



BUSINESS PAPER

GENERAL MEETING

**Wednesday 14 June 2017
at 6:30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Reverend Brian Hall of St Peter's Church, Hornsby, will open tonight's meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

"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."

ABORIGINAL RECOGNITION

Statement by the Chairperson:

"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being 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 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

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 147 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

Clause 52 of Council's Code of Meeting Practice (Section 451 of the Local Government Act, 1993) requires that a councillor or a member of a Council committee who has a pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

The Councillor or member of a Council committee must not be present at, or in sight of, the meeting of the Council or committee:

- (a) at any time during which the matter is being considered or discussed by the Council or committee.*
- (b) at any time during which the Council or committee is voting on any question in relation to the matter.*

Clause 51A of Council's Code of Meeting Practice provides that a Councillor, Council officer, or a member of a Council committee who has a non pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

If the non-pecuniary interest is significant, the Councillor must:

- a) remove the source of conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.*

OR

- b) have no involvement in the matter by absenting themselves from and not taking part in any debate or voting on the issue as if the provisions of Section 451(2) of the Act apply.*

If the non-pecuniary interest is less than significant, the Councillor must provide an explanation of why they consider that the interest does not require further action in the circumstances.

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 10 May, 2017 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

PRESENTATIONS**Hornsby Shire Heritage Awards 2017**

The **Hornsby Heritage Award** is for work involving either:

- a) The preservation, restoration, reconstruction, or maintenance of a heritage item;
- b) A sensitively designed extension or alteration to an existing heritage item or building in a heritage conservation area; or
- c) A sensitively designed new building in a heritage conservation area, or in close proximity to a heritage item.

WINNER - Lober House within the Anglican Retirement Village, Castle Hill, for the preservation, restoration, reconstruction and maintenance of a heritage item – *Anglicare*.

Lober House is one of the heritage listed Mowill Village group of buildings located within the Anglican Retirement Village. Lober House formerly known as 'Elewatan' is a grand late two storey Federation style brick mansion (circa 1925) and was mainly used for administration purposes prior to the restoration works. Since restoration and maintenance of internal and external fabric to return Lober House to its "*original glory*", the house is now used by the residents of the village. Overall, the works have enhanced the significance of the item.

HIGHLY COMMENDED - sympathetically designed alterations, additions and restoration works to a heritage item at 17 Wells Street, Thornleigh – *Mr and Mrs Hather*.

The works included sensitively designed single storey rear additions and removal of an unsympathetic enclosed front verandah. The restoration works enhanced the aesthetic significance of the circa 1915 Federation timber cottage.

The **Owen Nannelli Memorial Award** is awarded to a group or individual who has made an outstanding contribution to the education and promotion of heritage of Hornsby Shire.

WINNER - Hornsby Historical Society Schools Program

This award recognises the Hornsby Historical Society's outstanding Schools Program which has been provided by volunteers since the 1980s. The program is provided to both public and private schools at the Society's heritage listed museum building located in Kenley Park, Normanhurst. The program relates to the NSW school syllabus with the theme '*The Past and Present*.' Children learn about local history and participate in a range of activities, such as games of the past and lessons in a 1940s style classroom to name a few.

RESCISSION MOTIONS**Page Number 1**

Item 1 RM1/17 RESCISSION MOTION - REQUEST TO REMOVE TREE - 8 ATTUNGA AVENUE WEST PENNANT HILLS

On 19 May 2017 Councillors Tilbury, Browne and Gallagher submitted the following Rescission Motion

THAT the resolution adopted at the General Meeting held on 10 May 2017 in respect of Item 12, IR2/17 - Request to Remove Tree - 8 Attunga Avenue West Pennant Hills, namely:-

"THAT:

1. Council approve removal of one Eucalyptus Saligna (Sydney Blue Gum) tree located in the rear yard of 8 Attunga Avenue, West Pennant Hills.
2. The applicant plant at least two replacement trees of appropriate native species and in appropriate locations as determined in consultation between the landowners and Council's Tree Management Officers"

be, and is hereby rescinded.

Note from Acting General Manager

Clause 32(3)(b) of Councils Code of Meeting Practice states that:

32 If a Notice of Motion to rescind or alter a resolution is given;

(3)(b) At any time after the Meeting at which the resolution is carried, no further action to carry the resolution into effect may be taken after receipt of the Notice of Motion until the motion of rescission or alteration has been dealt with.

The proposed Rescission Motion was received by me at 1.56pm on Friday 19 May 2017. Based on the requirements of Clause 32(3)(b), I immediately sought advice from the Acting Deputy General Manager, Infrastructure and Recreation about the status of the matter and what action had been taken in respect of Council's 10 May 2017 resolution. That advice indicated that the approval to remove the tree at 8 Attunga Avenue, West Pennant Hills had been sent by email to the applicant on 18 May 2017. As the approval to remove the tree had already been formally advised to the applicant (i.e. final action had been taken in respect of the resolution), the three Councillors who lodged the Rescission Motion were asked to indicate if they would like to withdraw the Rescission Motion or to have it included on the 14 June 2017 General Meeting agenda for noting.

As Councillors Tilbury, Browne and Gallagher have not withdrawn the Rescission Motion, the Motion has been included on this Meeting's agenda for noting. It is considered appropriate, therefore, that Council note that the Rescission Motion was lodged but that it could not be considered by Council because action on the relevant resolution had been finalised prior to receipt of the Rescission Motion.

MAYORAL MINUTES

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

Note:

Persons wishing to address Council on matters which are on the Agenda are permitted to speak, prior to the item being discussed, and their names will be recorded in the Minutes in respect of that particular item.

*Persons wishing to address Council on **non agenda matters**, are permitted to speak after all items on the agenda in respect of which there is a speaker from the public have been finalised by Council. Their names will be recorded in the Minutes under the heading "Public Forum for Non Agenda Items".*

GENERAL BUSINESS

- *Items for which there is a Public Forum Speaker*
- *Public Forum for non agenda items*
- *Balance of General Business items*

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION

Page Number 3

Item 2 CS18/17 UPDATE OF COUNCIL'S LONG TERM FINANCIAL PLAN

RECOMMENDATION

THAT the:

1. Update of Council's Long Term Financial Plan for the period 2017/18 to 2026/27 be received and noted.
2. Restricted Asset Account – Parks Development Policy; the Restricted Asset Account – Land Acquisition Policy; and the Land Property Sales – Use of Funds Policy be deleted because they are now taken account of through the Long Term Financial Plan process.

Page Number 7

Item 3 CS17/17 GLENORIE KINDERGARTEN RESERVE TRUST - 1761 OLD NORTHERN ROAD, DURAL - COUNCIL'S RESIGNATION AS RESERVE TRUST MANAGER

RECOMMENDATION

THAT:

1. Council endorse making a resignation application as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust at 1761 Old Northern Road, Glenorie (Lot 172 DP 48207).
2. Council seek the Crown Lands Minister's consent to its resignation as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust.
3. The Acting General Manager be delegated authority to sign the written instrument resigning as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust.

4. The Acting General Manager be delegated authority to negotiate the detailed terms and conditions of the Council's resignation as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust; and to execute any documents in relation to the resignation, as deemed appropriate by Council's legal advisers.

Page Number 11**Item 4 CS16/17 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2017 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2017/18 FINANCIAL YEAR****RECOMMENDATION**

THAT:

1. As a consequence of the 2017 Report and Determination of the Local Government Remuneration Tribunal, Council note that it is now in the Metropolitan Medium Category of NSW councils for the period 1 July 2017 to 30 June 2018.
2. In accordance with Section 248 of the Local Government Act, and having considered the 2017 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$24,550 be paid to each Councillor for the period 1 July 2017 to 30 June 2018.
3. In accordance with Section 249 of the Local Government Act, and having considered the 2017 Report and Determination of the Local Government Remuneration Tribunal, an additional annual fee of \$65,230 be paid to the Mayor for the period 1 July 2017 to 30 June 2018.

Page Number 15**Item 5 CS15/17 ADOPTION OF 2017/18 OPERATIONAL PLAN INCORPORATING THE BUDGET, FEES AND CHARGES AND RATING STRUCTURE FOR 2017/18****RECOMMENDATION**

THAT:

1. Subject to incorporation of the recommendations detailed in Tables 1A and 1B and the Budget section of Deputy General Manager's Report No. CS15/17, Council adopt the 2017/18 Operational Plan incorporating the Budget, Fees and Charges and Rating Structure for 2017/18.
2. Council make and levy the 2017/18 Ordinary Rates in accordance with Table 2 of Deputy General Manager's Report No. CS15/17.
3. Council make and levy the 2017/18 Catchments Remediation Rate on all rateable land in the Shire in accordance with Table 3 of Deputy General Manager's Report No. CS15/17.

Page Number 27

Item 6 CS14/17 INVESTMENTS AND BORROWINGS FOR 2016/17 - STATUS FOR PERIOD ENDING 30 APRIL 2017**RECOMMENDATION**

THAT the contents of Deputy General Manager's Report No. CS14/17 be received and noted.

Page Number 30**Item 7 CS19/17 DEBTS TO BE WRITTEN OFF - 2016/17 FINANCIAL YEAR****RECOMMENDATION**

THAT for 2016/17, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$3,574 (as detailed in Schedule A attached to Deputy General Manager's Report No. CS19/17).
2. Note debts considered bad totalling \$7,714 which will be written off under the General Manager's delegated authority (as detailed in Schedule B attached to Deputy General Manager's Report No. CS19/17).

ENVIRONMENT AND HUMAN SERVICES DIVISION**Page Number 33****Item 8 EH5/17 DISABILITY INCLUSION ACTION PLAN****RECOMMENDATION**

THAT Council:

1. Adopt the draft Disability Inclusion Action Plan included as Attachment 1 to Group Manager's Report No. EH5/17.
2. Forward a copy of the adopted Disability Inclusion Action Plan to the Disability Council of NSW.
3. Regularly report on the progress of the implementation of the Disability Inclusion Action Plan via the Annual Report and as part of Council's Integrated Planning and Reporting process.

PLANNING DIVISION**Page Number 37****Item 9 PL29/17 DURAL STRATEGIC INVESTIGATIONS**

RECOMMENDATION

THAT

1. Council write to The Hills Shire Council to reiterate its support for the preparation of a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development and that:
 - a) As the first step in the process, the commitment of the Greater Sydney Commission and Department of Planning and Environment should be sought for the scope, methodology, investigation area and funding of the work;
 - b) Council does not commit to the allocation of funding for the Phase 1 Urban Capability and Capacity Assessment at this stage; and
 - c) Should The Hills Shire Council progress the investigation without the prior commitment of the NSW Government, Hornsby Council staff are willing to participate on any working group established to oversee the work.
2. Council write to the Minister for Planning and Minister for Roads, Maritime and Freight requesting a response to its request for a meeting with the Mayors of Hornsby and The Hills Shire Councils to discuss the opportunity for the State Government to work with the Councils to develop a coordinated plan for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development.

INFRASTRUCTURE AND RECREATION DIVISION**Page Number 43****Item 10 IR6/17 SPORTSGROUND DISCUSSION PAPER****RECOMMENDATION**

THAT Council:

1. Adopt the Hornsby Sportsground Discussion Paper in accordance with the principles set out in Deputy General Manager's Report No. IR6/17
2. Endorse the exhibition of the Hornsby Sportsground Discussion Paper with the feedback received to be considered in the preparation of the Sportsground Strategy.

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN****MAYOR'S NOTES****Page Number 49****Item 11 MN6/17 MAYOR'S NOTES FROM 1 TO 31 MAY 2017**

NOTICES OF MOTION**Page Number 50****Item 12 NOM4/17 LITTLE STREET LIBRARIES****COUNCILLOR HUTCHENCE TO MOVE**

THAT Council:

1. Indicate its support for local communities that wish to develop a street library.
2. Develop simple guidelines for the placement of street libraries on public land.

