



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 12 February 2020  
at 6:30PM**



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## **AGENDA AND SUMMARY OF RECOMMENDATIONS**

### **PRESENT**

### **NATIONAL ANTHEM**

### **OPENING PRAYER/S**

Pastor David Nathan of The Hive Church, Hornsby will open tonight's meeting in prayer.

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairperson:

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

### **ABORIGINAL RECOGNITION**

Statement by the Chairperson:

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

### **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 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 4.16 and 4.17 of Council's Code of Conduct for Councillors 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").*

- 4.16 A councillor who has a 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.*
- 4.17 The councillor 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, or*
  - b) at any time during which the council or committee is voting on any question in relation to the matter.*

*Clause 5.10 and 5.11 of Council's Code of Conduct for Councillors requires that a councillor or a member of a Council committee who has a non 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").*

- 5.10 Significant non-pecuniary conflict of interests must be managed in one of two ways:*
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or*
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.*
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.*

## **CONFIRMATION OF MINUTES**

THAT the Minutes of the General Meeting held on 11 December, 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      GM1/20 DRAFT CAR SHARE PARKING POLICY**

## **RECOMMENDATION**

THAT Council:

1.      Endorse the Draft Car Share Parking Policy (Attachment 1) and publicly exhibit for a period of 28 days.
2.      Consider a further report on the outcomes of the public exhibition of the Draft Car Share Parking Policy.

### **Page Number 5**

#### **Item 2      GM2/20 DRAFT ELECTRIC VEHICLE (EV) CHARGING STATIONS ON PUBLIC LAND POLICY**

**RECOMMENDATION**

THAT Council:

1. Endorse the Draft Electric Vehicle (EV) Charging Station on Public Land Policy (Attachment 1) and publicly exhibit for a period of 28 days.
2. Receive a further report on the outcomes of the public exhibition of the Draft Electric Vehicle (EV) Charging Station on Public Land Policy.

**Page Number 9****Item 3 GM3/20 PERFORMANCE REPORT DECEMBER 2019 - DELIVERY PROGRAM 2019-21 AND QUARTERLY BUDGET REVIEW STATEMENT****RECOMMENDATION**

THAT the:

1. December 2019 Performance Report showing progress of the Delivery Program 2019-21 including the 2019/20 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the Period Ending December 2019 be received and noted.

**CORPORATE SUPPORT DIVISION****Page Number 15****Item 4 CS1/20 INVESTMENTS AND BORROWINGS FOR 2019/20 - STATUS FOR PERIODS ENDING NOVEMBER 2019 AND DECEMBER 2019****RECOMMENDATION**

THAT the contents of Director's Report No. CS1/20 be received and noted.

**Page Number 18****Item 5 CS2/20 COUNCILLOR EXPENSES AND FACILITIES POLICY - REPORTING REQUIRED BY SECTION 15 OF THE POLICY****RECOMMENDATION**

THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2019 to 30 December 2019 have been tabled in accordance with the Councillors' Expenses and Facilities Policy.

**COMMUNITY AND ENVIRONMENT DIVISION**

**Page Number 25****Item 6 EH1/20 WASTE MATTERS STRATEGY****RECOMMENDATION**

THAT Council adopt and implement the Waste Matters Strategy attached to Director's Report No. EH1/20.

**PLANNING AND COMPLIANCE DIVISION****Page Number 29****Item 7 PL1/20 HORNSBY LOCAL STRATEGIC PLANNING STATEMENT****RECOMMENDATION**

THAT:

1. The Hornsby Local Strategic Planning Statement attached to Director's Report No. PL1/20 be endorsed and Final Assurance sought from the Greater Sydney Commission.
2. The General Manager be delegated authority to make any minor changes to the Hornsby Local Strategic Planning Statement in response to feedback received from the Assurance Panel and approve the LSPS for publication on the NSW Planning Portal.
3. Council endorse the publication of the Engagement Outcomes Report attached to Director's Report No. PL1/20 on Council's website.

**Page Number 37****Item 8 PL3/20 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS****RECOMMENDATION**

THAT the contents of Director's Report No. PL3/20 be received and noted.

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION****Page Number 40****Item 9 IR1/20 BEROWRA RECREATION NEEDS ANALYSIS: POOL FEASIBILITY****RECOMMENDATION**

THAT Council:

1. Receive and note Deputy General Managers Report IR1/20.



2. Determine whether it wishes to proceed with the investigations outlined in Deputy General Managers Report IR1/20; or to reaffirm the prioritisation of projects contained in the adopted Long-Term Financial Plan.

## **CONFIDENTIAL ITEMS**

### **Item 10 GM4/20 CODE OF CONDUCT MATTER**

*This report should be dealt with in confidential session, under Section 10A (2) (i) of the Local Government Act, 1993. This report alleged contraventions of any code of conduct requirements applicable under section 440. (Section 12.1 of the Procedures for the Administration of the Code of Conduct states "Information about code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures" )*

### **Item 11 CS4/20 CLASS ACTION - RECOVERY OF GST ON PROPERTY TRANSACTIONS**

*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.*

## **PUBLIC FORUM – NON AGENDA ITEMS**

### **QUESTIONS ON NOTICE**

### **MAYOR'S NOTES**

**Page Number 47**

### **Item 12 MN1/20 MAYOR'S NOTES FROM 01 DECEMBER 2019 TO 31 JANUARY 2020**

### **NOTICES OF MOTION**

**Page Number 49**

### **Item 13 NOM1/20 PRICE ON CARBON**

### **COUNCILLOR MARR TO MOVE**

THAT Council:

1. Write to the Minister for Energy and Environment Mr Matt Kean requesting that the NSW Government investigate methods to put a price on carbon.

2. Write to the Energy Minister The. Hon. Angus Taylor MP requesting that the Federal Government investigate methods to put a price on carbon.
3. Request an update at an Informal Workshop on the proposed actions to reduce greenhouse gas emissions to enable the Council to achieve its target of net zero emissions by 2050 for both corporate activities and the community.

**Page Number 50****Item 14 NOM3/20 HORNSBY WATER SCULPTURE**

COUNCILLOR WADDELL TO MOVE

THAT:

1. An informal workshop be provided for Councillors at the earliest opportunity regarding the Hornsby Water Sculpture.
2. The workshop should seek to address the issues that are limiting the operation of the Sculpture and include: information from the artist - Mr Victor Cusack; structural assessments of the Sculpture; mechanical assessments of the Sculpture; the Conservation Management Plan and provide a cost estimate to restore the Sculpture to its full original functionality.

**SUPPLEMENTARY AGENDA****MATTERS OF URGENCY**

## **1 DRAFT CAR SHARE PARKING POLICY**

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### **EXECUTIVE SUMMARY**

- Car share is an innovative form of transport that allows people to hire vehicles on demand for short periods of time, via a telephone or internet booking service. The vehicles are parked in dedicated bays and are accessible to members at any time of the day or night. Members benefit from the flexibility of having access to a private vehicle without having to pay the fixed cost associated with owning a car.
- Car share vehicles are currently available on dedicated off-street parking areas within the Hornsby Shire and are well utilised.
- To guide car sharing through-out Hornsby Shire in dedicated on-street parking areas a Draft Hornsby Shire Council Car Share Parking Policy (The Draft Policy) has been developed (Attachment 1). It is proposed to place the Draft Policy on exhibition to seek public comment.

### **RECOMMENDATION**

THAT Council:

1. Endorse the Draft Car Share Parking Policy (Attachment 1) and publicly exhibit for a period of 28 days.
2. Consider a further report on the outcomes of the public exhibition of the Draft Car Share Parking Policy.

## PURPOSE

The purpose of this Report is to provide a framework for determining eligibility, approval and management of Car Share Parking on public land in the Hornsby Shire Local Government Area (LGA) through the establishment of a Draft Car Share Parking Policy. The Draft Policy outlines the objectives of Car Share Schemes, criteria for selecting operators as well as locations.

This Draft Policy does not apply to private Car Share Schemes provided in private off-street parking areas operated by private developers as well as vehicles participating in Peer to Peer Car Sharing Schemes, such as Car Next Door.

## BACKGROUND

The Hornsby Shire Integrated Land Use and Transport Strategy (ILUTS) was completed in November 2004. Council's prime objective for developing the ILUTS was to reduce vehicle kilometres of travel by promoting sustainable modes of transport due to the historical increase in private motor vehicle traffic associated with population growth.

The ILUTS were considered by Council at the Ordinary Meetings held in October 2005 (Executive Mangers Report No. WK59/05) and in September 2009 (Executive Mangers Report No. WK71/09). The principles developed in the ILUTS have since been considered and applied to ongoing activities relating to transport and land use planning in Hornsby Shire, including the preparation of the draft Car Parking Management Study and Hornsby Town Centre Parking Management Strategy.

The ILUTS envisages a well-planned, sustainable urban environment. This includes responding to climate change, less congested roads and encouraging the community to use alternative methods of transport. The ILUTS recommended several transport sustainability initiatives to support car parking management in Hornsby Shire which included a policy on Car Share Services. A formal policy for car sharing in Hornsby Shire will complement the goal of achieving reduced dependency on the private car through the following objectives:

- Encourage more sustainable travel options

As part of an overarching initiative to encourage alternative forms of travel, car sharing forms part of an integrated transport system. Car share members generally drive less and use other modes of transport for certain journeys more often than non-members (notably short journeys that may be taken instead on foot or by bike), particularly those that have given up a vehicle in place of a car share membership.

- Reduce emissions

On average, car share vehicles are newer and more fuel-efficient, emitting fewer CO<sub>2</sub> emissions than the average car. In some cities where car share schemes operate successfully, member households generate less than half of the CO<sub>2</sub> and other local air pollutants per year from car usage than the average household (with at least one full car license holder) (Transport Research Laboratory, 2012).

As car share members generally drive less and use other modes of transport for certain journeys, increased uptake of the schemes will result in associated reductions in private vehicle use which is necessary to help achieve Council's targets of zero net emissions by 2050.

- Alleviate parking pressure

Car share schemes have the potential to lead to a reduction in parking congestion given that multiple users share one car and one parking space. This is particularly the case in areas of the LGA where

on-street parking space is extremely limited and such areas have much to gain from the successful introduction of car sharing operations. Traffic congestion is also reduced as car share members tend to use public transport, walk and cycle more after joining a car share scheme. As an example, about 20 per cent of car share members in an inner city LGA in Sydney put off purchasing a second car once they became a member (GoGet, 2013).

- Improve access and social inclusion

Car sharing can help address social exclusion and improve quality of life by providing access to a vehicle without the expense of ownership. Giving space back to people that would otherwise be required for parking improves social cohesion, increases space for other activities and helps contribute toward the development of vibrant communities.

