



BUSINESS PAPER

GENERAL MEETING

**Wednesday 14 February 2018
at 6.30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

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 13 December, 2017 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

PRESENTATIONS**RESCISSION MOTIONS****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 1**

**Item 1 CS1/18 DELIVERY PROGRAM FOR 2013-17 AND OPERATIONAL PLAN (BUDGET)
FOR 2017/18 - DECEMBER 2017 QUARTER REVIEW**

RECOMMENDATION

THAT the December 2017 Quarter Review of the 2013-17 Delivery Program and the Operational Plan (Budget) for 2017/18 be received and noted.

Page Number 4

Item 2 CS2/18 PROPOSED CLOSURE AND SALE - THE AVENUE, HORNSBY

RECOMMENDATION

THAT:

1. Council proceed with an application to the NSW Department of Industry – Lands & Forestry for approval to close the public road known as The Avenue, Hornsby.
2. Submitters to the public consultation process be advised of Council's resolution.

Page Number 10**Item 3 CS3/18 INVESTMENTS AND BORROWINGS FOR 2017/18 - STATUS FOR PERIODS ENDING 30 NOVEMBER 2017 AND 31 DECEMBER 2017****RECOMMENDATION**

THAT the contents of Deputy General Manager's Report No. CS3/18 be received and noted.

ENVIRONMENT AND HUMAN SERVICES DIVISION**Page Number 13****Item 4 EH4/18 VARIATION TO FEES AND CHARGES FOR 2017/18 BUDGET****RECOMMENDATION**

THAT:

1. Council adopt for public exhibition a draft variation to the 2017/18 Fees and Charges relating to vehicle hire on Dangar Island, amending the fee to \$50 per hour.
2. Following the public exhibition period, a further report be prepared which provides details of any submissions received.

Page Number 16**Item 5 EH2/18 EASY TO DO BUSINESS PROGRAM****RECOMMENDATION**

THAT Council:

1. Join the *Easy to do Business* program in partnership with Service NSW.
2. Delegate the relevant customer service functions related to the administration of the *Easy to do Business* program to the Chief Executive Officer, Service NSW in accordance with a Service Partnership Agreement as required under the *Service NSW (One-stop Access to Government Services) Act 2013*.
3. Authorise the General Manager to execute any partnership documents associated with the *Easy to do Business* program and to undertake all actions necessary to give effect to this resolution.

Page Number 20**Item 6 EH3/18 STOREY PARK COMMUNITY FACILITY REDEVELOPMENT - PROJECT UPDATE****RECOMMENDATION**

THAT Council:

1. Note and endorse the revised scope of works and project costs for the Storey Park Community Facility Redevelopment.
2. Call tenders for the construction of the Storey Park Community Facility.

PLANNING DIVISION**Page Number 24****Item 7 PL4/18 PLANNING PANELS - APPOINTMENT OF EXPERT AND COMMUNITY MEMBERS****RECOMMENDATION**

THAT:

1. Council endorse Juliet Grant and Peter Fryar to serve as technical expert members and Garry Fielding, Steven Layman and Mary-Lynne Taylor to serve as the alternate technical expert members on the Hornsby Shire IHAP for a three year term.
2. Council endorse Brian Scarsbrick (A Ward), Jerome Cox (B Ward) and Barbara Wynn (C Ward) to serve as community members and John Filocamo to serve as the alternate on the Hornsby Shire IHAP for a three year term.
3. Council endorse David White to serve as the 'expert local member', Ross Walker to serve as 'non-expert local member' and alternate for the 'expert local member', and Felicity Findlay to serve as alternate for the 'non-expert local member' on the SNPP for a three year term.
4. The Hornsby Shire IHAP meeting be held in the Council Chambers on the fourth Wednesday of every month commencing at 6.30pm.
5. Council's General Manager be authorised to prepare a Draft Code of Meeting Practice for the adoption by the Hornsby Shire IHAP.
6. SNPP members are to be remunerated (excluding expenses and GST) as follows: - 'expert local members' - \$1,500 'non-expert members' - \$600 and the IHAP 'community members' remunerated at \$600 per meeting.

INFRASTRUCTURE AND RECREATION DIVISION**Page Number 33****Item 8 IR3/18 QUOTATION RFQ37/2017 - WESTLEIGH PARK REDEVELOPMENT**

RECOMMENDATION

THAT Council accept the quotation from Environmental Partnership (NSW) Pty Ltd for Quotation RFQ37/2017 – Westleigh Park Redevelopment.

CONFIDENTIAL ITEMS**Item 9 PL5/18 VARIATION TO SECTION 94 CONTRIBUTIONS PAYMENT**

This report should be dealt with in confidential session, under Section 10A (2) (e) (g) of the Local Government Act, 1993. This report contains information that would, if disclosed, prejudice the maintenance of law; AND contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN****MAYOR'S NOTES**

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Item 10 MN1/18 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 2017

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Item 11 MN2/18 MAYOR'S NOTES FROM 1 TO 31 JANUARY 2018**NOTICES OF MOTION**

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Item 12 NOM1/18 ABANDONED SHOPPING TROLLEYS**COUNCILLOR TILBURY TO MOVE**

THAT:

1. Council call on Westfield as a matter of priority to install a wheel locking system at all entrances to the Hornsby Westfield Shopping Centre to prevent shopping trolleys from exiting the centre.

2. Should Westfield not commit to installing such a system, that Council commence impounding abandoned shopping trolleys on local Streets.
3. Council amend its Development Application submission guideline to require the submission of a trolley management plan with any new Development Application for retail premises that provides trolleys for use by its customers.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

QUESTIONS WITHOUT NOTICE

1 DELIVERY PROGRAM FOR 2013-17 AND OPERATIONAL PLAN (BUDGET) FOR 2017/18 - DECEMBER 2017 QUARTER REVIEW

EXECUTIVE SUMMARY

- Accountable organisations like Council review their budget and operational performance at least each quarter. In this regard, the December 2017 Quarter Review of the 2013-17 Delivery Program including the 2017/18 Operational Plan and Budget is attached.
- The 2017/18 Original Budget forecasted a surplus at 30 June 2018 of \$78K. The September 2017 Review improved the surplus by \$85K whilst this December 2017 Review has no net budget changes. As a result, the budget forecast at 30 June 2018 is a surplus of \$163K.
- Progress against the adopted Delivery Program 2013-17 and the operational performance of the organisation has been in line with the service delivery standards adopted by Council.

RECOMMENDATION

THAT the December 2017 Quarter Review of the 2013-17 Delivery Program and the Operational Plan (Budget) for 2017/18 be received and noted.

PURPOSE

The purpose of this Report is to present for Council's consideration the December 2017 Quarter Review of the 2013-17 Delivery Program and the 2017/18 Operational Plan.

BACKGROUND

On 19 June 2013, Council adopted its four year Delivery Program 2013-17. Due to legal action by Ku-ring-gai Council opposing the NSW Government's intention to amalgamate Hornsby and Ku-ring-gai Councils, the term of office for the former Council was extended past its original four years. Accordingly, 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 annual Operational Plan and Fees and Charges for 2017/18 were adopted by Council on 14 June 2017. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance.

In line with Office of Local Government requirements, a Quarterly Budget Review Statement (QBRS) must be submitted for Council's consideration at the end of each quarter. The Statement must be based on key financial indicators and the estimate of income and expenditure set out in Council's Operational Plan for the relevant year.

DISCUSSION

Operational Comment

Operational performance for the second quarter of 2017/18 has been satisfactory. Highlights achieved during the quarter included the opening of the Community Recycling Centre at Thornleigh and the transformation of a blank wall in Dural Lane, Hornsby into an early 20th century Hornsby street scene. Other highlights are provided in Attachment 1.

Budget Comment

This Review includes the second quarter results for 2017/18, comparing actual expenditure and income for the second quarter against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$3.203 million. This positive variance is largely the result of timing differences associated with project related works and the initial phasing of the 2017/18 Budget.

The 2017/18 Original Budget forecast a surplus at 30 June 2018 of \$78K. The September 2017 Review resulted in favourable net budget changes of \$85K whilst this Review proposes net budget changes that balance out. The Budget forecast at 30 June 2018 is, therefore, a surplus of \$163K. The predicted Budget result at 30 June 2018 is satisfactory in maintaining Council's existing liquidity levels.