Note from Councillor

A little free library or street library is a “take a book, return a book” free book exchange that is usually a small hand-built wooden box of books where neighbours can share books and connect with each other. There are now over 18,000 little free libraries located around the world in front yards, commercial centres and public spaces.

I believe that Council should be very supportive of community initiatives such as a local free book exchange and the recent issue relating to the Thornleigh Laneway Library highlighted to me that there is a lack of guidance around the placement of these structures on public land that initially led to an unnecessary instruction to remove the library.

I am pleased to confirm that the situation has been resolved and the library can remain, however, believe that it is appropriate for Council to develop guidelines for their placement so that we don't have any similar misunderstandings and can make it easier for others who also wish to create a street library in their neighbourhood.

SUPPLEMENTARY AGENDA**MATTERS OF URGENCY****QUESTIONS WITHOUT NOTICE**

1 RESCISSION MOTION - REQUEST TO REMOVE TREE - 8 ATTUNGA AVENUE WEST PENNANT HILLS**On 19 May 2017 Councillors Tilbury, Browne and Gallagher submitted the following Rescission Motion**

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because action on the relevant resolution had been finalised prior to receipt of the Rescission Motion.

Attachments:

There are no attachments for this report.

File Reference: TA/133/2015

Document Number: D07225656

2 UPDATE OF COUNCIL'S LONG TERM FINANCIAL PLAN

EXECUTIVE SUMMARY

- At the 10 May 2017 General Meeting, Council requested the Chief Financial Officer to provide it with an update of Council's Long Term Financial Plan (LTFP) which reflects the loss of the area south of the M2 Motorway to the City of Parramatta Council.
- As part of the process, a range of primary financial statements have been prepared along with key financial performance indicators (KPI's) covering the next 10 years. The primary financial statements and KPI's indicate that Council will achieve acceptable levels against industry benchmarks during the LTFP period.
- The LTFP update shows that there has been a significant decline in Council's Income Statement Result (before Capital Items and Profit from Asset Sales) which is a key measure of financial liquidity.
- Historically, Council's surplus Income Statement Results have been \$14.638 million (in 2015/16), \$14.770 million (in 2014/15) and \$6.668 million (in 2013/14). The updated LTFP shows that for the next 10 years, the Result will decline to an average of around \$1.441 million per annum.
- Based on the update, Council will need to critically review the scope of many major projects that have previously been identified including at the Hornsby Quarry and the former Westleigh Water Board site.
- It will be important for future budgets to restrict current service levels and recognise that there may be the need to 'dip' into restricted funds if there are cost over-runs or infrastructure failures.

RECOMMENDATION

THAT the:

1. Update of Council's Long Term Financial Plan for the period 2017/18 to 2026/27 be received and noted.
2. Restricted Asset Account – Parks Development Policy; the Restricted Asset Account – Land Acquisition Policy; and the Land Property Sales – Use of Funds Policy be deleted because they are now taken account of through the Long Term Financial Plan process.

PURPOSE

The purpose of this Report is to present for Council's consideration a review of the Long Term Financial Plan which covers the period 2017/18 – 2026/27.

BACKGROUND

At the 10 May 2017 General Meeting, Council considered Mayoral Minute No. 6/17 – Local Government Reform – and resolved that:

1. *The Chief Financial Officer provide an update on Council's Long Term Financial Plan at the 8 June 2017 General Meeting. Such update should assume that Council's current area (i.e. without the area south of the M2 Motorway) will be maintained in the immediate future.*
2. *Council write to the NSW Premier and Minister for Local Government requesting that if an amalgamation with Ku-ring-gai Council is not to be progressed, that the NSW Government:*
 - a) *Reinstate the area south of the M2 Motorway to Hornsby Shire Council, or alternatively*
 - b) *Provide compensation to the residents of Hornsby while this Council adjusts to the scale of a smaller council.*

In respect of point 2 of the resolution, the Mayor has recently written to the Premier and the Minister for Local Government asking them to consider the suggestions made in Council's resolution and to commit to a solution to the dilemma facing Council.

DISCUSSION

Boundary Adjustment with the City of Parramatta Council

On 12 May 2016, the Minister for Local Government proclaimed the creation of 19 new Councils across NSW. This included the creation of the City of Parramatta and confirmed the transfer of the Hornsby Shire Council area south of the M2 Motorway to the new City of Parramatta Council effective from the proclamation date. The financial impact of this transfer (i.e. an unfavourable cash impact to the 2016/17 Budget of approximately \$9.1 million) was previously reported to Council when it adopted the September Quarter Review of the 2016/17 Budget – refer Deputy General Manager's Report No. CS43/16 considered by Council on 9 November 2016.

Long Term Financial Plan Summary

This review of the Long Term Financial Plan has been developed using a range of assumptions and by indexing income and expenditure that in turn underpins the forecasts developed. The 2017/18 Original Budget has been used as its base point with the 2016/17 March Revised Budget being used to determine opening Balance Sheet items in 2017/18. The LTFP has been developed based on a continuance of services levels defined in the 2017/18 Annual Budget process. A range of primary financial statements have been prepared along with KPI's covering the next 10 years and they are detailed in the attached summary. The primary financial statements and KPI's indicate that acceptable levels will be achieved against industry benchmarks during the LTFP period.

The significant decline in Council's Income Statement Result (before Capital Items and Profit from Asset Sales) to approximately \$1.4 million on average over the next 10 years is, however, significantly down on what has been achieved historically. In this regard, it is noted that Council's surplus Results were \$14.638 million (in 2015/16), \$14.770 million (in 2014/15) and \$6.668 million (in 2013/14).

This loss of operating capacity will be further impacted by the fact that future rate increases will now be on a reduced rate base and the also there will be a loss of projected rate growth from the area south of M2 Motorway (which was expected due to the expected concentrated development in that area). This will make it difficult for Council to improve its operating capacity based on present conditions.

As a consequence, Council will need to critically review the scope of major projects such as those that had been identified at the Hornsby Quarry and former Westleigh Water Board site acquired to address future sporting and recreation needs. It will be important for future budgets to restrict service levels and recognise that there may be the need to 'dip' into restricted funds if there are cost over-runs or infrastructure failure.

In order to improve the current situation and fund major capital projects to meet community expectations, Council may need to consider options such as organisational service reviews; asset reviews of community facilities and small parks; and rate increases above the rate pegging limit.

BUDGET

The purpose of this Report is to alert Council to future budgetary constraints which are associated with the loss of the area south of the M2 Motorway to the City of Parramatta Council. These are detailed in the attached LTFP summary.

POLICY

As part of the review of the LTFP, it has been necessary and beneficial to the process to ensure that all known major acquisitions and capital project programs are incorporated and accounted for in the Plan. This ensures that the LTFP is integrated with Council's other planning documents such as its LEP, Section 94 Plan, etc and considers options and alternatives for potential funding. Based on that approach, which is proposed to be maintained into the future, there are a number of current Council policies that are no longer required and are recommended for deletion because they can be better taken account of through the LTFP process. Those Policies, copies of which are attached, are the Restricted Asset Account – Parks Development Policy; the Restricted Asset Account – Land Acquisition Policy; and the Land Property Sales – Use of Funds Policy.

CONCLUSION

Council's consideration of this Report enables an understanding of the future financial position post a boundary adjustment with the City of Parramatta Council. The review of the LTFP demonstrates that while Council will be able to meet key financial indicators, its operating capacity will be significantly reduced and a careful review of future major projects and existing service levels will be required.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Chief Financial Officer – Glen Magus who can be contacted on 9847 6635.

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

ROBERT STEPHENS
Acting General Manager
Office of the General Manager

Attachments:

1. [View](#) Long Term Financial Plan
2. [View](#) Policies

File Reference: F2005/00862

Document Number: D07219714

3 GLENORIE KINDERGARTEN RESERVE TRUST - 1761 OLD NORTHERN ROAD, DURAL - COUNCIL'S RESIGNATION AS RESERVE TRUST MANAGER

EXECUTIVE SUMMARY

- In recognition of the increased demand for Pre-School places in the Glenorie area, the Glenorie Pre-School Kindergarten Association Inc. (the Pre-School) have plans to expand their existing premises and provide an additional 26 new preschool places per day.
- The Pre-School operates out of the Glenorie Kindergarten (R98016) Reserve Trust at 1761 Old Northern Road, Glenorie of which Council is the current Reserve Trustee. The Pre-School have applied for a NSW Government Grant (Community Pre-School Capital Works Grant) to fund their planned expansion.
- Due to a number of conditions that are likely to be imposed on the lease and potentially title of the land should the Pre-School's grant application be successful, the Pre-School consider that a direct long term lease with the Crown would best serve their interests. This would equally apply should they not be successful in their grant application and have to secure the required funding through banks and private investors.
- Accordingly the Pre-School has requested that Council consider resigning as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust to enable the Pre-School to seek a direct long term lease with the Crown and further their expansion plans.
- It is considered appropriate that Council seeks to resign as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust with the Crown Lands Minister's consent.

RECOMMENDATION

THAT:

1. Council endorse making a resignation application as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust at 1761 Old Northern Road, Glenorie (Lot 172 DP 48207).
2. Council seek the Crown Lands Minister's consent to its resignation as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust.
3. The Acting General Manager be delegated authority to sign the written instrument resigning as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust.
4. The Acting General Manager be delegated authority to negotiate the detailed terms and conditions of the Council's resignation as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust; and to execute any documents in relation to the resignation, as deemed appropriate by Council's legal advisers.

PURPOSE

The purpose of this Report is to provide information allowing Council to consider making a resignation application as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust at 1761 Old Northern Road, Glenorie (Lot 172 DP 48207) to the Minister for Crown Lands.

BACKGROUND

In December 1985 Council was appointed Reserve Trust Manager of the newly created Glenorie Kindergarten Reserve Trust (R98016). In March 1987, Council and the Minister for Lands granted a 20 year lease to the Pre-School to occupy the premises and operate a pre-school. In June 2007, the lease was renewed with the Pre-School for a further 10 year period in line with Council Policy CSISAS 13 - Use of Council Buildings by Kindergartens which provided for a subsidised rental.

The Pre-School is licensed for 27 places and operates as an approved long day care centre (50 weeks per year from 7.30am – 6.00pm Monday – Friday taking babies from six weeks up to pre-school age) meaning that parents are eligible for federal financial assistance to help cover their costs of approved care. The Pre-School is a non-profit community based and managed centre.

DISCUSSION

In May 2015, when Council was developing its Community and Cultural Facilities Strategic Plan, representatives from the Pre-School approached Council to discuss their plans to extend their centre in order to provide care for babies and to better service the community. Key to their proposal was the ability of the Pre-School to secure finance, something that they are only able to do once they have long term security of tenure.

This was noted and an additional inclusion was made to the Community and Cultural Facilities Strategic Plan for Council to investigate an alternative management arrangement with the NSW Government (Crown Lands) in relation to the care, control and management of community facilities located on Crown Land, providing the strategic basis for Council to efficiently progress any formal request from the Pre-School.

Council has recently received correspondence from the Pre-School advising that they have applied for a NSW Government Grant (Community Pre-School Capital Works Grant) to fund their planned expansion. Due to a number of conditions likely to be imposed on their lease and potentially on the title of the land should the Pre-School be successful with their grant application, the Preschool consider that a direct long term lease with the Crown would best serve their interests.

Accordingly the Preschool has requested that Council consider resigning as the Reserve Trust Manager of the Glenorie Kindergarten (R98016) Reserve Trust to enable the Preschool to seek a direct long term lease with the Crown and further their expansion plans.