## **DISCUSSION**

Car share is an innovative form of transport that allows people to hire vehicles on demand for short periods of time, via a telephone or internet booking service. The vehicles are parked in dedicated parking bays and are accessible to members at any time of the day or night. Members benefit from the flexibility of having access to a private vehicle without having to pay the fixed cost associated with owning a car. Independent industry research indicates that each car share vehicle can replace up to 10 privately owned vehicles (City of Melbourne, 2014) and can therefore assist in reducing traffic congestion, parking demand, and greenhouse gas emissions. Car share is most suited to locations with medium-high population density, mixed land uses, good access to public transport, and provisions for walking and cycling; and where there are high levels of traffic congestion and car parking problems.

One car share operator currently exists within the Hornsby LGA. This operator currently has four vehicles in dedicated off-street parking bays located in Westfield Hornsby and one in Hornsby Kennard Hire.

Should Council support the expansion of car share services across the Shire (through provision of on-street parking) the Draft Policy will provide a framework for determining eligibility, approval and management of Car Share Parking on public land in the LGA. The Draft Policy outlines the objectives of Car Share Schemes, criteria for selecting operators as well as locations.

## **CONSULTATION**

In the preparation of this Report there was consultation with industry representatives who undertake car sharing operations.

## **BUDGET**

Subject to Council's endorsement of the Car Share Policy Council's Fees and Charges would be updated to include an Application and Renewal Fee as outlined in the Draft Policy. Further work is being undertaken to review current rates for car share on-street parking bays in neighbouring local government areas. Proposed Fees and Charges would be included in the Draft 2020/21 Fees and Charges for Council consideration.

## **POLICY**

The Draft Policy provides a framework for determining eligibility, approval and management of Car Share Parking on public land in the Hornsby Shire Local Government Area (LGA). The Draft Policy outlines the objectives of Car Share Schemes, criteria for selecting operators as well as locations.

Once endorsed, the Draft Policy will be publicly exhibited for community and stakeholder input. Following this and consideration of any submissions received, the Policy (including any amendments) can be adopted and implemented as the position of Council.

### CONCLUSION

The Draft Hornsby Shire Council Car Share Parking Policy provides a framework for decision-making about the implementation of car share services in the Hornsby LGA to ensure the efficient and effective operation of car sharing services.


### RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Strategy Manager, Julie Ryland, who can be contacted on 9847 6773.

JULIE RYLAND  
Strategy Manager - Strategy and Place  
Office of the General Manager

LOUISE GEE  
Manager - Strategy and Place  
Office of the General Manager

### Attachments:

1.  Draft Car Share Parking Policy

File Reference: F2007/01499

Document Number: D07827340

## 2 DRAFT ELECTRIC VEHICLE (EV) CHARGING STATIONS ON PUBLIC LAND POLICY

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### EXECUTIVE SUMMARY

- Electric Vehicles (EVs) are expected to become more established in the Australian market in the coming decades. Research shows that the main barriers currently stalling greater uptake of EVs in Australia are the high cost of the vehicles, inadequate incentives, inadequate supporting policy and the lack of public charging infrastructure away from home (this leads to 'range anxiety'). A suitable network of EV charging infrastructure will be required across Australia to support the use of EVs now and in the future and Hornsby Shire is uniquely placed to service this network.
- The Draft Electric Vehicle (EV) Charging Stations on Public Land Policy (the Draft Policy) (Attachment 1) is to provide criteria for the provision, installation, management, maintenance and removal of Electric Vehicle (EV) charging stations on public land in the Hornsby Shire Local Government Area (LGA). The Draft Policy outlines the principles for planning EV charging infrastructure on public land and to support the selection of the correct type of infrastructure at the right location. The Draft Policy does not apply to the provision of EV charging stations on private land.

### RECOMMENDATION

THAT Council:

1. Endorse the Draft Electric Vehicle (EV) Charging Station on Public Land Policy (Attachment 1) and publicly exhibit for a period of 28 days.
2. Receive a further report on the outcomes of the public exhibition of the Draft Electric Vehicle (EV) Charging Station on Public Land Policy.

## PURPOSE

The purpose of this Report is to obtain endorsement of the Draft Electric Vehicle (EV) Charging Stations on Public Land Policy (the Draft Policy) (Attachment 1) to enable it to proceed to public exhibition.

## BACKGROUND

The Hornsby Shire Integrated Land Use and Transport Strategy (ILUTS) was completed in November 2004. Council's prime objective for developing the ILUTS was to reduce vehicle kilometres of travel by promoting sustainable modes of transport due to the historical increase in private motor vehicle traffic associated with population growth.

The ILUTS was considered by Council at the Ordinary Meetings held in October 2005 (Executive Mangers Report No. WK59/05) and in September 2009 (Executive Mangers Report No. WK71/09). The principles developed in the ILUTS have since been considered and applied to ongoing activities relating to transport and land use planning in Hornsby Shire, including the preparation of the draft Car Parking Management Study and Hornsby Town Centre Parking Management Strategy.

In July 2018, The Australian Road Research Board (ARRB) was appointed by Council to undertake a review of current car parking management practices in the Hornsby Shire and develop the draft Hornsby Shire Car Parking Management Study. The main aim of the parking management review is to provide a strategic overview of existing parking issues and to identify the initiatives and measures needed to determine a long-term strategy for managing car parking supply and demand in Hornsby Shire. In December 2019, WSP Consulting was also appointed by Council to undertake a detailed review of current parking within the Hornsby Town Centre and determine future car and other parking demand in the town centre. Both draft reports recommend the development of a Policy regarding electric vehicle charging stations within the Shire.

To assist with the uptake of EVs the NSW Government also has a few initiatives including:

- Future Transport 2056 – NSW Electric and Hybrid Vehicle Plan.
- Tate Infrastructure Strategy 2018-2038.

## DISCUSSION

An outcome of the Community Strategic Plan is 'Our Shire is resilient and able to respond to climate change events and stresses'. Hornsby Shire Council is committed to reducing its corporate carbon emissions and assisting our community to reduce theirs.

Our residents rely heavily on vehicle travel. According to 2016/17 data, over 70% of our community travel by car either as a driver or passenger. The installation of EV charging facilities will provide visual engagement with our community regarding alternative transport modes and reducing our community carbon emissions. EV charging locations may also increase visitation to our local town centres and retail hubs improving the Shire's economic development and tourism opportunities.

EVs are expected to become more established in the Australian market in the coming decades. Research shows that the main barriers currently stalling greater uptake of EVs in Australia are the high cost of the vehicles, inadequate incentives, inadequate supporting policy and the lack of public charging infrastructure away from home (this leads to 'range anxiety'). A suitable network of EV charging infrastructure will be required across Australia to support the use of EVs now and in the future. Hornsby Shire is uniquely placed to service this network as we are located at the end of the M1 motorway.



As of July 2019, total number of electric vehicles charging stations (AC and DC) in Australia was 1,930, with the number of public charging stations increasing by 143% between June 2018 and July 2019. This rapid increase is attributable to strong investment from the private sector. The increase in electric vehicle charging infrastructure is significant to electric vehicle adoption in Australia, given the positive correlation between the number of publicly accessible chargers, and the number of electric vehicles sold. The provision of public charging infrastructure can help to alleviate range anxiety for consumers who are considering an electric vehicle as their next car purchase. As Council moves towards integration as a smart city the investigation of smart poles will be undertaken.

Over the past year Council has been approached by organisations such as NRMA, Jolt Charge and Metasite regarding the potential to install private sector electric vehicle charging infrastructure on Council owned land within our Shire.

The Draft Policy that is provided as Attachment 1 has been prepared by a Council staff working group. It seeks to provide a guiding framework for the installation of electric EV charging facilities on public land, including site selection and design criteria (e.g. land, environmental, locational, community), general provisions for lease/license agreements, fairness and equity provisions and provisions relating to installation, maintenance and removal of EV charging infrastructure.

### **CONSULTATION**

In the preparation of this Report there was consultation with industry representatives and electric vehicle charging suppliers.

It is recommended that this Draft Policy be exhibited for public comment for a period of 28 days. The Draft policy will be made available online and at Council's Administration Buildings.

Consultation will also include direct notification to relevant businesses and industry groups, including direct notification to the organisations that have previously approached Council on this matter. It is noted that potential partnerships with Council have not proceeded at this point due to a variety of factors including site selection constraints and policy resolution.

### **BUDGET**

Any provision of EV charging stations on public land will be subject to licensing / leasing arrangements, or similar, between the provider and Council. Licence and / or lease terms shall be in accordance with Council's Land – Lease/Licence Policy.

### **POLICY**

The Draft Electric Vehicle (EV) Charging Stations on Public Land Policy is to provide criteria for the provision, installation, management, maintenance and removal of Electric Vehicle (EV) charging stations on public land in the Hornsby Shire Local Government Area (LGA).

Once endorsed, the Draft Policy will be publicly exhibited for community and stakeholder input. Following this and consideration of any submissions received, the Policy (including any amendments) will be reported back to Council for consideration.

### **CONCLUSION**

The Draft Electric Vehicle (EV) Charging Stations on Public Land Policy is intended to make clear the requirements for EV charging stations on 'public land' (as defined by the Local Government Act 1993) in the Hornsby Shire Local Government Area and should contribute to the efficient consideration of sites by prospective operators/providers of EV charging stations in the future.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Strategy Manager, Julie Ryland, who can be contacted on 9847 6773.

JULIE RYLAND  
Strategy Manager - Strategy and Place  
Office of the General Manager

LOUISE GEE  
Manager - Strategy and Place  
Office of the General Manager

**Attachments:**

1. [↔](#) Draft Electric Vehicle (EV) Charging Stations on Public Land Policy

File Reference: F2018/00102  
Document Number: D07831608

**3 PERFORMANCE REPORT DECEMBER 2019 - DELIVERY PROGRAM 2019-21 AND  
QUARTERLY BUDGET REVIEW STATEMENT**

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**EXECUTIVE SUMMARY**

- Council is required to review its budget each quarter. At the same time the Local Government Act 1993 states that half yearly progress reports should be provided to Council on the principal activities detailed in its Delivery Program.
- In this regard, the December 2019 Performance Report showing progress of the Delivery Program 2019-21 including the 2019/20 Operational Plan and Budget is attached for Council's consideration.
- The 2019/20 Original Budget forecast a surplus at 30 June 2020 of \$4.322 million. The September 2019 Review reduced the surplus by \$341K to \$3.981 million whilst this December 2019 Review has no net budget changes. As a result, the budget forecast at 30 June 2020 is a surplus of \$3.981 million which is required to be set aside to fund a significant cash shortfall identified in the Long-Term Financial Plan in 2023/24.
- Council is awaiting the receipt of \$400K from the NSW State Government to cover clean-up costs incurred by Council during the severe storms of 2018 in the Hornsby Shire area. An amount of approximately \$300K is also owed from the NSW State Government to fund the first-year increase of the Emergency Services Levy which has risen to meet the cost of new workers' compensation arrangements for personnel in the Rural Fire Service, Fire and Rescue and State Emergency Service. Each of these items has the potential to adversely affect the surplus forecast at 30 June 2020 if funds are not received.
- Progress against the adopted Delivery Program including the 2019/20 Operational Plan and Budget, and the operational performance of the organisation has been in line with the service delivery standards adopted by Council.

