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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 25 June 2024**

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**NOTICES OF MOTION**

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**253. PRESENT**

Mayor Dr P Gangemi (In the Chair)  
Clr M Blue (Deputy Mayor)  
Clr M Hodges MP  
Clr R Boneham  
Clr R Tracey  
Clr J Cox  
Clr J Brazier  
Clr Dr B Burton  
Clr R Jethi  
Clr Dr M Kasby  
Clr A Hay OAM  
Clr V Ellis

**254. APOLOGIES**

Clr F De Masi

**255. TIME OF COMMENCEMENT**

7.03pm

**256. TIME OF COMPLETION**

9.08pm

**257. DECLARATIONS OF INTEREST**

Item 3            Councillor Jethi

**258. ARRIVALS AND DEPARTURES**

7.07pm            Councillor Jethi arrived at the meeting during Item 2.  
7.09pm            Councillor Jethi having declared a Pecuniary Conflict of Interest for Item 3 (owns property in the Precinct) signed the Conflict-of-Interest Register and left the meeting and returned at 7.12 pm at the start of Item 4  
7.38pm            Councillor Jethi left the meeting during Item 8 and returned at 7.39pm during Item 13.

**259. DISSENT FROM COUNCIL'S DECISIONS**

Nil.

**260. ADJOURNMENT & RESUMPTION**

Nil.

***The Mayor advised in accordance with the Code of Meeting Practice that this meeting is being recorded.***

**ITEM 1            CONFIRMATION OF MINUTES**

A MOTION WAS MOVED BY COUNCILLOR COX AND SECONDED BY COUNCILLOR HODGES MP THAT the Minutes of the Ordinary Meeting of Council held on 11 June 2024 be confirmed.

THE MOTION WAS PUT AND CARRIED.

**261. RESOLUTION**

The Minutes of the Ordinary Meeting of Council held on 11 June 2024 be confirmed.

**APOLOGIES AND LEAVE OF ABSENCE**

A MOTION WAS MOVED BY COUNCILLOR HODGES MP AND SECONDED BY COUNCILLOR HAY OAM THAT the apology from Councillor De Masi be accepted and leave of absence granted.

THE MOTION WAS PUT AND CARRIED.

**262. RESOLUTION**

The apology from Councillor De Masi be accepted and leave of absence granted.

**ITEM 2                            VOLUNTARY PLANNING AGREEMENT OFFER – NORTHERN RESIDENTIAL PRECINCT, ROUSE HILL (DA 1225/2023/JP)**

A MOTION WAS MOVED BY COUNCILLOR BLUE AND SECONDED BY COUNCILLOR BONEHAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**263. RESOLUTION**

1. The draft Voluntary Planning Agreement offer for the Northern Residential Precinct, Rouse Hill be accepted, in principle, and be subject to legal review (at the cost of the Applicant), prior to the public exhibition.
2. The draft Voluntary Planning Agreement be updated, as required, prior to public exhibition to incorporate the recommendations of the legal review, including the amendments identified in Section 3 of this report.
3. The draft Voluntary Planning Agreement be publicly exhibited for at least 28 days, in accordance with the Environmental Planning and Assessment Act 1979.
4. Council consider a further report on the outcomes of the public exhibition of the Voluntary Planning Agreement.

*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr P Gangemi  
Clr M Blue  
Clr M Hodges MP  
Clr V Ellis  
Clr J Brazier  
Clr R Boneham  
Clr J Cox  
Clr R Jethi  
Clr Dr M Kasby  
Clr Dr B Burton  
Clr R Tracey  
Clr A Hay OAM

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr F De Masi

**ITEM 3**

**VOLUNTARY PLANNING AGREEMENT OFFER – 21-23  
VICTORIA AVENUE, CASTLE HILL (4/2021/PLP)**

7.09pm      *Councillor Jethi having declared a Pecuniary Conflict of Interest for Item 3 (owns property in the Precinct) signed the Conflict-of-Interest Register and left the meeting and returned at 7.12 pm at the start of Item 4.*