In support of its request, the Pre-School has indicated that:

- It currently runs at full capacity, with a number of families on a wait list
- They are already receiving enrolment forms for 2018
- Due to the semi-rural location of Glenorie, there are no alternative pre-school or childcare facilities any closer than a 15 minute drive
- Due to a number of private subdivisions that have been approved in the area, they are anticipating that enrolment requests are going to be even higher from 2018

- They feel strongly that they need to extend their premises to continue to serve the community with the vital service of a pre-school
- A direct lease with the Crown places the Pre-School in a much better position with regards to offering security in respect of Government grants and/or other types of funding which would need to be obtained to allow the extensions to be undertaken.

Having regard to the above, it is considered reasonable that Council make application to the Crown Lands Minister seeking approval to resign as the Glenorie Kindergarten (R98016) Reserve Trust Manager.

CONSULTATION

In the preparation of this Report there was consultation with the Pre-School.

BUDGET

The direct long term lease with the Crown will cease the subsidised rental to the Glenorie Preschool that will assist in decreasing Community's building maintenance expenditure.

POLICY

The relevant Policy is the Land - Lease-Licence Policy. Strategic Direction No. 9 from Council's Community and Cultural Facilities Strategic Plan is also relevant.

CONCLUSION

Over the past 31 years, the demand for Pre-School and childcare facilities in the growing Glenorie and surrounding community has increased. The Pre-School has plans to increase their licensed places by 26 to meet the increased demand. It needs to obtain funding to extend the building and requires a long term lease directly with the Crown to do this.

With the security of tenure under a long term lease directly with the Crown, the Pre-School will be in the best position to secure funding of the building extension and deliver the substantial benefits that the Pre-School and childcare facilities will offer to the growing Glenorie and surrounding community.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this report are the Manager, Land and Property Services – Peter Thompson - who can be contacted on 9487 6669; and the Manager, Community Services – David Johnston - who can be contacted on 9487 6800.

STEPHEN FEDOROW
Group Manager
Environment and Human Services Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

Attachments:

1. Glenorie Preschool's request to Council to relinquish management of Crown Land - Glenorie
[V](#) Preschool - 1761 Old Northern Road, Glenorie
[ie](#)
[w](#)

File Reference: F2004/06104

Document Number: D07216553

4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2017 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2017/18 FINANCIAL YEAR

EXECUTIVE SUMMARY

- Sections 248(2) and 249(3) of the Local Government Act provide respectively for Council to once each year fix the annual fee payable to Councillors and the additional annual fee payable to the Mayor.
- The annual fees must be fixed in accordance with the relevant annual determination of the Local Government Remuneration Tribunal.
- Based on the Tribunal's 2017 Report and Determination, it is recommended that Council approve a 2.5% increase in Councillor and Mayoral fees for the 2017/18 financial year.
- Acceptance of such recommendation would result in each Councillor receiving an annual fee of \$24,550 and the Mayor receiving an additional annual fee of \$65,230 for 2017/18.
- Sufficient funds have been allocated in the 2017/18 Budget to cover a 2.5% increase in the fees payable to Councillors and the Mayor.

RECOMMENDATION

THAT:

1. As a consequence of the 2017 Report and Determination of the Local Government Remuneration Tribunal, Council note that it is now in the Metropolitan Medium Category of NSW councils for the period 1 July 2017 to 30 June 2018.
2. In accordance with Section 248 of the Local Government Act, and having considered the 2017 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$24,550 be paid to each Councillor for the period 1 July 2017 to 30 June 2018.
3. In accordance with Section 249 of the Local Government Act, and having considered the 2017 Report and Determination of the Local Government Remuneration Tribunal, an additional annual fee of \$65,230 be paid to the Mayor for the period 1 July 2017 to 30 June 2018.

PURPOSE

The purpose of this Report is to provide Council with the 2017 Report and Determination of the Local Government Remuneration Tribunal such that Council can determine the amount of the fee payable to each Councillor, and the additional fee payable to the Mayor, for the 2017/18 financial year.

BACKGROUND

The Local Government Remuneration Tribunal is established under Chapter 9, Part 2, Division 4 of the Local Government Act. In this regard, Section 239 of the Act states:

- (1) *The Remuneration Tribunal must, at least once every 3 years:*
 - (a) *determine categories for councils and mayoral offices, and*
 - (b) *place each council and mayoral office into one of the categories it has determined.*
- (2) *The determination of categories by the Remuneration Tribunal is for the purpose of enabling the Remuneration Tribunal to determine the maximum and minimum amounts of fees to be paid to mayors and councillors in each of the categories so determined.*

Section 241 of the Act states:

The Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.

The Tribunal has completed its 2017 Report and Determination recommending the fees payable to councillors and mayors for the 2017/18 financial year – see copy attached.

DISCUSSION

Since the making of the 2016 determination, a number of councils have been amalgamated resulting in the creation of 20 new councils. The impact of those structural changes is an overall reduction in the number of councils in NSW from 152 to 128. This significant change prompted a review of the existing categories and the allocation of councils into each of those categories.

The Tribunal invited submissions on the proposed categorisation model, criteria for the allocation of councils into the categories, fees for the proposed categories and any other matters. In response to this review the Tribunal received 28 submissions from individual councils and a submission from LGNSW.

The Tribunal has subsequently determined a categorisation model which differentiates councils primarily on the basis of their geographic location. Other factors which differentiate councils include population, the sphere of the council's economic influence and the degree of regional servicing.

The categories of general purpose councils are as follows:

Metropolitan

- Principal CBD; Major CBD; Metropolitan Large; Metropolitan Medium and Metropolitan Small
- Non-metropolitan
- Regional City; Regional Strategic Area; Regional Rural and Rural

As a result of this review, it was determined that Hornsby Shire Council would be categorised in the Metropolitan Medium category of NSW councils along with eight other Councils - Bayside, Campbelltown, Georges River, Ku-ring-gai, Inner West, Randwick, Ryde and The Hills.

Essentially, the new Metropolitan Medium category is a replacement of the previous Metropolitan Centre category in which Council was placed in 2015/16 and previous years along with Bankstown, Campbelltown, Fairfield, Gosford, The Hills, Hurstville, Lake Macquarie, Liverpool, North Sydney, Randwick, Ryde, Sutherland, Warringah, Willoughby and Wyong Councils. The new Metropolitan Medium category also has the same fee structure that applied to the former Metropolitan Centre category.

The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government's policy of rate pegging and has found that a 2.5% increase to the current fees is warranted. The 2.5% increase will apply to the minimum and the maximum of the ranges for all categories.

Impact on Council

The fees determined by the Tribunal as being applicable to the Metropolitan Medium category of councils are:

Councillor	Mayor
Annual Fee Minimum - Maximum	Additional Fee Minimum - Maximum
\$13,150 - \$24,550	\$27,940 - \$65,230

In June 2016, when Council determined the fees payable to Councillors and the Mayor for the 2016/17 financial year, it resolved to pay fees at the maximum level. This was consistent with decisions in previous years.

BUDGET

Sufficient funds have been allocated in the 2017/18 Budget to cover a 2.5% increase in the fees payable to Councillors and the Mayor.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

It is considered appropriate that the maximum fee for the Metropolitan Medium category be paid to Hornsby Shire Councillors and the Mayor for the period 1 July 2017 to 30 June 2018. This would result in each Councillor receiving an annual fee of \$24,550 and the Mayor receiving an additional annual fee of \$65,230 for the 2017/18 financial year.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Governance and Customer Service – Robyn Abicair, who can be contacted on 9847 6608.

ROBYN ABICAIR
Manager - Governance and Customer Service
Corporate Support Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

Attachments:

- 1.[View](#) Office of Local Government Circular 17-08
- 2.[View](#) Local Government Remuneration Tribunal Annual Report

File Reference: F2004/09552-02

Document Number: D07212398

5 ADOPTION OF 2017/18 OPERATIONAL PLAN INCORPORATING THE BUDGET, FEES AND CHARGES AND RATING STRUCTURE FOR 2017/18

EXECUTIVE SUMMARY

- Council adopted the draft 2017/18 Operational Plan for the purpose of public exhibition at its 12 April 2017 General Meeting. The draft Plan included the Budget, Fees and Charges and Rating Structure for 2017/18.
- The draft documents were publicly exhibited from 13 April until 15 May 2017 and submissions invited. 20 submissions including two late submissions were received and they are summarised in Table 1A of this Report. Table 1B of the Report contains a summary of administrative changes proposed by internal Divisions of Council.
- Feedback received through the public consultation identified a number of anomalies in the draft Fees and Charges for Community and Cultural Facilities, where proposed fees would result in not for profit groups facing a substantial increase in the hourly rate. Feedback also identified that there is not a consistent approach across all Centres to applying subsidised rates for not for profit groups.
- Following a review of all submissions by appropriate Council staff, it is recommended that the 2017/18 Fees and Charges for Community and Cultural Facilities as they relate to not for profit groups be amended as outlined in Table 1A, item 8a. No other material changes to the publicly exhibited documents are recommended.
- Once adopted, the final 2017/18 Operational Plan (including the Budget and Fees and Charges for 2017/18) will be distributed electronically and in hard copy to Councillors, staff and interested persons.

RECOMMENDATION

THAT:

1. Subject to incorporation of the recommendations detailed in Tables 1A and 1B and the Budget section of Deputy General Manager's Report No. CS15/17, Council adopt the 2017/18 Operational Plan incorporating the Budget, Fees and Charges and Rating Structure for 2017/18.
2. Council make and levy the 2017/18 Ordinary Rates in accordance with Table 2 of Deputy General Manager's Report No. CS15/17.
3. Council make and levy the 2017/18 Catchments Remediation Rate on all rateable land in the Shire in accordance with Table 3 of Deputy General Manager's Report No. CS15/17.

PURPOSE

The purpose of this Report is to provide Council with information and recommendations regarding the submissions received in respect of the public exhibition of the draft 2017/18 Operational Plan, which includes the Budget, Fees and Charges and Rating Structure for 2017/18.

BACKGROUND

By 30 June in the year following local government elections, all councils are required to develop a 10 year community strategic plan, a four year delivery program and a one year operational plan as well as a resourcing strategy aligned to an integrated planning framework. The purpose is to identify the main priorities and aspirations for the future of the council area and the resources required to move to that preferred future. Your Community Plan 2013-2023, which is Hornsby Shire Council's 10 year Community Strategic Plan, was adopted on 19 June 2013 together with a Delivery Program for 2013-17 and a 2013/14 Operational Plan.

Due to legal action by Ku-ring-gai Council opposing the NSW Government's intention to amalgamate Hornsby and Ku-ring-gai Councils, the current Hornsby Shire Council's term of office has been extended past its original four years and the Operational Plan 2017/18 will continue to operate under Your Community Plan 2013-2023 and the four year Delivery Program 2013-2017 (see Circular No. 16-50 dated 21 December 2016 from the Office of Local Government).

The Office of Local Government requires that the four year delivery program and one year operational plan be reviewed annually. This review process has occurred for the 2014/15, 2015/16 and 2016/17 financial years.

At the General Meeting held on 12 April 2017, Council considered Deputy General Manager's Report No. CS8/17 and resolved that:

1. *Council adopt for public exhibition and make available for public comment from 13 April to 15 May 2017, the draft Operational Plan 2017/18 which includes the draft Budget, Fees and Charges and Rating Structure for 2017/18.*
2. *Council note that the rating information contained in the draft Operational Plan 2017/18 is in line with the Independent Pricing and Regulatory Tribunal's rate increase approval for NSW councils (i.e. a 1.5% rate increase for 2017/18).*
3. *Following the public exhibition period, and before 30 June 2017, a further report be prepared for Council's consideration which provides details of any submissions received and recommends the adoption of a final Operational Plan 2017/18, including the Budget, Fees and Charges and Rating Structure for that year.*

DISCUSSION

Consultation on the Documents

During the exhibition period from 13 April to 15 May 2017, copies of the draft Operational Plan including Budget, Fees and Charges and Rating Structure for 2017/18 were on display at Council's reception areas and four libraries and were available electronically on Council's website. Advertisements advising of the availability of the documents were placed in the Council Column of four local newspapers, and were contained in the quarterly 'What's On' booklet delivered to 41,000 households and in the May monthly e-newsletter sent to 32,000 people.