While the 2017/18 December Budget Review recommends no net budget changes, there are a number of material budget changes and offsets that are listed below:

- \$450K – Increase in expenditure towards MS Office 2016 licenses, new server leases and mobility solutions software.
- (\$217K) – Increase in the Financial Assistance Grant allocation
- (\$397K) – Increase in rates supplementary income
- \$164K – Increase in capital renewal expenditure towards Galston Aquatic Centre
- \$693K – Capital expenditure allocation for LRI Neridah Ave – Wonga to Cowan

- (\$693K) – Allocation of Special Rate Variation funds for Neridah Ave infrastructure improvement
- \$150K – Capital expenditure increase for Laughtondale Gully Rd project
- (\$150K) – Funding from Debt Retirement and Capital Projects Restricted Asset for Laughtondale Gully Rd project

In the March 2018 Quarterly Budget Review, an update will be provided in respect to the progress and allocated funding towards capital projects of significant dollar value. This would include projects such as the improvements underway in Waitara, new Rural Fire Service upgrades and the final costing of the Hornsby Pedestrian Overbridge.

BUDGET

This Report provides the December 2017 Quarter Review of the 2017/18 Operational Plan (Budget), which, if adopted, will maintain a forecast surplus at 30 June 2018 of \$163K.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report ensures that relevant statutory requirements have been met. The December 2017 Quarter Review demonstrates that Council remains in a strong position to deliver local services and facilities in a financially responsible manner.

RESPONSIBLE OFFICER

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

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

JAMES FARRINGTON
Acting General Manager
General Manager Division

Attachments:

- 1.[View](#) 2nd Quarter Review - December 2017
- 2.[View](#) Quarterly Budget Review Statement - December 2017

File Reference: F2016/00368
Document Number: D07367950

2 PROPOSED CLOSURE AND SALE - THE AVENUE, HORNSBY

EXECUTIVE SUMMARY

- At the 11 October 2017 General Meeting, Council authorised an application for closure of The Avenue, Hornsby.
- Commercial terms for sale of the road were approved by Council at the same Meeting.
- Public consultation required by The Roads Act has now been completed.
- Three (3) submissions were received from local property owners and responses in respect of each are included in this Report.
- Contracts have been exchanged with The Council of Barker College.
- Completion of the sale is conditional, however, on approval of the road closure.
- Subject to approval by Council, an application will now be lodged for the road closure.

RECOMMENDATION

THAT:

1. Council proceed with an application to the NSW Department of Industry – Lands & Forestry for approval to close the public road known as The Avenue, Hornsby.
2. Submitters to the public consultation process be advised of Council's resolution.

PURPOSE

The purpose of this Report is inform Council of submissions received following public consultation in relation to the proposed closure of The Avenue at Hornsby and to seek Council's approval to now lodge a road closure application with the NSW Department of Industry – Lands & Forestry.

BACKGROUND

At the 11 October 2017 General Meeting, Council considered Confidential Deputy General Manager's Report No. CS34/17 and resolved that:

1. *Council make application to the NSW Department of Industry – Lands & Forestry to close the public road known as The Avenue, Hornsby.*
2. *Upon closure of The Avenue, the former road be classified as "Operational Land" for the purposes of the Local Government Act.*
3. *The Acting General Manager be authorised to create any easements deemed necessary to facilitate closure of The Avenue.*
4. *Council approve the sale of the closed road on the commercial terms outlined in Confidential Deputy General Manager's Report No. CS34/17.*
5. *The Acting General Manager be authorised to negotiate final terms and conditions for closure and sale of The Avenue and to execute any documents in relation to this matter as deemed appropriate by Council's legal advisers.*
6. *In the absence of the Acting General Manager, or as legally required, Council authorise the use of its Seal on any legal document, survey or other documents, directly related to closure and sale of The Avenue, as deemed appropriate by Council's legal advisers.*

DISCUSSION

Council has the ability, as the Roads Authority, to make application to the Minister for closure of the road. Once closed in accordance with the Roads Act 1993, ownership of the land contained within the former road will vest in Council as "Operational Land" and a Certificate of Title will be issued. Conveyancing procedures for sale of the land to Barker College on the agreed commercial terms will then be completed.

To minimise delays between issue of a Certificate of Title and the transfer of ownership, a "Contract for the Sale of Land" was exchanged with Barker College on 12 December 2017 with completion subject to approval of the road closure. In this respect, the road closure process requires:

- A Council resolution to formally approve the making of an application.
- Public advertisements advising of the proposal and seeking submissions from the public.
- Written advice of the advertisements to adjoining property owners and Statutory Authorities.
- Referral of objections to the Minister through the Department of Industry – Lands & Forestry.
- Submission of a survey plan and associated documents to the Department for endorsement.
- Registration of that plan at Land & Property Information and issue of a Certificate of Title.
- Final consent from the Department by publication of a Notice in the Government Gazette.

These processes currently require between 18 months to two years for completion.

A Council resolution to formally approve the making of an application:

The previous resolution on 11 October 2017 authorised the making of an application. However, as submissions were received during the public consultation phase, this report seeks Council's approval to proceed with that application.

Public advertisements advising of the proposal and seeking submissions from the public:

A Public Notice was published in The Hornsby Advocate on Thursday, 16 November 2017 and all interested persons were invited to make submissions within a period of 28 days. The proposal was also exhibited on Council's website from 16 November 2017 to 15 December 2017. This exhibition period was extended until 5 January 2018 when an electronic sign advertising the proposal was placed on the corner of The Avenue and Unwin Road from 18 December 2017 until 5 January 2018.

Written advice of the advertisements to adjoining property owners and Statutory Authorities:

Letters were forwarded to 24 owners of properties in the vicinity of The Avenue and to 18 government authorities and service providers as required by The Roads Act. The proposal was also circulated to internal Council teams for consideration and comment. NSW Roads & Maritime Services requested a traffic management plan which was completed and returned on 15 December 2017. To complement this plan, an electronic sign was installed. The RMS subsequently raised no objection to the road closure. An easement for services will be created over the entire closed road and this will protect existing infrastructure for water, electricity, gas and telephone services. No objections were received from other government authorities or service providers.

Referral of objections to the Minister through the Department of Industry – Lands & Forestry:

Three submissions as detailed below were received from local residents:

Submission No 1:

Received from a resident of Yardley Avenue, Waitara on 22 November 2017:

"I have 2 questions regarding the proposed acquisition of The Avenue by Barker College.

- 1. What price is Barker College willing to pay to Hornsby Council for the acquisition of this real estate?*
- 2. With the loss of street parking in The Avenue, what, if any, alternate parking will be provided?*

I believe that it would be respectful for council to furnish the neighbours and residents of Hornsby Shire with this information."

Response to Submission No 1:

Sale Price - The price to be paid for sale of the closed road is "commercial in confidence" until completion. This confidentiality is normal practice in both private enterprise and for public authorities. Council is satisfied that normal commercial practices were implemented for negotiations. In this respect, independent Licenced Valuers acted for Council and Barker College. After reports and direct discussions, these Valuers agreed on a market value. That value is substantial and reflects "highest and best use" of the land. A "Without Prejudice" offer was then forwarded to Barker College. The Council of Barker College accepted the requested price. That negotiated price was then approved by the Council. This required a formal resolution of elected Councillors. The sale is subject to approval of the road closure. The College is also liable for all Council's costs.

Parking - The Roads Act requires that funds received by Council must be expended on public roads. At this time, no decision has been made on future expenditure of these sale proceeds.

Submission No 2:

Received from a resident of Unwin Road, Waitara on 1 December 2017:

“Closure of The Avenue will place further pressure on an already busy road. Parking is at a premium, traffic is madness and yet this change will only make the situation worse. Unless other changes are made to the road to address this (one-way, limited parking hours etc) then all this change accomplishes is to line council & schools pockets at the expense of the residents. Please DO NOT SELL THIS ROAD”

Submission No 3:

Received from a resident of Unwin Road, Waitara on 5 December 2017:

“My concerns regarding the road closure are:

- 1. That all current people who use The Avenue will have nowhere to drop off children or pick up children who attend Barker College other than diverting into Unwin Road. Traffic is already chaotic during school terms. Will Council have a kiss & ride area in Unwin Road?*
- 2. Many people are parking across driveways adjacent to Rose Oval & make it very hard for residents to leave their properties especially on sporting days.*
- 3. Parking in The Avenue will be reduced – more problems for Unwin Road.*
- 4. The Traffic signalling is inadequate and is not reliable – it is not long enough – or doesn't even change. i.e. Lights on Unwin Road & Pacific Highway intersection.”*

Response to Submissions No 2 & 3:

Both these submissions object to the proposed road closure on the basis of traffic and parking issues.