A MOTION WAS MOVED BY COUNCILLOR HODGES MP AND SECONDED BY COUNCILLOR HAY OAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**264. RESOLUTION**

1. The draft Voluntary Planning Agreement offer for 21-23 Victoria Avenue, Castle Hill be accepted, in principle, and be subject to drafting and legal review (at the cost of the Proponent), prior to public exhibition.
2. The draft Voluntary Planning Agreement be updated, as required, prior to public exhibition to incorporate the recommendations of the legal review.
3. The draft Voluntary Planning Agreement be publicly exhibited concurrently with the associated planning proposal (4/2021/PLP) and site-specific Development Control Plan for at least 28 days, in accordance with the Environmental Planning and Assessment Act 1979.
4. Council consider a further report on the outcomes of the public exhibition of the Planning Proposal, draft Development Control Plan and draft Voluntary Planning Agreement.

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*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr P Gangemi  
Clr M Blue  
Clr M Hodges MP  
Clr V Ellis  
Clr J Brazier  
Clr R Boneham  
Clr J Cox  
Clr Dr M Kasby  
Clr Dr B Burton  
Clr R Tracey  
Clr A Hay OAM

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr F De Masi

**ABSENT FROM THE ROOM**

Clr R Jethi

**ITEM 4                                      PLANNING PROPOSAL – MELIA COURT AND GLEN ROAD,  
CASTLE HILL (5/2024/PLP)**

A MOTION WAS MOVED BY COUNCILLOR COX AND SECONDED BY COUNCILLOR BLUE THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**265. RESOLUTION**

The planning proposal for land at Melia Court and Glen Road, Castle Hill *not* proceed to Gateway Determination.

*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr P Gangemi  
Clr M Blue  
Clr M Hodges MP  
Clr V Ellis  
Clr J Brazier  
Clr R Boneham  
Clr J Cox  
Clr R Jethi  
Clr Dr M Kasby  
Clr Dr B Burton  
Clr R Tracey  
Clr A Hay OAM

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr F De Masi

**CALL OF THE AGENDA**

A MOTION WAS MOVED BY COUNCILLOR COX AND SECONDED BY COUNCILLOR BONEHAM THAT items 5, 6, 7, 9, 10, 11 and 12 be moved by exception and the recommendations contained therein be adopted.

THE MOTION WAS PUT AND CARRIED.

**266. RESOLUTION**

Items 5, 6, 7, 9, 10, 11 and 12 be moved by exception and the recommendations contained therein be adopted.

**ITEM 5**                      **LTC RECOMMENDATIONS MAY 2024 - GUM NUT CLOSE, NORTH KELLYVILLE – PROPOSED ‘NO STOPPING 8.00-9.30AM & 2.30-4.00PM SCHOOLDAYS’ RESTRICTIONS**

**267. RESOLUTION**

Council approve the installation of ‘No Stopping 8.00-9.30am and 2.30-4.00pm school days’ restrictions on the northern side of Gum Nut Close, North Kellyville between Messenger Street and the boundary of 7 and 9 Gum Nut Close.

**ITEM 6**                      **LTC RECOMMENDATIONS MAY 2024 - HILLVIEW ROAD NORTH KELLYVILLE – PROPOSED PARKING RESTRICTIONS**

**268. RESOLUTION**

The Committee endorse the installation of ‘No Parking’ restrictions on Hillview Road, North Kellyville, as detailed in Attachment 1 to the report.

**ITEM 7**                      **LTC RECOMMENDATIONS MAY 2024 - SANCTUARY DRIVE, ROUSE HILL – PROPOSED 2023/24 AUSTRALIAN GOVERNMENT BLACKSPOT INTERSECTION UPGRADES AT CADDIES BOULEVARD & GRANDIFLORA STREET**

**269. RESOLUTION**

Council approves the 2023/24 Australian Blackspot funded upgrades to the two intersections on Sanctuary Drive at Caddies Boulevard and Grandiflora Street, Rouse Hill according to the plans at Attachments 1 and 2 in this report.