Submissions

A total of 20 submissions (including two late submissions) were received during the formal exhibition period of the draft Plan. Of the submissions:

- one relates to various areas of the Operational Plan in terms of finances and Pennant Hills in particular
- two relate to the condition of Scribbly Gum Close Park, Hornsby Heights
- two relate to the local road improvement program (one of these being a resident petition about the condition of Lord Street, Mount Colah)
- one relates to plans for Hornsby Shire's heritage buildings
- one relates to consideration of accessibility and disabilities
- 13 relate to the fees and charges (nine of these being pro forma submissions about not for profit groups being charged the same as regular hirers for Council's community centres).

The draft Fees and Charges as exhibited sought to streamline the administration of community and cultural facilities by rationalising the fees paid by not for profit groups along with regular hirers. In most cases the price differential between the two was in the order of \$1-2 per hour and a common mid-point had been proposed.

Feedback received through the public consultation identified a number of anomalies where the price differential was greater and would result in not for profit groups facing a substantial increase in the hourly rate. Feedback also identified that there is not a consistent approach across all centres to applying subsidised rates for not-for-profit groups.

Council's Community and Cultural Facilities Strategic Plan included a key direction to increase the consistency and sustainability of fees and charges, including simplifying the structure and increasing fees and charges over time to reflect industry benchmarks.

Whilst the proposed fees and charges sought to simplify the fee structure, it did so as an incremental step and did not recognise the community and social value of not for profit users and the capacity of "for profit" users to pay a premium to operate their business from community owned spaces.

It is recommended that Council seek to progress the key direction in a comprehensive manner and develop a policy which relates to the appropriate priority usage of community and cultural facilities and that this key priority usage be reflected in the pricing structure. Specifically, this policy should recognise the community and social value of not for profit users and the capacity of "for profit" users to pay a premium to operate their businesses from community owned spaces and be accompanied by a revised set of fees and charges which supports that policy position.

Whilst this policy and revised fees and charges are under development, it is recommended that Council reinstate the pricing split between regular hirers and not for profit groups so that not for profit groups pay less for hire of the same facility.

In relation to fees to be applied for the not for profit groups in 2017/18, it is recommended that fees revert to the fee structure applied in 2016/17 fees (at centres where this has historically been implemented) plus CPI. This should be applied only where the fee plus CPI rate is less than the fee advertised for 2017/18.

Further, it is recommended that Council adopt the fees (as advertised) as they relate to regular hirers in 2017/18, noting that these fees will apply to groups that do not have not for profit status. It is further noted that these fees will typically involve a reduction compared to fees implemented in 2016/17.

The submissions are summarised in Table 1A below, with staff comments/recommendations in *italics*.

Table 1A

No.	About	Summary of Issues	Staff recommendation
1a	Pennant Hills District Civic Trust re: (a) Cash funding surplus distribution (p78 Operational Plan) and Service 3D (p50 Operational Plan)	Questions opportunities to reallocate Council's 2017/18 cash funding surplus to fund next stage of the Pennant Hills Master Plan study and to make Pennant Hills a focus for funds allocated to manage traffic flows, parking, access to public transport and road safety (\$1.039m)	<i>Council's budget allocation is determined by the priority of its delegated regulatory functions and projects. In terms of the draft North District Plan, Council will wait finalisation of the draft Plan which is anticipated by the end of 2017. Following finalisation, Council will review key priorities of the Plan within the next Operational Plan's budget.</i>
	(b) What's in our Wallet (p24 Operational Plan)	Questions whether Council's 8% income allocation to planning in the Shire is reflective of priorities within the draft North District Plan and of Council's urban renewal projects	<i>Projects identified in the Strategic Planning Program are principally funded by the recurrent operational budget unless otherwise required. A future Pennant Hills Master Plan would be supported by a comprehensive suite of studies to address urban design, traffic and parking, community facilities and the public domain. Funding of this work would require a resolution of Council to allocate the required funds.</i>
	(c) Study for Pennant Hills (p47 Operational Plan)	Service 3C, Key Action 3C.11 states "Pennant Hills Master Plan - Community Survey" to be done in 2017/18. Survey is complete with results to be published May 2017 - should the item be reworded and money directed into a study for Pennant Hills	<i>Council at its meeting on 10 May 2017 considered Group Manager's Report PL14/17 in relation to the "Picture Pennant Hills" community survey and resolved that an economic feasibility study be undertaken as the next step to inform a future Pennant Hills Master Plan. This study should be reflected in key actions within Part 3C 'Provide Strategic land use planning and urban design' of the Draft Operational Plan. Recommendation: Update wording of Key Action 3C.11 to 'Pennant Hills Master Plan – Economic Study'.</i>
2a	Scribbly Gum Close Park, Hornsby Heights	Park is very run down and equipment is broken. Would like the park upgraded,	<i>New swing unit ordered for the park and installation expected in June. Council will maintain current</i>

No.	About	Summary of Issues	Staff recommendation
3a		maybe with some exercise equipment	<i>playground but intends to prioritise other playgrounds in the area which service a larger catchment.</i>
4a	Local Road Improvements program (p101 Operational Plan)	Would like Arcadia Crescent, Berowra brought forward in the local road improvements program from 2019/20. Much of the small street is in total disrepair - no footpath; the eastern side becomes a creek with rain which is becoming deeper with time	<i>Council has developed a reliable and sophisticated computer modelling process to enable prioritisation of all roads within the urban areas of the Shire which are not fully kerbed and guttered. Criteria considered and entered into the model for inclusion in the Local Road Improvement Program include: traffic, drainage, maintenance, pavement, cost, resident requests. Through this modelling, Arcadia Crescent has been prioritised for construction in 2019/20. A footpath is provided as part of the upgrade. The resident is able to request remedial maintenance is carried out to the road until reconstruction is scheduled.</i>
5a	Heritage	Questioning what Council will be doing about protecting Hornsby Shire's heritage buildings - nothing appearing in Operational Plan	<ul style="list-style-type: none"> • <i>Identification of Council's long term planning goals for the protection of heritage are contained under My Lifestyle - 3C:</i> <ul style="list-style-type: none"> ○ <i>Key Action - 3C.14 – Progress Heritage Review Stage 6; and</i> ○ <i>Key Action Indicator - 3C.14.i – Number of Heritage Committee Meetings held.</i> • <i>Council manages the preservation and conservation of heritage items and conservation areas by assessing applications for building development, subdivision and land use proposals against the heritage provisions and development guidelines within the Hornsby Development Control Plan 2013. Council investigates and enforces compliance in relation to unlawful building works to items of heritage</i>

No.	About	Summary of Issues	Staff recommendation
			<p><i>significance, unlawful land uses and breaches of consent (Key Action 4B.01).</i></p> <ul style="list-style-type: none"> <i>• Council manages and protects Hornsby's natural heritage (trees, parks and bushland) through the conservation and enhancement of local natural resources. This includes Key Actions under Service 1A relating to Plans of Management for natural areas and site plans for Bushcare and planting sites; Key Actions 1D.01 Assess potential impact on trees of development proposals and private property tree applications; 1D.02 Manage trees in streets, parks and public lands administered by Council and maintain public landscaped areas; 1E.05 Rejuvenate Beecroft Village; and 1E.06 'Plan your Parkland' – Hornsby Quarry Park redevelopment plan.</i> <i>• Council manages and commissions the maintenance and upgrade of Council owned heritage assets (community buildings and parks). Works are guided by asset management plans and implemented by the future projects and capital works outlined within the Operational Plan.</i> <p><i>Recommendation:</i> <i>Heritage is an important component of our environment, community and local properties and the protection and enhancement of the heritage of Hornsby is an aim under Clause 1.2 of the Hornsby Local Environmental Plan. Service 3C should be reworded to clearly translate this: 3C: 'Provide strategic land use planning and urban design to highlight Council's policies to protect and enhance the environmental</i></p>

No.	About	Summary of Issues	Staff recommendation
			<i>heritage of Hornsby'.</i>
6a	Organic Food Markets re: Hornsby Mall (p25 Fees and Charges)	<p>(a) % of total gross stall hire fees charged by Council for Markets in Hornsby Mall gone from 20% in 2015/16 to 25% in 2016/17, to a proposed 26% in 2017/18</p> <p>(b) Penalty fee for non-conformance - Licence/Agreement is inherently a fine specified by statute, not a fee and should be removed</p>	<p><i>The 20% fee was in place since 2010/11 prior to the fee increasing to 25% in 2016/17. The licence agreement in place with Choulartons Australia Pty Ltd permits Council to increase the fees charged to operate the markets in the Mall under New Licence (the second of four licence periods has now expired). There is also provision to increase the fees equivalent to the CPI if a Further New Licence is granted. Now in the third of four licence periods - 1 April 2017 – 30 September 2017 - Council has decided not to apply the CPI increase available and maintain the 25% fee for 2017/18. The 25% fee will apply to all markets operating in the mall per market day.</i></p> <p><i>There are several agreements in place with third parties for use of the Mall. This fee may be applicable for other agreements where such a fee is included in any renewal process.</i></p>
7a	Inclusion of references to disability and accessibility	Questioning whether the needs of people with disabilities have been adequately considered in preparation of the document and whether requirements of the Disability Inclusion Action Plan have been included	<i>Council's Disability Inclusion Action Plan (DIAP) 2017-2020 on exhibition the same time as the Draft Operational Plan. The draft DIAP seeks to implement strategies to improve access to Council's key corporate documents and decision making processes. These will be rolled out on adoption of the DIAP.</i>
8a	Community and Cultural Facilities (pp10-16 Fees and Charges)	<p>(a) Not for profit groups no longer receive concession rates</p> <p>(b) The currently assigned pricing and service categories do not reflect the</p>	<i>The draft fees and charges as exhibited sought to streamline the administration of community centres by rationalising the fees paid by not for profit groups along with regular hirers. In most cases the price</i>

No.	About	Summary of Issues	Staff recommendation
		benefit the hirer provides for the community and the fees should be considered under categories 2B or 3G	<p><i>differential between the two was in the order of \$1-2 per hour and a common mid-point had been proposed.</i></p> <p><i>Feedback received identified a number of anomalies where the price differential was greater and would result in not for profit groups facing a substantial increase in the hourly rate.</i></p> <p><i>Whilst the proposed fees and charges sought to simplify the fee structure, it did so as an incremental step and did not recognise the community and social value of not for profit users and the capacity of "for profit" users to pay a premium to operate their business from community owned spaces.</i></p>
9a			<p>Recommendation: Council develop a policy which relates to the appropriate priority usage of community and cultural facilities and reflect this key priority usage in the pricing structure. Specifically, this policy should recognise the community and social value of not for profit users and the capacity of "for profit" users to pay a premium to operate their businesses from community owned spaces and be accompanied by a revised set of fees and charges which supports that policy position.</p> <p><i>Whilst this Policy and revised fees and charges are under development, Council should reinstate the pricing split between regular hirers and not for profit groups so that not for profit groups pay less for hire of the same facility:</i></p> <ul style="list-style-type: none"> o The fees for not for profit groups in 2017/18 should revert to the fee structure applied in 2016/17 (at
10a			
11a			
12a			
13a			
14a			
15a			
16a			

No.	About	Summary of Issues	Staff recommendation
			<p><i>centres where this has historically been implemented) plus CPI. This should be applied only where the fee plus CPI rate is less than the fee advertised for 2017/18.</i></p> <ul style="list-style-type: none"> ○ <i>The fees for regular hirers in 2017/18 should be adopted as advertised, noting that these fees will apply to groups that do not have not for profit status. These fees will typically involve a reduction compared to fees implemented in 2016/17.</i>
17a	Cherrybrook SDA Company re: Community and Cultural Facilities (pp10-16 Fees and Charges)	Not for profit groups no longer receive concession rates for hall hire	<i>(as in 8a above)</i>
18a	Petition from residents of Lord Street, Mount Colah re: Dangerous condition of Lord Street, Mount Colah	Requesting drainage, resurfacing and kerbing works be carried out on Lord Street, Mount Colah as current condition of road will cause serious accident	<i>The Draft Operational Plan 2017/18 proposes local road improvements for Lord Street, Mount Colah in 2020/21. The Plan is reviewed annually.</i>
19a (late)	Hornsby and Districts Amateur Radio Club re: Mount Colah Community Centre (p13 Fees and Charges)	Not for profit groups no longer receive concession rates for hall hire	<i>(as in 8a above)</i>
20a (late)	West Pennant Hills and District Probus Club Inc re: Cherrybrook Community Centre (p11 Fees and Charges)	Requesting consideration be given for concession rates to be available for not for profit groups	<i>(as in 8a above)</i>

There were also administrative issues identified by staff during the exhibition period regarding changes to wording for clarity and revision of 2017/18 section 94 funding for a traffic capital project. Details are summarised in Table 1B below.