- The Avenue will continue to act as one of the access/egress points for Barker College.
- There will be no change to existing traffic conditions resulting from closure of The Avenue.
- There will be no change to current arrangements for dropping off and picking up students.
- In the future, a gate may be erected at the Unwin Road intersection to prevent unauthorised entry to the grounds outside College operating hours.
- Council's Traffic and Road Safety team will investigate the introduction of timed parking restrictions in Unwin and surrounding roads to discourage all day parking by commuters.
- A Sports Hall proposed to be constructed adjacent to The Avenue includes basement car parking for 185 vehicles which will reduce parking generated by Barker College in adjoining public roads.
- NSW Roads & Maritime Services will be requested to review the timing and sequencing of the traffic lights at the intersection of Unwin Road and The Pacific Highway.

The submissions received and, subject to endorsement by Council, the proposed responses, will be referred to the Minister through the Department of Industry – Lands & Forestry. All the authors of these submissions were informed of the Council meeting and provided with a copy of this report.

CONSULTATION

In the preparation of this Report there was consultation with members of the public, local residents, statutory authorities and service providers.

BUDGET

There are no budgetary implications for expenditure associated with this Report because Barker College will reimburse all costs incurred by Council regardless of whether or not the road closure is approved. In respect to income, pursuant to Section 43(4) of the Roads Act, proceeds from the sale of public roads must be expended on either acquisition of land for, or work on, other public roads.

POLICY

This application will proceed in accordance with requirements of the Local Government Act 1993, the Roads Act 1993 and Council's "Disposal of Land" Policy.

CONCLUSION

There are benefits to both Council and Barker College from the closure and sale of The Avenue which is entirely surrounded by the grounds of the College. While there are existing traffic and parking issues for local residents, the traffic issues will not be exacerbated by closure of the road which will remain an access/egress point for the College.

With respect to parking, when constructed, there will be additional basement car parking spaces for College purposes in the new Sports Hall and the introduction of restrictions for surrounding roads will be investigated. It is, therefore, recommended that Council proceed with an application to close The Avenue.

If the closure is approved by the Minister, then conveyancing procedures will be finalised to transfer ownership of this land and the revenue received will be expended on other public roads.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Property Asset Manager – Stewart Bates - who can be contacted on 9847-6725

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

ROBERT STEPHENS
Deputy General Manager - Infrastructure and
Recreation
Infrastructure and Recreation Division

Attachments:

- [1.View](#) Confidential Deputy General Manager's Report CS34/17 - 11 October 2017 - *This attachment should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

- 2.[View](#) Public Notice - The Hornsby Advocate - 16 November 2017
- 3.[View](#) Letter to Property Owners
- 4.[View](#) Plan of Notified Property Owners
- 5.[View](#) Letter to Government Authorities and Service Providers

File Reference: F2016/00245

Document Number: D07370462

3 INVESTMENTS AND BORROWINGS FOR 2017/18 - STATUS FOR PERIODS ENDING 30 NOVEMBER 2017 AND 31 DECEMBER 2017

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the periods ending 30 November 2017 and 31 December 2017 as well as the extent of its borrowings at the end of the same periods.
- 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 returns for the months of November 2017 and December 2017 were 2.61% and 2.52% respectively and this compared to the benchmark of 1.50%.

RECOMMENDATION

THAT the contents of Deputy General Manager's Report No. CS3/18 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 months ending 30 November 2017 and 31 December 2017 is detailed in the attached document. In summary, the At-Call and Term Deposits achieved an annualised return of 2.61% for November and 2.52% for December 2017, compared to the benchmark of 1.50%.

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 7.04%. The Borrowings Schedules as at 30 November 2017 and 31 December 2017 are also attached for Council's information.

Budgeted investment income for 2017/18 is \$3,500,000 with an average budgeted monthly income of \$291,670. Total investment income for the period ended 31 December 2017 was \$2,360,000 compared to the budget of \$1,750,000 for the same period. Approximately 39% 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 November and 31 December 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 Investments Holdings Report - December 2017
- 2.[View](#) HSC Investments Holdings Report - November 2017
- 3.[View](#) HSC Borrowings Schedule - December 2017
- 4.[View](#) HSC Borrowings Schedule - November 2017

File Reference: F2004/06987-02

Document Number: D07375958

4 VARIATION TO FEES AND CHARGES FOR 2017/18 BUDGET

EXECUTIVE SUMMARY

- Council's 2017/18 fees and charges for establish a fee of \$16 per half hour for the hire of a utility vehicle on Dangar Island.
- A utility vehicle has been present on Dangar Island for many years and its primary purpose had been to provide waste collection services on Dangar Island. When not required to deliver for waste services the utility was made available for hire by Dangar Island residents. Waste Services are now delivered on Dangar Island using a purpose built truck.
- Residents of Dangar Island have made representations to Council and attended a Mayoral Meeting seeking to retain the utility vehicle on Dangar Island as a community facility for residents. This request was made in light of Dangar Island's car free status and hence the need to retain a community facility such as the utility.
- An agreement has been entered into for the utility to be retained on Dangar Island for a trial period of 6 months on the basis that it is cost neutral to Council and is managed by volunteers who are members of the Dangar Island Vehicle Management Committee.
- The Dangar Island Vehicle Management Committee has advised that a hire fee of \$50 per hour would be appropriate for the trial period. This report seeks to respond to this request.

RECOMMENDATION

THAT:

1. Council adopt for public exhibition a draft variation to the 2017/18 Fees and Charges relating to vehicle hire on Dangar Island, amending the fee to \$50 per hour.
2. Following the public exhibition period, a further report be prepared which provides details of any submissions received.

PURPOSE

The purpose of this Report is to present to Council for adoption an amendment to Council's 2017/18 Fees and Charges in relation to a hire fee for the Dangar Island utility.

BACKGROUND

Council's 2017/18 fees and charges establish a fee of \$16 per half hour for the hire of a utility vehicle on Dangar Island.

The utility vehicle has been present on Dangar Island for many years and its primary purpose had been to provide waste collection services on Dangar Island. When not required to deliver waste services the utility was made available for hire by Dangar Island residents. Waste Services are now delivered on Dangar Island using a purpose built truck.

Residents of Dangar Island have made representations to Council and attended a Mayoral Meeting seeking to retain the utility vehicle on Dangar Island as a community facility for residents. This request was made in light of Dangar Island's car free status and hence the need to retain a community facility such as the utility.

DISCUSSION

Further discussions with residents have resulted in an agreement for the utility to be retained on Dangar Island for a trial period of 6 months during which time it would be managed by Council volunteers who are members of the Dangar Island Vehicle Management Committee (DIVMC) and would be on a cost neutral basis to Council.

It is noted that the DIVMC are also responsible for the management and operation of the Dangar Island Community Vehicle (an electric golf buggy) that is provided as a community facility to Dangar Island.

In proceeding with the trial the DIVMC have indicated that an increase to the vehicle hire fee to \$50 per hour would be appropriate for the trial period.

This Report seeks to respond to the request of the DIVMC.

CONSULTATION

In the preparation of this Report there was consultation with the DIVMC regarding fees and charges.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The proposed variation to this fee responds to the request of the DIVMC.

The public exhibition of this fee provides the opportunity for the community to give feedback on the proposed fee variation. That feedback would be considered by Council prior to the final adoption of the new fee.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Natural Resources - Dr Peter Coad who can be contacted on 9847 6766

PETER COAD
Manager - Natural Resources
Environment and Human Services Division

STEPHEN FEDOROW
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Attachments:

There are no attachments for this report.

File Reference: F2008/00562

Document Number: D07380278

5 EASY TO DO BUSINESS PROGRAM

EXECUTIVE SUMMARY

- The *Easy to do Business* program is a free program that brings together agencies, local councils, and industry bodies to make the process of opening or expanding a small business simpler and faster.
- The program is currently focussed on the café, small bar and restaurant sector and through the program Service NSW provides a digital platform and upfront information regarding what is required by a potential new business owner from all the approval authorities, including Council.
- A single digital form replaces the 48 existing forms and a business concierge service (staffed by Service NSW), via a single phone number, is also provided to support customers through the process.
- The program brings a range of additional benefits including improving the quality of information provided to Council, which in turn helps to reduce development application processing and assessment times.
- It is recommended that Council join the *Easy to do Business* program.

RECOMMENDATION

THAT Council:

1. Join the *Easy to do Business* program in partnership with Service NSW.
2. Delegate the relevant customer service functions related to the administration of the *Easy to do Business* program to the Chief Executive Officer, Service NSW in accordance with a Service Partnership Agreement as required under the *Service NSW (One-stop Access to Government Services) Act 2013*.
3. Authorise the General Manager to execute any partnership documents associated with the *Easy to do Business* program and to undertake all actions necessary to give effect to this resolution.

PURPOSE

The purpose of this Report is for Council to consider joining the *Easy to do Business* program in partnership with Service NSW.

