM CR VIRGARA:**

#### **SUBJECT: CRESCENT ST (CAPITAL WORKS)**

#### **Question/s or Service Requested:**

#### **Background:**

Residents of Crescent Street have made representations to me in relation to the urgent need for Crescent Street resurfacing.

I understand that the residents have raised this matter with Council for a number of years without an appropriate completion of the required road works.

The escalating deterioration of Crescent Street is causing the residents real concern and increasing frustration.

#### **Questions:**

1. Is Council staff aware of a petition that was sent to Council back in October about this matter?

#### **RESPONSE:**

It is my understanding a petition was emailed to Cr Sanderson by Crescent St residents on 25 October 2023 and Council's infrastructure team were made aware of the petition on 25 October last year via Council's Customer Request Management System (CRMS).

2. Can council staff confirm if design work for this important capital works has commenced? If yes, what is the current status?

#### **RESPONSE:**

The surveyor has completed the initial site survey. A design consultant has been engaged to undertake detailed design. A draft design will be ready in May 2024.

2. Can Council staff confirm the re-sheeting of Crescent St and associated works will be included in Council's capital works program for financial year 2024/25?

**RESPONSE:**

The re-sheeting of the road surface, the full length of Crescent Street, from Woolwich Road is in Council's 2024/2025 capital works program. The scope of work, including costs, will be adjusted once the detailed design is completed and tabled to Council for adoption.

**COUNCIL IN COMMITTEE OF THE WHOLE**

**024/24** RESOLVED on the MOTION of Councillor Prieston, seconded Councillor Quinn

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the *Local Government Act, 1993* (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Committee of the Whole for the reasons specified below:
2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.

**8.1 Boronia Park Sports and Community Facility - Quotation**

Item 8.1 is confidential in accordance with s10A(2)(d)i of the *Local Government Act* because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously

**OPEN COUNCIL RESUMED**

**025/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Prieston That at 7.34pm the meeting resume in Open Council and the gallery be invited back into the Chamber.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Ross Williams	
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Tatyana Virgara	
Councillor Julia Prieston	

The MOTION was CARRIED unanimously.

**REPORT OF COUNCIL IN COMMITTEE**

The Mayor advised that during closed session, one resolution was passed:

1. That Council approves the proposed additional budget associated with the disposal of spoil, as outlined in the body of the report.
2. That Council delegate authority to the General Manager to approve and execute any documentation required to give effect to the matters contained within this report.

**CONCLUSION**

The meeting concluded at 7.36pm.

I confirm that these Minutes are a true and accurate record of Ordinary Meeting No. 4532 held on 29 April 2024.

.....  
Councillor Zac Miles  
MAYOR

.....  
Mitchell Murphy  
GENERAL MANAGER