Table 1B

No.	About	Summary of Issues	Recommendation
1b	p17 Fees and Charges - Community Services	Extra explanatory note needed in relation to Home Modification Services advising that people on Commonwealth Home Care Packages are ineligible for a subsidised Commonwealth Home Support Programme	<i>Add explanatory note at bottom: “# People receiving Commonwealth Home Care Packages are ineligible for a subsidised Commonwealth Home Support Programme (CHSP)”</i>
2b	pp17-29 Operational Plan - Key Actions for Services 1A, 1B and 1C	Key Actions revised and combined into overarching categories. Intent of the Services remains the same	<i>Revise Key Actions and combine into high level, overarching categories</i>
3b	p97 Operational Plan - Traffic Facilities Section 94 projects	Realign bus and taxi exit - High Street/Peats Ferry Road, Hornsby Westside. Intention is for Study only in 2017/18 @ \$150k	<i>Revise budget for item from \$1m to \$150k for Study only</i>

During the exhibition period, there were further minor changes suggested by Council staff to improve clarity of the information contained in the documents, and those changes have been incorporated in the final versions of the documents.

Rates Structure

The rates structure included in the draft 2017/18 Operational Plan was based on the general increase determined by IPART i.e. a 1.5% increase to apply to the Ordinary and Catchments Remediation Rates. The Ordinary and Catchments Remediation Rates tables (Tables 2 and 3 below) have been updated to take into account adjustments due to recategorisation of properties and supplementary rates since exhibition. This has affected the ‘Rate in the \$ (based on land value)’, ‘% of Total Rate’, ‘Yield \$’ columns and the overall totals, increasing the total rates levied to \$66,008,823.

Table 2 – Ordinary Rates

Category	Rate in the \$ (based on land value)	Minimum Rate \$	Base Amount (\$)	Base Amount (%)	% of Total Rate	Yield (\$)
Residential	0.08967800		\$527	47%	86.84%	54,594,294
Farmland	0.08896400		\$527	28%	0.91%	572,097
Business	0.35392800	\$556			6.87%	4,319,021
Business (Hornsby CBD)	0.44484700	\$556			3.62%	2,275,814
Business (Shopping Centre)	1.10660300				1.76%	1,106,474
Total					100%	62,867,700

Table 3 – Catchments Remediation Rate

(NB. There are no minimum or base amounts in respect of this rate)

Category	Rate in the \$ (based on land value)	Yield (\$)
Residential	0.008534	2,727,773
Farmland	0.006213	28,581
Business	0.018860	215,782
Business (Hornsby CBD)	0.022397	113,705
Business (Shopping Centre)	0.055288	55,282
Total		3,141,123

Total Rates Levied

\$66,008,823

Rate Reductions for Eligible Pensioners

Eligible pensioners across NSW are entitled to a \$250 reduction in the ordinary rates and domestic waste management services. Details regarding the pensioner rebate are available in the Rating Information section of the Operational Plan 2017/18.

The \$250 rebate may require consideration in the future due to the Commonwealth Government's removal of support for pensioner rebates as part of its 2014/15 budget. To date the NSW State Government has covered the funding shortfall due to the removal of Commonwealth funding, but this is not guaranteed in the future.

Fire and Emergency Services Levy

The commencement of the Fire and Emergency Services Levy from 1 July 2017 was previously reported in Deputy General Manager's Report No. CS8/17. On 30 May 2017, the NSW Government announced that this initiative will be deferred subject to further reviews. This NSW Government charge will, therefore, not appear on Council rate notices in the 2017/18 financial year.

CONSULTATION

Council engaged its community in discussing a preferred future for the Shire which resulted in Council's first Community Strategic Plan being adopted in 2010. The 2017/18 Operational Plan (including the Budget and Fees and Charges) responds to the Community Strategic Plan and has been prepared after detailed discussions with relevant staff, consideration by Council and public exhibition of draft proposals. Councillors were provided with a briefing on the contents of the draft documents on 22 March 2017. Draft documents were placed on public exhibition from 13 April to 15 May 2017. Regular hirers of Council's facilities were advised of the proposed fee increases for 2017/18.

BUDGET

Consistent with Council's goal to maintain prudent financial management and to allocate financial surpluses towards key strategic matters, the publicly displayed draft 2017/18 Annual Budget included an estimated surplus of \$78K after allowing for a transfer of \$1.2 million towards funding a Section 94 funding gap identified in Council's 2014-2024 Section 94 Development Contributions Plan, \$400K towards the structural improvements at the Galston Aquatic Centre and \$300K to undertake a planning study on the Hornsby Eastside.

The estimated surplus of \$78K remains, and has been achieved without the need to undertake external loan borrowing. Over the past five years, considerable savings have been made by not providing for any increase in non-salary related operating budgets, maintaining appropriate staffing

levels and reviewing the efficiency of business activities. Any increases in expenses for services have been met by efficiency and other gains across Council in those years.

The amount of surplus funds available to redirect towards meeting the current Section 94 funding gap has significantly diminished when compared to prior years and will continue into the future. This is the consequence of the NSW Government's announced boundary adjustment with the City of Parramatta Council on 12 May 2016 with significant transfers of net recurrent income and assets. The financial effect of this transfer was previously reported to Council (refer Deputy General Manager's Report No. CS43/16).

While on display, the proposed construction of the new Berowra Rural Fire Brigade station within the Hornsby Ku-ring-gai District has been given a high priority by the NSW Rural Fire Service (NSWRFS). Council has agreed "in principle" to forward fund this project and seek reimbursement from the NSWRFS for construction of costs over a number of years. The capital funding for this project has been set aside against Council's internally restricted asset funds. These internally restricted asset funds will be restored upon reimbursement from the NSWRFS.

POLICY

The four year Delivery Program is Council's principal instruction to the organisation and the underlying annual Operational Plans allocate resources and contain the detail on what will be done to implement the Delivery Program.

CONCLUSION

The 2017/18 Operational Plan including the Budget and Fees and Charges for that year encompass the priorities and expected levels of service voiced by the community. Council will respond by providing services in a prudent and financially viable manner. Once adopted, the 2017/18 Operational Plan (including the Budget and Fees and Charges for 2017/18) will be distributed electronically and in hard copy to Councillors, staff and interested persons.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Chief Financial Officer – Glen Magus and the Manager Strategy and Communications – Julie Williams, who can be contacted on 9847 6635 and 9847 6790 respectively.

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

ROBERT STEPHENS
Acting General Manager
Office of the General Manager

Attachments:

There are no attachments for this report.

File Reference: F2016/00368
Document Number: D07210115

6 INVESTMENTS AND BORROWINGS FOR 2016/17 - STATUS FOR PERIOD ENDING 30 APRIL 2017

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 30 April 2017 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the annualised return for the month of April was 2.66% compared to the benchmark of 1.50%.

RECOMMENDATION

THAT the contents of Deputy General Manager's Report No. CS14/17 be received and noted.

PURPOSE

The purpose of this report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act; to provide details as required by Clause 212(1) of the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy; and to advise on the extent of Council's current borrowings.

BACKGROUND

A report is required to be submitted for Council's consideration each month detailing Council's investments and borrowings and highlighting the monthly and year to date performance of the investments. Initial investments and reallocation of funds are made, where appropriate, after consultation with Council's financial investment adviser and fund managers.

DISCUSSION

Council invests funds which are not, for the time being, required for any other purpose. Such investment must be in accordance with relevant legislative requirements and Council Policies, and the Chief Financial Officer must report monthly to Council on the details of the funds invested.

Council's investment performance for the month ending 30 April 2017 is detailed in the attached document. In summary, the At-Call and Term Deposits achieved an annualised return of 2.66% for April 2017, compared to the benchmark of 1.5%.

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2007 to date, based on the principal balances outstanding is 7.19%. The Borrowings Schedule as at 30 April 2017 is also attached for Council's information.

Credit Rating Changes

Hornsby Shire Council, along with other councils across Australia, utilise Standard & Poor's credit ratings to provide a framework for investment portfolio risk management, allowing higher percentage exposures to banks with high credit ratings and smaller allowance to those with lower ratings. Standard & Poor's recently downgraded the long term credit ratings of over 20 Australian Authorised Deposit taking Institutions (ADIs). This has become an issue for Council as its investment policy and reporting currently refers only to an ADI's long term credit rating regardless of the actual term to maturity of the investment.

A review of term deposits held by Council in affected ADI's of maturities greater than 12 months has been completed. There is one term deposit with a value of \$2 million, or 1.19% of the portfolio, that has a maturity date greater than 12 months held by an affected ADI. The perceived risk is considered low in respect to this term deposit and will be held until maturity.

It should be noted that the short term credit ratings of these affected institutions have remained intact. For obligations with maturities of less than 12 months, ratings agencies also use a short term ratings scale to more accurately assess the ADI's ability to cover its near term obligations. In this regard the deposits held by Council meet short term credit rating levels.

Based on the above, Council's Investment Strategy is to be updated to incorporate a combination of short term and long term credit ratings within its investment portfolio limits. Month end holding reports will be updated to reflect this change in ratings and proposed limits. Council's investment advisor will work with staff to make these changes in the investment reporting period covering the period ending May 2017.

CONSULTATION

Appropriate consultation has occurred with Council's financial investment adviser in the preparation of this Report.

BUDGET

Budgeted investment income for 2016/17 is \$3,000,000 with an average budgeted monthly income of \$250,000. Total investment income for the period ended April 2017 was \$3,661,000 compared to the budgeted income of \$2,500,000. Approximately 41% of the investment income received by Council relates to externally restricted funds (e.g. Section 94 monies) and is required to be allocated to those funds. All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.

CONCLUSION

The investment of Council funds and the extent of its borrowings as at 30 April 2017 are detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those investments and borrowings.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Chief Financial Officer – Glen Magus, who can be contacted on 9847 6635.