**RECOMMENDATION**

THAT the:

1. December 2019 Performance Report showing progress of the Delivery Program 2019-21 including the 2019/20 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the Period Ending December 2019 be received and noted.

**PURPOSE**

The purpose of this Report is to present for Council's consideration the December 2019 Performance Report showing progress of the Delivery Program 2019-21 including the 2019/20 Operational Plan and Budget, as required under s404 (5) of the Local Government Act 1993. Details within the Performance Report cover the six-month period 1 July to 31 December 2019.

The Performance Report includes Council's Consolidated Budget Summary as at December 2019.

**BACKGROUND**

On 13 June 2018, Council adopted a three-year Delivery Program 2018-21 including the Operational Plan and Budget 2018/19. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance. The Office of Local Government requires that the Delivery Program and one-year Operational Plan be reviewed annually. On 12 June 2019, Council adopted the Delivery Program 2019-21 including the Operational Plan and Budget 2019/20.

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. To streamline reporting the QBRS will be linked to the half yearly performance report for each December and June period.

**DISCUSSION****Operational Comment**

Updates on the progress of operational areas, actions and capital projects are contained in the Performance Report attachment to this Report. Of note is the completion of:

- 9 Key Initiatives
- 13 footpath projects
- 2 local road improvement projects
- Floodlighting upgrades at Edward Bennett Oval, Cherrybrook and Montview Oval, Hornsby Heights
- Playground renewals at Ron Payne Reserve, North Epping; Darlington Reserve, Cherrybrook; Oxley Reserve, Mount Colah and Yallambee Road Park, Berowra
- Gross pollutant traps installed at Thomas Wilkinson Avenue, Dural and Bowen Close, Cherrybrook
- Bushland upgrades at Pine Street and Waitara Creek, Normanhurst

**Budget Comment**

This Review includes the second quarter results for 2019/20, comparing actual expenditure, income and funding sources against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$2.7 million or approximately 3% of the consolidated year to date budget. This positive variance is largely the result of timing differences associated with project related works that are expected to be expended by 30 June 2020.

The 2019/20 Original Budget forecast a surplus at 30 June 2020 of \$4.322 million. This surplus is intended to be set aside in a restricted asset account to enable the implementation of initiatives

identified in future years of Council's Long-Term Financial Plan (LTFP), notably addressing a significant funding requirement of \$20 million in 2023/24. The LTFP was included in Deputy General Manager's Report No. CS6/19 – Update on Council's Long-Term Financial Plan – which was considered at the March 2019 General Meeting.

The September Review adopted net budget changes of \$341K, which reduced the forecast 30 June 2020 Budget surplus to \$3.981 million whilst this December 2019 Review has no net budget changes. As a result, the budget forecast at 30 June 2020 is a surplus of \$3.981 million. Whilst the budget forecast remains unchanged from the September 2019 Review there are several uncertain matters that could impact the budget unfavourably at 30 June 2020.

Severe storms during 2018 in the Hornsby Shire resulted in extensive clean-up costs being incurred by Council. The storms were declared a natural disaster by the NSW Government with Council anticipating a recoupment of costs from the Office of Emergency Management this financial year of \$400K. At this stage formal advice has not been received from the Minister for Emergency Services, however, a letter from the State Member for Hornsby has indicated financial support from the NSW Government and Council Officers are continuing to follow up with the Office of Emergency Management.

The 2019/20 Annual Budget also includes a recoupment of costs of \$300K to fund the first-year increase of the Emergency Services Levy. In August 2019 the NSW State Government announced it would fully fund the first-year increase which has risen to meet the cost of new workers' compensation arrangements for personnel in the Rural Fire Service, Fire and Rescue and State Emergency Service. As at 31 December 2019 funds have not yet been received and Council Officers are following up with the relevant government authorities.

### **Major Projects Update**

Updates on 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. A Development Application (DA) for bulk earthworks and site rehabilitation was prepared in early 2019. Based on submissions received on the DA, a Response to Submissions (RTS) package was prepared and lodged in late 2019. Exhibition of the RTS concluded in January 2020. Assessment and determination of the DA will be made by the Sydney North Planning Panel in the first half of 2020. Subject to approval of the DA, bulk earthworks and site rehabilitation will commence in late 2020. Master planning for the final park embellishments is underway and due for completion in 2020. The site was handed back to Council from North Connex in late 2019.

The total expenditure on the next stage of the project to 31 December 2019 is \$2.310 million. Currently \$50 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund. It is anticipated that additional funds will be required to complete the project.

- **Westleigh Park Development** – A conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. A draft Plan of Management (POM) for the site is nearing completion. Negotiations with Sydney Water to secure an extension of Sefton Road through their Thornleigh Reservoir site has delayed the project. Council has prepared and lodged a submission with Sydney Water addressing their concerns

and is currently awaiting a response. The POM, and subsequent engagement, cannot proceed until the Sydney Water access issue has been resolved.

The total project expenditure to 31 December 2019 (excluding the acquisition costs of \$21 million funded by development contributions) on this project is \$0.508 million. Currently \$40 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund. It is anticipated that additional funds will be required to complete the project.

- Storey Park – a new facility has been constructed on the former Asquith Community Centre site. The facility includes multi-purpose rooms that will be ideal for a wide range of events and activities and park facilities. The total expenditure to 31 December 2019 on this project is \$5.967 million out of a budget of \$6.308 million, funded by development contributions and proceeds from the sale of assets rationalised in previous years. Council held Australia Day 2020 celebrations at the newly constructed facility on 26 January 2020, and the project is on track to be completed within the allocated budget.
- 25,000 Trees by 2020 – Council is committed to planting 25,000 new trees by December 2020 to invest in the environment for future generations. The expenditure incurred to 31 December 2019 is \$0.793 million. During the month of December, the total number of trees planted reached 16,650. 27,971 other plants have also been planted during community planting days in support of the program. This project is largely funded by development contributions.

Planting activities slowed across the hotter months of summer and will recommence in Autumn 2020.

- Public Domain - Concept design options for Peats Ferry Road and Galston Road main street projects were prepared and presented to Council with preferred concept options adopted. The aim of the projects is to improve streetscape amenity through the planting of advanced trees, landscaped garden beds, footpaths, shared paths, seating and signage. The cost estimate for the Peats Ferry Road project from Hookhams Corner to Wattle Street is approximately \$9 million with funding being sourced from developer contributions. Detailed design for the Peats Ferry Road project from Hookhams Corner to Wattle Street is currently underway with geotechnical investigations to be completed prior to the design being finalised. Construction for this project including proposed engagement is anticipated to commence later in 2020.

The total expenditure to 31 December 2019 on this project is \$0.465 million out of an initial budget of \$0.617 million for concept design, funded from general funds.

- Galston Aquatic Centre – A development application has been lodged for the replacement of the roof structure over the Galston Aquatic Centre.

The development application contains two parts – essential works for the replacement of the existing roof over the indoor 24 metre pool facility and a design for a new roof structure over the Learn-to-Swim facility, which could be undertaken at a later stage.

To date Council has approved a budget of \$3 million for the replacement roof over the 24-metre pool. However, the cost is now estimated at \$4.5 million due to fire and vegetation restrictions. Determination of the DA is expected by April 2020. Further details and options to fund the additional cost are to be provided to Councillors at a briefing following a determination of the development application.

- Hornsby Library - The 2019/20 Annual Budget includes a capital expenditure budget of \$2.7 million for the refurbishment of Hornsby Library funded from development contributions. Detailed plans have been developed for the refurbishment and a DA lodged for the work. Costs to bring the building up to current standards have resulted in an increase in likely cost to over \$5 million for the project, and a briefing has been provided to Councillors in this respect. Given the increase in projected project cost, further information is being finalised regarding options to manage costs and funding opportunities that will be presented to Councillors for further consideration in the 3<sup>rd</sup> Quarter.
- Local Strategic Planning Statement - Council has prepared a draft Hornsby Local Strategic Planning Statement (draft LSPS) that sets out a 20-year vision for land use; the special character and values that are to be preserved; shared community values; and how Hornsby Shire Council will manage growth and change. The draft LSPS provides an understanding of the current planning context for Hornsby Shire under the themes of Liveable, Sustainable, Productive and Collaborative. It examines how expected changes in our population over the next 20 years will influence how we provide for our community. The planning priorities identified within the draft LSPS will help guide land use decisions and earmark changes to our local land use plans, strategies and policies over the next 20 years. The draft LSPS has been the subject of extensive community consultation and has been reviewed in response to public feedback and comments from the Greater Sydney Commission and key government agencies.

## **BUDGET**

This Report provides the December 2019 Quarter Review of the 2019/20 Operational Plan (Budget), which, if adopted, will achieve a forecast surplus at 30 June 2020 of \$3.981 million. The predicted Budget result at 30 June 2020 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 December 2019 Performance Report and quarterly budget review demonstrate that Council remains in a strong position to deliver local services and facilities in a financially responsible manner.

## **RESPONSIBLE OFFICER**

The officers responsible for preparation of this Report are the Manager, Strategy and Place – Louise Gee and the Chief Financial Officer – Duncan Chell. They can be contacted on 9847-6531 and 9847-6822 respectively.

GLEN MAGUS  
Director - Corporate Support

STEVEN HEAD  
General Manager

**Attachments:**

1. [➡](#) Dec 19 Quarterly Budget Review Statement
2. [➡](#) Performance Report - December 2019

File Reference: F2019/00075

Document Number: D07838747



**4 INVESTMENTS AND BORROWINGS FOR 2019/20 - STATUS FOR PERIODS ENDING NOVEMBER 2019 AND DECEMBER 2019**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 30 November 2019 and 31 December 2019 as well as the extent of its borrowings at the end of the same periods.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return of 3.04% for November 2019 and 1.59% for December 2019. The year to date return at 31 December 2019 is 2.53%.