BACKGROUND

The *Easy to do Business* program is a joint initiative between the Department of Premier and Cabinet, the Customer Service Commissioner, the Office of NSW Small Business Commissioner, and Service NSW that brings together agencies, local councils, and industry bodies to make the process of opening or expanding a small business simpler and faster.

The initiative was initially piloted at the City of Parramatta Council in May 2016 focusing on the café, restaurant and small bar sector and in February 2017 the pilot program was expanded to incorporate Dubbo Regional, Georges River and the Northern Beaches councils.

The pilot program has been a success and demonstrated that a business can open in 90 days rather than 18 months and is now available for other councils to join as partners.

In accordance with the *Service NSW (One-stop access to Government Services) Act 2013*, a resolution of Council is required to allow Council to enter into a Service Partnership Agreement and to delegate the relevant customer service functions related to the administration of the Easy to do Business program to the Chief Executive Officer, Service NSW.

DISCUSSION

The *Easy to do Business* program aims to streamline the process of opening a new business, which typically requires a business owner to deal with 13 agencies (including Council) and to complete 48 forms, with the entire process taking up to 18 months.

Service NSW provides a digital platform and upfront information regarding what is required by a potential new business owner from all the approval authorities, including Council. A single digital form replaces the 48 existing forms. A business concierge service (staffed by Service NSW), via a single phone number, is also provided to support customers through the process.

Benefits of the partnership with Service NSW as part of the *Easy to do Business* program include:

- Improved support and a single source of information regarding what is required by a potential new business owner from all of the approval authorities.
- A business concierge team to provide support for businesses with new business ideas which should promote economic activity within the area.
- A single digital form will assist businesses to enter information quickly and to avoid the need for repeated entry of the same data.
- Improved quality of information provided to Council, helping to reduce development application processing and assessment times.
- Streamlining of the processes associated with opening and growing a business.

Participating in the Easy to do Business program has four main phases as follows:

1. Passing of a Council Resolution – The Service NSW Act requires a resolution of Council to allow Service NSW to support Council's customer service functions.
2. Operational Readiness – Operational readiness workshop with Council and the Service NSW Business Concierge team to understand each other's requirements and role.

3. Launch and Announcement – Go live with the *Easy to do Business* service for the café, small bar and restaurant sector.
4. Maintain and Build – Work to maintain and build the capability to include other subsectors such as clothing retail, housing construction, print businesses and road freight etcetera in the future.

CONSULTATION

In the preparation of this Report there was consultation with the NSW Small Business Commissioner and Service NSW.

BUDGET

The Easy to do Business program is a free service with no cost to Council to sign up and participate in the program.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The *Easy to do Business* program is a free program that brings together agencies, local councils, and industry bodies to make the process of opening or expanding a small business simpler and faster.

Through the program Service NSW provides a digital platform and upfront information regarding what is required by a potential new business owner from all the approval authorities, including Council. A single digital form replaces the 48 existing forms and a business concierge service (staffed by Service NSW), via a single phone number, is also provided to support customers through the process.

The program brings a range of additional benefits including improving the quality of information provided to Council, which in turn helps to reduce DA processing and assessment times.

There are plans for the *Easy to do Business* program to be expanded to other subsectors including clothing retail.

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.

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Manager - Community Services
Environment and Human Services Division

STEPHEN FEDOROW
Group Manager
Environment and Human Services Division

Attachments:

There are no attachments for this report.

File Reference: F2008/00156

Document Number: D07372771

ITEM 5

6 STOREY PARK COMMUNITY FACILITY REDEVELOPMENT - PROJECT UPDATE

EXECUTIVE SUMMARY

- Council has been consulting with the community and planning to build a new community facility at Storey Park, Asquith since 2008.
- Council's Strategic Plan for Community and Cultural Facilities identifies the need for the new facility and Council has, on many occasions, indicated a commitment to providing such a facility. The identified need for the facility takes into account the growth in population in the Asquith area associated with the high density housing areas.
- Following a revision of the scope of the project in 2015, a new design for the site has been formulated in consultation with Council. Development consent for the project was sought and provided in December 2016 – DA1097/16.
- Detailed designs have now been prepared for the revised project and a construction certificate will be issued following the appointment of a construction contractor.
- A revised cost estimate and Business Case Analysis/Capital Expenditure Review of the project has been produced and are provided as confidential attachments to this Report.
- It is appropriate, given the extent of the revision of the initial project and revised project costs, that Council endorse the scope of works and project costs for the Storey Park Community Facility and call tenders for its construction.

RECOMMENDATION

THAT Council:

1. Note and endorse the revised scope of works and project costs for the Storey Park Community Facility Redevelopment.
2. Call tenders for the construction of the Storey Park Community Facility.

PURPOSE

The purpose of this Report is to update Council on the scope of works and project costs for the proposed Storey Park Community Facility Redevelopment and seek Council's endorsement to call tenders for its construction.

BACKGROUND

Council has been consulting with the community and developing plans to build a new community facility at Storey Park (10x Old Berowra Road, Hornsby) since 2008.

In considering the demand for such a facility Council has been mindful of the growing needs of the community, in particular the growth in the number of residential dwellings in the precinct surrounding Storey Park since the adoption of the Hornsby Housing Strategy 2010.

Within this context and following a lengthy community consultation and planning process, Council received development consent from the Joint Regional Planning Panel for a development at 10x Old Berowra Road, Hornsby in December 2013. This development included a 72 place child care centre as well as a community centre.

Council subsequently sought to review its commitment to the direct provision of children's services and ultimately resolved to discontinue the direct provision of this service, including the sale of the Asquith Nursery and Preschool which was situated on land that had been zoned for high density (5 storey) development.

In considering the sale of this asset in December 2014 (Group Manager's Report No. EH25/14), Council resolved in part THAT:

6. *A portion of the proceeds from the sale of 18-22 Lords Avenue, Asquith and 421-425 Pacific Highway, Asquith (Asquith Nursery and Preschool and Asquith Leisure and Learning Centre) be allocated to fund the development of community infrastructure, including a new multi-purpose community facility at Storey Park.*

At its May 2015 General Meeting, Council considered Group Manager's Report No. EH 7/15 that outlined a review of Council's strategic intent for the site following the decision to not directly deliver children's services either on this site or elsewhere in the Shire. Through this report, Council resolved that it:

1. *Not proceed with the scheme for the redevelopment of the Storey Park community facilities that received development approval from the Joint Regional Planning Panel in December 2013.*
2. *Authorise the preparation of a new design, development application and construction certificate for redeveloped community facilities at Storey Park including a village scale multipurpose community centre, carpark and playground.*
3. *Authorise the lodging of a development application and construction certificate for the redevelopment of the Storey Park community facilities.*
4. *Establish appropriate communication and consultation strategies to both inform local residents of Council's strategic direction and to seek meaningful input into the future design outcome at Storey Park.*

This current report responds to the above, most recent, resolution of Council of the Storey Park Community Facility Redevelopment Project and seeks to progress the project to construction stage.

DISCUSSION

The need for a new community facility at Storey Park has been well established and reaffirmed by Council on multiple occasions since 2007.

Following Council's decision in May 2015 to prepare a new design and development application for a village scale multipurpose community centre, carpark and playground, Council officers have developed a revised design of the Storey Park facility taking into account key Council considerations including the overall size of the facility and provision of an inclusive, adventure playground.

Development consent for the facility was received in February 2017 and in March 2017 Expressions of Interest were received from construction companies to participate in a two stage tender process to build the facility.

From February detailed construction designs were prepared for the facility and in August 2017 an application for a Construction Certificate was lodged with Council.

Council was briefed on the final designs and updated project costings at an informal briefing in November 2017. The project has now progressed to a point where Council is able to call tenders to commence construction of the new facility.

A project timeline has been developed with an estimated construction period of 12 months commencing in July 2018.

CONSULTATION

The community and Councillors have been consulted on multiple occasions regarding the redevelopment of Storey Park Community Facility and have provided support to the project.

BUDGET

Project funding for the Storey Park Community Facility had been identified from s94 funds, however it is important to note that the most recent project estimate has exceeded earlier estimates due to new project inclusions and natural cost escalations over time. As such, Council will need to identify additional funding for the project (refer to confidential attachment).

In this regard it is recommended that these funds be allocated from available internal restricted assets or available working funds.

In the preparation of this report, Morrison Low (consultants) were contracted to undertake a Business Case Analysis/Capital Expenditure Review of the project. The project is not in excess of 10% of the organisations revenue and therefore a Capital Expenditure Review is not required under the Office Local Government Guidelines, however the work was undertaken as a matter of best practice. The Business Case Analysis (refer to confidential attachment) indicates that the project does not provide a positive economic result.

It is noted that community facilities are subsidised by Council as part of its service provision to the community and when offered for use at sub-market rates, come at a cost to Council.

