



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 8 May 2019  
at 6:30PM**



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## **AGENDA AND SUMMARY OF RECOMMENDATIONS**

### **PRESENT**

### **NATIONAL ANTHEM**

### **OPENING PRAYER/S**

Reverend Martin Kemp of Waitara Anglican Church, will open tonight's meeting in prayer.

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairperson:

*"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."*

### **ABORIGINAL RECOGNITION**

Statement by the Chairperson:

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

### **VIDEO AND AUDIO RECORDING OF COUNCIL MEETING**

Statement by the Chairperson:

*"I advise all present that tonight's meeting is being video streamed live via Council's website and also audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The audio and video recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so."*

### **APOLOGIES / LEAVE OF ABSENCE**

### **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*

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*donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.*

*If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct."*

## **DECLARATIONS OF INTEREST**

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

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

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

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

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

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

*OR*

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

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

## **CONFIRMATION OF MINUTES**

THAT the Minutes of the General Meeting held on 10 April, 2019 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**

##### **Page Number 1**

**Item 1 GM7/19 2018/19 BUDGET - MARCH 2019 QUARTER REVIEW**

#### **RECOMMENDATION**

THAT the March 2019 Quarter Review of the Operational Plan (Budget) for 2018/19 be received and noted.

#### **CORPORATE SUPPORT DIVISION**

##### **Page Number 5**

**Item 2 CS10/19 INVESTMENTS AND BORROWINGS FOR 2018/19 - STATUS FOR PERIOD ENDING 31 MARCH 2019**

**RECOMMENDATION**

THAT the contents of Deputy General Manager's Report No. CS10/19 be received and noted.

**COMMUNITY AND ENVIRONMENT DIVISION**

Nil

**PLANNING AND COMPLIANCE DIVISION****Page Number 8****Item 3 PL6/19 HORNSBY SHIRE HERITAGE GAP ANALYSIS AND ACTION PLAN 2019****RECOMMENDATION**

THAT:

1. The Hornsby Shire Heritage Action Plan attached to Director's Report No. PL6/19 be placed on public exhibition for a period of one month.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.

**Page Number 14****Item 4 PL5/19 RFT6/2018 - CONSULTANT SERVICES - HORNSBY TOWN CENTRE REVIEW****RECOMMENDATION**

THAT:

1. Council accept the tender from Cox Architecture Pty Ltd for RFT6/2018 to undertake the Hornsby Town Centre Review.
2. Unsuccessful tender submitters be advised of Council's resolution and thanked for their interest in providing consultant services to Council for the project.

**Page Number 19****Item 5 PL9/19 REVIEW OF POLICY - SMOKE FREE ENVIRONMENT****RECOMMENDATION**

THAT:

1. Council's Smoke Free Environment Policy be amended to include punitive enforcement action as a means of enforcing the Policy by authorised Council officers.

2. As part of the signage audit currently underway by Council, reference to the Local Government Act 1993 be incorporated into "No Smoking" signage, to empower authorised Council officers to issue penalty infringements for smoking in Hornsby Mall.
3. Council officers engage in a twelve month education awareness program in Hornsby Mall to provide awareness of Council's Smoke Free Environment Policy.
4. Upon the completion of the education awareness program, regular patrols be undertaken by Council officers and where necessary, penalty infringements for smoking and littering offences be issued in Hornsby Mall.

**Page Number 22****Item 6 PL11/19 HORNSBY SHIRE CAT MANAGEMENT PROGRAM****RECOMMENDATION**

THAT Council:

1. Endorse the annual allocation of \$15,000 to implement a subsidised cat de-sexing, microchipping and registration program, associated community education and awareness campaign to promote the benefits of responsible cat ownership.
2. Implement a streamlined web based animal registration system.

**Page Number 26****Item 7 PL12/19 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS****RECOMMENDATION**

THAT the contents of Director's Report No. PL12/19 be received and noted.

**Page Number 29****Item 8 PL13/19 UPDATE REPORT - INTERIM HERITAGE ORDER - PROPERTY NO. 62  
MANOR ROAD, HORNSBY****RECOMMENDATION**

THAT:

1. Council resolve to prepare a draft local environmental plan to list the trees on property No. 62 Manor Road, Hornsby identified in the Landscape Heritage Assessment attached to Director's Report No. PL13/19 as a local heritage item (landscape) in Schedule 5 of the *Hornsby Local Environmental Plan 2013*.
2. A planning proposal be prepared to progress the above draft local environmental plan and the planning proposal be submitted to the Hornsby Local Planning Panel for advice.



3. A further report outlining the advice from the Hornsby Local Planning Panel be presented to Council for consideration prior to submission of the planning proposal to the Department of Planning and Environment for a Gateway Determination.
4. The property owner be advised of Council's decision.

**Page Number 33****Item 9 PL14/19 RURAL LANDS STUDY 2019 - CONSULTANT SERVICES****RECOMMENDATION**

THAT:

1. SGS Economics and Planning be engaged to undertake the Rural Lands Study.
2. Unsuccessful consultants be advised of Council's resolution and thanked for their interest in providing consultant services to Council for the project.

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**

Nil

**CONFIDENTIAL ITEMS****Item 10 PL15/19 INTERIM HERITAGE ORDER - ADVICE ON PROSPECTS - 62 MANOR ROAD, HORNSBY**

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

**Item 11 CS11/19 PROPOSED LEASE - TELECOMMUNICATIONS FACILITY AT NORMANHURST**

*This report 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.*

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

**Page Number 40**

**Item 12 MN4/19 MAYOR'S NOTES FROM 01 APRIL TO 30 APRIL 2019**

**NOTICES OF MOTION**

**SUPPLEMENTARY AGENDA**

**MATTERS OF URGENCY**

**QUESTIONS WITHOUT NOTICE**

**1 2018/19 BUDGET - MARCH 2019 QUARTER REVIEW**

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**EXECUTIVE SUMMARY**

- Accountable organisations like Council review their budget and operational performance at least each quarter. In this regard, the March 2019 Quarter Review of the 2018/19 Operational Plan and Budget is attached.
- The 2018/19 Original Budget forecast a surplus at 30 June 2019 of \$15K. The September 2018 Review resulted in favourable net budget changes of \$171K, while the 2018/19 December Budget Review recommended no net budget changes. The March 2018 Review includes a minor unfavourable change of \$41K to account for reduced Financial Assistance Grant funding from the NSW State Government.
- Also, at the 13 March 2019 General Meeting, Council resolved to approve budget changes associated with the update of Council's Long Term Financial Plan. Those changes incorporated Councillor priorities into the annual Budget and resulted in a favourable increase of \$1.83 million to the forecast surplus for 2018/19.
- The outcome of including all of the above in the March 2019 Quarter Review is that the revised budget surplus for 2018/19 is now \$1.975 million. Such a surplus is satisfactory in maintaining financial benchmark indicators in respect to liquidity. Council remains in a good position to deliver local services and facilities in a financially responsible manner.

**RECOMMENDATION**

THAT the March 2019 Quarter Review of the Operational Plan (Budget) for 2018/19 be received and noted.

## PURPOSE

The purpose of this Report is to present for Council's consideration the March 2019 Quarter Review of the 2018/19 Operational Plan.

## BACKGROUND

On 13 June 2018, Council adopted a three year Delivery Program 2018-21 including the one year Operational Plan for 2018/19. The Fees and Charges for 2018/19 were also adopted by Council on 13 June 2018. 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

This Review includes the third quarter results for 2018/19, comparing actual expenditure, income and funding sources for the third quarter against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$3.863 million. This positive variance is largely the result of timing differences associated with restricted funds for project related works that cannot be reallocated back to Council's general fund if unspent at the end of 2018/19.

The 2018/19 Original Budget forecast a surplus at 30 June 2019 of \$15K. The September 2018 Review resulted in favourable net budget changes of \$171K, while the 2018/19 December Budget Review recommended no net budget changes. The March 2018 Review includes a minor unfavourable change of \$41K to account for reduced Financial Assistance Grant funding from the NSW State Government.

Also, at the 13 March 2019 General Meeting, Council resolved to approve budget changes associated with the update of Council's Long Term Financial Plan. Those changes incorporated Councillor priorities into the annual Budget and resulted in a favourable increase of \$1.83 million to the forecast surplus.

The outcome of including all of the above in the March 2019 Quarter Review is that the revised budget surplus for 2018/19 is now \$1.975 million.

### Major Projects Update

Updates in respect to the progress of projects of significant dollar value or of community interest are noted below:

- Hornsby Park – From Quarry to Park – this project involves the redevelopment of the abandoned Hornsby Quarry and adjacent Old Mans Valley on the western side of Hornsby into open space for recreation purposes. Over the past 12 months, Council has been preparing an Environmental Impact Statement for the Park which will be on public exhibition in early 2019. Since March 2017, excavated fill material has been transported from the North Connex road project to the Hornsby Quarry. This stage was completed in January 2019.

The total expenditure to 31 March 2019 on this project is \$1.926 million out of a budget of \$50 million. The funding of \$50 million for this project was provided in June 2018 from the NSW Government's Stronger Communities Fund.

- Westleigh Park Development – concept designs are nearing completion which will provide the basis for development of a park masterplan and subsequent dedicated plan of management for Westleigh Park. Detailed options will be developed in consultation with the community.  