**RECOMMENDATION**

THAT the contents of Director's Report No. CS1/20 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**

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

**DISCUSSION**

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

Council's investment performance for the months ending 30 November 2019 and 31 December 2019 is detailed in the attached document. In summary, the portfolio achieved an annualised return of 3.04% for November and 1.59% for December 2019. The year to date return at 31 December 2019 is 2.53%. The fluctuation between November and December 2019 is due to the return on TCorp Managed Funds, which achieved a gain of \$236,085 in November 2019, but a loss of \$93,753 in December 2019. At 31 December 2019 there is a year to date net gain of \$438,153 (5.73%) from TCorp Managed Funds.

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2010 to date, based on the principal balances outstanding is 6.42%. The Borrowings Schedules as at 30 November 2019 and 31 December 2019 are also attached for Council's information.

**BUDGET**

Director's Report No. CS39/19 of the 13 November 2019 General Meeting included a recommendation to reduce the budget following cuts to the cash rate since the 2019/20 Annual Budget was prepared. Budgeted investment income for 2019/20 has now been revised downwards to \$6,397,008 with an average budgeted monthly income of \$553,084. Budgeted investment income year to date at 31 December 2019 is \$3,198,504.

Total investment income year to date at 31 December 2019 is \$3,869,044 which includes a net gain of \$438,153 from TCorp Managed Funds and a one-off receipt of \$319,902 in relation to a class action against Standard and Poor's for compensation of losses incurred on structured investment products during the global financial crisis.

Approximately 28% of the investment income received by Council relates to externally restricted funds (e.g. Section 7.11 and Section 7.12 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 December 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 Chief Financial Officer – Duncan Chell - who can be contacted on 9847 6822.

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

- 1. [HSC Investment Summary Report November 2019](#)
- 2. [HSC Investment Summary Report December 2019](#)
- 3. [HSC Borrowings Schedule 30 November 2019](#)
- 4. [HSC Borrowings Schedule 31 December 2019](#)

File Reference: F2004/06897  
Document Number: D07833820

**5 COUNCILLOR EXPENSES AND FACILITIES POLICY - REPORTING REQUIRED BY SECTION 15 OF THE POLICY**

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**EXECUTIVE SUMMARY**

- The Councillors' Expenses and Facilities Policy, which is modelled on the Office of Local Government's Better Practice Template, requires that a report on the provision of facilities and payment of expenses to Councillors is to be tabled at a Council Meeting at six monthly intervals.
- This report covers the period 1 July 2019 to 30 December 2019. Details are provided of expenditure grouped according to specific categories, summarised by individual Councillor and as a total for all Councillors.
- It is recommended that Council note the contents of the Report.

**RECOMMENDATION**

THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2019 to 30 December 2019 have been tabled in accordance with the Councillors' Expenses and Facilities Policy.

## PURPOSE

The purpose of this Report is to comply with Clause 15 of the Councillors' Expenses and Facilities Policy which requires regular reporting of the details of expenses incurred, and cost of facilities provided, for each Councillor. The Report is to include expenditure grouped according to specific categories, summarised by individual Councillor and as a total for all Councillors.

## BACKGROUND

The Councillors' Expenses and Facilities Policy requires that a report on the provision of expenses and facilities to Councillors be tabled at a Council Meeting at regular intervals. The relevant Clause states:

*15.1 Council will report on the provision of expenses and facilities to councillors as required in the act and regulations.*

*15.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.*

The first report since adoption of the Councillors' Expenses and Facilities Policy was considered by Council at the 13 November 2019 General Meeting (Report No. CS36/19) and covered the 12-month period from 1 July 2018 to 30 June 2019. This current report covers the six-month period from 1 July 2019 to 30 December 2019. Reporting will now continue on a six-monthly basis in accordance with Section 15 of the Policy, in August and February each year.

It is noted that when Council adopted the Policy, the main expenses and facilities were as summarised in the table below. As stated in the Policy Summary, the amounts are to be increased by CPI each year. The table below shows the amounts, increased by the applicable CPI amount of 1.7%, which now apply to the financial year 2019/20.

General travel expenses (other than travel associated with Conferences and Professional Development)	\$5,085 total for all Councillors	Per year
Interstate, overseas and long-distance intrastate travel expenses	\$0	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development (includes associated travel and subsistence where applicable)	\$30,510 total for all Councillors	Per year

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Conferences and seminars (includes associated travel and subsistence where applicable)	\$35,595 total for all Councillors  (Increased to \$50,850 in the years where the LGNSW Conference is held outside the Sydney metropolitan region.)	Per year
ICT expenses	\$4,576 per Councillor  \$2,542 per Councillor	Per year (first year of election)  Per year (following years of election)
Carer expenses	\$2,034 per Councillor	Per year
Home office expenses (equipment and facilities other than stationery)	\$305 per Councillor	Per year
Stationery	\$3,051 total for all Councillors	Per year
Postage stamps	Provided by Council	Not relevant
Christmas or festive cards	\$508 for the Mayor  \$508 total for all other Councillors	Per year
Access to facilities in a Councillor common room	Provided to all Councillors	Not relevant
Council vehicle and fuel card	Provided to the Mayor	Not relevant
One reserved parking space at Council offices  One shared parking space at Council offices	Provided to the Mayor  Shared by all Councillors	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Number of exclusive staff supporting Mayor and Councillors	Provided to the Mayor and Councillors	Two
Spousal attendance at conferences	\$1,017 for the Mayor  \$508 per Councillor	Per year

Attendance at non-Council functions	\$1,017 for the Mayor \$508 per Councillor	Per year

## DISCUSSION

When Council last reviewed its Councillors' Expenses and Facilities Policy in August 2018, it was required to ensure that the Policy was in line with, and modelled on, the "Councillor Expenses and Facilities Policy – Better Practice Template" issued by the Office of Local Government (OLG).

To ensure greater accountability across councils, and public availability of information regarding expenditure on councillor expenses and facilities, the OLG's Better Practice Template, and subsequently Council's adopted Policy, incorporates a requirement to record expenditure for each individual Councillor, as well as a total for all Councillors, across the categories detailed in the above table. This reporting is required to occur at six monthly intervals and is intended to be provided in August and February each year.

[N.B. The reporting requirements of the Councillors Expenses and Facilities Policy are in addition to, and provide greater detail than, those which are required by Section 217 of the Local Government (General) Regulation to be included in Council's Annual Report.]

Since the adoption of the new Expenses and Facilities Policy, Council officers have worked to establish appropriate administrative procedures to ensure that the relevant information is captured in a manner which satisfies the reporting requirements of the Policy. The main issue has been to separate individual Councillor costs associated with attendance at conferences, training, etc which are generally paid as bulk transactions.

The table below provides the required information for the period 1 July 2019 to 30 December 2019. Where an explanation or clarification is required about particular expenditures (marked with an \*), comments are provided in the following table.

In the previous report (CS36/19) it was advised that Councillor McIntosh had, with approval, over expended her individual allocation for Conferences/Personal Development by \$497, and that this amount was to be reimbursed. The reimbursement has now been received by Council.

## Expense or Facility – 1 July 2019 – 30 December 2019

	General travel Conferences + Professional Development)	Interstate, overseas + long distance intrastate travel expenses	Accomm + meals (When not associated with a Conference etc)	Professional development (incl associated accom & travel)	Conferences & seminars (incl associated Travel & Accom)	ICT - Computer / Ipad Only	Mobile Phone + Data Plan (incl Internet etc for Computer)	Carer expenses	Home office expenses	Stationery	Postage stamps	Christmas or festive cards	Spousal attendance at conferences	Attendance at non-Council functions	Councillor Total
\$ Allowance (Annual)	\$5,085 total for all Clrs Assume \$508.50 per Clr	\$0		\$30,510 total for all Clrs Assume \$3,051 per Clr	\$35,595 total for all Clrs. Assume \$3,559.50 per Clr.	\$2,034 per Clr - First year only	\$2,542.50 per Clr p/a (\$211.87 per month)	\$2,034 per Clr p/a	\$305 per Clr p/a	\$3,051 total for all Clrs	Not specified	\$508.50 for Mayor \$508.50 total for all other Councillors	\$1,017 for Mayor \$508.50 per Clr	\$1,017 for Mayor \$508.50 per Clr	
Ruddock	218	-	-	-	1,612	-	1,335	-	-	-	-	* 1,600	-	340	5,106
Tilbury	-	-	-	-	1,105	-	935	-	-	214	-	-	-	-	2,254
Waddell	188	-	-	-	** 4,992	-	716	-	-	-	-	-	-	-	5,898
Marr	*** 968	-	-	** 3,500	1,507	-	95	-	-	-	-	-	-	-	6,071
Browne	-	-	-	-	1,472	-	190	-	-	-	-	-	-	-	1,663
Nicita	-	-	-	-	-	-	265	-	-	-	-	-	-	-	265
McIntosh	-	-	-	320	1,518	-	856	-	-	256	-	-	-	-	3,701
Del Gallego	*** 702	-	-	-	-	-	558	-	-	-	-	-	-	180	1,441
Heyde	377	-	-	-	1,837	-	240	-	-	-	-	-	-	-	2,455
Hutchence	-	-	-	-	1,452	-	721	-	-	-	-	-	-	-	2,174
Total	2,455	-	-	3,820	16,248	-	5,915	-	-	470	-	1,600	-	520	31,028

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**Notes:**

- \* In supporting the expenditure of \$1,600 on Christmas and Festive cards, it was recognised that the sending of the cards by the Mayor, at least in part, represented festive greetings on behalf of the General Manager, Councillors and staff across the organisation.
- \*\* Under the Policy, Councillors are entitled to combine their allocations for Professional Development with Conferences and Seminars. Although the amounts expended by Councillor Marr (for Professional Development) and Councillor Waddell (for Conferences) exceed the specific allocations for these individual categories, each of their total expenditures for the combined categories are below the combined amount allocated.
- \*\*\* Although the expenses shown for General Travel for Councillors Marr and Del Gallego are above the individual councillor allocation for that item, the total amount for General Travel incurred by Councillors is less than 50% of the annual allocation. The total allocation for General Travel may need to be reviewed once a greater historical picture of actual expenditure has been established, as noted generally below.

It is recognised that refinement of allocations between specific categories may be required as more historical data about actual expenditure becomes available. Where required during this reporting period, the General Manager has utilised his delegation to approve minor variances of expenditure against budget within the categories.