It is appropriate that Council proceed with the project in this context as the provision of community infrastructure is a core service provision function of local government.

POLICY

There are no policy implications associated with this Report. The project is consistent with Council's long standing articulated strategic intent for the site and is consistent with adopted Strategic Planning

documents such as the Community and Cultural Facilities Strategic Plan, the Community Strategic Plan (Operational Plan and Delivery Program) and the Long Term Financial Plan.

CONCLUSION

Council has a long standing commitment to the community to provide a new community facility on the Council site at 10x Old Berowra Road, Hornsby. Over time, Council has revised the content and scope of that community facility but has remained firm on the need for a new facility to replace the ageing Asquith Community Centre.

The final version of the project has been progressed to the point whereby tenders for construction can now be let with a degree of confidence with respect to anticipated project costs. As such it is recommended that Council note the project cost estimate contained in the confidential attachment and that the project proceed to construction.

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
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STEPHEN FEDOROW
Group Manager
Environment and Human Services Division

Attachments:

1. [View](#) Storey Park - Final Budget Estimate - *This attachment should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
2. [View](#) Storey Park Community Centre - Business Case - *This attachment should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

File Reference: F2015/00187
Document Number: D07374444

7 PLANNING PANELS - APPOINTMENT OF EXPERT AND COMMUNITY MEMBERS

EXECUTIVE SUMMARY

- Independent Hearing Assessment Panels (IHAPs) were recently established under State Government planning legislation and will determine development applications of high value, corruption risk and strategic importance from March 2018.
- Council is required to endorse two expert members and three alternate expert members, three community members and one alternate community member for appointment to the Hornsby Shire IHAP on a three year term.
- IHAP meetings should be confirmed to commence at 6.30pm on the fourth Wednesday of every month and be facilitated generally in accordance with the procedures for Council's General meetings.
- Council's local membership of the Sydney North Planning Panel (SNPP) is due for renewal. Council is required to endorse an 'expert local member', 'non-expert local member', alternate 'expert local member' and alternate 'non-expert member' for the SNPP for a three year term.
- Council is required to remunerate the SNPP and IHAP members for their time and expertise.

RECOMMENDATION

THAT:

1. Council endorse Juliet Grant and Peter Fryar to serve as technical expert members and Garry Fielding, Steven Layman and Mary-Lynne Taylor to serve as the alternate technical expert members on the Hornsby Shire IHAP for a three year term.
2. Council endorse Brian Scarsbrick (A Ward), Jerome Cox (B Ward) and Barbara Wynn (C Ward) to serve as community members and John Filocamo to serve as the alternate on the Hornsby Shire IHAP for a three year term.
3. Council endorse David White to serve as the 'expert local member', Ross Walker to serve as 'non-expert local member' and alternate for the 'expert local member', and Felicity Findlay to serve as alternate for the 'non-expert local member' on the SNPP for a three year term.
4. The Hornsby Shire IHAP meeting be held in the Council Chambers on the fourth Wednesday of every month commencing at 6.30pm.
5. Council's General Manager be authorised to prepare a Draft Code of Meeting Practice for the adoption by the Hornsby Shire IHAP.
6. SNPP members are to be remunerated (excluding expenses and GST) as follows: - 'expert local members' - \$1,500 'non-expert members' - \$600 and the IHAP 'community members' remunerated at \$600 per meeting.

PURPOSE

The purpose of this report is to seek Council's endorsement of nominees for the technical expert and community member positions on the Independent Hearing and Assessment Panel (IHAP), community member positions on the Sydney North Planning Panel (SNPP), and confirm the IHAP meeting arrangements.

BACKGROUND

At its meeting on 11 October 2017, Council considered Group Manager's Report No. PL 48/17 concerning recent amendments to planning legislation that mandate the establishment of Independent Hearing and Assessment Panels (IHAPs), their implications for Hornsby Shire and the need to commence the nomination process for local representation on the IHAP and Sydney North Planning Panel. Council resolved that:

1. *Council make a submission to the Department of Planning and Environment requesting that the matters outlined in Group Manager's Report No. PL48/17 be addressed in finalising the guidelines for the establishment of Independent Hearing and Assessment Panels (IHAPs) including additional community representation, cost recovery for the operational of the panel, and opportunity to refer additional matters of public interest to the panel.*
2. *Council indicate its intention to establish a stand-alone IHAP for Hornsby Shire and seek expressions of interest for a community representative from each Ward (and alternates) for the Panel.*
3. *Expressions of interest be sought for the two local representative positions on the Sydney North Planning Panel concurrently with the advertising of the IHAP positions.*
4. *The outcome of the expression of interest processes be reported to Council for its endorsement of the community representative Panel members.*
5. *To assist persons interested in preparing an expression of interest for the community representative positions, information briefing sessions be held to outline the composition and function of the Panels, role of community members in representing the views of the community and recruitment process including interviews by Council.*
6. *An informal briefing of Councillors be held to discuss how best to provide information to the local community about the recently introduced legislation, the commencement of the new Panels, and how their structure, function and operations will affect community consultation and engagement in the planning process.*

To action Items 1 and 2 of Council's resolution, Council sent a letter to the Department advising of its intention to establish a stand-alone IHAP for Hornsby Shire and request the Department to address the concerns and suggested improvements in relation to the membership and operation of IHAPs (including additional community representation, cost recovery for the operation of the panel, and opportunity to refer additional matters of public interest to the panel) in finalising the guidelines for the establishment of IHAPs.

To action Items 2, 3 and 5 of Council's resolution, Council sought EOIs with the intention of appointing IHAP community representatives pursuant to the Department's "Guidelines for the selection of IHAP community representatives". Council advertised for the community representative positions between 2 November and 1 December 2017. An advertisement was placed in local newspapers, eNews, and a Council webpage was established. Council also held two briefings (one during the day and one in the evening) on 16 November 2017 for interested persons to find out more information on the role and responsibilities of the local member positions and assist them in applying.

To action Item 6 of Council's resolution, Councillors will be briefed on IHAP processes and ways to best engage the community in these processes at the Councillor's Strategic Intent workshop to be held between 16 February and 18 February 2018 with the intention of finalising a communications strategy. In summary, the strategy will include sending letters to community groups and placing notices in local newspapers, eNews and on Council's website.

To action Item 4 of Council's resolution, this report presents the outcome of the expression of interest processes to appoint community members to the IHAP and SNPP. The report also presents the outcome of the evaluation of technical expert members for appointment on the IHAP.

At its meeting on 22 November 2017, Council considered Mayoral Minute No. MM19/17 regarding the establishment of an IHAP for Hornsby Shire. Council resolved that:

1. *Council write to the Hon. Anthony Roberts, Minister for Planning seeking an urgent meeting to:*
 - 1.1 *Discuss concerns that the establishment of a mandatory IHAP for Hornsby Shire would take the responsibility for decision making out of the hands of Councillors who have been elected to represent the views of the local community.*
 - 1.2 *Suggest that where panels are established, this should be at the discretion of the council with their structure determined in response to the unique characteristics of the local government area and the expectations of the local community.*
2. *Council write to local State and Federal members advising them of Council's resolution and seeking their support and assistance in the implementation of the above action and facilitating discussions with the State Government.*

On 7 December 2017, Council wrote to the Hon. Anthony Roberts seeking an urgent meeting to discuss Council's concerns with the establishment of an IHAP for the Hornsby Shire. Council has not received a response to the request. It is therefore appropriate that Council moves forward with the establishment of the IHAP to ensure development applications continue to be determined in a timely manner.

DISCUSSION

This report discusses the process for the evaluation of the expressions of interest received for the community and technical expert member positions on the IHAP. This report also discusses the process for the evaluation of the expressions of interest received for the community member positions on the SNPP as well as the IHAP referral criteria, code of conduct and operational procedures.

1. Independent Hearing and Assessment Panel

The NSW Government recently introduced legislation requiring all councils in the Greater Sydney Region and Wollongong to have IHAPs in place in by 1 March 2018. All IHAPs are required to follow a standard model comprising a chair, two other expert members and a community representative. A person is not eligible to be a member of a local planning panel if they are a councillor, a property developer or a real estate agent. Alternate members are also required to be appointed in the event that the panel members are unavailable.

Selection of Chairpersons and Alternates: The Minister for Planning was responsible for choosing a chairperson for each panel, obtained through an expression of interest process that closed on 17 September 2017. On 21 December 2017, Council was advised that Mr Garry Fielding was appointed as Chairperson for the Hornsby IHAP and Mr Steven Layman and Ms Jacqueline Townsend were appointed as alternate chairpersons.