The total project expenditure to 31 March 2019 (including the acquisition costs) on this project is \$21.463 million out of a budget of \$61.140 million. Funding of \$40 million for this project was provided in June 2018 from the NSW Government's Stronger Communities Fund.
- Storey Park – a new facility will be built on the existing Asquith Community Centre site. Plans include multi-purpose rooms that will be ideal for a wide range of events and activities and park facilities. The total expenditure to 31 March 2019 on this project is \$1.532 million out of a budget of \$6.308 million.
- Orara Park, Waitara – is a new expanded local community park in Waitara located between Romsey Street and Waitara Avenue extending across Orara Street. The western half of Orara Park in Waitara is complete and now open to the public. New playground equipment and rubber softfall has been placed in the playground and new concrete paths finished, providing a pedestrian link between Orara Street and Romsey Street. Furniture and lights have been installed. The project commenced in May 2018, and has been allocated an expenditure budget of \$1.42 million. The amount that has been spent as at 31 March 2019 is \$1.323 million. Contract commitments of \$239K have also been raised for this project that are to be reviewed.
- Waitara Park Embellishment - including drainage and inclusive playground – the total spend to 31 March 2019 on this project is \$14.106 million out of a budget of \$15.173 million. Contract commitments of \$578K have been raised for this project. To date this project has completed the construction of six new tennis courts and an amenities building, a contribution to the PCYC facility, new fencing and sightscreens at Mark Taylor Oval and significant drainage improvements along Park Avenue. The Park was opened to the public in April 2019.
- 25,000 Trees by 2020 – Council is committed to planting 25,000 new trees by September 2020 to invest in the environment for future generations. The expenditure incurred to 31 March 2019 was \$253K. At the time of writing this Report, there has been 4,599 trees planted at 249 planting locations and 702 volunteers registered. A further 13,544 other plants have been planted (e.g. shrubs)
- Beecroft Station Gardens – Upgrade of Beecroft Station Gardens alongside the railway station and construction of a new carpark at the Beecroft Community Centre within Beecroft Village Green to the south. The site was officially opened on 20 October 2018. Total expenditure including commitments for this project is \$1.514 million out of a budget of \$1.875 million.
- Planning and Compliance Division Legal Expenses – As at 31 March 2019, the actual expenditure on legal matters has already exceeded the full year budget (of \$350K) by approximately \$250K. Although there may be some opportunity to offset some of this expenditure in 2018/19, it is important to ensure that a realistic budget figure is included for 2019/20 and beyond and to understand how such an increase to the legal expenses budget will negatively impact on other organisational budget items and the priorities of Council.

**BUDGET**

This Report provides the March 2019 Quarter Review of the 2018/19 Operational Plan which, if adopted, will achieve a forecast surplus at 30 June 2019 of \$1.975 million. The predicted Budget result at 30 June 2019 is satisfactory in maintaining financial benchmark indicators in respect to liquidity

**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 March 2019 Quarter Review demonstrates that Council remains in a good position to deliver local services and facilities in a financially responsible manner.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Acting Deputy General Manager, Corporate Support – Glen Magus. He can be contacted on 9847 6635.

GLEN MAGUS  
Acting Deputy General Manager - Corporate  
Support  
Corporate Support Division

STEVEN HEAD  
General Manager  
Office of the General Manager

**Attachments:**

1. [↔](#) March 19 Budget Result Report
2. [↔](#) Quarterly Budget Review Statement Mar 19

File Reference: F2017/00322  
Document Number: D07657900

**2 INVESTMENTS AND BORROWINGS FOR 2018/19 - STATUS FOR PERIOD ENDING 31 MARCH 2019**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 31 March 2019 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for March 2019 of 3.45% (equal to \$634,322 for March 2019) and a 2018/19 financial year to date return of 2.77% (equal to \$5,677,600 for the period July 2018 to March 2019).

**RECOMMENDATION**

THAT the contents of Deputy General Manager's Report No. CS10/19 be received and noted.

**PURPOSE**

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

**BACKGROUND**

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

**DISCUSSION**

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

Council's investment performance for the month ending 31 March 2019 is detailed in the attached document. In summary, the portfolio achieved an annualised return for March 2019 of 3.45% (equal to \$634,322 for March 2019) and a 2018/19 financial year to date return of 2.77% (equal to \$5,677,600 for the period July 2018 to March 2019).

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2009 to date, based on the principal balances outstanding is 6.67%. The Borrowings Schedule as at 31 March 2019 is also attached for Council's information.

**BUDGET**

Budgeted investment income for 2018/19 is \$7,379,500 with an average budgeted monthly income of \$614,958. Year to date investment income for the period ended 31 March 2019 was \$5,677,600 which excludes unrealised gains or losses from managed funds.

Approximately 27% of the investment income received by Council relates to externally restricted funds (e.g. Section 711 development contribution funds) 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 31 March 2019 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 Acting Chief Financial Officer – Pam Cook - who can be contacted on 9847 6834.



PAMELA COOK  
Acting Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Acting Deputy General Manager - Corporate  
Support  
Corporate Support Division

**ITEM 2**

**Attachments:**

1. [⇒](#) HSC Investment Summary Report March 2019
2. [⇒](#) HSC Borrowings Schedule 31 March 2019

File Reference: F2004/06987-02  
Document Number: D07648729

### **3 HORNSBY SHIRE HERITAGE GAP ANALYSIS AND ACTION PLAN 2019**

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#### **EXECUTIVE SUMMARY**

- At its meeting on 8 August 2018, Council resolved to undertake a Comprehensive Heritage Study to inform amendments to current planning instruments and to assist preparation of a draft Local Strategic Planning Statement (LSPS).
- Due to the wide scope and cost of a comprehensive study, it was agreed that an investigation of Council's current heritage management systems, processes and planning controls should be undertaken to guide the scope of the Comprehensive Heritage Study.
- GML Heritage Pty Ltd (GML) was engaged in December 2018 to undertake a Gap Analysis and to prepare an Action Plan identifying the sequence of tasks to be undertaken to address the findings from the analysis.
- On 2 April 2019, GML presented the draft Gap Analysis Report and Action Plan to Council's Heritage Advisory Committee. Subject to minor amendments, the Committee agreed that the report should be presented to Council.
- The Analysis identifies that the heritage measures established by Council in 1993 are essential foundations for best practice heritage management. However, additional initiatives and updates are required to respond to the changing development context, demography and community expectations.
- The Action Plan presents a comprehensive suite of future tasks to be undertaken, including an indication of priorities, which would be used to scope and stage the future Comprehensive Heritage Study.
- It is recommended that the Action Plan (attached) be placed on public exhibition to seek feedback from the community on the tasks and priorities suggested by the consultant and assist Council determine which tasks should be carried out over the next 12 months.

#### **RECOMMENDATION**

THAT:

1. The Hornsby Shire Heritage Action Plan attached to Director's Report No. PL6/19 be placed on public exhibition for a period of one month.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.

## PURPOSE

The purpose of this Report is to present the Heritage Gap Analysis and Action Plan to Council and seek endorsement of the Action Plan for public exhibition.

## BACKGROUND

At its meeting on 8 August 2018, Council considered Notice of Motion No. NOM 19/18 and resolved that:

1. *Council consider undertaking a comprehensive heritage study to inform amendments to Council's planning controls and the preparation of Local Strategic Planning Statements as part of Council's \$2.5 million Accelerated LEP Review funding agreement with the Department of Planning and Environment.*
2. *As part of the upcoming Informal Workshop with Councillors to discuss a new two year Strategic Planning Program to progress the LEP Review, consideration be given to the scope, process, resource implications and timing of progressing a program for a comprehensive heritage study including a review of Council's list of existing heritage items and conservation areas and opportunities to progress new listings.*
3. *Any process for progressing a heritage review include consultation with Council's Heritage Advisory Committee given the technical expertise / specialist knowledge of the Committee members. Most especially as it includes the Historical Society, noted local heritage architects and specialist professionals with State Government experience in planning, urban design and heritage amongst others.*
4. *Consideration be given to identifying opportunities to fund and review ongoing heritage initiatives and procedures as part of the preparation of Council's Long Term Financial Plan.*

Due to the wide scope and cost of undertaking a comprehensive study, a gap analysis is first required to identify policy gaps, inconsistencies and anomalies within the current planning controls and heritage management practices. As such, the Heritage Gap Analysis was endorsed by Council, at its meeting on 10 October 2018, as a project as part of the Accelerated LEP Review. GML Heritage was engaged in December 2018 to undertake the Gap Analysis and to prepare an Action Plan, the findings of which can inform the scope of the Comprehensive Study.

## DISCUSSION

The *Hornsby Local Environmental Plan (HLEP)* and *Hornsby Development Control Plan (HDCP)* have been utilised for heritage management to substantial effect over the past 25 years. Council's first Heritage Study was commenced in the early 1990's. Five staged reviews have been undertaken since, focused on specific issues or items. However, there has not been a comprehensive study since 1993. The Hornsby Shire Heritage Gap Analysis and Action Plan attached to this report have been prepared by GML Heritage to inform the scope and phasing of a Comprehensive Heritage Study. The Analysis identifies gaps, inconsistencies and anomalies in Council's current heritage management policies and planning instruments.

### **Hornsby Shire Heritage Gap Analysis and Action Plan**

The report (attached) consists of three sections:

- Section 1 outlines the methodology used to undertake the analysis along with resource materials used for the desk-top analysis.