GLEN MAGUS
Chief Financial Officer - Financial Services
Corporate Support Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

Attachments:

- 1.[View](#) HSC Investment Holdings Report April 2017
- 2.[View](#) HSC Borrowings April 2017

File Reference: F2004/06987-02
Document Number: D07207842

7 DEBTS TO BE WRITTEN OFF - 2016/17 FINANCIAL YEAR

EXECUTIVE SUMMARY

- The Financial Services Branch is responsible for assessing Council's outstanding debtors on a regular basis to determine those debts which are bad, doubtful or recoverable.
- The latest assessment for 2016/17 has resulted in the Acting General Manager writing off debts totalling \$7,714 using his delegated authority from Council (refer attached Schedule B); and proposing to Council that it write off a further debt considered bad totalling \$3,574 (refer attached Schedule A).
- Council's consideration of this Report ensures that the relevant legislative requirements and Council protocols have been met in respect of those debts to be written off.
- The write-off of debts for 2016/17 will be met from a budget allocated for this purpose, plus the reallocation of minor savings in Divisional budgets across the organisation.

RECOMMENDATION

THAT for 2016/17, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$3,574 (as detailed in Schedule A attached to Deputy General Manager's Report No. CS19/17).
2. Note debts considered bad totalling \$7,714 which will be written off under the General Manager's delegated authority (as detailed in Schedule B attached to Deputy General Manager's Report No. CS19/17).

PURPOSE

The purpose of this Report is to seek Council approval, in accordance with Clause 213 of the Local Government (General) Regulation, to write off debts considered bad for the 2016/17 financial year.

BACKGROUND

Each year, the Financial Services Branch assesses the status of outstanding debtors to determine those debts which are bad, doubtful or recoverable. Debts considered bad are either recommended for write off by the General Manager under delegated authority or submitted to Council for approval to write off. (N.B. Doubtful debts are provided for in the financial records in contrast to bad debts which are written off)

DISCUSSION

The writing off of debts by Council is undertaken in accordance with Clause 213 of the Local Government (General) Regulation. At the Ordinary Meeting held on 10 July 1996, Council resolved that the General Manager be delegated authority to write off individual debts up to \$1,000 which are considered irrecoverable. Debts over \$1,000 may only be written off by resolution of Council. The amount of bad debts written off by Council in accordance with Clause 213 of the Regulation over the last four financial years has been:

2012/13	\$75,430
2013/14	\$7,477
2014/15	\$2,379
2015/16	\$49,714

For 2016/17, it is recommended that Council write off a debt considered bad totalling \$3,574 (see details in Schedule A); and note debts considered bad totalling \$7,714 which have been written off under the General Manager's delegated authority (see details in Schedule B). It should be noted that even if a debt is written off, Council is not prevented from taking future legal proceedings to recover the debt.

CONSULTATION

This Report has been prepared in consultation with Council's debt collection agency – Recoveries and Reconstruction (Australia) Pty Ltd.

BUDGET

The 2016/17 budget for bad debts written off is \$1,000. This budget will need to be supplemented by the reallocation of minor savings in Divisional budgets across the organisation in order to write off the debts detailed in this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The write-off of bad debts for the 2016/17 financial year is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those debts to be written off.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Chief Financial Officer – Glen Magus, who can be contacted on 9847 6635.

GLEN MAGUS
Chief Financial Officer - Financial Services
Corporate Support Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

Attachments:

- 1. [View](#) Schedule A Debtors
- 2. [View](#) Schedule B Debtors

File Reference: F2004/06978-02
Document Number: D07220604

8 DISABILITY INCLUSION ACTION PLAN

EXECUTIVE SUMMARY

- Council has a legislative requirement under the NSW Disability Inclusion Act 2014 to produce a Disability Inclusion Action Plan (DIAP).
- A DIAP is designed to outline how Council will make mainstream services and community facilities more accessible to people with a disability, helping to build a more inclusive community in the Shire.
- A draft DIAP has been produced following community consultation around the key theme areas of attitudes and behaviour; liveable communities; systems and processes; and employment.
- The draft DIAP was placed on public exhibition between 19 April and 11 May 2017.
- This report seeks Council's adoption of the draft DIAP following the public exhibition period.
- Once adopted, the DIAP will form one of Council's key strategic planning documents and be reported on via the Annual Report and the Integrated Planning and Reporting process.
- Following the adoption of the DIAP, Council is required to submit a copy to the Disability Council of NSW.

RECOMMENDATION

THAT Council:

1. Adopt the draft Disability Inclusion Action Plan included as Attachment 1 to Group Manager's Report No. EH5/17.
2. Forward a copy of the adopted Disability Inclusion Action Plan to the Disability Council of NSW.
3. Regularly report on the progress of the implementation of the Disability Inclusion Action Plan via the Annual Report and as part of Council's Integrated Planning and Reporting process.

PURPOSE

The purpose of this Report is to enable Council to consider and adopt the draft Disability Inclusion Action Plan following public exhibition.

BACKGROUND

The NSW Disability Inclusion Act 2014 requires key organisations in the State, including local government bodies, to produce Disability Inclusion Action Plans.

The aim of a DIAP is to make our community more inclusive for people with a disability. Inclusion is defined as a situation whereby all people, irrespective of their disability status, are able to participate completely in all aspects of an activity, service or location, in the same way as any other member of the community.

DISCUSSION

In line with its requirements under the NSW Disability Inclusion Act 2014 and with the assistance of Jenny Bray Training and Consulting, Council has produced a draft Disability Inclusion Action Plan (Attachment 1). This plan has benefitted from two rounds of consultation in early 2017 as follows:

First Round Consultation

Key consultation protocols included:

- Online surveys;
- Hard copy surveys;
- Face to face appointments/interviews in accessible venues;
- Via the Access and Social Justice Consultative Group;
- Open Community Consultation Sessions; and
- Focus groups.

200 submissions were received through this first consultation round which informed the development of the draft Action Plan. One in four people who provided input into the development of the DIAP identified as having a disability.

In summary, most respondents said that Council facilities were “OK” and very few people thought that services and facilities were “not at all” disability friendly. Libraries in particular were rated as “great”, as were the aquatic centres. More work can be done on footpaths and developing inclusive pricing structures for services.

The subsequent action plan that has been developed following consultation is structured around the same themes as the NSW National Disability Strategy Implementation Plan.

Those themes are:

1. Attitudes and behaviour – creating a culture whereby people with a disability experience positive and inclusive attitudes and behaviours.
2. Liveable communities – facilitating greater access to the built and natural environments.
3. Systems and processes – making Council services (including governance processes) easier to access.
4. Employment – people with a disability have opportunities to gain employment with Council.

Second Round Consultation

The draft DIAP was subsequently workshopped with Council's management team and then placed on Public Exhibition between 19 April and 11 May 2017. A small amount of feedback was received as a result of the exhibition process. Details associated with this feedback can be found in Attachment 2.

Recommended amendments to the draft DIAP following public exhibition include:

1. Recommendation (Vision):

- a) Amend the definition of inclusion on page 6 to the following (addition in italic and bold)

Inclusion ensures children and adults who live with disabilities can participate fully in the social, cultural and economic life of the community. Inclusion is evident when all people, irrespective of the disability status, are able to participate completely in all aspects of an activity, service, or location, in the same way as any other member of the community.

- b) Amend Vision on page 7 to the following (addition in italic and bold)

Hornsby Shire Council's Disability Inclusion Action Plan (2017-2020) provides a vision for an inclusive Hornsby *Shire in which the social, cultural and economic life of the community is accessible to people of all ages and abilities.*

2. Recommendation (relating to comments on Strategy 3.2)

- a) Amend Action 2.2.1 and measure 2.2.1.2 on page 31 to the following (addition in italic and bold)

Action 2.2.1

Complete **accredited** access audits of Council buildings and facilities whenever upgrades are planned, indicate risks to people with disabilities due to poor building access and ensure updated access information is included on Council's web site.

Measure

2.2.1.2 # of **accredited** access audits completed

It is noted that accredited access audits are already undertaken when major upgrades to community buildings are undertaken and it is recommended that this approach should continue.

CONSULTATION

In the preparation of this Report there was consultation with the community of Hornsby.

BUDGET

Initiatives arising from the DIAP are designed to be core business of Council and can be delivered within current resource allocations.

POLICY

The adoption and submission of the DIAP to the Disability Council of NSW is consistent with Council's legislative responsibilities under the NSW Disability Inclusion Act 2014.

CONCLUSION

Council has produced the draft Disability Inclusion Action Plan in consultation with the community of Hornsby, outlining the steps that Council can take to help to build a more inclusive community. The contents of the Plan should be considered as core business for local government in that they seek to ensure that all Council services and functions can be engaged with by the community that the Council services.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Community Services – David Johnston - who can be contacted on 9847 6800.

DAVID JOHNSTON
Manager - Community Services
Environment and Human Services Division

STEPHEN FEDOROW
Group Manager
Environment and Human Services Division

Attachments:

- 1.[View](#) Draft Disability Inclusion Action Plan
- 2.[View](#) Feedback - Draft Disability Inclusion Action Plan

File Reference: F2017/00061
Document Number: D07198774

9 DURAL STRATEGIC INVESTIGATIONS

EXECUTIVE SUMMARY

- At its meeting on 8 February 2017, Council resolved to discontinue its evaluation of the South Dural Planning Proposal and work with the NSW Government and The Hills Shire Council to develop a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing development.
- On 11 April 2017, The Hills Shire Council resolved to undertake a strategic investigation of the Dural precinct and to seek a financial contribution from Hornsby Council to progress the project. The proposed investigation involves a two stage approach, with Phase 1 being an urban capability and capacity assessment and Phase 2 being more detailed precinct planning.
- It is recommended that Council reaffirm its position that a coordinated approach to planning for the area is required and that, as an initial step, the commitment of the Greater Sydney Commission and Department of Planning and Environment be sought to progress a study and to provide funding.

RECOMMENDATION

THAT

1. Council write to The Hills Shire Council to reiterate its support for the preparation of a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development and that:
 - a) As the first step in the process, the commitment of the Greater Sydney Commission and Department of Planning and Environment should be sought for the scope, methodology, investigation area and funding of the work;
 - b) Council does not commit to the allocation of funding for the Phase 1 Urban Capability and Capacity Assessment at this stage; and
 - c) Should The Hills Shire Council progress the investigation without the prior commitment of the NSW Government, Hornsby Council staff are willing to participate on any working group established to oversee the work.
2. Council write to the Minister for Planning and Minister for Roads, Maritime and Freight requesting a response to its request for a meeting with the Mayors of Hornsby and The Hills Shire Councils to discuss the opportunity for the State Government to work with the Councils to develop a coordinated plan for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development.

PURPOSE

The purpose of this report is to outline a project plan and request for funding proposed by The Hills Shire Council for a strategic investigation of the Dural precinct.

BACKGROUND

On 8 February 2017, Council considered a Mayoral Minute regarding the South Dural Planning Proposal and resolved as follows:

- Council write to the Department of Planning and Environment to advise that Council has discontinued its evaluation of the South Dural Planning Proposal until an agreed infrastructure plan is prepared to service the precinct with the support of the State Government including costings and timeframes for upgrading New Line Road and Old Northern Road.
- Council write to the Minister for Planning and Minister for Roads, Maritime and Freight requesting an urgent meeting with the Mayors of Hornsby and The Hills Shire Councils to discuss the opportunity for the State Government to work with the Councils to develop a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development.
- Council write to the Minister for Planning to request that no planning proposals be progressed within The Hills Shire, Hawkesbury City or Blacktown City Council areas that generate further traffic on the existing road network around South Dural until a functional plan for upgrading the regional road network is prepared.
- Council write to local State and Federal members advising of Council's resolution and seeking their support and assistance in the implementation of the above actions and facilitating discussions with the State Government.
- Subject to the written agreement of the proponent and at the proponent's cost, the consultant team engaged to undertake an independent peer review of the Planning Proposal be requested to finalise a report on the proposal indicating the status of the evaluation and outstanding issues based on the current information and assessment undertaken to date.
- All persons that have made submissions on the Planning Proposal be advised of Council's resolution.

