



BUSINESS PAPER

GENERAL MEETING

**Wednesday 11 November 2020
at 6:30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

ABORIGINAL RECOGNITION

Statement by the Chairperson:

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

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 10.4 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 14 October, 2020 be confirmed; a copy having been distributed to all Councillors.

PETITIONS**PRESENTATIONS****RESCISSION MOTIONS****MAYORAL MINUTES****ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS***Note:*

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

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

GENERAL BUSINESS

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

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION**Page Number 1**

**Item 1 CS36/20 INVESTMENTS AND BORROWINGS FOR 2020/21 - STATUS FOR PERIOD
ENDING 30 SEPTEMBER 2020**

RECOMMENDATION

THAT the contents of Director's Report No. CS36/20 be received and noted.

Page Number 4

Item 2 CS40/20 2020/21 BUDGET - SEPTEMBER 2020 QUARTER REVIEW

RECOMMENDATION

THAT the September 2020 Quarter Review of the Operational Plan (Budget) for 2020/21 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION**Page Number 10****Item 3 CE11/20 SINGLE USE PLASTICS POLICY****RECOMMENDATION**

THAT Council adopt the Single Use Plastics Policy and the Waste Management Guidelines for Event Organisers 2020.

Page Number 14**Item 4 CE13/20 DRAFT COMMUNITY AND CULTURAL FACILITIES STRATEGIC PLAN 2020-2030****RECOMMENDATION**

THAT:

1. The draft Community and Cultural Facilities Strategic Plan 2020-2030 attached to Director's Report No. CE13/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

PLANNING AND COMPLIANCE DIVISION**Page Number 21****Item 5 PC22/20 REPORT ON SUBMISSIONS - DRAFT LOCAL HOUSING STRATEGY****RECOMMENDATION**

THAT:

1. Council adopt the Hornsby Housing Strategy 2020 attached to Director's Report No. PC22/20.
2. The Strategy be published on the NSW Planning Portal to meet legislative requirements of the Accelerated LEP Review Program.
3. Council request a briefing by representatives from the Greater Sydney Commission and local housing providers on housing diversity and affordability, including a tour of best-practice examples of affordable housing developments.
4. Submitters be advised of Council's decision.

Page Number 30

Item 6 PC23/20 BYLES CREEK PLANNING STUDY

RECOMMENDATION

THAT:

1. Council endorse progression of the Byles Creek Planning Study in accordance with the Study Brief attached to Director's Report No. PC23/20.
2. Restricted asset funds from the sale of 179 Beecroft Road, Cheltenham be used to fund consultant input and the allocation of an additional temporary Strategic Planner for a period of 12 months.

Page Number 35

**Item 7 PC24/20 HORNSBY DEVELOPMENT CONTROL PLAN AMENDMENTS -
HOUSEKEEPING PLANNING PROPOSAL**

RECOMMENDATION

THAT:

1. The draft amendments to the building height controls of the Hornsby Development Control Plan 2013 attached to Director's Report No. PC24/20 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for consideration.

Page Number 39

Item 8 PC25/20 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS

RECOMMENDATION

THAT the contents of Director's Report No. PC25/20 be received and noted.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS ON NOTICE

MAYOR'S NOTES

NOTICES OF MOTION

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 INVESTMENTS AND BORROWINGS FOR 2020/21 - STATUS FOR PERIOD ENDING 30 SEPTEMBER 2020

EXECUTIVE SUMMARY

- Council invests funds that are not, for the time being, required for any other purpose.
- The investments are made 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.
- This Report provides details of Council's investment performance for the period ending 30 September 2020 as well as the extent of its borrowings at the end of the same period.
- Council's investments have been made in accordance with the requirements of the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for September 2020 of 1.0% which includes a negative yield from an unrealised loss from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS36/20 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 month ending 30 September 2020 is detailed in the attached document. In summary, the portfolio achieved an annualised return for September of 1.0%.

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2011 to date, based on the principal balances outstanding, is 6.13%. The Borrowings Schedule as at 30 September 2020 is also attached for Council's information.

BUDGET

Budgeted investment income for the year is \$5,239,939 with an average budgeted monthly income of \$436,662. Net investment income for the month ended 30 September 2020 was \$284,991 which includes an unrealised loss from TCorp Managed Funds of \$54,060.

Budgeted investment income year to date at September 2020 is \$1,309,986. Total investment income year to date at 30 September 2020 is \$1,288,485 which includes a year to date net gain of \$274,313 from TCorp Managed Funds.