- Section 2 focuses on Council's current heritage management practices and key issues associated with the current approach.
- Section 3 provides the prioritised action plan which lists a comprehensive suite of future tasks to be undertaken.

### **Summary of findings**

Importantly, the Gap Analysis acknowledges Council's proven commitment to the conservation of natural and cultural heritage. The Analysis identifies that the heritage measures established by Council in 1993 are essential foundations for best practice heritage management. However, additional initiatives and updates are required to respond to the changing development context, demography and community expectations.

The key tasks recommended in the Action Plan as a result of the Gap Analysis include:

- *Preparation of a new Thematic History* - reflect the course and pattern of development of the Shire over time including Aboriginal history, post 1960 development and local themes relevant to contemporary communities.
- *A new Aboriginal Heritage Study* – update data on Aboriginal sites, recognise Aboriginal cultural values beyond place-based values and identify mechanisms for ongoing consultation and collaboration with Aboriginal people about their local heritage.
- *A new Archaeological Heritage Study* - identify areas of potential archaeological significance and their current condition and update inventory sheets and management actions accordingly.
- *A new Landscape Heritage Study* – consolidate and collate information from previous studies, update inventory sheets, capture, describe and map current and future landscape heritage items and listings.
- *Update the Landscape Management Processes* - develop a process for the ongoing identification of gaps in knowledge about the cultural and natural landscape of the Shire and prepare guidelines for plantings near heritage conservation areas or items.
- *A Heritage Community Engagement Strategy* – develop processes for meaningful and ongoing engagement with the local community beyond traditional heritage committees. Additional tasks include information fact sheets for current and prospective owners and investigation of the reintroduction of awards and grants programs.
- *An Interpretation Strategy* - identify opportunities for telling important local stories and celebrating local heritage of the Shire.
- *A staged review of HLEP listings and conservation areas* – progressively address gaps, anomalies and underrepresented heritage items and conservation areas within HLEP.
- *A Heritage Study* – Shire-wide review of all potential heritage items.
- *A review of the HDCP Heritage Chapter* – ensure the HDCP aligns with recent changes to zoning, reflects other parts of the DCP and remove references to places no longer within the Shire.
- *Mapping of Conservation areas* – classify and identify contributory, neutral and non-contributory places.

- *A review of Inventory Sheets* – update to conform with the standard State Heritage Inventory database template and address gaps including lack of detail and outdated photographs.
- *A review of Council's internal heritage management procedures* - ensure continuous improvement of internal heritage management procedures, regular reviews and training of staff.

Details of each task are outlined in the Action Plan, along with an indication of priority. High priority actions are those that should be considered by 2020, medium and low priority actions should be considered within three to five years respectively. However, the duration of tasks vary. Although high priority tasks should be considered by 2020, they may not necessarily commence or be completed by 2020, dependant on the scope (once identified) and cost. The Action Plan is intended to inform the scope and phasing of the Comprehensive Heritage Study.

Indicative costings to complete the Action Plan total approximately \$3 million. Indicative costings to complete high priority actions total approximately \$1.5 million. It is recommended that the Action Plan be placed on public exhibition to seek community feedback on the identified tasks and priorities to assist Council determine the tasks to be carried out over the next 12 months based on available funds and staff resources (see below discussion under Budget).

### **CONSULTATION**

The consultant team attended a workshop with Council's Heritage Advisory Committee at the commencement of the project in February 2019 to gain early input and take advantage of the technical expertise and specialist knowledge of Committee members.

A second workshop with the Heritage Advisory Committee was scheduled in April 2019 to receive a presentation on the draft Gap Analysis findings and the Action Plan. All Councillors (including non-Committee member Councillors) were invited to attend the meeting and an advance copy of the draft Gap Analysis and Action Plan was circulated to Committee members and Councillors.

There was general agreement from attendees at the Heritage Advisory Committee meeting that the report is sound and adequately covers the issues to set the context for the Comprehensive Heritage Study. Some minor amendments to the report were requested.

The Committee noted the importance of upfront engagement and ownership by the community and promotion of the Action Plan. Accordingly, it is recommended that the Hornsby Shire Heritage Action Plan, attached to this report be placed on public exhibition for a period of at least one month to seek community feedback on the identified tasks and priorities.

Acknowledging that the Gap Analysis is a project undertaken as part of the Accelerated LEP Review, the exhibition of the Action Plan may be combined with the exhibition of the draft Local Strategic Planning Statement (LSPS). A Community Engagement Plan is currently being finalised by an external consultant with Councillor input for the draft LSPS. However, the exhibition of the Heritage Action Plan (whether combined with the draft LSPS consultation or not) would involve at least the following:

- Newspaper advertisement
- Website Advertisement
- Social Media –post on Council's Facebook page.
- Media Release – prepared by Council's Strategy and Communications Team for distribution to relevant media outlets.

- Displays – at Council's Administration Centre and libraries
- Letters to relevant State agencies and groups including:
  - NSW Department of Planning and Environment (Department of Planning and Industry from 1 July 2019)
  - NSW Office of Environment and Heritage (Department of Planning and Industry from 1 July 2019)
  - Heritage Council of NSW
  - Local Civic Trusts
  - Metropolitan Local Aboriginal Land Council
  - HATSICC and
  - Hornsby Historical Society.

Following the exhibition, a report on submissions would be presented to Council for its consideration.

### **BUDGET**

Costs for the Gap Analysis were covered through the Accelerated LEP Review funds. At its meeting on 13 March 2019, Council allocated \$1.7 Million over four years in its Long Term Financial Plan to undertake the Comprehensive Heritage Study.

Once adopted, the Action Plan will inform the scope and phasing of the Comprehensive Heritage Study. Council will need to identify which of the high priority tasks should be carried out over the next 12 months with the available staff resources and budget of \$425,000.

### **POLICY**

Once adopted, the Action Plan will inform the scope and phasing of the Comprehensive Heritage Study.

### **CONCLUSION**

The Hornsby Shire Heritage Gap Analysis and Action Plan acknowledges Council's proven commitment to the conservation of natural and cultural heritage. The Analysis identifies that the heritage measures established by Council in 1993 are essential foundations for best practice heritage management. However, additional initiatives and updates are required to respond to the changing development context, demography and community expectations.

Once adopted by Council, the Action Plan would be used to scope and stage the future Comprehensive Heritage Study. Therefore, it is recommended that the Action Plan be placed on public exhibition to seek community feedback on the tasks and priorities and assist Council determine which tasks should be carried out over the next 12 months.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Strategic Planning – Katherine Vickery - who can be contacted on 02 9847 6744.

KATHERINE VICKERY  
Manager - Strategic Planning  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

**ITEM 3**

**Attachments:**

1. [⇒](#) Hornsby Shire Heritage Gap Analysis and Action Plan Report - April 2019
2. [⇒](#) Hornsby Shire Heritage Action Plan - for public exhibition

File Reference: F2018/00162#01  
Document Number: D07648327

#### **4 RFT6/2018 - CONSULTANT SERVICES - HORNSBY TOWN CENTRE REVIEW**

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##### **EXECUTIVE SUMMARY**

- The Hornsby Town Centre (HTC) Review aims to develop a strategic framework to facilitate the revitalisation of the HTC to create a liveable, green and accessible Centre that enhances public life for the community.
- A comprehensive study is essential to investigate the issues, constraints and opportunities of the Centre and provide clear strategic direction to guide and facilitate growth and change in a proactive and orderly manner.
- An open tender RFT6/2018 for consultant services was advertised from November 2018 to February 2019 and six submissions were received.
- A Tender Evaluation Panel (Panel) was established to assess submissions against the advertised criteria with advice and guidance from Council's Procurement Manager and an external Probity Advisor.
- The Panel was impressed by the quality and standard of all six submissions.
- Based on the assessments the Panel recommends that the tender from Cox Architecture Pty Ltd be accepted for RFT6/2018 to undertake the Hornsby Town Centre Review.

##### **RECOMMENDATION**

THAT:

1. Council accept the tender from Cox Architecture Pty Ltd for RFT6/2018 to undertake the Hornsby Town Centre Review.
2. Unsuccessful tender submitters be advised of Council's resolution and thanked for their interest in providing consultant services to Council for the project.



## PURPOSE

The purpose of this Report is to provide information to Council about the tender evaluation and selection recommendation for Tender RFT6/2018 – Hornsby Town Centre Review project.

## BACKGROUND

The North District Plan identifies Hornsby as a 'Strategic Centre' within the North District. It is the higher-order urban centre within the Shire. As a Strategic Centre, Hornsby will continue to grow and attract people of different backgrounds and demography. As the Centre grows, meeting the changing needs of residents including facilitating the supply of different types of housing, connecting the community with jobs, education, health, recreational facilities and other services will become a key priority.

The need for a comprehensive Review of the HTC has been identified in a number of recent strategic studies. The *Hornsby East Precinct Review – Supply and Demand Analysis* undertaken in 2016 identifies the fine-grain nature of lot sizes, fragmented land ownership and limitations from the current planning controls among the key factors limiting large scale redevelopment opportunities within the east side of the Centre. In response to a planning proposal (Gateway Determination) to amend Hornsby East planning controls, the Department of Planning and Environment required a number of technical studies to be undertaken addressing social, economic, heritage, floor space analysis, traffic, parking, public domain and urban design issues to inform the appropriate planning controls for the HTC consistent with the recommendations of the North District Plan for Hornsby.