In accordance with Council's resolution, letters were sent to the Department of Planning and Environment (DP&E), relevant Ministers, local State and Federal Members, nominated councils and the proponent. To date, responses have been received from The Hills Shire Council, Roads and Maritime Service (RMS) and DP&E as outlined below.

Roads and Maritime Services

On 31 March 2017, the RMS advised that it supports a holistic approach to planning for Dural and the surrounding area. In relation to the South Dural exhibition material, the RMS request that the proposed development control plans for each village precinct be prepared prior to progressing any rezoning.

The RMS has submitted its comments to Transport for NSW as part of ongoing consultation regarding the South Dural proposal which have not yet been forwarded to Council. Further, the RMS is continuing discussions with the DP&E and the proponents of the South Dural planning proposal to determine if a suitable infrastructure schedule and contributions framework can be negotiated to support the rezoning.

In conclusion, the RMS recommends that Council should seek the support of the Greater Sydney Commission and DP&E to incorporate planning for the area into the North District Plan.

Department of Planning and Environment

On 19 April 2017, the DP&E advised that it is continuing to work with Transport for NSW and the RMS to address the infrastructure concerns in relation to South Dural.

The DP&E also advises that it is required to assess planning proposals and rezoning requests when submitted for review. Therefore, the Department is unable to support Council's recommendation that no planning proposals be progressed within The Hills Shire, Hawkesbury City or Blacktown City Council areas until a functional plan for upgrading the regional road network is prepared.

Unfortunately, the response does not address Council's resolution to work with the State Government to develop a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development. However, in a recent meeting between Council officers and representatives from the Department's Regional Team, Department officers agreed to assist in the coordination of a joint meeting between the Greater Sydney Commission, Transport for NSW and Council to address this matter.

The Hills Shire Council

On 21 February 2017, The Hills Shire Council advised that it considered a Mayoral Minute at its Meeting on 14 February 2017 and resolved to reiterate support for the holistic planning of the South Dural, Dural and Round Corner area with appropriate upgrades to infrastructure. The Hills Shire Council also resolved to express dissatisfaction about the operation of the Sydney West Central Planning Panel in relation to allowing a planning proposal for Nos. 582 and 582A Old Northern Road to proceed to Gateway Determination despite concerns about the capacity of existing infrastructure.

At its Meeting on 11 April 2017, The Hills Shire Council considered a report in relation to the Dural Strategic Investigation and resolved (in part) to allocate up to \$300,000 for the preparation of a Phase 1 investigation, involving an Urban Capacity and Capability Assessment and to write to Hornsby Shire Council to seek a financial contribution.

On 20 April 2017, The Sydney West Central Planning Panel considered a rezoning review of a planning proposal for various properties on Derriwong Road and Old Northern Road to support 181 residential lots. The Panel concluded that the proposal is premature and should not proceed before completion of the Dural Strategic Investigation, anticipated for completion by the end of 2017.

PROPOSAL

The Project Plan prepared by The Hills Shire Council acknowledges that a number of pressures continue to drive land speculation and uncertainty for rural lands on the urban fringe, particularly in the Dural and rural village areas. The Plan outlines the need to undertake a strategic investigation of the area to provide sensible urban growth, establish a definitive urban/rural boundary, to reduce land use impacts and better plan for infrastructure provision.

The Plan proposes a two phase approach for the strategic investigation. Phase 1 being an urban capability and capacity assessment and Phase 2 being a more detailed precinct planning evaluation. It is proposed that progression beyond Phase 1 would not occur without a commitment from the NSW Government to fund the required infrastructure and services for a potential urban release area.

The investigation area includes the peri-urban suburbs of Round Corner Dural and North Glenhaven and South Dural. This area is informed by a number of planning proposals lodged within the area and the land owner initiated proposal for North Glenhaven illustrated in Attachment 1.

The Phase 1 investigation would involve environmental studies, assessment of essential utilities, traffic modelling and formulation of an infrastructure funding and delivery business plan. The estimated costs for Phase 1 would be approximately \$300,000 and would take 4-6 months to complete. Progression of Phase 2 would be approximately \$2 million including studies, staff time and resources and require approximately two years to finalise.

DISCUSSION

This report discusses the proposal by The Hills Shire Council to undertake a joint strategic investigation into the urban redevelopment of the Dural Area. The issues arising from the proposal are discussed below.

1. Consistency with the Draft North District Plan

In November 2016, the NSW Government released the draft North District Plan for public exhibition. Recent amendments to the *Environmental Planning and Assessment Act 1979* now give greater statutory weight to district plans. Therefore, the consistency of future amendments to the *Hornsby Local Environmental Plan 2013* against the priorities and actions contained within the North District Plan must be considered when undertaking or reviewing future strategic plans or planning proposals.

The draft Plan identifies that urban development in the Metropolitan Rural Area will not be supported unless the planning authority has undertaken strategic planning in accordance with Sustainability Priorities 9 and 10. Council's submission on the draft Plan recommends that Priorities 9 and 10 be amended to reflect the resolution of Hornsby Council that the State Government work with Hornsby and The Hills Councils to develop a clear vision for the rural areas in the region including an infrastructure and funding plan to cater for existing and future development.

Recent planning proposals within The Hills Shire Council area and site compatibility certificates for seniors housing developments in Hornsby Shire continue to highlight and support the need for strategic planning to prevent piecemeal expansion of the rural village centres and ensure there is sufficient land for agricultural purposes in the region. The objective identified for the Dural Strategic Investigation is consistent with Council's previous resolution concerning South Dural to seek a coordinated approach to planning for the area. The project objective is identified as follows:

Provide a robust strategic framework to identify development opportunities within the Dural and Rural Villages Investigation Area and manage constraints and plans for the infrastructure needs. The strategic framework will ensure that future growth is coordinated and serviceable.

However, given that an infrastructure and associated funding solution are essential to planning for the area, in this first instance, it is appropriate that a commitment to support and fund a holistic planning strategy should be sought from the NSW Government. This commitment should be sought before Council commits to allocate funding to progress the project.

2. Infrastructure Funding

Phase 1 would include an investigation of infrastructure capacity including opportunities for upgrades. This would include a detailed investigation relating to the capacity of the State roads in the area and an agreed business plan for the delivery of necessary upgrades to support future development.

Traffic modelling for the South Dural Planning Proposal identifies that a majority of road links bordering the precinct are at, or very near, capacity. Some road sections would already meet the criteria for road upgrades based on current traffic volumes, while many others can only support a small amount of background traffic. Future development of the North West Growth Centre will continue to place further pressure on New Line Road which requires a re-prioritisation of funding

resources and a regional solution to local traffic issues. As outlined above, to date, Transport for NSW has not provided a response in relation to the South Dural infrastructure schedule and funding proposal.

Council's resolutions to support investigations into the urban release of South Dural are conditional upon preparation of an agreed plan for the delivery of the upgrade of the State road network and other infrastructure to support development of the precinct. Until Transport for NSW details its commitment to fund and deliver the required road upgrades, it would not be appropriate to commence a further investigation of a wider area.

3. Extent of the Investigation Area

The Dural locality is flanked by suburban Castle Hill/Cherrybrook to the south and the Galston Village environs in the north. The proposed investigation area includes a small part of Dural, with the northern boundary being the intersection of Old Northern Road and Galston Road. This boundary is informed by a proposed bypass road within The Hills local government area running east / west to connect Annangrove Road to Old Northern Road.

The investigation area generally reflects the current extent of urban influence. However, should future traffic modelling and improvements identify additional capacity in the regional road network, consideration should be given to an expanded area to include rural villages. This would be consistent with Council's resolution at its 8 June 2016 meeting in consideration of the Rural Lands Planning Proposal. At the meeting, Council resolved (in part) to defer consideration of whether to progress investigation of any further options for review of allotment sizes until the release of the North District Plan by the Greater Sydney Commission which may identify key directions for development, including a rural resource lands strategy and housing targets.

It would be appropriate to confirm the objectives, scope, methodology and extent of the investigation area in consultation with the Greater Sydney Commission and Department of Planning and Environment to ensure the project is consistent with the strategic direction embodied in the North District Plan.

4. Apportionment of Costs

The Hills Shire Council estimates Phase 1 of the investigation would cost approximately \$300,000 and have requested that Hornsby Council fund half the cost. However, only one third of the area is located within the Hornsby local government area. Furthermore, extensive studies have already been undertaken to identify the urban capability of the South Dural precinct. Therefore, any financial contribution would primarily support the investigation of the urban capability of land within that part of the investigation area located within The Hills Shire Council.

As detailed above, a commitment of the NSW Government to support and fund the investigation would be appropriate as the first step in the process. Similar to previous strategic projects undertaken by Council, financial support via grant funding such as planning reform funding should be investigated. However, should The Hills Council proceed without the support of the NSW Government, it would be appropriate that Hornsby Council provide in-kind assistance via attendance at meetings.

In summary, the project scope proposed by The Hills Shire Council is generally consistent with the previous resolution of Council to develop a clear vision for the rural areas in the region. However, the State Government will play a key role in the delivery of any agreed infrastructure plan to service the area. Therefore, it is appropriate that prior to any investigation being progressed, a commitment be sought from the State Government to work with the Councils to prepare a coordinated planning

solution including costings and timeframes for upgrading the regional road network including New Line Road and Old Northern Road.

BUDGET

The Hills Shire Council is seeking a financial contribution of approximately \$150,000 towards a Phase 1 Urban Capacity and Capability Assessment. This Report recommends that Council not commit funding at this stage and to seek the support of the Greater Sydney Commission and Department of Planning and Environment to support and fund the investigation as the first step in the process.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

In February 2017, Council resolved to work with the NSW Government and The Hills Shire Council to develop a clear vision for the rural areas in the Dural area. The Hills Shire Council is seeking a commitment from Hornsby Council to share the financial cost of preparing a Phase 1 Urban Capacity and Capability Assessment for a Dural Investigation Area. Phase 1 would determine the environmental capacity of land to sustain urban growth, potential yields and assessment of infrastructure capacity and funding.

It is recommended that a response be provided to The Hills Shire Council advising that Hornsby Council supports a coordinated and holistic planning strategy for the area to avoid ad-hoc planning outcomes. However, the support of the Greater Sydney Commission and DP&E to endorse and fund the investigation should occur as the first step in the process.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Strategic Planning – Fletcher Rayner - who can be contacted on 9847 6744.

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Group Manager
Planning Division

Attachments:

1. Attachment 1 - Strategic Investigation Area Included under separate cover

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File Reference: F2017/00132
Document Number: D07215790

10 SPORTSGROUND DISCUSSION PAPER

EXECUTIVE SUMMARY

- The demand for access to Hornsby Shire's sportsgrounds grows each year with population increases and an ongoing rise in sports participation with juniors, women, mature age and short format versions of seasonal codes.
- A review of Hornsby Shire's existing sportsground provision has been undertaken and measured against the known demand and industry benchmarks. The results of this indicate a current supply gap in the provision of sportsgrounds which, if no action is taken, is projected to get worse.
- The Sportsground Discussion Paper identifies current issues and demand, options for future provision of sportsgrounds and sets guiding principles for priorities and allocation of resources to meet current and forecast demands for sportsgrounds. By judicious and strategic planning, Council is well placed to have sufficient land to accommodate much of this demand, notably through the acquisition of the former Sydney Water site at Westleigh and the development proposals for Hornsby Park which includes Old Mans Valley.
- It is proposed that a public consultation period for the Sportsground Discussion Paper be undertaken over a six week period with a summary report to be prepared that will be used to inform the development of a detailed Sportsground Strategy. The consultation process shall include meetings with key sporting stakeholders.