Approximately 29% 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. 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.

It should be noted that Council's portfolio is above the maximum level in the 0 to 90-day term to maturity category set in Council's Investment Strategy, with a current holding of 27% compared to the limit of 20%. The intent of this threshold is to maximise the return on Council's investment portfolio by avoiding over investing in short term investments that ordinarily generate a lower return than longer dated investments. In the current environment, however, the opposite is occurring with short dated cash and notice accounts paying higher rates than longer term investments. Council staff are monitoring the return on these investments closely and can re-invest funds in longer dated investments at short notice if rates improve.

Because of the recent downgrade in rating of AMP Bank from BBB+ to BBB, Council's exposure currently exceeds the policy limit. Council staff have initiated the re-investment of funds from a 31-day notice account held with AMP that will bring exposure back below the policy limit once cleared.

The returns from TCorp Managed Funds are presently experiencing significant market volatility due to the COVID-19 Pandemic. It is noted that this product has a 7-year investment horizon and will, therefore, reflect marked to market valuations monthly. Advice provided by Council's independent investment advisor - Prudential Investment Services - is to hold this investment for the 7-year timeframe originally planned. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

CONCLUSION

The investment of Council funds and the extent of its borrowings as at 30 September 2020 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 Investments Summary Report September 2020
2.  HSC Borrowings Scheduler 30 September 2020

File Reference: F2004/06987-02
Document Number: D08024152

2 2020/21 BUDGET - SEPTEMBER 2020 QUARTER REVIEW

EXECUTIVE SUMMARY

- Accountable organisations like Council review their budget and operational performance at least each quarter. In this regard, the September 2020 Quarter Review of the 2020/21 Operational Plan and Budget is attached.
- The Original Budget adopted by Council includes necessary adjustments to reduce income forecast to be lost because of the COVID-19 pandemic, as well as additional expenditure for enhanced cleaning of Council facilities. The total impact of these adjustments was \$10.671 million, and the Original Budget also included a range of expenditure reductions amounting to \$10.671 million to ensure that Council's forecast surplus was maintained.
- The 2020/21 Original Budget forecast a surplus at 30 June 2021 of \$1.638 million. This September 2020 Review recommends budget changes of \$510K which reduces the forecast 30 June 2021 Budget surplus to \$1.128 million.
- This review also includes budget changes for a number of capital projects identified in Council's S7.11 and S7.12 Development Contribution Plans. Fully funded from development contributions, the changes amount to \$9.643 million and will bring Council's total forecast S7.11 and S7.12 expenditure to \$18.771 million for the year. The projects have been identified for accelerated delivery following a request from the Minister for Planning and Public Spaces for Council to increase expenditure on local infrastructure as a way of providing economic stimulus in response to the COVID-19 pandemic.
- An opportunity has also been taken in this Report to provide Council with an update about outstanding reimbursements that are due to Council for storm expenditure incurred, the latest status of several major projects and details of investigations that are underway in respect of asbestos which was detected in the Council Administration Building.

RECOMMENDATION

THAT the September 2020 Quarter Review of the Operational Plan (Budget) for 2020/21 be received and noted.

PURPOSE

The purpose of this Report is to present for Council's consideration the September 2020 Quarter Review of the 2020/21 Operational Plan.

BACKGROUND

On 10 June 2020, Council adopted its two-year Delivery Program 2020-22 which includes the one-year Operational Plan for 2020/21. The Fees and Charges for 2020/21 were also adopted by Council on 10 June 2020. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance.

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

DISCUSSION

This Review includes the first quarter results for 2020/21, comparing actual expenditure, income and funding sources for the first quarter against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$4.3 million or approximately 9% 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 2021.

The Original Budget adopted by Council includes necessary adjustments to reduce income forecast to be lost because of the COVID-19 pandemic, as well as additional expenditure for enhanced cleaning of Council facilities. Adjustments to income were quantified based on the best data available during the exhibition process, and each quarter was reviewed separately to factor in improvement over the course of the financial year. The total impact of these adjustments was \$10.671 million, and the Original Budget also included a range of expenditure reductions to offset the impact including project deferral and the use of restricted funds where possible. The reductions also amounted to \$10.671 million, which offset the forecast impact of COVID-19 and maintained the current forecast surplus.

The 2020/21 Original Budget forecast a surplus at 30 June 2021 of \$1.638 million. This surplus represents 1% of the full year budget and 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). The surplus also provides capacity to respond to unforeseen cost increases that can occur throughout the year.