Council's 10-year *Community Strategic Plan 'Your Vision, Your Future 2028'* outlines Council's strategies to achieve the community's vision for the Shire, particularly around four key themes: Liveable, Sustainable, Productive and Collaborative. Planning for the HTC will respond to this community vision.

A comprehensive review of the entire Hornsby Town Centre is required to address the above issues and to facilitate the revitalisation of the Centre. The Hornsby Town Centre Review (the Review) will investigate the issues and analyse options available to facilitate the revitalisation of the Centre. The Review will develop a long-term vision and strategic framework to facilitate the revitalisation of the Centre. Key objectives of the Review are to:

- Create a safe, liveable, sustainable people focused centre
- Attract residents, businesses, investors and visitors
- Effective integration of both sides of the Centre
- Increase connectivity and pedestrian mobility
- Improve Hornsby Interchange
- Improve commuter parking and location
- Consider innovative solutions to provision of community facilities, including a large-scale multifunctional community facility
- Leverage transit oriented development opportunities
- Facilitate supply of diverse and affordable housing
- Facilitate jobs, education, health and recreation
- Identify opportunities for economic catalysts

## DISCUSSION

The Request for Tender (RFT6/2018) seeking submissions from suitable consultants to undertake the Review was advertised in November 2018 with the tender period closing on 7 February 2019.

A total of six responses were received from the following consultancies:

- Roberts Day
- Place Design Group
- Hassell Ltd
- Cox Architecture Pty Ltd
- Architectus Group Pty Ltd
- APP Corporation Pty Ltd

Excepting this report, the summary and details of the tenders received are to be treated as commercial in confidence in accordance with the Local Government Act, 1993.

### Tender Evaluation Panel

The Tender Evaluation Panel consisted of a Senior Executive; Manager, Strategic Planning; Senior Traffic Engineer; Strategic Place Manager and the Major Projects Strategic Planner. Council's Procurement Manager provided advice and oversight to ensure the tender process was conducted according to relevant legislative and governance requirements. An external Probity Advisor was also engaged to provide probity assurance over the evaluation phase of the procurement process. A separate Probity Report prepared by the external Probity Advisor is attached to this report.

### Tender Evaluation

An initial evaluation was undertaken to establish compliance with the mandatory tender criteria. All six tenders were considered conforming. The tender responses were then assessed against the following non-price criteria:

- Understanding and appreciation of the project
- Skills, qualifications and experience of the project team
- Past performance and experience of the project team with similar projects
- Understanding the importance of the technical studies and interdependencies and appropriate personnel and sub-contractors to undertake the required technical studies and investigations
- Approach and project methodology and
- Stakeholder engagement plan and approach.

The Panel then considered tendered price of the submissions, including optional extras that were considered necessary to the successful delivery of the project. The Panel was impressed by the quality and standard of all six submissions and acknowledged that all could address the requirements of the brief. Following the analysis the Panel shortlisted three consultancies for a clarification meeting.

Clarification meetings were held on 29 March 2019. Each consultancy attended a separate meeting with the Panel (with the General Manager and available Councillors attending as observers). Consultant teams were given equal time to present to the Panel and to respond to questions and

answers. Following the clarification meetings, reference checks were undertaken for two shortlisted consultant teams.

### **Outcome**

It was agreed that both consultancies shortlisted for reference checks could successfully undertake the project. However, the Panel considered cumulative overall rankings from tender submissions, clarification meetings and reference checks. The Panel unanimously agreed that the tender from Cox Architecture Pty Ltd would deliver the best outcome for the Hornsby Town Centre Review and be most advantageous for Council.

Some projects Cox Architecture and or their project team recently completed or are currently involved in (as a lead or sub-contractors) include:

- Camellia Precinct Land Use and Infrastructure Plan and Urban Design Framework, 2015
- Sydenham to Bankstown Urban Renewal Corridor Strategy, 2017
- Springvale Civic Precinct Masterplan, 2018
- Edgecliff Commercial Centre Study, 2017
- Sydney Olympic Park Masterplan 2030 Review, 2016
- Melrose Park South Structure Plan Panning Proposal, 2017
- Transport for NSW Sustainability Design Guidelines, 2016
- Maroochydore Town Centre Masterplan (current)
- Westmead Innovation District Masterplan (current)
- Nelson Bay Public Domain Plan, 2018 (current)
- Dee Why Town Centre Masterplan (current)
- Western Sydney Airport Aerotropolis – Future Ready Planning (current).

### **CONSULTATION**

Council's tender evaluation panel assessed the submissions with guidance from Council's Procurement Manager and the external Probity Advisor.

Once the HTC Review commences, led by the successful consultant, there will be extensive consultation with landowners, State agencies and the wider community.

### **BUDGET**

The project is partly funded by Council's 2018/19 Operational Budget (\$500,000), and the remaining \$500,000 is funded through the Accelerated LEP Review project grants.

### **POLICY**

The North District Plan identifies Hornsby as a '*Strategic Centre*' within the North District and sets housing and employment targets for all local governments in the District. The outcome of the project will provide strategic directions to meet State Government's economic and employment expectation for Hornsby and will guide the timely provision of necessary infrastructure, short and long-term housing targets to be accommodated within the Hornsby Town Centre.

Council's Procurement Policy – Tenders Determination allows the General Manager under delegation to approve the engagement of a consultancy to undertake a project of this scale. However, due to the nature of the project with significant public interest, recommendation of a preferred consultancy is submitted to Council for approval.

### CONCLUSION

It is recommended that Council accept the tender from Cox Architecture Pty Ltd to undertake the Hornsby Town Centre Review.

### RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Manger, Strategic Planning, Katherine Vickery - who can be contacted on 02 9847 6744.

KATHERINE VICKERY  
Manager - Strategic Planning  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

### Attachments:

- 1.⇒ Probity Report - Hornsby Town Centre Review (RFT6/2018) - Final April 2019
2. Confidential Attachment - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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: F2017/00275  
Document Number: D07639263

## **5 REVIEW OF POLICY - SMOKE FREE ENVIRONMENT**

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### **EXECUTIVE SUMMARY**

- On 11 April 2018, Council resolved to implement an awareness campaign to notify users that Hornsby Mall is a smoke free space and options be considered for enforcement of Council's Smoke Free Environment Policy.
- Council's Smoke Free Environment Policy bans smoking in public places including Hornsby Mall. Enforcement of the Policy is currently supported by persuasion and self-policing rather than punitive enforcement action.
- NSW legislation empowers authorised Council officers to issue penalty notices for failure to comply with the terms of a Notice erected by Council including 'no smoking' signage.
- Educational decals have recently been placed on the ground and on rubbish bins in smoking hotspots as part of an awareness campaign to notify members of the public that Hornsby Mall is a smoke free space.
- It is recommended that Council adopt amendments to the Smoke Free Environment Policy to enable regulatory enforcement of the Policy by authorised officers and that a twelve month education awareness program be undertaken prior to the issuing of any penalty infringements.

### **RECOMMENDATION**

THAT:

1. Council's Smoke Free Environment Policy be amended to include punitive enforcement action as a means of enforcing the Policy by authorised Council officers.
2. As part of the signage audit currently underway by Council, reference to the Local Government Act 1993 be incorporated into "No Smoking" signage, to empower authorised Council officers to issue penalty infringements for smoking in Hornsby Mall.
3. Council officers engage in a twelve month education awareness program in Hornsby Mall to provide awareness of Council's Smoke Free Environment Policy.
4. Upon the completion of the education awareness program, regular patrols be undertaken by Council officers and where necessary, penalty infringements for smoking and littering offences be issued in Hornsby Mall.

## PURPOSE

The purpose of this Report is to review Council's Smoke Free Environment Policy and the "No Smoking" signage in Hornsby Mall to support the enforcement of the Policy.

## BACKGROUND

Council's Smoke Free Environment Policy bans smoking on Council land across a range of areas including sports fields, children's playgrounds, bushland parks and in Hornsby Mall. The purpose of the Policy is to raise community awareness of the issues associated with smoking, improve public amenity and the health of community members, and minimise cigarette butt pollution.

The Policy sets out provisions for the installation of signage, enabling smoke-free zones to be signposted where practicable. In consultation with a public realm signage specialist, in August 2018, Council commenced an awareness campaign to notify the public that Hornsby Mall is a smoke free space. Educational decals have been placed on the ground and on rubbish bins in smoking hotspots. A draft signage audit for Hornsby Mall and along the pedestrian bridge is also currently underway with respect to regulatory, wayfinding and place signage.

Council's Policy also sets out provisions on enforcement of the smoking ban, which currently supports enforcement by way of persuasion and self-policing, rather than punitive enforcement action.

## DISCUSSION

On 11 April 2018, Council resolved to implement an awareness campaign to notify users that Hornsby Mall is a smoke free space; review the "No Smoking" signage in Hornsby Mall with a view to making it more prominent and informative and provide to Councillors an informal briefing regarding Council's Smoke Free Environment Policy, including options for enforcement and associated resource implications.