**ITEM 9                                      COUNCIL'S COMMUNITY GRANTS POLICY- FINANCIAL ASSISTANCE FUNDING REQUESTS**

**270. RESOLUTION**

Council approves the allocation of \$70,000 from the Other Financial Assistance Grant program as recommended by the assessment panel (ECM 21376631).

**ITEM 10                                      PROPERTY DEALINGS RELATING TO DEVELOPMENT MATTERS**

**271. RESOLUTION**

Council consent to the release of the easement for public access from the title of Lot 700 DP 1284895, Residue Lot Temporary Drainage Basin Old Pitt Town Road Box Hill and all associated documents be authorised for execution under Council seal.

**ITEM 11                                      PROPOSED SHORT-TERM LICENCE - A FILMING BASE-STATION AT FORMER "HORSEWORLD" 191 MAGUIRES ROAD, GABLES**

**272. RESOLUTION**

Council to provide authorisation to the General Manager to enter into a Licence agreement with ESA PRODUCTIONS 9 PTY LTD (ABN 23 665 094 520) as per the terms outlined within this report.

**ITEM 12                                      PROPOSED LAND ACQUISITION – PART LOT 1 DP 566727, PART 197 NELSON ROAD, NELSON**

**273. RESOLUTION**

1. Council agrees to the purchase part Lot 1 in DP 566727 (being part of 197 Nelson Road, Nelson) for the amount contained in the Confidential Councillor Memo (subject to final design and survey), and disturbance costs as outlined in this report and in accordance with legislation. The Contract of Sale and any required Deeds, Plans, Instruments, Transfers, and all other associated documents required to be authorised for execution under Seal.
2. Council funds this acquisition from Council's Internal Restrictions - Roads Reserves and reimburse Roads Reserves when the Revised CP15 is endorsed by the Minister and adopted by Council.
3. Upon acquisition, Council classifies part Lot 1 in DP 566707 as "Operational" Land and deemed non rateable pursuant to Sections 25 and 556 of the Local Government Act 1993.



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4. Upon acquisition, part Lot 1 in DP 566727 is to be dedicated as Public Road pursuant to Section 10 of the Roads Act 1993 and the required documents be authorised for execution under seal for lodgement at NSW Land Registry services.

**ITEM 8 BUDGET REVIEW AS AT 31 MAY 2024**

7.38pm *Councillor Jethi left the meeting during Item 8 and returned at 7.39pm during Item 13.*

A MOTION WAS MOVED BY COUNCILLOR HAY OAM AND SECONDED BY COUNCILLOR HODGES MP THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

**274. RESOLUTION**

The proposed budget variations as listed in this report and in Attachment 1, Pages 1 to 5 and the variations detailed in page 7-21 be adopted.

**ITEM 13 INFORMATION AND STATUS REPORTS**

A MOTION WAS MOVED BY COUNCILLOR BLUE AND SECONDED BY COUNCILLOR HAY OAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

**275. RESOLUTION**

1. The status of legal matters before all Courts as shown in Attachment 1 be noted (ECM Document No. 21351622).
2. The Status of Outstanding Resolutions as shown in Attachment 2 be noted (ECM Document No. 17211394, 17211396 and 17211397).
3. The letters of Appreciation as shown in Attachment 3 be noted (ECM Document No.21378779).
4. The status of Development Applications awaiting determination as shown in Attachment 4 be noted (ECM Document No. 21351543).

**ITEM 14 NOTICE OF MOTION – KENTHURST ROAD AND ANNANGROVE ROAD**

A MOTION WAS MOVED BY COUNCILLOR BLUE AND SECONDED BY COUNCILLOR BONEHAM THAT

1. A report to be prepared for Council on work conducted to date and potential future options to ease traffic congestion on Annangrove Road and Kenthurst Road.

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2. A letter be written to the NSW Minister for Roads, The Hon. John Graham MLC, calling for:
  - a. Annangrove Road to be reclassified as an Arterial State Road.
  - b. Annangrove Road between Edwards Road and Kenthurst Road to be upgraded to a four-lane road.
  - c. A bypass to be built around Dural – Round Corner, connecting Annangrove Road with Old Northern Road.
  - d. New Line Road to be upgraded to a four-lane road.
3. A copy of the above letter be sent to the State Member for Castle Hill.