**BUDGET**

The categorisation and reporting of expenditure in respect of Councillors' expenses and facilities in the manner required and presented within this Report assists with the monitoring of expenses for that provision within Council's adopted budget. The overall expenses reported for the period from July 2019 to December 2019 of \$31,028 falls well within an estimated 50% (\$75,000) of the total provision for the full 2019-2020 financial year (\$150,000) as does expenditure for each individual Councillor. All expenses have been approved as required by the General Manager or other staff under delegation.

**POLICY**

The Report meets the requirements of the provisions of Section 15 of Council's Councillors' Expenses and Facilities Policy.

**CONCLUSION**

The Councillors' Expenses and Facilities Policy requires details of expenditure and the provisions of facilities to Councillors, summarised by individual Councillor and expense category, as well as a total for all Councillors, to be presented to Council at an open meeting. The expenditure by Councillors for the period July 2019 to December 2019 is well within the budget provision and requirements of the Policy. This Report provides the relevant information as required by the Policy and ensures all statutory requirements are met.

**RESPONSIBLE OFFICER**

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

ROBYN ABICAIR  
Manager - Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

# ITEM 5

**Attachments:**

There are no attachments for this report.

File Reference: F2004/09552-02  
Document Number: D07837969

## **6 WASTE MATTERS STRATEGY**

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### **EXECUTIVE SUMMARY**

- In September 2019 Council endorsed the draft Waste Matters Strategy ('draft Strategy') for public exhibition (EN10/19).
- The draft Strategy has been developed to provide Council and the community with a guide to deliver increased recycling, resource recovery and diversion of waste from landfill towards the NSW Waste Avoidance and Resource Recovery target of 70%.
- The draft Strategy was publicly exhibited from 8 October to 9 November 2019 and a total of 30 submissions were received, many of which commended Council on the thorough consultation process undertaken and the comprehensive nature of the draft Strategy.
- Having regard to the submissions, three additional action items have been incorporated into the draft Strategy as follows:
  - "Investigate the potential to support a car boot sales program" under reuse initiatives
  - "Investigate the feasibility of repair cafes" under reuse initiatives
  - "Investigate the feasibility of a waste volunteers' program" as part of empowering residents
- The draft Strategy is recommended for adoption and implementation by Council.

### **RECOMMENDATION**

THAT Council adopt and implement the Waste Matters Strategy attached to Director's Report No. EH1/20.

**PURPOSE**

The purpose of this Report is to seek Council's approval to adopt and implement the final Waste Matters Strategy.

**BACKGROUND**

This report is further to Report No. EH10/19, which detailed the key issues in the development of the draft Waste Management Strategy. These included current waste performance, options to improve resource recovery, the current regulatory impacts on mixed waste processing plants, bulky waste processing, the draft Strategy focus, the community consultation and engagement process undertaken to that point.

The draft Strategy has many outcome driven actions that will allow Council and our community to make sound progress until the broader regulatory framework around organics processing is clarified and market certainty is restored.

The draft Strategy has responded strongly to community calls for strengthened community engagement and education across a broad range of waste related program areas. The core strategic response focuses around four major themes as follows:

1. Optimising and enhancing waste services to the community.
2. Empowering residents to increase avoidance, reuse and recycling.
3. Supporting schools, businesses, community organisations and Council to improve waste management.
4. Council leadership, advocacy and regional collaboration.

The four major themes are supported by 33 key actions across 20 priority action areas containing 153 detailed activities.

**DISCUSSION**

In September 2019 Council endorsed the draft Strategy for public exhibition. The strategy was then publicly exhibited from 8 October to 9 November 2019.

A total of 30 submissions were received during the public exhibition period, many of which commended Council on the thorough consultation process undertaken and the comprehensive nature of the draft Strategy.

The graph below summarises the frequency of issues raised within these submissions.



Attachment 1 provides a summary of submissions received along with an officer recommendation.

Based on public submissions, the following additional action items have been incorporated into the Final Strategy being brought to Council for adoption:

- “Investigate the potential to support a car boot sales program” under reuse initiatives
- “Investigate the feasibility of repair cafes” under reuse initiatives
- “Investigate the feasibility of a waste volunteers’ program” as part of empowering residents

## BUDGET

Waste management costs will continue to increase due to rising contract costs for the collection and processing or landfilling of waste.

These increasing contractual costs have been included in forward waste budgets and are covered by the current 2019-20 Domestic Waste Management Charge within residents’ rates.

The cost to implement draft Strategy projects and initiatives will be accommodated within forward waste budgets.

## POLICY

The Waste Matters Strategy establishes the framework to guide Council and the community as we seek to deliver increased recycling, resource recovery and diversion of waste from landfill towards the NSW Waste Avoidance and Resource Recovery target of 70%.

## CONCLUSION

The Waste Matters Strategy:

- Adopts a prudent precautionary watching brief on regulatory changes and available technologies to recovering organics from our community's waste to landfill.
- Articulates a broad range of community engagement and education programs, projects and initiatives focused around optimising and enhancing waste services to the community; empowering residents to increase avoidance, reuse and recycling; supporting schools, businesses, community organisations and Council to improve waste management; and Council leadership, advocacy and regional collaboration.
- Sets out proactive action's that Council can progress related to sending residual bulky waste to energy-from-waste processing; mattress recycling; re-establishing annual EPA household chemical cleanout days; establishing E-waste drop-off services for rural residents; and expanding items accepted at the Thornleigh Community Recycling Centre.

The draft Strategy has responded to the community's needs, expectations and aspirations that were identified within the extensive community engagement and consultation process and, also to the current challenges and operating environment facing the waste management sector.

It is recommended that Council adopt the Waste Matters Strategy for progressive implementation during the period 2019-2022.

#### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager – Waste Management, Chris Horsey who can be contacted on 9847 4816.

CHRIS HORSEY  
Manager - Waste Management  
Community and Environment Division

STEPHEN FEDOROW  
Director - Community and Environment  
Community and Environment Division

#### **Attachments:**

1. [Draft Waste Matters Strategy](#)
2. [Summary of Public Submissions](#)

File Reference: F2018/00082  
Document Number: D07832762

## 7 HORNSBY LOCAL STRATEGIC PLANNING STATEMENT

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### EXECUTIVE SUMMARY

- All NSW councils are required to prepare a Local Strategic Planning Statement (LSPS) to identify land use priorities and how they will manage growth over the next 20 years.
- A draft Hornsby LSPS was prepared based on Council's current policy position for managing growth and change and the community's priorities as outlined in the Community Strategic Plan 2018-2028.
- Council engaged JOC Consulting to prepare and implement a Stakeholder Engagement Plan to connect with a broad cross section of the community throughout the exhibition period.
- The draft Hornsby LSPS was publicly exhibited between 19 August and 16 October 2019. Over 1,900 people were engaged across 14 events, including a Future Living Summit with Dr. Karl Kruszelnicki, Youth Future Forum, Community Cruise Workshop, representative Focus Group and several Community Conversations and Pop-ups held throughout the Shire.
- Feedback on the engagement approach, draft Hornsby LSPS and key priorities was generally positive, and Council was encouraged to be stronger on several actions in the Statement.
- An Engagement Outcomes Report (attached) was prepared by JOC Consulting summarising the outcomes of the engagement activities and highlighting implications for the draft LSPS.
- A final Hornsby LSPS (attached) has been prepared including amendments in response to submissions from the community and State Government agencies. It is recommended that the final Hornsby LSPS be forwarded to the Greater Sydney Commission LSPS Assurance Panel seeking a Letter of Support, which is required before the LSPS can be made by 31 March 2020.

### RECOMMENDATION

#### THAT:

1. The Hornsby Local Strategic Planning Statement attached to Director's Report No. PL1/20 be endorsed and Final Assurance sought from the Greater Sydney Commission.
2. The General Manager be delegated authority to make any minor changes to the Hornsby Local Strategic Planning Statement in response to feedback received from the Assurance Panel and approve the LSPS for publication on the NSW Planning Portal.
3. Council endorse the publication of the Engagement Outcomes Report attached to Director's Report No. PL1/20 on Council's website.

## PURPOSE

The purpose of this Report is to present the outcomes of the public exhibition of the draft Hornsby Local Strategic Planning Statement (LSPS) and to identify changes made to the LSPS in response to feedback received.

## BACKGROUND

At its meeting on 14 August 2019, Council considered Director's Report No. PL18/19 presenting a draft LSPS for public exhibition and resolved that:

1. *The draft Hornsby Local Strategic Planning Statement attached to Director's Report No. PL18/19 be placed on public exhibition for period of at least 28 days in accordance with Section 3.9 of the Environmental Planning and Assessment Act 1979.*
2. *Following exhibition, a report on submissions be presented to Council for its consideration.*

In accordance with the above, the draft LSPS was publicly exhibited between 19 August 2019 and 16 October 2019.

## DISCUSSION

The following sections summarise the approach to consultation, feedback received during the public exhibition period and the key amendments made to the LSPS in response.

### Community engagement and feedback

JOC Consulting was commissioned by Council in March 2019 to deliver a bold engagement approach that would engage residents of the Shire through a series of innovative and inclusive events.

Extensive internal collaboration informed the engagement approach, including two workshops with Councillors, a series of stakeholder meetings with Council staff and a roundtable workshop with consultants involved in technical studies informing the draft LSPS.

Council's project website, 'Future Hornsby' (<https://future.hornsby.nsw.gov.au/>), was the main channel for all information related to the LSPS program and to the engagement plan. An extensive cross-channel marketing and communications campaign ran throughout the program and included traditional and digital media advertising, direct marketing (mail, email and phone), flyers, postcards, social media and word of mouth.

In total, 14 engagement events were held between 29 August and 10 October 2019. An online survey was also available for the community to provide comment if they were unable to attend an event. Including written submissions received during consultation, approximately 1905 people were engaged throughout this program.

Engagement Activities	Participants
Future Living Summit featuring Dr. Karl Kruszelnicki and a panel of renowned urban planning experts	222
Youth Future Forum	40
Community Cruise Workshop	37
Four Pop-ups and six Community Conversations in local neighbourhoods across the Shire	985 (approximate)
Focus group workshop	7 randomly selected community members
Online survey	515 respondents
Submissions	99 written submissions



General feedback on the engagement, the draft LSPS and the 8 Key Priorities was overwhelmingly positive throughout the engagement. The community appreciated Council's ambition to holistically plan for the future and to engage the community in that process.

The following overarching themes to come out of the consultation – aligned to the four themes in the LSPS – were as follows:

1. Divisive views on housing (Liveable LSPS theme).
2. Passionate calls for Council taking a stronger leadership role on environmental sustainability and climate change (Sustainable LSPS theme).
3. Strong desire for better freedom of movement and walkable neighbourhoods (Productive LSPS theme).
4. Call for increased collaboration with local businesses, the community, especially with young people, and advocacy with the NSW Government (Collaboration LSPS theme).