In reviewing Council's Smoke Free Environment Policy, Hornsby Mall was monitored by Council officers during weekday lunch hours for a period of two weeks to ascertain if the use of signage was sufficient to deter smoking within the Mall. The results from monitoring identified that on average, 8 persons were observed smoking in the Mall, which is considered excessive and accordingly, the current Smoke Free Environment Policy requires review. Further education is appropriate and where necessary, regulatory enforcement action should be authorised against members of the public who disregard the non-smoking laws.

NSW legislation empowers authorised Council officers to issue penalty notices ranging from \$80 for littering in, or on, a public place pursuant to the Protection of the Environment Operations Act 1997, to \$110 for failure to comply with the terms of a Notice erected by a council in a public place, in keeping with the Local Government Act 1993. The terms of council Notices can include the *'doing of anything in the place'* and the *'use of the place or any part of the place'*. In this regard, penalty infringements may be issued by authorised Council officers for breaches to 'no smoking' signage erected by Council in Hornsby Mall, subject to such signage appropriately referencing NSW legislation.

A Councillor briefing was held on 6 March 2019 to discuss enforcement options for Council's Smoking Policy. It was generally agreed that a report be prepared for Council's consideration on amendments to the Smoke Free Environment Policy to include authorisation for Council officers to enforce the Policy.

The purpose of the attached draft Policy (Attachment 1) is to provide proposed amendments to Council's Smoke Free Environment Policy to enable authorised Council officers the ability to issue penalty infringements to members of the public found smoking in Hornsby Mall.

In the consideration of amending Council's Policy, opportunity should be provided for notification of visitors to Hornsby Mall of the Policy and amendments, prior to the commencement of regulatory enforcement action. In this regard, a twelve month education program in Hornsby Mall is recommended to provide public awareness of Council's Smoke Free Environment Policy including regular patrols by Council Officers.

#### **CONSULTATION**

No consultation was required in the preparation of this report. The proposed changes to the Policy are minor and do not require exhibition of the amendments. Furthermore, it is proposed that a twelve month education awareness program be undertaken prior to commencement of any punitive enforcement action.

#### **BUDGET**

The integration of Council's traffic rangers into the Compliance and Certifications Team will enable a twelve month education awareness program and subsequent regular patrols of the Mall to be undertaken within current staff levels and approved budget.

#### **POLICY**

Details of the review that has been undertaken of Council's Smoke Free Environment Policy are summarised within this Report.

#### **CONCLUSION**

The review of Council's Smoke Free Environment Policy has been undertaken with the view to make amendments that will add value to Council's operations and raise community awareness of the issues associated with smoking, improve the health of community members and minimise cigarette butt pollution in public places.

#### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager – Compliance, Regulations & Certification, Planning Division – Simon Evans, who can be contacted on 9847 6780.

SIMON EVANS

Manager - Compliance and Certification  
Planning and Compliance Division

JAMES FARRINGTON

Director - Planning and Compliance  
Planning and Compliance Division

#### **Attachments:**

1. [↔](#) POL00291 - Policy - Smoke Free Environment

File Reference: F2013/00250

Document Number: D07653090

## **6 HORNSBY SHIRE CAT MANAGEMENT PROGRAM**

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### **EXECUTIVE SUMMARY**

- At its March and July 2018 meetings, Council resolved that officers commence a proactive cat trapping program for a period of 12 months.
- The cat trapping program resulted in the capture of 127 cats across the rural and urban areas of Hornsby Shire. Of the cats captured, only 3 were found to possess a microchip and were able to be returned to their registered owners.
- Approximately 70% of the cats captured were trapped in the vicinity of the Hornsby CBD.
- Discussions with residents in areas where cats were trapped found that many residents are feeding and housing roaming cats. However, they were unwilling to take full ownership of the cats and therefore they were not microchipped, registered and most likely not de-sexed.
- Consultation with a number of Sydney metropolitan Councils including Parramatta and Blacktown Councils found that many participate in annual registration, microchipping and de-sexing subsidized schemes for residents in their Local Government Areas. To facilitate such programs, many local councils partner with subsidy service industry providers to carry out the operational component of de-sexing and microchipping cats.
- The benefits to Hornsby Council participating in a subsidized microchipping, registration and de-sexing program run by industry providers are extensive. They include ensuring a safer environment for native wildlife, reduced accidental backyard breeders, reduced abandonment of unwanted animals and therefore reduced feral cats, community awareness of the importance of de-sexing, microchipping and registering cats, reduced animal control requirements and reduction in Council holding and euthanasia costs.
- It is appropriate that Council endorse an annual allocation of \$15,000 to implement a subsidized cat de-sexing, microchipping and registration program, associated community education and awareness campaign to promote the benefits of responsible cat ownership.

### **RECOMMENDATION**

THAT Council:

1. Endorse the annual allocation of \$15,000 to implement a subsidised cat de-sexing, microchipping and registration program, associated community education and awareness campaign to promote the benefits of responsible cat ownership.
2. Implement a streamlined web based animal registration system.



## PURPOSE

The purpose of this Report is to present the results of Council's proactive cat trapping program and seek Council's endorsement for an annual allocation of \$15,000 to implement a subsidised cat de-sexing, microchipping and registration program, associated community education and awareness campaign to promote the benefits of responsible cat ownership.

## BACKGROUND

At its meeting on 14 March 2018, Council resolved to commence a feral cat trapping program, participate in the Cat Tracker Australia Program and prepare a report for Council's consideration six months after the commencement of the program.

A further Motion was resolved at Council's meeting on 11 July 2018, requiring the report to incorporate the implications, feasibility, cost and resource implications of a cat de-sexing, microchipping, registration and containment subsidy program and education strategy. Council also resolved to write to the Minister of Environment and local State Members of Parliament seeking support for legislative changes to the Companion Animals Act 1998 in relation to the containment and compulsory de-sexing of cats.

In response, the office of the Hon. Gabrielle Upton, Minister for Environment wrote to Council in October 2018 advising that the NSW Government had recently reviewed the Companion Animals Act 1998 and had introduced a package of reforms to commence on 1 July 2019. The reforms include the requirement for an annual permit payment for registered cats that are not de-sexed by 4 months of age; increased penalty infringements for failing to microchip and/or register a cat; increased penalties for cats found roaming in a prohibited place; and a \$10 reduction in lifetime registration fees for de-sexed cats. Based on the reforms, Council was advised that the NSW Government had not resolved to further review the Act at the current time.

Although Council was unable to participate in the Cat Tracker Australia Program due to its cessation in 2018, a proactive cat trapping program was commenced by Council's Companion Animals Officers in early 2018, for a period of 12 months.

## DISCUSSION

The results of Council's proactive cat trapping program were as follows:

- A total of 137 cat traps were installed across both rural and urban areas of Hornsby Shire
- No cats were captured in Council designated wildlife protection areas
- 127 cats were captured with 3 of these found to possess a microchip
- 26 cats captured were kittens that were rehomed
- 98 cats captured were deemed feral and humanely euthanased and
- Approximately 70% of the cats captured were trapped in vicinity of Hornsby CBD.

The results indicate that a significant number of cats, in particular within the more densely populated areas, are unregistered and most likely not de-sexed. These cats are allowed to roam free and have the potential to result in uncontrolled breeding. Council's discussions with residents whilst the proactive cat trapping program was in operation, identified that many residents were happy to feed roaming cats but were not willing to take full ownership of them by having them vaccinated, de-sexed, microchipped and registered.

Consultation with neighbouring councils found that many participate in annual microchipping, registration and de-sexing subsidized schemes for residents in their Local Government Areas by partnering with subsidy service industry providers including the Animal Welfare League NSW, National De-sexing Network and the NSW RSPCA.

By way of example, Blacktown City Council has held a partnership with the Animal Welfare League NSW for six years and in 2018, contributed \$12,000 to enable the Animal Welfare League to participate in July National De-sexing Month. The Council's contribution paid for the promotion of the scheme on both the Animal Welfare League and Blacktown Council websites, the creation of promotional material in a number of languages, and enabled the Animal Welfare League to arrange for sufficient vet clinics (eight in total) to participate in the scheme. As a result, over 800 vouchers were issued to cat owners of the Blacktown local government area, for microchipping and de-sexing procedures.

Council's discussions with the abovementioned industry providers found that there was unanimous agreement that the benefits of proactive subsidy programs that incorporate microchipping, registering and de-sexing cats results in:

- A safer environment for native wildlife;
- Reduced accidental backyard breeders;
- Reduced abandonment of unwanted animals and therefore reduced feral animal numbers;
- Community awareness of the importance of de-sexing, microchipping and registering cats;
- Reduced animal control requirements; and
- Reduction in Council holding and euthanasia costs.

A Councillor briefing was held on 6 March 2019 to discuss the implementation of a cat management program. It was generally agreed that, given the number of cats caught during the cat trapping program and the feedback from community groups and residents, it is appropriate that Council implement a subsidized cat de-sexing, microchipping and registration program, associated community education and awareness campaign to promote the benefits of responsible cat ownership.

An allocation of \$15,000 would be required in future annual budgets to fund the de-sexing and microchipping program to be undertaken by a not for profit service provider. It is anticipated that about 300 vet vouchers would be issued to cat owners within Hornsby Shire for subsidized cat microchipping, de-sexing or registration processes annually. The scheme would be run annually until resources are exhausted.

### **CONSULTATION**

In the preparation of this Report, consultation was undertaken with the Animal Welfare League NSW, National De-sexing Network and the NSW RSPCA. Consultation was also undertaken with Blacktown City Council and Parramatta City Council.