Selection of Technical Expert Members: The Minister for Planning was also responsible for choosing a pool of technical experts through an EOI process, from which each council is required to select their two technical expert members and their alternate technical expert members. The technical expert members must be qualified in at least one of the following fields: planning, architecture, heritage, environment, urban design, economics, traffic and transport, law, engineering, tourism or government and public administration. On 21 December 2017, the list of experts approved by the Minister was forwarded to Council for evaluation. The list includes 218 candidates which have nominated to participate on IHAPs throughout the entire Sydney Metropolitan Area and Wollongong.

To assist in the selection of two technical expert members and alternate members for appointment to Council's IHAP, the Mayor and Councillors Browne, Waddell and Heyde were nominated to evaluate the pool of technical experts. Various selection criteria were applied, including whether the candidates nominated Hornsby Shire as their preferred Local Government Area (LGA), depth of experience, and knowledge of the Hornsby LGA. This reduced the number of candidates to a manageable number for evaluation and at a meeting held on 11 January 2018, the selection panel shortlisted seven candidates for further evaluation by way of interview. The shortlisted candidates were invited to participate in interviews held on 18 January 2018 to provide them the opportunity to better identify how their qualities and experience are suited to participating on the Hornsby Shire IHAP.

After the evaluation of candidates' application material and the interview process, the selection panel recommended the appointment of two technical expert members and three alternate members. A summary of the recommended members and alternates, and their qualifications and experience is provided below.

Expert Member	Qualifications and Experience
Juliet Grant	Juliet has a Bachelor of Town Planning (Hons I) and a Masters of Environmental Law. Juliet has 25 years strategic and statutory experience in Local and State Government and the consulting environment. Juliet is a Fellow (Registered Planner) of the Planning Institute of Australia and is a Graduate of the Australian Institute of Company Directors. Juliet's professional appointments include Director, District Planning at the Department of Planning and Environment, and members of the Sydney South Planning Panel and Georges River Council IHAP.
Peter Fryar	Peter has a Bachelor of Town Planning and Certificate as a Town and Country Planner (Ordinance 4) issued under the <i>Local Government Act 1919</i> . Peter has held a number of senior positions in Local Government and in private consultancy positions over the last 30 years. Peter is a Corporate Member of the Planning Institute of Australia. Peter's experience includes working as Manager, Development Assessments at Hornsby Shire Council for eight years and acting as an expert witness in numerous appeals in the Land and Environment Court.
Alternate Member	
Garry Fielding	Garry has a Graduate Diploma in Local Government Management and Graduate Diploma in Urban and Regional Planning and a Bachelor of Arts Degree - majoring in Urban Geography and Sociology. Garry has 45 years of strategic and statutory experience in Local and State Government and the

	consulting environment. Garry is a Fellow (Registered Planner) of the Planning Institute of Australia and was past president of the Royal Australian Planning Institute (NSW Division). Garry's professional appointments include Chair of the Hunter and Central Coast Joint Regional Panel, former member of the NSW Heritage Council and Chair of the Hornsby Shire IHAP.
Stephen Layman	Stephen has a Bachelor of Architecture (Hons II) and a Masters of Town and Country Planning. Stephen is a registered architect and certified practicing planner, has over 35 years of experience in architecture and/or town planning, including extensive experience in the Land and Environment Court over the last 25 years. Stephen's professional appointments include Chair of Shellharbour Independent Development Assessment Panel, Member of the Wollongong IHAP and Alternate Chair of the Hornsby Shire IHAP.
Mary-Lynne Taylor	Mary-Lynne has a Bachelor of Arts and a Bachelor of Laws. Mary-Lynne was admitted and has practiced as a legal practitioner in NSW since 1969. Mary-Lynne has extensive experience providing advice to Local Government in planning and local government law and a solicitor advocate at the Land and Environment Court. Mary-Lynne's professional appointments include the Sydney East and Sydney West Joint Regional Planning Panels, and the Liverpool, Fairfield, Warringah and Parramatta IHAPs. Mary-Lynne is currently employed as a consultant to Bartier Perry Solicitors and has been appointed to the Hornsby Shire Council Legal Panel.

Selection of Community Members: The legislation requires that Council choose three community representatives, one from each Ward and an alternate community member. Accordingly, Council previously resolved to seek expressions of interest for a community representatives from each Ward for the Panel.

As previously reported, Council sought EOIs with the intention of appointing IHAP community representatives pursuant to the Department's "Guidelines for the selection of IHAP community representatives". Council advertised for the community representative positions between 2 November and 1 December 2017 by placing advertisements in local newspapers, eNews, and establishing a Council webpage. Council also held two briefings (one during the day and one in the evening) on 16 November 2017 for interested persons to find out more information on the role and responsibilities of the local member positions and assist them in applying.

Council received fourteen applications for community member positions on the IHAP. To assist in the selection of three local members (one in each ward) and an alternate for appointment to Council's IHAP, the selection panel comprising the Mayor and Councillors Browne, Waddell and Heyde met on 13 December 2017 to evaluate the applicants. Applicants were evaluated based on demonstrated experience, understanding of local issues and service to the Hornsby community. They were also evaluated based on whether the applicants would have a sound knowledge of Panel processes and their ability to adhere to a Code of Conduct and Operational Procedures.

After the evaluation of candidates' application material, the selection panel recommended the appointment of three local members and an alternate member. A summary of the recommended members and alternates, and their background is provided below.

A Ward Member	Background
Brian Scarsbrick	Brian is a member of the Brooklyn Community Association and was previously a CEO of National Trust NSW and Landcare Australia
B Ward Member	
Jerome Cox	Jerome was a previous Councillor for Hornsby Shire Council and is currently undertaking a Bachelor of Law/Commerce degree
C Ward Member	
Barbara Wynn	Barbara has been a resident for 16 Years and has a Bachelor of Science and Masters Commerce. Barbara has been appointed as Treasurer Byles Creek Valley Union
Alternate Member	
John Filocamo	John was previously a Senior Manager for Crown Lands. John was previously appointed as Chair on the Board of Cemeteries NSW

All members should be selected for the maximum term of three years.

2. Sydney North Planning Panel

The SNPP commenced in November 2016. At the time, the Minister for Planning appointed Dr Deborah Dearing, North District Commissioner as Chair and Dr John Roseth and Mrs Sue Francis as members. On 7 December 2017, Council received notice from the Minister for Planning that he has now appointed Mr Peter Debnam as Chairperson of the SNPP.

Local member representation was not renewed when the SNPP commenced due to pending Council mergers. Given that the merger of Hornsby and Ku-Ring-Gai is no longer being pursued, at its meeting on 11 October 2017 resolved to seek expressions of interest for the two local member positions required to be filled. Accordingly, Council sought EOIs concurrent with the EOIs for the IHAP.

Council received six applications for local member positions on the SNPP. To assist in the selection of two local members and alternates for appointment to the SNPP, the selection panel comprising the Mayor and Councillors Browne, Waddell and Heyde evaluated the applicants at the meeting held on 13 December 2017.

Applicants were evaluated based on demonstrated experience, understanding of local issues and service to the Hornsby community. They were also evaluated based on whether the applicants would have a sound knowledge of Panel processes and the ability to adhere to a Code of Conduct and Operational Procedures. Applicants for the 'expert local member' position were also evaluated on whether they have expertise in one or more of the following fields: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

After the evaluation of candidates' application material, the selection panel recommended the appointment of two local members and two alternate members, it being noted that the non-expert local member will also fulfil the role of alternate 'expert local member'. A summary of the recommended members and alternates, and their background is provided below.

Expert Member	Background
David White	David is a Registered Architect and member of the Hornsby Shire Heritage Advisory Committee. David is also the current expert member of the SNPP and previous representative on the Hornsby Shire Housing Strategy Committee
Local & Alternate Expert Member	
Ross Walker	Ross is currently President of the Beecroft/Cheltenham Civic Trust, has tertiary qualifications in Surveying and Town Planning and is a member of the RTA Heritage Committee
Alternate Local Member	
Felicity Findlay	Felicity is an Acquisitions Manager and Mortgage Broker, previous member of the Joint Regional Planning Panel and previous Councillor for Hornsby Shire Council

All members should be selected for the maximum term of three years.

3. IHAP Referral Criteria, Code of Conduct and Operational Procedures

The *Environmental Planning and Assessment Act 1979* allows the Minister for Planning to issue directions for what type of development applications are to be determined by IHAPs and what types of planning proposals are to be referred to it for advice. On 21 November 2017, the Department released draft Referral Criteria for councils. In summary, the following referral criteria will apply to Hornsby Shire for DAs:

- DAs valued at more than \$5 million (but less than \$30 million);
- DAs where the owner or applicant is the council, a councillor, a member of a councillor's family, a member of council staff, or a State or Federal member of Parliament;
- DAs that receive 10 or more objections from different households;
- DAs accompanied by a voluntary planning agreement;
- DAs seeking to depart by more than 10% from the development standards;
- DAs associated with a higher risk of corruption:
 - residential flat buildings assessed under SEPP 65;
 - demolition of heritage items;
 - licensed places of public entertainment and sex industry premises; and
 - designated development (as per the EP&A Regulation).