The engagement program also delivered a 'Statement from the Next Generation', developed by the 40 participants at the Youth Future Forum (the Statement is outlined below under amendments to the LSPS).

On 29 October 2019, Council officers attended a Preliminary Feedback Meeting with the Greater Sydney Commission (GSC) and State agencies to obtain feedback on the exhibited version of the LSPS. Council was subsequently issued with meeting notes that identified matters for further consideration. Updates to the LSPS were made in response.

On 11 December 2019, Council officers attended the Technical Health Check Meeting with the GSC and State agencies to obtain feedback on the updated version of the LSPS. Feedback was generally positive and focused on wording changes and requests to include additional information on specific matters. Further updates to the LSPS were made in response.

### **Key Amendments to LSPS**

The final Hornsby LSPS (attached) has been amended in response to community, State Government agency and internal (Council) feedback. The amendments focus on strengthening parts of the LSPS that are of significance to the community and revising wording or including additional information on maps in response to State agency and Greater Sydney Commission feedback.

Importantly, there are general and site-specific issues that have been raised at various engagement events or highlighted in written submissions that have not been incorporated in this round of amendments to the LSPS. The requirement to make the LSPS by 31 March 2020 places constraints on the extent of the changes that should reasonably be made to the LSPS without requiring re-exhibition.

The ongoing strategic work under the Accelerated LEP Review program provides an opportunity to forward relevant submissions to project managers for more detailed consideration by consultants in the preparation and exhibition of specific studies, such as the Hornsby Town Centre Review, the Rural Lands Study and the Economic Development and Tourism Strategy.

The LSPS notes that an early review will be conducted in 2020/21, coinciding with the preparation of the new Community Strategic Plan. Matters raised in submissions that could not be incorporated in this round of amendments will be further considered under this process.

The amended LSPS (attached) has highlighted changes based on the following legend:

1. Community – **Green Text**
2. Greater Sydney Commission and State Government Agencies –
  - a) First round of feedback – **Blue text**
  - b) Second round of feedback - **Blue underline**
3. General and internal – **Red text**

The key amendments made to the draft Hornsby LSPS and the feedback source are identified below:

Page	Amendment	Feedback source
20	Inclusion of new 'Statement from the Next Generation' developed at the Youth Future Forum, which states:  <i>We believe in:  A culturally diverse and inclusive Shire; a global approach to sustainability and a local sense of community. Where the values of the people are reflected in the actions of our leaders.</i>	Community (Youth)
21	Strengthening Key Priority 1 to refer to the quality and quantity of our tree canopy, as follows:  <i>Expanding the <u>quality and quantity</u> of our tree canopy cover to enhance the environmental qualities and character of the bushland shire.</i>	Community
21	Including an additional Key Priority No. 9, as follows:  <i>Promoting the '30-minute City' by improving the walkability, connectivity and accessibility of our centres and neighbourhoods.</i>	Community
30	Strengthening the housing principles and locational criteria for the provision of longer-term housing.	Greater Sydney Commission
33	Additional design excellence text to ensure it achieves ecologically sustainable development (including bushfire protection) and universal/adaptable design to meeting the housing needs of our ageing population and for people with disability in the Shire.	Community
36	Amended Liveable Action LA3 to clarify Council's position on medium density housing:  <i>Council continue to advocate for changes to State policy for medium density housing to enable Council to progress its own strategy that reflects local character.</i>	Community / Greater Sydney Commission
36	New Liveable Action LA4:  <i>If Council is provided the option to prepare local controls for medium density housing that are reflective of the landscape setting of the Shire, investigations could commence into appropriate expansion of the R3 Medium Density zone.</i>	Community / Greater Sydney Commission

Page	Amendment	Feedback source
36	New Liveable Action LA7: <i>Investigating value sharing models and options that can deliver social infrastructure and other community benefits.</i>	Community / Greater Sydney Commission / Council
37	Amend Liveable Action LA17 to include the 'preparation of an affordable rental housing scheme under SEPP70' as an action.	Community / Greater Sydney Commission
39, 43 & 44	Highlight Council's commitment to Net Zero Emissions by 2050 made at its General Meeting on 18 September 2019.	Community
51	'25,000 Trees' - new text highlighting the need to balance the protection and enhancement of the urban tree canopy and ecology with the protection of human life and property.	Community
55	'Our Biodiversity' – new text identifying the objectives of the current Biodiversity Conservation Management Plan and to highlight the establishment of the "Green Infrastructure Network" as proposed under the draft Biodiversity Conservation Management Plan.	Council
58-60	'Our Open Spaces' – new text providing context for open space provision throughout the Shire. New open space maps identifying priority areas for investigations and shared use of school grounds to improve accessibility to open space.	Greater Sydney Commission
61	'Our Waterways' – new text referring to the social and cultural values of waterways and investigating ways to improve access to waterways as part of the Green Grid Network.	Greater Sydney Commission
67	New Section entitled 'Our Scenic and Cultural Landscapes' – new section identifying the scenic and cultural landscapes to and from the Hawkesbury and for the opportunity to identify new landscapes to be protected through the Rural Lands Study.	Greater Sydney Commission
70	New Sustainable Actions (and renumbering of existing actions): <ul style="list-style-type: none"> <li>SA12. Continue to partner with the Greater Sydney Commission to advocate for changes to State planning policy to deliver an appropriate outcome for seniors housing that will protect rural lands.</li> <li>SA19. <i>Assess current and future risk from coastal hazards as part of Hawkesbury River Coastal Management Program.</i></li> <li>SA20. <i>Contribute to the periodic review of the Hornsby Ku-ring-gai Bush Fire Risk Management Plan.</i></li> <li>SA21. <i>Finalise Hornsby Bushfire Management Strategy.</i></li> <li>SA23. <i>Finalise Hornsby Flood Plain Risk Management Plan.</i></li> </ul>	Council
75-76	'Our Strategic Centre' – new text identifying the jobs targets for	Council

Page	Amendment	Feedback source
	Hornsby, addition of the study area map and Vision and Place Principles for the Hornsby Town Centre Review.	
83, 92	<p>Amended wording and associated Action (CA2) for the Cherrybrook Station Precinct to reflect latest updates, as follows:</p> <ul style="list-style-type: none"> <li> <p>Sydney Metro Northwest opened in May 2019. Cherrybrook Station is now used by local residents for commutes to the Harbour CBD, Macquarie Park and Norwest Business Park. <u>In November 2019, the State Government reclassified the State Government-owned land around Cherrybrook Station as a 'State-led Rezoning', with the State Government prioritising planning in this area.</u></p> <p><u>Council will collaborate with the State Government and Landcom concerning planning for government-owned land adjoining the Sydney Metro Northwest corridor and not support proponent-led planning proposals for any other lands within the Cherrybrook Station Precinct until planning for the government owned lands is completed with an integrated community facilities, open space, transport and infrastructure strategy incorporating the wider precinct.</u></p> </li> <li> <p><u>CA2: Collaborate with the State Government and Landcom concerning planning for government-owned land adjoining the Sydney Metro Northwest corridor and not support proponent-led planning proposals for any other lands within the Cherrybrook Station Precinct until planning for the government owned lands is completed with an integrated community facilities, open space, transport and infrastructure strategy incorporating the wider precinct.</u></p> </li> </ul>	Greater Sydney Commission
89	Additional points of collaboration for the Outer Sydney Orbital project and Fast Rail Network.	Greater Sydney Commission

### Next steps

Subject to Council endorsement, it is anticipated that the final Hornsby LSPS will be forwarded to the Greater Sydney Commission's LSPS Assurance Panel on 13 February 2020.

On 18 February 2020, the GSC's LSPS Assurance Panel is scheduled to convene to determine if the final Hornsby LSPS is consistent with relevant planning priorities and actions of the District Plan.

Following the meeting of the LSPS Assurance Panel, a 'letter of support' is anticipated to be issued to Council. Once Council has received the letter of support, the LSPS can be 'made'. Council will need to provide the final LSPS to the Department of Planning, Industry and Environment for publishing on the NSW Planning Portal by 31 March 2020.

It is recommended that the General Manager be delegated authority to make minor amendments to the LSPS in response to feedback received from the LSPS Assurance Panel and approve the LSPS for publication on the NSW Planning Portal. Councillors will be briefed of any requests for changes.

Should there be any significant changes, an extraordinary meeting may need to be scheduled. However, the Hornsby LSPS has generally received positive feedback from State agencies and the Greater Sydney Commission throughout the Assurance process. Therefore, significant changes to the LSPS are not envisaged from the Assurance Panel.

## **CONSULTATION**

### **Internal**

On 20 November 2019, a Councillor workshop was held to outline the engagement outcomes and key implications for the LSPS. Updates to the LSPS were subsequently prepared in consultation with relevant staff and presented to a second Councillor workshop on 5 February 2020.

### **External**

Council undertook one of the most ambitious engagement approaches for the draft LSPS. The range and type of engagement far exceeded the legislated requirement to exhibit an LSPS. As noted previously, over 1,900 people were engaged and the feedback received has informed changes to the draft Hornsby LSPS, specific LEP Review studies and provided a basis for ongoing consultation as the LSPS changes. Details regarding the engagement conducted under the Stakeholder Engagement Plan is outlined under Discussion - 'Community engagement and feedback'.

## **BUDGET**

There are no budgetary implications associated with this Report. The costs associated with the finalisation of the draft Hornsby LSPS are covered under the Accelerated LEP Review funding.

## **POLICY**

Sections 3.8 (4) and 3.9 of the EP&A Act require the preparation of a LSPS to give effect to the North District Plan and Greater Sydney Region Plan – A Metropolis of Three Cities. Section 11A(1)(a) of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* requires that Council's final LSPS be made by 31 March 2020.

The LSPS will form part of Council's IP&R Framework and require ongoing monitoring and reporting in accordance with identified timeframes within the document. It is envisaged that the LSPS will be updated concurrently with future Community Strategic Plans to ensure that it is reflective of the aspirations and priorities of the community.

## **CONCLUSION**

The attached Hornsby LSPS has been prepared to reflect Council's current policy position and the community's priorities as outlined in the Hornsby Community Strategic Plan and is consistent with the State strategic planning framework.

The broad and varied consultation resulted in the engagement of over 1,900 people and provided Council with valuable insights into the community's land use priorities for the next 20 years. The LSPS has been strengthened to highlight matters of significance to the community and amended to make it consistent with relevant State strategic plans to achieve Assurance from the Greater Sydney Commission.