### **BUDGET**

To fund a Hornsby Shire Cat Management Program inclusive of a subsidized de-sexing, microchipping and registration scheme and associated education and community awareness campaign, \$15,000 would be required to be allocated in annual budgets commencing in 2019/2020.

Managing the Program would be the responsibility of Council's Compliance, Regulatory and Certifications Branch and no additional staff resources are required to undertake the educational component of the program or the upgrading of Council's registration system.

**POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

It is appropriate that Council adopt the proposed Hornsby Shire Cat Management Strategy and that adequate resources be provided to manage the Program.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager – Compliance & Certification, Planning Division – Simon Evans, who can be contacted on 9847 6780.

SIMON EVANS  
Manager - Compliance and Certification  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

**Attachments:**

There are no attachments for this report.

File Reference: F2013/00250

Document Number: D07653308

## **7 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS**

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### **EXECUTIVE SUMMARY**

- In accordance with Department of Planning and Environment's *Planning Circular PS 08-14*, Council is required to report variations to development standards for development applications approved under delegated authority, which relied upon Clause 4.6 (Exceptions to development standards) of the *Hornsby Local Environmental Plan 2013 (HLEP)*.
- Council's consideration of this report ensures Council's obligation to monitor variations to development standards is complied with.

### **RECOMMENDATION**

THAT the contents of Director's Report No. PL12/19 be received and noted.

## PURPOSE

The purpose of this report is to advise Council of determined development applications under delegated authority involving a Clause 4.6 variation to a development standard for the period 1 January 2019 to 31 March 2019.

## DISCUSSION

Department of Planning and Environment's *Circular B1*, issued in March 1989, requested that councils monitor the use of the Secretary's assumed concurrence under the then State Environmental Planning Policy No. 1 – Development Standards (*SEPP 1*) on a quarterly basis. *SEPP 1* was replaced by Clause 4.6 as the mechanism to enable variation to a development standard when the HLEP 2013 came into effect. However, the reporting requirements for variations to standards remain effective.

Monitoring of variations to development standards is important to provide the Department and councils with an overview of the manner in which established development standards are being varied and whether the assumed concurrence is being used as intended. This enables Council and the Department to determine whether development standards are appropriate, or whether changes are required.

The Department issued *Circular PS 08–014* on 14 November 2008. The purpose of the Circular was to remind councils of their responsibilities to monitor the use of the Secretary's assumed concurrence and keep accurate records where variations to standards are supported.

The *Circular* also provides that councils are required to report on a quarterly basis and adopt the following four measures:

1. Establish a register of development applications determined with variations in standards under Clause 4.6.
2. Require all development applications where there has been a variation greater than 10% in standards to be determined by the Hornsby Local Planning Panel.
3. Provide a report to Council on the development applications determined where there had been a variation in standards under Clause 4.6.
4. Make the register of the development applications determined with variations in standards under Clause 4.6 available to the public on Council's website.

In accordance with Point 3 of the Department Circular, attached is a list of development applications determined between 1 January 2019 to 31 March 2019.

A copy of the attachment to this report is also reproduced on Council's website.

## BUDGET

There are no budget implications.

## POLICY

This report addresses Council's reporting obligations for development applications determined where there has been a variation in standards under Clause 4.6.

## CONCLUSION

Council is required to monitor the manner in which development standards are being varied. This assists in determining whether changes are required to relevant standards. This report provides

advice to Council on standards varied under delegated authority which relied upon Clause 4.6 of the HLEP during the reporting period from 1 January 2019 to 31 March 2019.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this report is the Director of Planning and Compliance Division – James Farrington, who can be contacted on 9847 6750.

JAMES FARRINGTON

Director - Planning and Compliance  
Planning and Compliance Division

**Attachments:**

1. [⇒](#) Clause 4.6 Returns - 1 January 2019 to 31 March 2019

File Reference: F2004/07599-02

Document Number: D07654649

**8 UPDATE REPORT - INTERIM HERITAGE ORDER - PROPERTY NO. 62 MANOR ROAD, HORNSBY**

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**EXECUTIVE SUMMARY**

- In November 2018, Council resolved to place an Interim Heritage Order (IHO) on property No. 62 Manor Road, Hornsby to enable full and proper evaluation of the heritage significance of the trees and gardens and to prevent harm to the site in the interim.
- The purpose of the IHO was to provide Council six months in which to engage a suitably qualified consultant to undertake further investigations into the historical significance of the trees on property No. 62 Manor Road, Hornsby and determine whether to proceed with a heritage listing.
- Time Heritage Landscapes, in association with Richard Lamb and Associates, have undertaken a Landscape Heritage Assessment of property No. 62 Manor Road, Hornsby.
- The heritage assessment identifies 22 trees on the property with an age of over 100 years (some likely to be over 200 years in age). These trees are deemed to fulfil criterion (f) of the NSW State Heritage Criteria, possessing uncommon, rare or endangered aspects of NSW's cultural or natural history and are therefore considered worthy of heritage listing.
- A resolution to list the trees identified in the Landscape Heritage Assessment attached to this report as a local heritage item under Schedule 5 of the *Hornsby Local Environmental Plan (HLEP) 2013* and the preparation of a planning proposal would be the next step in the process for the protection of trees with historical significance on the property.

**RECOMMENDATION**

THAT:

1. Council resolve to prepare a draft local environmental plan to list the trees on property No. 62 Manor Road, Hornsby identified in the Landscape Heritage Assessment attached to Director's Report No. PL13/19 as a local heritage item (landscape) in Schedule 5 of the *Hornsby Local Environmental Plan 2013*.
2. A planning proposal be prepared to progress the above draft local environmental plan and the planning proposal be submitted to the Hornsby Local Planning Panel for advice.
3. A further report outlining the advice from the Hornsby Local Planning Panel be presented to Council for consideration prior to submission of the planning proposal to the Department of Planning and Environment for a Gateway Determination.
4. The property owner be advised of Council's decision.

## PURPOSE

The purpose of this Report is to present the findings of the heritage assessment of the trees on property No. 62 Manor Road, Hornsby.

## BACKGROUND

Property No. 62 Manor Road, Hornsby is the subject of a current development application (DA/151/2018) for the demolition of two dwellings and subdivision of the subject land. On 8 May 2018, the applicant lodged an appeal against the deemed refusal of the DA. The development application has been amended to retain the trees at the front of the property. The hearing for the development application is listed for 16 to 18 December 2019.

At its meeting on 14 November 2018, Council considered a Mayoral Minute and resolved to place an Interim Heritage Order (IHO) on the property known as No. 62 Manor Road, Hornsby (Lot 3, DP 524288), to enable full and proper evaluation of the heritage significance of the trees and gardens and to prevent harm to the site in the interim.

Council considered that the property may have potential heritage significance following a review of the inventory sheet for the adjacent listing of street trees in Manor Road (Item No. 494), prepared as part of the 2008 assessment of Council's heritage listed landscape items.

The property owner lodged an Appeal in the NSW Land and Environment Court against the gazettal of the IHO. The appeal is listed for hearing on 16 and 17 September 2019. A separate confidential report (Director's Report PL15/19), which is also being considered by Council at its 8 May meeting, provides an update on the status of the appeal and associated legal advice.

The purpose of the IHO was to provide Council six months to engage a suitably qualified consultant to undertake further investigations into the historical significance of the trees on property No. 62 Manor Road, Hornsby and determine whether to proceed with a heritage listing. This report presents the results of those investigations.

## DISCUSSION

Time Heritage Landscapes, in association with Richard Lamb and Associates, have undertaken a landscape heritage assessment of property No. 62 Manor Road, Hornsby. The assessment (attached) was prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance*, known as the *Burra Charter*, and the *NSW Heritage Manual*.

### ***Landscape Heritage Assessment***

The assessment outlines the site, its historical context and setting and a literature review which included the Aborigicultural Impact Assessment (AIA) for property No. 62 Manor Road, Hornsby, prepared by Footprint Green and the Flora and Fauna Assessment, prepared by Ecoplanning.

The heritage assessment notes that the Blackbutt Gully Forest vegetation community located within the property includes a high number of individual specimens likely to be 100 to 200 years old. Based on the species, heights and size of the trees outlined in the AIA, 22 trees are identified on property No. 62 Manor Road, Hornsby with an age of over 100 years (some likely to be over 200 years in age). A plan showing the 22 identified trees is attached.

These trees are considered to predate European settlement of the area. Due to their age and size, the trees are considered to have ecological and botanical value and are potentially rare within a residential setting. Therefore, the individual trees identified are deemed to fulfil criterion (f) of the NSW



State Heritage Criteria, possessing uncommon, rare or endangered aspects of NSW's cultural or natural history.

### **Resolution to prepare a draft Local Environmental Plan**

In accordance with the NSW Heritage Manual, qualification under one criterion justifies the 22 trees identified on property No. 62 Manor Road, Hornsby for listing under Schedule 5 of the *HLEP 2013*.

Therefore, a resolution to list the trees identified in the Landscape Heritage Assessment attached to this report as a local heritage item under Schedule 5 of the *HLEP 2013* and the preparation of a planning proposal would be the next step in the process of the protection of trees with historical significance on the property.