RECOMMENDATION

THAT Council:

1. Adopt the Hornsby Sportsground Discussion Paper in accordance with the principles set out in Deputy General Manager's Report No. IR6/17
2. Endorse the exhibition of the Hornsby Sportsground Discussion Paper with the feedback received to be considered in the preparation of the Sportsground Strategy.

PURPOSE

The purpose of the Report is to seek Council endorsement for the release of the Sportsground Discussion Paper for public consultation.

BACKGROUND

In 2015, Council adopted the Active Living Hornsby Strategy which, as part of its implementation, identified that a sports plan should be developed to address the current and future demands for all sports across the shire. Council engaged Otium Planning Group to undertake an independent analysis of sportsground provision and needs.

The Discussion Paper (Attachment 1) presents an overview of the findings of the research conducted to date and an assessment of current and future needs, options for addressing those needs into the future. The Discussion Paper represents the first step in preparing a final Sportsground Strategy.

The following sports are covered in the scope of the Discussion Paper:

- Athletics
- Australian Football
- Baseball
- Cricket
- Hockey
- Netball
- Touch/Oztag
- Rugby League
- Rugby Union
- Football (Soccer)
- Softball

DISCUSSION

Issues and demands

Football (soccer), cricket and netball are shown as the most popular sports. It is notable that participation rates in football (soccer) are significantly higher than any other sport. As illustrated in the following figure, it makes up nearly 45% of all sport participants in the LGA.

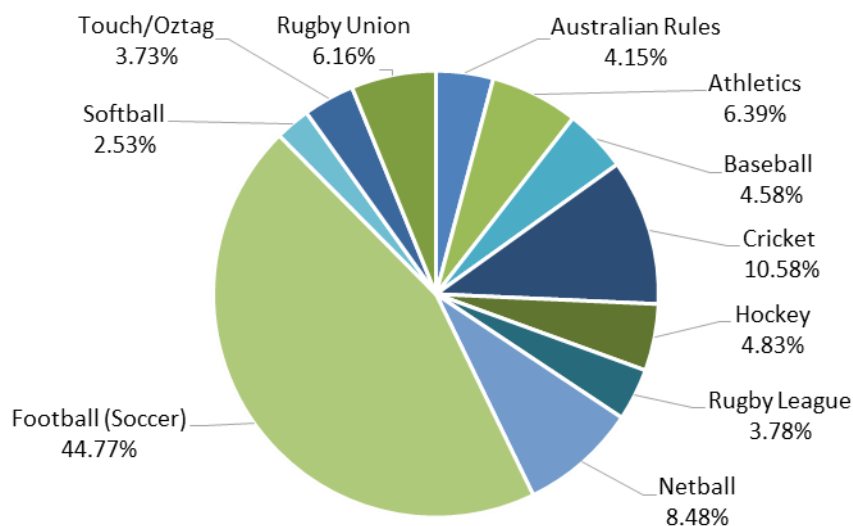


Figure 1 – Proportion of total selected sports participants

Demand for Hornsby’s sportsgrounds is high, particularly in established residential areas. This demand continues to grow each year as:

1. The population increases by approximately 1% each year
2. Participation increases with juniors, women, and the mature aged
3. An expansion of short format versions of traditional full seasonal codes.

As a result of this demand it has been identified that approximately 60% of Hornsby's sportsgrounds are being used above their sustainable carrying capacity. However, it is also noted that a number of sportsgrounds are underutilised which can be attributed to:

- Some grounds located in rural areas surrounded by low density residential areas
- The topography of the area has led to many small and isolated facilities located on ridge tops. The distribution of grounds is fragmented and is perceived as a barrier to some sporting groups.
- Sub-division patterns post 1970's which delivered single rectangular sportsgrounds
- Approximately 73% of all grounds have lighting suitable for training and only 33% of all grounds are suitable for competition.

The supply gap in the provision of sportsgrounds is calculated to be currently approximately 11ha which, if no action is taken, will increase to 21ha in 2026. The supply gap is an analysis based on the modelling of likely demand and the amount of land required to be able meet that demand. It should be noted however that the supply gap does not include the potential measures that can be implemented to increase the current carrying capacity of the existing sportsgrounds nor does it include consideration of the development of Hornsby Park including Old Mans Valley or the recent acquisition of the former Sydney Water site at Westleigh for the creation of Westleigh Park.

Options for future provision of sportsgrounds

There are a number of measures that can contribute to addressing the shortfall in supply of sportsgrounds. These measures include:

- Improving the carrying capacity of existing sportsgrounds
- Installing or upgrading lighting
- Reconfiguring playing fields to improve functionality
- Upgrading drainage and / or surface quality
- Installing additional multi-purpose synthetic surfaces or special purpose surfaces
- Ensuring provision of active open space land in new residential developments
- Converting existing open space to sportsground use
- Acquiring or securing other land for sportsgrounds
- Partnering with schools and / or other institutions to use existing or develop new facilities
- Ensuring the sportsground allocation process effectively balances maximising use with equity of access.

The proposed sites such as Westleigh Park and Hornsby Park together with other works aimed at increasing capacity at existing sites provide the key to be able to meet the Shire wide demands for sportsgrounds into the future. The consultation proposed through this Discussion Paper allows staff and the sporting community to directly discuss and consider possible options and opportunities.

Guiding Principles for Priorities

The Discussion Paper puts forward Guiding Principles for Council, sporting organisations and funding that allows the demand for sportsgrounds to be met.

Guiding Principles for Council

- Council should aim to increase the carrying capacity at existing grounds, ensure that facilities are shared in both seasons, and seek additional grounds
- Council should prioritise access to sportsgrounds for community based sport
- Maintain a diversity of sports across the area, and a good depth of competition
- Where limited opportunities exist for new or upgraded sportsground facilities at the local level, it is acknowledged that users will need to travel to other venues
- Council should provide for diversifying populations and lifestyles: age, ability, cultural backgrounds and demand for new sport formats and schedules.

Guiding Principles for Sporting Organisations

- Commitment to collaborate with Council and other sports to address demands for all users
- Adaptation – meeting demand for limited sportsgrounds requires groups to be flexible to new opportunities
- Maximise current capacity – existing sportsgrounds in all parts of the LGA should be utilised despite travel distances.

Funding Principles

- Funding responsibility for sport should be shared with federal and state governments and sports codes
- For new or upgraded facilities Council should seek contributions from:
 - federal and state government and sports codes for regional priorities
 - corporate and private sports providers through joint ventures
- Where limited funds are available, Council's funding priorities are focussed upon improving sportsground facilities for conducting sport, as opposed to contributing towards club based social facilities
- Council should plan collaboratively for turf and synthetic ground replacements and whole of life costs
- Should users wish to have higher quality of facility than Council can afford; or is considered a low priority, they will be required to contribute to the capital cost of the upgrade works and associated additional maintenance cost.

CONSULTATION

The public consultation period for the Sportsground Discussion Paper is scheduled to occur over six weeks supported with the distribution of E-newsletters, media release and social media posts.

As part of this process eight stakeholder meetings will occur with Hornsby LGA based sportsground clubs and associations together with an online survey linked to Council's website.

The results of the consultation and responses gathered from the survey questions will be used in the development of the Sportsground Strategy. Developing the Sportsground Strategy through a two stage process that is initiated with a Discussion Paper ensures:

- Understanding of the wider pressures and demands on sportsground
- Raises awareness of the challenges ahead
- Exploration of the opportunities and acceptable tolerances for change
- Shared solutions and involvement in change
- Transparency in decision making
- Acceptance from the groups when the Sportsground Strategy is developed. The earlier the community is involved, the deeper understanding (and acceptance) they have in the actions outlined in the Strategy.

BUDGET

There are no specific budgetary implications associated with this Report. Whilst the Discussion Paper outlines recommended strategies to address demands for sportsgrounds, specific budget estimates will be undertaken in the preparation of the Sportsground Strategy that will follow. Notwithstanding, it is generally acknowledged that works associated with meeting the needs of increased population through expanded development, may be funded through development contributions.

POLICY

In the event that Council adopts the recommendations put forward in this report, the attached Hornsby Sportsground Discussion Paper will be placed on exhibition. The results of this consultation process will then be considered for inclusion in the preparation of a draft Sportsground Strategy that will be subject to its own report to Council and public consultation process before final adoption by Council as a policy document.

CONCLUSION

Hornsby Shire's sportsgrounds are subject to high demands for use. There are increasing demands for access to sportsgrounds as a result of population increase and an increase in participation including juniors, women and mature age competitions. Many traditional full season sports are also promoting shorter versions of their codes which place more pressure on Council's limited grounds.

The Hornsby Sportsground Discussion Paper has been developed to assist to ensure Council is able to meet the demands for sportsgrounds by:

- Setting the context of the current sportsground status
- Identifying issues and demand
- Identifying options for the future provision of sportsgrounds
- Setting guiding principles for priorities and allocation of resources
- Providing the means to engage and involve the sporting community to ensure greater acceptance of proposed actions.

It recommended that the Hornsby Sportsground Discussion Paper be placed on public exhibition with an online survey and the sporting community be consulted as outlined in this report. The feedback

from this process will then be used to inform the preparation of a draft Sportsground Strategy that will be presented to Council for consideration.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Parks and Recreation – David Sheils - who can be contacted on 9847 6792.

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Attachments:

1. [View](#) Sportsground Discussion Paper

File Reference: F2016/00360

Document Number: D07219600

11 MAYOR'S NOTES FROM 1 TO 31 MAY 2017

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.

Friday 5 May 2017 – The Mayor attended Pacific Hills Christian School's production of 'Beauty and the Beast' at the School.

Sunday 7 May 2017 – The Mayor attended the ANZAC Memorial Service for the Old Knox Grammarians' Association and Ceremonial Parade of Knox Grammar Cadet Unit at Knox Grammar School, Wahroonga.

Friday 12 May 2017 – The Mayor officiated at the Westside Vibe event in Dural Lane, Hornsby.

Friday 12 May 2017 – The Mayor attended Hornsby Musical Society's production of 'How to Succeed In Business Without Really Trying' at Hornsby RSL Club.

Tuesday 16 May 2017 – The Mayor hosted three Citizenship Ceremonies in the Council Chambers.

Friday 19 May 2017 - On behalf of the Mayor, Councillor Browne officially opened the Head On Photo Festival at Wallarobba Arts and Cultural Centre.

Friday 26 May 2017 – The Mayor attended Studio Artes 'Minutes to Memories' Variety Show at Hornsby RSL Club.

Tuesday 30 May 2017 – The Mayor attended Asquith Girls' High School's Community Consultation Forum 'Aspirations for Asquith' at the School.

File Reference: F2004/07053

Document Number: D07217578

12 LITTLE STREET LIBRARIES

COUNCILLOR HUTCHENCE TO MOVE

THAT Council:

1. Indicate its support for local communities that wish to develop a street library.
2. Develop simple guidelines for the placement of street libraries on public land.

Note from Councillor

A little free library or street library is a “take a book, return a book” free book exchange that is usually a small hand-built wooden box of books where neighbours can share books and connect with each other. There are now over 18,000 little free libraries located around the world in front yards, commercial centres and public spaces.

I believe that Council should be very supportive of community initiatives such as a local free book exchange and the recent issue relating to the Thornleigh Laneway Library highlighted to me that there is a lack of guidance around the placement of these structures on public land that initially led to an unnecessary instruction to remove the library.

I am pleased to confirm that the situation has been resolved and the library can remain, however, believe that it is appropriate for Council to develop guidelines for their placement so that we don't have any similar misunderstandings and can make it easier for others who also wish to create a street library in their neighbourhood.

Attachments:

There are no attachments for this report.

File Reference: F2010/00655

Document Number: D07227983