**RESPONSIBLE OFFICER**

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

KATHERINE VICKERY  
Manager - Strategic Landuse Planning  
Planning and Compliance Division

JAMES FARRINGTON  
Director - Planning and Compliance  
Planning and Compliance Division

**Attachments:**

- 1. [Community Engagement Outcomes Report](#) Included under separate cover
- 2. [Hornsby Local Strategic Planning Statement](#) Included under separate cover

File Reference: F2018/00162-002  
Document Number: D07814583

## **8 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS**

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### **EXECUTIVE SUMMARY**

- In accordance with Department of Planning, Industry 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. PL3/20 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 October 2019 to 31 December 2019.

**DISCUSSION**

Department of Planning, Industry 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 October 2019 to 31 December 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 October 2019 to 31 December 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 October 2019 to 31 December 2019

File Reference: F2004/07599-02  
Document Number: D07844481

## **9 BEROWRA RECREATION NEEDS ANALYSIS: POOL FEASIBILITY**

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### **EXECUTIVE SUMMARY**

- This Report outlines matters raised in the Berowra Pool Feasibility Report (2017) prepared by Capital Insight in so far as they relate to the capital, maintenance and renewal costs of the Berowra District and Community Association's (BDCA) proposals to build a pool facility near the Berowra Community Centre (Attachments 2 and 3).
- The Capital Insight Study identified several omissions in the BDCA Study. These include the veracity of the cost estimates; the impact of site risks on construction costs; the adequacy of car parking to accommodate the BDCA proposals and the cost of car parking solutions; bushfire considerations; impact on Council's ability to expand the library facility in the undercroft of the community centre.
- An estimated budget of \$145,000 is required to undertake the investigations identified by Capital Insight and requested by Council at its 11 December 2019 General Meeting. The actual cost of the investigations would be determined through a formal quotation process. The cost would need to be funded through project substitution or a reduction in the forecast surplus of the 2019/20 Annual Budget.
- The BDCA Study identifies potentially worthwhile alternatives that could have a material impact on capital costs. These include an above-ground pool design and adoption of an industrial style finish for the pool facility using precast tilt-up methods of construction; brick/block construction in the undercroft area and lower specification amenities.
- It is proposed to rely on the BDCA materials palette and lower specification of amenities for the preparation of cost estimates. However, it is unclear whether the resultant facilities would meet broader community expectations for quality and functionality, and hence may impact the demand for the facility.

### **RECOMMENDATION**

THAT Council:

1. Receive and note Deputy General Managers Report IR1/20.
2. Determine whether it wishes to proceed with the investigations outlined in Deputy General Managers Report IR1/20; or to reaffirm the prioritisation of projects contained in the adopted Long-Term Financial Plan.

## PURPOSE

The purpose of this Report is to provide details of the funding required (and any funding sources available) to investigate the matters raised by Capital Insight in relation to the BDCA proposal to build a pool facility at Berowra.

## BACKGROUND

A report outlining the findings of a Recreation Needs Analysis for Berowra (Report IR3/19 – refer to Attachment 1) was presented to the General Meeting of Council on 11 December 2019. Report IR 3/19 advised that results of a recreation needs study for Berowra had identified residents would like improved leisure pool/recreation swimming (33%), improved parks/playgrounds (19%) and lap swimming opportunities (17%). It also outlined the financial impacts of locating a pool facility at Berowra and raised concerns that the projected cost of the BDCA's Proposals may be far greater than forecasted.

In its consideration of the results of the Berowra Recreation Needs Analysis Council resolved that:

1. "Consideration of Deputy General Manager's Report No. 3/19 be deferred until the 12 February 2020 General Meeting of Council.
2. Such deferral is to allow the General Manager to prepare a supplementary report providing details of the funding required (and any potential funding sources available) to undertake the following matters raised by Capital Insight in their Berowra Pool Feasibility Report.
  - a) Agreement on preferences for redevelopment of the site, giving due consideration to commitments provided in Council's Community and Cultural facilities Plan.
  - b) Identification of a parking strategy that could effectively respond to both a reduction in parking capacity, and increased parking demand on the site and other matters identified within the report from Capital Insight.
  - c) Further site investigations as a basis for an updated and comprehensive capital cost estimate."

Council's expectation is that the results of the above investigations would be presented to the General Meeting of Council in July 2020.

## DISCUSSION

It is worthwhile recapping on the proposals developed by the BDCA and those matters raised by Capital Insight as they relate to the BDCA proposals.

### BDCA proposals

The BDCA proposed the construction of an indoor facility with a 25x18 metre lap pool or a smaller 12x15 metre lap pool combined with an 8x12 metre program pool. The BDCA also proposed that the new pool include support facilities typical of a small indoor aquatic centre, namely a recreation area, kiosk, gymnasium and associated amenities.

The BDCA Study identified opportunities for minimising the capital cost of a new Berowra Pool(s) by:

- Constructing a pool(s) on the Berowra Community Centre site, taking advantage of Council's land ownership and opportunities to leverage existing facilities (including use of the Community Centre undercroft – Refer to Attachment 2).
- Locating a recreation area, gymnasium and associated amenities in the Community Centre undercroft area and locating a new pool(s) adjacent to the undercroft area (refer to sketch at

Attachment 3) to comply with setback requirements for a bushfire asset protection zone and eliminating impacts on the war memorial at the northern end of the community centre.

- Using an above-ground pool design incorporating a plastic liner.
- Adopting an industrial style finish using precast tilt-up methods of construction; brick/block construction in the undercroft area and lower specification amenities.

By adopting the above initiatives, the BDCA Study proposed that a new aquatic centre could be delivered with a capital cost in the range of \$4.8 million to \$5.8 million (2016 dollars).

The BDCA's alternative construction methods could have a material impact on capital costs. However, it is unclear whether the resultant facilities would meet broader community expectations for quality and functionality, and hence may impact the demand for the facility.

### **Omissions raised by Capital Insight**

The Berowra Pool Feasibility Report (2017) prepared by Capital Insight was commissioned to provide:

- An independent assessment of demand for a new Berowra pool,
- Associated estimates of annual operating costs,
- Impact on the Hornsby Aquatic and Leisure Centre, and
- A review of estimated capital costs for implementation.

The first three items were included in IR3/19 and reported to Council on 11 December 2019 (refer to Attachment 1).

The last item – review of estimated capital costs for implementation – is the subject of this Report.

Capital Insight raised several issues with the cost estimates prepared by the BDCA for the construction of a pool facility at Berowra. These matters are outlined in this Report and an estimated budget identified to address the omissions.

The omissions have been grouped under the following headings:

- Estimates
- Site risks
- Car parking
- Bushfire considerations
- Impact on plans to expand the library

### ***Estimates***

The estimates appear to include an elemental breakdown, allowances for preliminaries, project management and contingency. However, there are many items that have not been adequately accounted for that will have a significant impact on the total cost. Identified omissions include:

- Functional area allowances
- Consultant costs for site investigations, feasibility, design and approvals processes
- Building interface costs and engineering services costs
- Furniture, fittings and equipment (including gymnasium, kitchen, amenities fitout, etc.)

- Cost of external areas, including landscaping and new and replacement car parking capacity
- Escalation cost provision

Concept plans will be required to enable a reasonable cost estimate to be prepared.

### ***Site risks***

Significant uncertainty exists regarding the feasibility and costs associated with interfaces between a new pool and the Berowra Community Centre. Examples include the cost of excavating the Community Centre undercroft area, and costs associated with the various structural and services interfaces.

Capital cost estimates will also be subject to a range of other site-specific risks, including geotechnical conditions, location and capacity of services infrastructure (power, water, stormwater, gas), and the presence of hazardous substances.

### ***Car parking***

There is a concern that the existing at-grade car park adjacent to the Berowra Community Centre may be subject to very high levels of use during certain periods. Car park users include commuters (parking and walking to Berowra train station), users of sports facilities, and users of the Community Centre.

A traffic and parking study has not been conducted to identify the required car parking capacity, or suggested parking controls. Capital Insight suggest that it is possible, based on adopted visitation levels that a new pool at Berowra may require car parking capacity in the order of 50 to 80 additional spaces.

The impact of a permanent loss of some of the existing car parking capacity needs to be understood.

An investigation is required to determine the required aggregate parking capacity for the site, and the capital cost of delivering that capacity.

### ***Bushfire considerations***

The BDCA Study proposes a location for a pool facility that utilises the Community Centre undercroft and adjacent car park with the aim of reducing or eliminating additional design costs in response to the identified bushfire hazard at the northern end of the community centre.

Notwithstanding, the BDCA proposals may result in Council having to bring the Community Centre facility up to current standards, given its location within a high-risk bush fire prone area.

Further, a detailed estimate of the incremental cost of building a pool facility on a site to the north of the community centre would allow a comparison of both location options to confirm which option provided the best value for money. The comparison of both options would include whole of life considerations.

Bushfire protection measures (including setbacks, higher specification structural elements, fire resistant materials, and shutters to protect glazed areas etc.) would add additional cost to the project.

These matters need to be confirmed by further investigation.

### ***Impact on plans to expand the library***

An expansion of the existing library in the undercroft of the Community Centre is currently identified in Council's Community and Cultural Facilities Strategic Plan (2015). Implications of the BDCA

undercroft and adjoining car park option on an expansion of the library facility would appear to conflict and would need to be investigated further.

### Cost breakdown of investigations

A preliminary cost breakdown of the various investigations required to address the matters raised by Capital Insight are summarised in Table 1.

**Table 1: Cost breakdown of investigations**

Item No.	Description	Estimated cost	Comment
1.	Preparation of basic concept designs	\$20,000	Preliminary concept plans based on BDCA Proposals. Scaled plan, based on land survey, to establish floor levels, elevations, sections, dimensions and configuration of BDCA proposed components.
2.	Traffic and car parking study	\$10,000	Determine aggregate parking capacity for the BDCA Proposal and the capital/life cycle costs of delivering that capacity, based on the following locations for the BDCA Proposal:  a) Community Centre undercroft/and area adjacent to the community centre.  b) Northern end of the community centre.
3.	Geotechnical study	\$20,000	Identify geotechnical conditions and associated cost impacts of building the BDCA Proposals in the nominated locations. The presence of hazardous material and the estimated costs to remediate should also be investigated.
4.	Services study	\$40,000	Locate and identify the capacity of services (power, water, stormwater, gas) and any costs to upgrade/relocate to accommodate the BDCA Proposals in the nominated locations.
5.	Preliminary structural assessment	\$5,000	Determine impact on existing footings and building interface costs.
6.	Bushfire protection measures for a General Community Facility/Special Fire Protection Purposes	\$20,000	Identify bush fire protection measures and costs of BDCA Proposals on the existing community centre and incremental costs of building a pool facility on a site to the north of the community centre (including setback requirements, higher specification structural elements, fire resistant materials, and shutters to protect glazed areas etc.).