Listing the trees as a heritage item under Schedule 5 of the *HLEP* would give statutory provisions for protection and management of the item under Clause 5.10 Heritage Conservation of the *HLEP* and Chapter 9 of the *Hornsby Development Control Plan*. It would also exclude the trees from the application of the 10/50 rule under the *Rural Fires Act 1997*.

### **Comprehensive Heritage Study**

The 22 trees identified as having heritage significance under criterion (f) discussed above do not include the 2 Sydney Red Gums located close to the front boundary of property No. 62 Manor Road. The heritage assessment notes that the contribution the 2 trees make to the streetscape would not justify listing the property. However, Time Heritage Landscapes and Richard Lamb and Associates have provided a separate opinion on the Sydney Red Gums in the context of the Manor Road streetscape. Noting that the streetscape is comprised of a collection of individual trees of mixed ownership (either private or shared ownership or Council-managed, heritage listed street trees), the heritage consultants advise that a separate, further assessment of the heritage values of the streetscape should be undertaken for consideration of any further potential listings.

Director's Report No. PL6/19, which is also being considered by Council at its 8 May meeting, presents a Heritage Gap Analysis and Action Plan identifying the tasks required for progression of a Comprehensive Heritage Study. One of the key tasks identified includes a new Landscape Heritage Study, which would be the appropriate mechanism for further assessment of the Manor Road streetscape trees.

### **CONSULTATION**

Should Council resolve to prepare a draft LEP to list the trees on property No. 62 Manor Road, Hornsby as a local heritage item in Schedule 5 of the *HLEP*, a planning proposal would be prepared and referred to the Hornsby Local Planning Panel for advice for Council's consideration.

A consultation strategy relevant to the public exhibition of the draft LEP would be prepared as part of the planning proposal. Exhibition would involve (at minimum) a newspaper advertisement, notification on Council's website and consultation with the Heritage Council of NSW.

### **BUDGET**

The costs of the heritage consultant's report in the assessment of heritage significance total approximately \$8,000 and are able to be covered by the Strategic Planning Annual Operating Budget.

### **STATUTORY CONSIDERATIONS**

In accordance with the Section 9.1 Ministerial Direction, *Local Planning Panels Direction – Planning Proposals*, a local planning panel must give advice to council on a planning proposal before council

considers whether to forward it to the Minister under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

Should Council resolve to prepare a draft LEP to list the trees on property No. 62 Manor Road, Hornsby as a local heritage item in Schedule 5 of the *HLEP*, a planning proposal would be prepared and referred to the Hornsby Local Planning Panel for advice. A further report would then be presented to Council outlining the advice from the Panel for consideration prior to forwarding the planning proposal to the Department of Planning and Environment (Department of Planning and Industry from 1 July 2019) for a Gateway Determination.

## CONCLUSION

In November 2018, Council resolved to place an Interim Heritage Order (IHO) on property No. 62 Manor Road, Hornsby. The purpose of the IHO was to provide Council six months in which to engage a suitably qualified consultant to undertake further investigations into the historical significance of the trees on property No. 62 Manor Road, Hornsby and determine whether to proceed with a heritage listing.

Time Heritage Landscapes, in association with Richard Lamb and Associates, have undertaken a Landscape Heritage Assessment of property No. 62 Manor Road, Hornsby. The heritage assessment identifies 22 trees on the property possessing uncommon, rare or endangered aspects of NSW's cultural or natural history and therefore considered worthy of heritage listing.

A resolution to list the trees identified in the Landscape Heritage Assessment attached to this report as a local heritage item under Schedule 5 of the *HLEP 2013* would be the next step in the process of the protection of trees with historical significance on the property.

## RESPONSIBLE OFFICER

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

KATHERINE VICKERY  
Manager - Strategic Planning  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

## Attachments:

- 1.⇒ Heritage Significance Assessment - 62 Manor Road Hornsby - Richard Lamb and Associates - Time Heritage Landscapes
- 2.⇒ Plan of Trees Identified with Heritage Significance - 62 Manor Road

File Reference: F2010/00588-004  
Document Number: D07654984

## **9 RURAL LANDS STUDY 2019 - CONSULTANT SERVICES**

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### **EXECUTIVE SUMMARY**

- At its meeting on 10 October 2018, Council endorsed the Accelerated Local Environmental Plan (LEP) Review Program which included the preparation of a Rural Lands Study (the Study).
- The purpose of the Study is to develop a strategic direction for rural areas that ensures the environmental, social and economic values of rural areas are protected and enhanced.
- The Study will support the North District Plan and the Greater Sydney Regional Plan priorities and objectives as they relate to the Shire.
- A project brief was prepared with input from Councillors and the Environment Commissioner and North District Commissioner from the Greater Sydney Commission.
- A Request for Quotation (RFQ) to undertake a Rural Lands Study was advertised on the Tenderlink website from 20 March 2019 to 8 April 2019. During this period, 6 submissions from consultants were received.
- Due to the level of community interest in relation to Council's decision to undertake the Study, the recommendation to engage a consultant is reported to Council for endorsement.
- It is recognised that all six consultants have the skills and experience to undertake the project. However, the submission from SGS Economics and Planning (SGS) scored the highest against the evaluation criteria.
- It is recommended that SGS Economics and Planning be engaged to undertake the Rural Lands Study.

### **RECOMMENDATION**

THAT:

1. SGS Economics and Planning be engaged to undertake the Rural Lands Study.
2. Unsuccessful consultants be advised of Council's resolution and thanked for their interest in providing consultant services to Council for the project.

## PURPOSE

The purpose of this Report is to present to Council the RFQ evaluation and selection recommendation for a consultant to undertake the Rural Lands Study 2019.

## BACKGROUND

In 2018, the Greater Sydney Commission (GSC) released a number of District Plans. The 'Our Greater Sydney 2056 - North District Plan, 2018' (North District Plan) was released in April 2018. The Plan sets strategic directions for Northern District Councils to manage future growth and associated social, environmental and economic issues.

The rural lands of Hornsby Shire are identified in the North District Plan as part of the Metropolitan Rural Area (MRA) and contain a mixture of productive agricultural land, extractive industries, rural residential development, rural villages, scenic rural landscapes, native vegetation and biodiversity corridors.

The Environmental Planning and Assessment Act 1979 (EP&A Act) amended in March 2018, requires local Councils to prepare a Local Strategic Planning Statement (LSPS). The LSPS sets a 20 year vision to guide land use planning and development within respective LGAs, identifying the unique character, identity and values of the place, and strategies to manage growth and change into the future.

The Rural Lands Study was endorsed by Council at its meeting on 10 October 2018 as a project as part of the Accelerated LEP Review. The Rural Lands Study is one of a number of studies that have been completed or are currently being undertaken to inform the preparation of the draft Hornsby Local Strategic Planning Statement (LSPS). Due to timing constraints and the requirement to have a draft LSPS on exhibition by 28 June 2019, the findings of the Study would be incorporated into future iterations of the LSPS.

## DISCUSSION

This report discusses the planning framework for the study, project brief and the evaluation of submissions from consultants to undertake the project.

### Planning Framework

The North District Plan includes Planning Priority N18: Better Managing Rural Areas. The objective of this Planning Priority is to ensure the environmental, social and economic values of rural areas are protected and enhanced. The actions of the North District Plan applicable to rural areas are:

*Action 69      Maintain or enhance the values of the Metropolitan Rural Area using place based planning to deliver targeted environmental, social and economic outcomes.*

*Action 70      Limit urban development to within the Urban Area.*

The purpose of the Rural Lands Study is to consider the future of the rural areas in the context of the actions and responsibilities in the North District Plan, supporting design-led planning in rural areas to investigate tourism, employment and housing opportunities that conserve the rural character of these areas.

### Preparation of Project Brief

An informal Councillor workshop was held on 7 November 2018 where staff presented options for matters which could be included in a scope of works for the Rural Lands Study project brief. There

was general agreement that the study brief should include elements of a gap analysis, design-led place-based planning and a planning controls review.

A draft project brief was prepared in consultation with representatives from the Greater Sydney Commission (Environmental Commissioner - Rod Simpson and North District Commissioner - Deborah Dearing) and the Cities Leadership Institute Executive Director. Specifically, the objectives of the Study are to:

- Set out the current land use pattern of the rural areas
- Identify landscape units\* and village areas and develop character statements for each area
- Confirm, through community engagement activities, the landscape character and values of each unit/village
- Develop recommendations for improvements to Hornsby's development controls
- Consult with the Hills Shire Council regarding land near the boundary interface and shared villages
- Provide recommendations for the LSPS; and
- Identify issues and/or opportunities for villages and landscape units\*.

\* *A landscape unit can be defined as a place with shared characteristics such as physical features (bushland, cleared land, farmland, topography, valleys, waterways), land uses (rural, village, agriculture) or other unique qualities and character.*

The Commissioners confirmed that the project brief represents an appropriate approach for undertaking a Rural Lands Study. At an informal Councillor workshop on 6 March 2019, there was general agreement, subject to minor amendments, that the project brief be advertised.

#### **Request for Quotations**

The RFQ seeking submissions from suitable consultants to undertake the Rural Lands Study 2019 was advertised from 20 March 2019 to 8 April 2019. A total of six responses were received from the following consultants:

- Elton Consulting
- SGS Economics and Planning
- Mepstead and Associates
- GHD
- Barker Ryan Stewart; and
- Monteath & Powys.