IHAPs are to be governed by a Code of Conduct and Operational Procedures that will ensure the proper conduct of members, procedural fairness and efficient and effective meetings.

The Code of Conduct adopts the terms of the Office of Local Government's Model Code of Conduct for Local Councils in NSW (October 2017) but has been amended to strike out provisions that are not

relevant to panel members and includes some additional provisions consistent with the legislative framework for IHAPs.

The Operational Procedures are designed to ensure that IHAPs meet their obligations in the most efficient and effective manner. The Operational Procedures include provisions for how IHAP chairs are to be rotated and community representatives can be interchanged as needed. The Operational Procedures also specifies how meetings and site visits are to be conducted.

Given Council's meeting schedules and with the agreement of the IHAP Chair, it is appropriate that the IHAP meetings are held on the fourth Wednesday every month, commencing at 6.30pm within the Council Chambers. It is anticipated that there will be five agenda items for each meeting, with the panel members commencing their site inspections at approximately 1.00pm. It is also appropriate that a Code of Meeting Practices be prepared by Council and adopted by at the first the IHAP meeting. The meetings will be facilitated by Council officers similar to Council's General Meetings.

Accordingly, it is recommended that Council endorse that the IHAP meeting will commence at 6.30pm on the fourth Wednesday of every month and that the General Manager prepare a Code of Meeting Practices for adoption by the Hornsby Shire IHAP.

BUDGET

The estimated annual cost of running an IHAP, including payment of all the panel members, Council officers facilitating and the Council officers presenting the applications would be approximately \$120,000 per year. The cost of running the Panel is not recoverable. However, the Minister for Planning has indicated that he will be reviewing this in the near future.

Relevant to Hornsby Shire, the Minister for Planning has determined remuneration rates for IHAP members as follows:

- Chair - \$2,000 plus GST per meeting;
- Technical experts - \$1,500 plus GST per meeting; and
- Community representatives – a minimum of \$500 up to a maximum of \$1,500 plus GST.

The rates assume a full day (seven hours) and include time for meeting preparation, site visits and participation at the meeting. It is also provided that panel members should be able to claim reasonable travel and out of pocket expenses.

Council previously paid 'expert local members' on the SNPP a fee consistent with the fee that was being paid to State appointed members on the SNPP. It is recommended that 'expert local members' on the SNPP be paid a fee of \$1,500 per meeting, consistent with that now being paid to technical experts on the IHAP. Council also previously paid a fee consistent with that would be paid to a Councillor for 'non-expert local members' on the SNPP. It is recommended that 'non-expert members' on the SNPP continue to be paid a similar fee of \$600 per meeting. It is also recommended that the same fee be paid to community members on the IHAP.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

IHAPs were recently established under State Government planning legislation to determine development applications of high value, corruption risk and strategic importance. Council is required to have an IHAP in place by 1 March 2018 which requires Council to appoint expert and local

members (and alternates) in addition to the Chair (and alternates) appointed by the Minister for Planning. Local membership of the SNPP is also due for renewal and requires Council to appoint local members (and alternates). In addition to membership, Council also needs to endorse the proposed meeting arrangements and pay rates for community members.

Council should endorse the two expert members and three alternates, and three local members and one alternate chosen by the selection panel for appointment to the Hornsby Shire IHAP for a three year term. Council should also endorse the two local members and one alternate chosen by the selection panel for appointment to the SNPP for a three year term.

The IHAP meeting should be confirmed to commence at 6.30pm on the fourth Wednesday of every month and be facilitated in the same fashion as Council's General meeting. Council should pay SNPP 'expert local members' a fee of \$1,500 per meeting, SNPP 'non-expert members' a fee of \$600 per meeting and IHAP 'local members' a fee of \$600 per meeting.

Council should notify the community of the recently legislated changes to the planning process, commencement of the new panels and how to engage in the new planning process in accordance with a communications strategy to be finalised at the upcoming Councillors Strategic Intent workshop. In summary, notifications will include sending letters to community groups and placing notices in local newspapers, eNews, and on Council's website.

RESPONSIBLE OFFICER

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

JASON RAWLIN
Acting Manager - Strategic Planning
Planning Division

SIMON EVANS
Acting Group Manager
Planning Division

Attachments:

There are no attachments for this report.

File Reference: F2013/00295
Document Number: D07375544

8 QUOTATION RFQ37/2017 - WESTLEIGH PARK REDEVELOPMENT

EXECUTIVE SUMMARY

- Council acquired a large Sydney Water holding off Quarter Sessions Road, Westleigh in 2016 to address the undersupply of land for recreation facilities in the Hornsby Local Government Area. The land was purchased using s94 developer contributions.
- Council's Operational Plan for 2017/18 includes "Westleigh Park Investigations" as a project that will be delivered this financial year. The project involves the preparation of a concept plan which will identify the preferred mix of recreation activities, development costs, development staging and the development approval path.
- A funding source for development of the site for recreation activities has not been identified at this point. Development of the site will not take place until a funding source has been identified to cover both capital and recurrent costs. Notwithstanding, it is appropriate to scope the project to inform funding requirements and discussions with the NSW State Government.
- A request for a quotation was called using the Local Government Procurement contract: "*Professional Consulting Services LGP1208-3*" to undertake the above investigations. Requests for quotations from five consultants were called in November 2017.
- The results of the evaluation indicate that the most advantageous submission is from Environmental Partnership (NSW) Pty Ltd.
- Council is required to endorse the appointment of the investigations in light of its current financial position. Sufficient funds have been set aside to fund the investigations.

RECOMMENDATION

THAT Council accept the quotation from Environmental Partnership (NSW) Pty Ltd for Quotation RFQ37/2017 – Westleigh Park Redevelopment.

PURPOSE

The purpose of this Report is to provide a recommendation for Quotation RFQ37/2017 – Westleigh Park Redevelopment.

BACKGROUND

The Westleigh Park land was formerly owned by Sydney Water and adjoins the Sydney Water Thornleigh Reservoir to the south, bushland to the north, Quarter Sessions Road to the west and some adjoining residential properties backing on to the site from Koorringal Avenue to the east. The land was acquired to address the undersupply of land for recreation facilities in the Hornsby Local Government Area. The land was purchased using s94 developer contributions.

Some of the bushland within the site is considered environmentally sensitive including dedicated bio-banking sites and endangered ecological communities, which will be protected.

Council proposes to provide formal sports, passive recreation (picnics, walking, and playground), mountain biking and ancillary facilities at the park.

1. Council's Operational Plan for 2017/18 includes "Westleigh Park Investigations" as a project that will be delivered this financial year. The project involves the preparation of a concept plan which will identify the preferred mix of recreation activities, development costs, development staging and a planning approval path.

A funding source for development of the site has not been identified at this point. Development of the site will not take place until a funding source has been identified to cover both capital and recurrent costs. Notwithstanding, it is appropriate to scope the project to inform funding requirements and discussions with the NSW State Government.

The proposed contract for "Westleigh Park Redevelopment" was called to find a suitably qualified consultant team, to develop a Concept Design and detailed costing for a planned future park and recreational facilities at Westleigh Park.

DISCUSSION

A summary of the submissions with full evaluation details have been placed on file (F2017/00315). Excepting this Memo, the evaluation report and details of the quotations received are to be treated as confidential in accordance with the Local Government Act.

This quotation was called using the Local Government Procurement contract: "*Professional Consulting Services LGP1208-3*". The purpose of this contract is to facilitate the selection of a panel of recognised (approved) contractors in accordance with the aims of New South Wales Local Government (General) Regulations 2005 Clause 169.

Requests for Quotations (RFQ37/2017) from five (5) consultants were called in November 2017 in accordance with the Local Government Act and Regulations.

All five selected consultancies made submissions:

- Complete Urban Pty Ltd
- Corkery Consulting Pty Ltd
- Environmental Partnership (NSW) Pty Ltd
- GHD Pty Ltd
- Tract Consultants Pty Ltd

Quotation Evaluation

The Quotation Evaluation Panel was made up of Craig Clendinning, David De-Fina and David Beharrell.

All Quotations received were deemed to be conforming.

As part of the quotation process, evaluation criteria were developed prior to the closing of quotations and placed in Trim. The criteria included both price and non-price evaluations.