AN AMENDMENT WAS MOVED BY COUNCILLOR DR KASBY AND SECONDED BY COUNCILLOR TRACEY THAT

1. A report to be prepared for Council on work conducted to date and potential future options to ease traffic congestion on Annangrove Road and Kenthurst Road.
2. A letter be written to the NSW Minister for Roads, The Hon. John Graham MLC, calling for:
  - a. Annangrove Road to be reclassified as an Arterial State Road.
  - b. Annangrove Road between Edwards Road and Kenthurst Road to be upgraded to a four-lane road.
  - c. A bypass to be built around Dural – Round Corner, connecting Annangrove Road with Old Northern Road.
  - d. New Line Road to be upgraded to a four-lane road.
3. A letter be sent to the Minister for Transport requesting Improved public and active transport options to service this area.
4. A copy of the above letter be sent to the State Member for Castle Hill.

THE AMENDMENT WAS PUT AND LOST.

Councillors DR KASBY and TRACEY rose for a Division. The result of the Division was as follows:-

**VOTING FOR THE AMENDMENT**

Clr Dr M Kasby  
Clr R Tracey

**VOTING AGAINST THE AMENDMENT**

Mayor Dr P Gangemi  
Clr V Ellis  
Clr M Blue  
Clr J Cox  
Clr R Jethi  
Clr M Hodges MP  
Clr R Boneham  
Clr Dr B Burton  
Clr A Hay OAM  
Clr J Brazier

**MEETING ABSENT**

Clr F De Masi

THE MOTION WAS PUT AND CARRIED.

**276. RESOLUTION**

1. A report to be prepared for Council on work conducted to date and potential future options to ease traffic congestion on Annangrove Road and Kenthurst Road.
2. A letter be written to the NSW Minister for Roads, The Hon. John Graham MLC, calling for:
  - a. Annangrove Road to be reclassified as an Arterial State Road.
  - b. Annangrove Road between Edwards Road and Kenthurst Road to be upgraded to a four-lane road.
  - c. A bypass to be built around Dural – Round Corner, connecting Annangrove Road with Old Northern Road.
  - d. New Line Road to be upgraded to a four-lane road.
3. A copy of the above letter be sent to the State Member for Castle Hill.

**ITEM 15**

**NOTICE OF MOTION – SUSTAINABLE PROCUREMENT AND SUPPORTING PROGRESS TO A CIRCULAR ECONOMY**

A MOTION WAS MOVED BY COUNCILLOR DR KASBY AND SECONDED BY COUNCILLOR TRACEY THAT

1. The General Manager ensures that the existing procedures and guidelines for Council procurement continue to include measures that minimise waste to landfill and encourages the use of products and materials that include recycled content and where doing so, would be comparable to cost, quality and performance
2. The Mayor writes to the relevant Federal and State Ministers calling for action in the areas of waste reduction at the source and in financially assisting circular economy initiatives through financial support for Councils

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**277. RESOLUTION**

1. The General Manager ensures that the existing procedures and guidelines for Council procurement continue to include measures that minimise waste to landfill and encourages the use of products and materials that include recycled content and where doing so, would be comparable to cost, quality and performance
2. The Mayor writes to the relevant Federal and State Ministers calling for action in the areas of waste reduction at the source and in financially assisting circular economy initiatives through financial support for Councils.

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Councillors HAY OAM and JETHI rose for a Division. The result of the Division was as follows:-

**VOTING FOR MOTION**

Mayor Dr P Gangemi  
Clr M Blue  
Clr Dr M Kasby  
Clr R Tracey  
Clr V Ellis  
Clr J Cox  
Clr R Jethi  
Clr M Hodges MP  
Clr R Boneham  
Clr Dr B Burton  
Clr A Hay OAM  
Clr J Brazier

**VOTING AGAINST THE MOTION**

None

**MEETING ABSENT**

Clr F De Masi

The Minutes of the above Meeting were confirmed at the Meeting of the Council held on 9 July 2024.

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**MAYOR**

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**GENERAL MANAGER**