Given the level of Councillor interest in preparing the brief and the number of community submissions received in relation to Council's decision to undertake the Study, feedback from Councillors was sought concerning the process for the selection of a consultant. At an informal Councillor workshop on 17 March 2019, there was general agreement that the recommendation for the engagement of a consultant to undertake the Study be referred to Council for endorsement.

Accordingly, a copy of the six submissions in response to the RFQ and the evaluation report are attached as confidential items for Councillors' consideration. The submissions were evaluated by a panel of three staff members based on the following criteria as outlined in the RFQ:

- Appreciation of the Project Brief
- Proposed methodology including stakeholder engagement
- Consultants' qualifications, skills and experience
- Details of project budget; and
- Detailed project timeline demonstrating ability and commitment to complete the project within the agreed timeframe of six months from the date of engagement.

It is acknowledged that all six consultants have the skills and experience to undertake the project. However, considering the evaluation of each submission against the criteria listed above, SGS ranked the highest as their submission demonstrates the following:

- Strong appreciation of the project brief and understanding of the strategic context and requirements of the North District Plan
- Clear understanding of the context of the Hornsby Metropolitan Rural Area and the approach for landscape unit assessment and characterisation
- Sound methodology and a detailed consultation strategy
- A strong project team comprising planners and economists from SGS and partnership with RMCG, an environmental and agricultural consultancy. SCS and RMCG have extensive experience in preparing strategies for rural and peri-urban areas; and
- Detailed project timeline demonstrating capacity to complete the project within the set timeframe and within the project budget.

Some relevant projects SGS and RMCG recently completed or are currently involved in (as a lead or sub-consultants) include:

- Latrobe Rural Lands Strategy (2017)
- Cessnock City Rural Lands Study and Viticulture Study (2017)
- Peri-urban Economic Development Strategy (2018)
- Growing Jobs in Regional Victoria (2018)
- Willoughby Council LSPS Framework Study (2018)
- Macedon Shire Rural Lands Strategy (current)
- Glenelg Shire Rural Land Strategy (current); and
- Strathbogie Rural Living Technical Assessment (current).

Based on the evaluation, the selection panel unanimously agreed that the submission from SGS Economics and Planning would deliver the best outcome for the Rural Lands Study and be most advantageous for Council. Accordingly, it is recommended that SGS Economic and Planning be engaged to undertake the Rural Lands Study.

## CONSULTATION

In accordance with the project brief, the successful consultant will be required to undertake stakeholder consultation with land owners, the wider community, and relevant industry groups and State agencies.

SGS's proposed approach to stakeholder consultation is underpinned by the principles from the International Association of Public Participation (IAP2) and includes:

- Online and hardcopy surveys to capture views on the draft landscape units and villages identified (potentially including a photo competition of aspects most highly valued)
- Workshops with landowners and the general community
- Workshops/interviews with key industry groups and State agencies
- Workshops at key milestones with Councillors through informal Councillor Briefings; and
- Ongoing consultation with internal project team.

Acknowledging that the Study is a project undertaken as part of the Accelerated LEP Review, the engagement activities on draft landscape units and character statements may be combined with the exhibition of the draft LSPS (dependant on timing). However, the findings of the Study would be incorporated into future iterations of the LSPS.

## BUDGET

Council's budget for this project is a maximum of \$130,000 (excluding GST). The project will be funded through the Accelerated LEP Review project grants.

## POLICY

The Rural Lands Study will provide a strategic framework to facilitate the future use and management of rural lands. The Study will be outlined in the draft LSPS but will not have been completed when the LSPS is exhibited at the end of June. Dependent on the findings of the Study, the recommendations maybe implemented through changes to planning controls (where relevant) and/or incorporated into future iterations of the LSPS.

## CONCLUSION

The Rural Lands Study aims to develop a strategic framework to guide future land use and management of rural areas and ensure the environmental, social and economic values of rural areas are protected and enhanced. The Study will support the North District Plan priorities and objectives as they relate to the Shire.

The recommendation for the engagement of a consultant to undertake the Rural Lands Study is referred to Council for endorsement, as agreed at an informal Councillor workshop on 17 March 2019, due to the high level of community interest in the Study.

Having regard to the assessment of each submission against the evaluation criteria, it is recommended that SGS Economics and Planning be engaged to undertake the Rural Lands Study.

## RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Strategic Planning – Katherine Vickery - who can be contacted on 9847 6744

KATHERINE VICKERY  
Manager - Strategic Planning  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

**Attachments:**

1. Confidential Evaluation - Rural Lands Study - selection of consultant - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
2. RFQ Submission - Barker Ryan Stewart - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
3. RFQ Submission - Mepstead - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
4. RFQ Submission - Monteath & Powys - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
5. RFQ Submission - GHD - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
6. RFQ Submission - SGS - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*
7. RFQ Submission - Elton - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This attachment 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.*



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**ITEM 9**

## 12 MAYOR'S NOTES FROM 01 APRIL TO 30 APRIL 2019

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*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.*

Wednesday 3<sup>rd</sup> April 2019 – On behalf of the Mayor, Deputy Mayor, Councillor Del Gallego hosted two Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council.

Friday 5<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Tilbury attended the Northern District Cricket Club Presentation held at Hornsby RSL, Hornsby.

Sunday 7<sup>th</sup> April 2019 – The Mayor attended the General Meeting of Berowra Waters Progress Association Inc meeting held at Berowra Waters Rural Fire Station, Berowra Waters.

Monday 8<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Tilbury attended the Rotary Club of Hornsby District Pride of Workmanship Awards held at Asquith Leagues Club, Waitara.

Tuesday 9<sup>th</sup> April 2019 – The Mayor attended Lifeline Mental Health Support Service Breakfast Meeting held at Thornleigh Community Centre in Thornleigh.

Tuesday 9<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Tilbury attended Asquith Girls High School ANZAC Day Assembly at Asquith Girls High School in Asquith.

Tuesday 9<sup>th</sup> April 2019 – The Mayor attend 'SKillness' project and engaging members of the public on informative and evaluative conversations concerning mental health at work and the impact of some of the project's artefacts respectively held at Hornsby Westfield, Hornsby.

Friday 12<sup>th</sup> April 2019 - On behalf of the Mayor, Councillor Browne attended the 'Turning of the Sod' at McQuoin Park Retirement Village in Waitara.

Saturday 13<sup>th</sup> April 2019 – The Mayor attended the Official Opening of Waitara Park Playground, Waitara.

Saturday 13<sup>th</sup> April 2019 – The Mayor attended the Hindu Council ANZAC Day Service held in Greenway Oval in Cherrybrook.

Saturday 13<sup>th</sup> April 2019 – The Mayor attended NSW Youth Week – Battle at Berowra 2019, Skate, BMX and Scooter Competition in Berowra.

Saturday 13<sup>th</sup> April 2019 – The Mayor attended the Hornsby Musical Society performance of Cinderella at Hornsby RSL, Hornsby.

Sunday 14<sup>th</sup> April 2019 – The Mayor attended The Hills District Chapter of the Glenorie RSL Sub Branch ANZAC Commemoration Service held at The Galston Club in Galston.

Sunday 14<sup>th</sup> April 2019 – The Mayor attended the Annual Awards and Reports Meeting of the 1<sup>st</sup> Dural Scouts held at the Scout Hall in Dural.

Wednesday 17<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Waddell attended and delivered the ANZAC Day Address at Mark Donaldson VC House RSL Life care in Galston.

Thursday 18<sup>th</sup> April 2019 – The Mayor attended and addressed The Art of Ageing Exhibition held at Hornsby Library in Hornsby.

Sunday 21<sup>st</sup> April 2019 – On behalf of the Mayor, Councillor Browne attended the Hornsby RSL Sub Branch ANZAC Day Sunday Service held at Hornsby Cenotaph in Hornsby.

Sunday 21<sup>st</sup> April 2019 – The Mayor attended the Brooklyn RSL Sub Branch ANZAC Day Commemoration Service held at the Memorial Cenotaph in Brooklyn.

Sunday 21<sup>st</sup> April 2019 – The Mayor attended the Finals and Awards Ceremony for the Thornleigh Squash Centre – The Australian Junior Championships at the Thornleigh Squash Centre in Hornsby.

Tuesday 23<sup>rd</sup> April 2019 – The Mayor attended the Solemn Feast of St George held at St George Maronite Church in Thornleigh.

Wednesday 24<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Browne attended The Lakes of Cherrybrook Retirement Village ANZAC Day Service held at The Lakes of Cherrybrook in Cherrybrook.

Thursday 25<sup>th</sup> April 2019 – The Mayor attended the Hornsby RSL Sub Branch ANZAC Dawn Service held at Hornsby Cenotaph in Hornsby.

Thursday 25<sup>th</sup> April 2019 – The Mayor attended the Berowra RSL Sub Branch Berowra ANZAC Day March and Service held at Berowra Memorial in Berowra.

Thursday 25<sup>th</sup> April 2019 – On behalf of the Mayor, Councillor Hutchence attended the Lions Club of Hornsby Inc ANZAC Day Service held at the Beecroft Cenotaph in Beecroft.

Thursday 25<sup>th</sup> April 2019 - The Mayor attended the Glenorie RSL ANZAC Day Memorial Service held at Glenorie RSL in Glenorie.

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