Non-price Evaluation

The non-price evaluation criteria included:

- Past Performance, Experience, Skills and Qualifications (of the Company, Lead Consultant and the Project Team)
- Understanding of the Brief
- Project Program
- Quality Assurance systems
- Sustainability
- Work Health and Safety systems

The non-price criteria were assessed based on information submitted with the quotation and information gained from the proponent's nominated referees. Evaluation Panel members provided scores against non-price evaluation criteria for each quotation and the details are shown in the quotation evaluation report.

Price Evaluation

Two (2) price options were requested in the quotation:

Price Option A - Parts 1 and 2

Part 1 - Comprehensive review of existing contamination and site studies

Part 2 - Development of a series of initial design options

Price Option B - Parts 1, 2, 3, 4 and 5

Part 1 - Comprehensive review of existing contamination and site studies

Part 2 - Development of a series of initial design options

Part 3 - Preparation of two (2) Preferred Concept Designs

Part 4 - Preparation of a detailed Cost Estimate by QS for Preferred Concept Designs (including indicative whole-of-life costs)

Part 5 - Prepare Final Report

The Panel considered that the price range for all five submissions was acceptable and that Council should proceed with Price Option B (Parts 1, 2, 3, 4 and 5).

Details of the evaluated quotation prices are contained in the quotation evaluation report. The quotation evaluation report is deemed confidential under Section 10A (2) (d) of the Local Government Act 1993.

The total estimated work under this contract is in the order of \$150,000. Full details of the quotation evaluation are in Trim folder F2017/00315.

BUDGET

There are sufficient funds to cover the cost of the investigations, but no funds have been identified for the development of the site and associated recurrent expenditure at this point.

POLICY

The Tenders Determination is relevant. The Acting General Manager has chosen not to use his delegation to appoint a contractor for the project as he believes that the proposed contract is of significant public interest and should be considered by Council.

CONCLUSION

Westleigh Park was acquired to address the undersupply of open space for a broad range of recreation facilities in the Hornsby Local Government Area. The 2017/18 Operational Plan identifies that funds are available to undertake investigations to inform the use, staging, cost and development approval path for this development. These investigations are best undertaken by suitably qualified consultants, given Council's current commitments. The evaluation of submissions for Quotation RFQ37/2017: Westleigh Park Development recommends that Council accept the quotation from Environmental Partnership (NSW) Pty Ltd to carry out these investigations.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Design and Construction – Robert Rajca - who can be contacted on 9847 6675.

ROBERT STEPHENS

Deputy General Manager - Infrastructure and
Recreation
Infrastructure and Recreation Division

Attachments:

- [1.View](#) RFQ 37-2017 Quotation Evaluation Report - signed - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

File Reference: F2017/00315

Document Number: D07370744

10 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 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 1 December 2017 – The Mayor participated in Walk the Talk – a Community Walk against Violence at Hornsby Mall.

Friday 1 December 2017 – On behalf of the Mayor, Councillor Waddell attended Wideview Public School's Annual Presentation Day at Berowra Heights.

Saturday 2 December 2017 – On behalf of the Mayor, Councillor Browne attended the Fusion Christmas Party at Hornsby.

Thursday 7 December 2017 – The Mayor attended Clarke Road School's Annual Presentation Day at the School in Hornsby.

Thursday 7 December 2017 – The Mayor attended Barker College End of School Year Celebration at Hillsong Church, Baulkham Hills.

Thursday 7 December 2017 – The Mayor hosted his Community Christmas Function at Hornsby RSL Club.

Friday 8 December 2017 – The Mayor attended Asquith Girls' High School's Annual Presentation Day Ceremony at Hornsby RSL Club.

Friday 8 December 2017 – The Mayor attended the Opening of the new Community Recycling Centre at Thornleigh.

Saturday 9 December 2017 – On behalf of the Mayor, Councillor Browne attended the Chinese Language School Presentation Day at Cherrybrook.

Saturday 9 December 2017 – The Mayor attended Studio Artes Ride a Day in My Wheels at Hornsby Mall.

Monday 11 December 2017 – On behalf of the Mayor, Councillor del Gallego attended the Vasey Housing Association's Annual Christmas Luncheon at the Epping Club.

Monday 11 December 2017 – On behalf of the Mayor, Councillor Tilbury attended Asquith Boys' High School's 2017 Presentation Night at the School.

Tuesday 12 December 2017 – The Mayor attended Hills Grammar School's 35th Annual Presentation Awards at Darling Harbour.

Tuesday 12 December 2017 – On behalf of the Mayor, Councillor del Gallego attended 1st Cherrybrook Scout Group's end-of-year Christmas BBQ celebration at Cherrybrook.

Tuesday 12 December 2017 – The Mayor attended the Lions Club of Hornsby AGM and Christmas Dinner at Magpies Waitara.

Thursday 14 December 2017 – The Mayor attended Cheltenham Girls' High School's Annual Presentation Day at Sydney Opera House.

Thursday 14 December 2017 – On behalf of the Mayor, Councillor del Gallego attended Hornsby Girls' High School's Annual Speech day at Sydney Town Hall.

Saturday 16 December 2017 – The Mayor drew the grand prize at Pennant Hills Marketplace Annual Fun Day at Pennant Hills.

Saturday 16 December 2017 – The Mayor attended Wesley Mission's Carols in the Valley at Vision Valley.

Monday 18 December 2017 – The Mayor attended Berowra Combined Churches Christmas Carols at Warrina Street Oval, Berowra.

File Reference: F2004/07053

Document Number: D07372737

11 MAYOR'S NOTES FROM 1 TO 31 JANUARY 2018

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.

Monday 22 January 2018 – The Mayor attended the Rotary Club of Pennant Hills Australia Day Award Dinner at Pennant Hills Golf Club in Beecroft.

Friday 26 January 2018 – The Mayor hosted the Australia Day Citizenship Ceremony in the Council Chambers.

Friday 26 January 2018 – The Mayor attended the Lions Club of Hornsby Australia Day BBQ at Hornsby Mall.

Wednesday 31 January 2018 – The Mayor attended a Service to welcome Reverend Dougal Michie as senior minister of St Jude's at Dural.

File Reference: F2004/07053
Document Number: D07378952

12 ABANDONED SHOPPING TROLLEYS

COUNCILLOR TILBURY TO MOVE

THAT:

1. Council call on Westfield as a matter of priority to install a wheel locking system at all entrances to the Hornsby Westfield Shopping Centre to prevent shopping trolleys from exiting the centre.
2. Should Westfield not commit to installing such a system, that Council commence impounding abandoned shopping trolleys on local Streets.
3. Council amend its Development Application submission guideline to require the submission of a trolley management plan with any new Development Application for retail premises that provides trolleys for use by its customers.

Note from Councillor:

Abandoned shopping trolleys have been an issue in the Hornsby area for many years and over time Council has engaged with Westfield, retailers and trolley collection contractors regarding the issue. This approach has not been successful in permanently addressing the problem and Council surveys have identified that over 500 trolleys daily are left abandoned on local streets within a 1km radius of the Westfield Shopping Centre.

In June 2016 Council considered a Notice of Motion (NOM4/16) regarding abandoned trolleys and resolved *That Council work with local retailers and Westfield to investigate ways to reduce the number of abandoned shopping trolleys left on streets surrounding our shopping centres. This should include analysis of effective solutions that have been implemented in other areas.*

Council officers have subsequently held a number of meetings with Westfield, Coles, Woolworths and their respective trolley collection contractors, and in March 2017 Westfield agreed to install a wheel locking system that would lock trolleys at all exit points to the Westfield Shopping Centre.

It is now nearly 12 months later, and rather than installing a system that would prevent all trolleys from leaving their centre as previously agreed, Westfield are now seeking to install a system that would allow trolleys to leave their Shopping Centre and access Hornsby Mall.

Such a proposal would concentrate leakage of trolleys from the Westfield Shopping Centre and use the ends of Hornsby Mall as the locking point. I consider that this would present unacceptable amenity and access issues for Hornsby Mall which is the most trafficked public space in the Shire.

The precedent exists for Westfield to install a wheel locking system at all exits to their Hornsby Shopping Centre, with both the Chatswood and Bondi Junction Westfield Shopping centres successfully employing such a system.

It is now over 18 months since discussions started with Westfield and their tenants and a solution has not been implemented. There is continued significant community interest in the matter and I am seeking Council's support to immediately write to Westfield calling on them as a matter of priority to install a wheel locking system at all exits to the Hornsby Westfield Shopping Centre to prevent shopping trolleys from exiting the centre.

Should Westfield not commit to installing such a system, I also seek Council's support to commence impounding abandoned shopping trolleys on local streets.

Attachments:

There are no attachments for this report.

File Reference: F2004/08769

Document Number: D07382879