Item No.	Description	Estimated cost	Comment
7.	Location Options study	\$20,000	Analysis and comparison of costs (including lifecycle costs) for the construction of the BDCA Proposal in the nominated locations. The Study should address implications on library expansion plans in the undercroft area of the community centre, asset protection measures and provision of additional car parking. Alternative locations should be examined for the BDCA Proposals, the library expansion and car parking provision and the economic and environmental impacts quantified.
8.	Review of Cost estimates for BDCA Proposal	\$10,000	Review BDCA Proposals cost breakdown, identify missing items and prepare a revised cost estimate.
Estimated total cost		\$145,000	

### BUDGET

This report identifies that about \$145,000 would be needed to address the matters raised by Capital Insight. The actual cost would be determined through a quotation process.

The cost would need to be funded through project substitution or a reduction in the forecast surplus of the 2019/20 Annual Budget.

### POLICY

There are no policy implications associated with this Report.

### CONCLUSION

The Berowra Pool Feasibility Report (2017) prepared by Capital Insight was commissioned to provide an independent assessment of demand for a new Berowra pool, with associated estimates of annual operating costs, and a review of estimated capital costs for implementation. Capital Insight raised several issues with the cost estimates prepared by the BDCA for the construction of a pool facility at Berowra. These matters are outlined in this Report and an estimated budget of \$145,000 identified to address the omissions.

Should Council decide to undertake the additional studies identified in this Report, it is proposed that the conceptual layout and the opportunities put forward by the BDCA for minimising the capital cost of a new pool facility would be used as the basis for the investigations. It is unclear whether the resultant facilities would meet broader community expectations for quality and functionality.

### RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Deputy General Manager, Infrastructure and Major Projects – Bob Stephens - who can be contacted on 9847-6841.

ROBERT STEPHENS  
Deputy General Manager - Infrastructure and  
Major Projects  
Infrastructure and Major Projects Division

**Attachments:**

1. ➡ Attachment 1 - December 2019 Report IR3/19 - Berowra  
Recreation Needs Analysis
2. ➡ Attachment 2 - Berowra Community and Cultural Facility
3. ➡ Attachment 3 - BDCA Berowra Pool Site Plan

Included under separate  
cover

File Reference: F2004/08495-02  
Document Number: D07841245



## 12 MAYOR'S NOTES FROM 01 DECEMBER 2019 TO 31 JANUARY 2020

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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.*

Sunday 1<sup>st</sup> December 2019 – On behalf of the Mayor, Deputy Mayor Councillor Hutchence attended the 1st Cherrybrook Scout Group 30 Year Anniversary End of Year Celebration held at the 1st Cherrybrook Scout Hall in Cherrybrook.

Tuesday 3<sup>rd</sup> December 2019 – The Mayor attended the Galston High School Annual Presentation Evening held at Galston High School in Galston.

Wednesday 4<sup>th</sup> December 2019 – The Mayor hosted two Citizenship Ceremonies held within the Council Chambers at Hornsby Shire Council.

Thursday 5<sup>th</sup> December 2019 – The Mayor attend the 30 Years of Operation of Bioproperties Pty Ltd held onsite at Bioproperties Pty Ltd in Glenorie.

Thursday 5<sup>th</sup> December 2019 – The Mayor attended the Annual General Meeting of the Convict Trail Project held at the Hornsby Historical Society Museum in Normanhurst.

Thursday 5<sup>th</sup> December 2019 – The Mayor hosted the Mayor's Christmas Function in the Forecourt of Hornsby Shire Council in Hornsby.

Friday 6<sup>th</sup> December 2019 – On behalf of the Mayor, Councillor Waddell attended the Wideview Public School Annual Presentation Day Assembly held at Wideview Public School in Berowra Heights.

Saturday 7<sup>th</sup> December 2019 – The Mayor attended and presented a cheque to the Hornsby Rural Fire Brigade in Hornsby Heights.

Saturday 7<sup>th</sup> December 2019 – The Mayor attended the Fusion Supporters Christmas Party held at the Fusion Centre in Hornsby.

Sunday 8<sup>th</sup> December 2019 – The Mayor attended the Carols at Asquith Oval in Asquith.

Monday 9<sup>th</sup> December 2019 – The Mayor attended and opened the Elvis meets Tom Jones Tribute Community Concert held at Berowra RSL in Berowra.

Tuesday 10<sup>th</sup> December 2019 – The Mayor attended The Hills Grammar School 37<sup>th</sup> Annual Presentation of Awards held at The Darling Theatre, International Convention Centre in Sydney.

Tuesday 10<sup>th</sup> December 2019 – The Mayor attended Pennant Hills High School Presentation Evening held at Pennant Hills High School in Pennant Hills.

Wednesday 11<sup>th</sup> December 2019 – The Mayor attended the Cheltenham Girls' High School Presentation Day held at The Sydney Opera House in Sydney.

Thursday 12<sup>th</sup> December 2019 – On behalf of the Mayor, Councillor del Gallego attended the Normanhurst Public School End of Year Presentation held at Normanhurst Public School in Normanhurst.

Thursday 12<sup>th</sup> December 2019 – On behalf of the Mayor, Councillor Browne attended the Clarke Road School Annual Presentation Day held at Clarke Road School in Hornsby.

Friday 13<sup>th</sup> December 2019 – The Mayor attended the Asquith Girls High School Annual Presentation Day Ceremony held at Hornsby RSL in Hornsby.

Monday 16<sup>th</sup> December 2019 – The Mayor attended the Hornsby Girls High School Annual Presentation Day held at Sydney Town Hall in Sydney.

Monday 16<sup>th</sup> December 2019 – The Mayor attended the Asquith Boys High School Annual Presentation Day held at Asquith Boys High School in Asquith.

Tuesday 17<sup>th</sup> December 2019 – The Mayor attended the Normanhurst Boys High School Annual Presentation held at Hornsby RSL in Hornsby.

Wednesday 18<sup>th</sup> December 2019 – The Mayor attended the End of Year 'Share a Plate' with members of the Women's Shed Hornsby Ku-ring-gai held at the PCYC in Waitara.

Thursday 19<sup>th</sup> December 2019 – The Mayor attended the St Marks Anglican Church of Berowra Carols under the Stars held at Warrina Oval in Berowra Heights.

Saturday 18<sup>th</sup> January 2020 – On behalf of the Mayor, Councillor Tilbury attended the Official Opening of Little Zaks Academy in Mount Colah.

Sunday 26<sup>th</sup> January 2020 - The Mayor hosted a Citizenship Ceremony on Australia Day 2020 held at Storey Park Community Centre in Asquith.

Sunday 26<sup>th</sup> January 2020 – The Mayor attended and officially opened the new Storey Park Community Centre in Asquith.

Monday 27<sup>th</sup> January 2020 – The Mayor attended the Indian Community Bush Fire Appeal for Volunteer Fire Fighters held at Pennant Hills Community Centre in Pennant Hills.

Tuesday 28<sup>th</sup> January 2020 – The Mayor attended Lisgar Gardens to meet with the international judging panel for the Garden of Excellence Awards held at Lisgar Gardens in Hornsby.

Wednesday 29<sup>th</sup> January 2020 – The Mayor attended the Celebration of Australia Day 2020 Dinner for the Rotary Club of Pennant Hills held at Pennant Hills Golf Club in Beecroft.

Friday 31<sup>st</sup> January 2020 – The Mayor attended the Opening Mass Initiation hosted by Mount St Benedict's College held at Mount St Benedict's College in Pennant Hills.

File Reference: F2004/07053

Document Number: D07842124

### 13 PRICE ON CARBON

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#### COUNCILLOR MARR TO MOVE

#### THAT Council:

1. Write to the Minister for Energy and Environment Mr Matt Kean requesting that the NSW Government investigate methods to put a price on carbon.
2. Write to the Energy Minister The. Hon. Angus Taylor MP requesting that the Federal Government investigate methods to put a price on carbon.
3. Request an update at an Informal Workshop on the proposed actions to reduce greenhouse gas emissions to enable the Council to achieve its target of net zero emissions by 2050 for both corporate activities and the community.

#### Note from Councillor

Recent polls and public surveys have shown most of the population believe governments should be reducing greenhouse gasses and taking action on climate change. A recent survey of residents in our shire, as part of the development of the draft Environmental Sustainability Strategy, supports this notion with 79% of residents indicating they are concerned about the effects of climate change.

Some members of the scientific community and economic experts believe there is a need to put a price on carbon. By pricing carbon, it is hoped that emissions will fall.

Hornsby Shire Council has set an emissions reduction target of net zero emissions by 2050 and calls on the state and federal governments to investigate options to put a price on carbon.

#### Attachments:

There are no attachments for this report.

File Reference: F2011/00839

Document Number: D07842288

## 14 HORNSBY WATER SCULPTURE

COUNCILLOR WADDELL TO MOVE

THAT:

1. An informal workshop be provided for Councillors at the earliest opportunity regarding the Hornsby Water Sculpture.
2. The workshop should seek to address the issues that are limiting the operation of the Sculpture and include: information from the artist - Mr Victor Cusack; structural assessments of the Sculpture; mechanical assessments of the Sculpture; the Conservation Management Plan and provide a cost estimate to restore the Sculpture to its full original functionality.

### Note from Councillor

The Hornsby Water Sculpture has been a focal point in Hornsby Mall since its installation in 1993. The Sculpture is unique piece of public art incorporating a kinetic water feature with a horological component - three water clocks are included in its design. I understand that since its commissioning there have been an ongoing series of issues, which have limited the Sculpture's ability to operate in its optimum form with all water clocks operational. I am informed that over the past two terms of Council, Council has commissioned a number of studies into the Sculpture including structural assessments, a mechanical investigation and a conservation management plan.

Notwithstanding, the Sculpture presently is static without any of the clocks functioning. As a result, for the majority of residents the Sculpture is viewed primarily as a piece of public art. As Councillors are aware, Council is progressing its Hornsby Town Centre Review project that aims to develop a strategic framework that can facilitate the revitalisation of the Hornsby Town Centre. The future of the Sculpture is an important consideration in this process.

As such, I feel that it is necessary for Council to gain a detailed understanding of the Sculpture including where possible the issues limiting its optimum operation and a cost estimate to restore it to its full original functionality as a significant art piece, fountain and clock.

### Attachments:

There are no attachments for this report.

File Reference: F2010/00641-02  
Document Number: D07848103

**ITEM 14**