This Quarterly Review recommends net budget changes of \$510K, which reduces the forecast 30 June 2021 Budget surplus to \$1.128 million. Such a reduction in the surplus is not considered significant to warrant revision to the Long-Term Financial Plan at this stage.

The significant budget changes summarised below include those identified by staff for cost increases that have occurred since the 2020/21 Annual Budget was adopted, some of which are partially offset by Divisional cost savings:

- \$102K - Insurance Premiums – The Original Budget allowed for a 5% annual increase in cost, and whilst most individual components remain within that range, premiums for several items increased by 10% – 15%.
- \$64K – Increase in contract cleaning for building facilities and extra cleaning due to COVID-19 requirements

- \$170K – Rural Fire Service – Increase costs associated with cleaning, maintenance, fleet and telecommunications
- \$234K – Information Technology - An increase has been provided for a range of cost pressures including annual contractual increases from major software providers, cyber security, the renewal of licences and leases to replace equipment. Savings within Council's Corporate Support Division were used to partially offset the increase.
- \$104K - Street Sweeping – Includes funds to optimise street sweeping services over the remainder of the 20/21 financial year.
- \$130K - Fleet Vehicles – A one-off allocation to replace two of Council's aged four-wheel drive vehicles, as well as the replacement of light fleet vehicle purchases that were deferred in the 2019/20 Annual Budget to provide savings to offset the impact of COVID-19. Savings in Council's fuel budget have been identified to partially offset the vehicle purchase costs.
- \$100K - Foreshores – Additional funds for maintenance following a historic review of annual costs.
- (\$394K) – Corporate savings identified in employee related expenses and net increase in rate rebate revenue

In addition to the changes above, funds have been allocated from Council's Debt Retirement and Capital Projects internal reserve for the purchase of a property that was identified in Confidential Director's Report No. CS26/20 at the 12 August 2020 General Meeting.

It is also noted that Director's Report No. PC23/20, dealing with the Byles Creek Planning Study, is being considered by Council at this General Meeting. The Report recommends that restricted asset funds from the sale of 179 Beecroft Road, Cheltenham be used to fund a consultant for a period of 12 months at an estimated cost of \$50K to \$100K. If the recommendation is adopted by Council, the Budget will need to be updated to include such costs, noting that the closing balance on this restricted asset at 30 September 2020 is \$2.511 million.

This review also includes budget changes for a number of capital projects identified in Council's S7.11 and S7.12 Development Contribution Plans that are attached in a schedule to this Report. Fully funded from development contributions, the changes amount to \$9.643 million and will bring Council's total forecast S7.11 and S7.12 expenditure to \$18.771 million for the year. The projects have been identified for accelerated delivery following a request from the Minister for Planning and Public Spaces for councils to increase expenditure on local infrastructure to provide economic stimulus in response to the COVID-19 pandemic. Council staff have identified projects for accelerated delivery over the next two years with total forecast expenditure of \$35.482 million.

Additionally, funds from Council's Development Contribution Plan have also been allocated to two projects that were previously deferred because of the COVID-19 pandemic – i.e. the replacement of Council's mobile community stage and the installation of a shared pathway at Kenley Park, Normanhurst

Reimbursement for Storm Expenditure

Severe storms in the Hornsby Shire during 2018 resulted in extensive clean-up costs being incurred by Council. The storms were declared a natural disaster by the NSW Government and Council received formal confirmation for reimbursement of \$460K from the Office of Emergency Management in June 2019 (which is to be finally transferred to Council on 4 November 2020). At this stage, no decision has been made by the Government authorities in respect of a further claim for \$400K that

has been submitted by Council related to the same storm events. Staff continue to pursue reimbursement of this expenditure.

Council incurred further costs during another series of severe storms in February 2020. As these storms were also declared a natural disaster by the NSW Government, Council submitted a claim for \$708K to recoup costs incurred during the clean-up after the storms. No advice about the claim has yet been received.

Major Projects Update

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

- **Hornsby Park – From Quarry to Park** – this project involves the redevelopment of the abandoned Hornsby Quarry and adjacent Old Man's Valley on the western side of Hornsby into open space for recreation purposes. A Development Application (DA) for bulk earthworks and site rehabilitation was lodged in early 2019, with a Response to Submissions package prepared in response to DA submissions. The Sydney North Planning Panel, at its May 2020 meeting, decided to defer the DA subject to the development and exhibition of further documentation. This additional documentation has been prepared and exhibited with the DA to be reconsidered by the Planning Panel at its November 2020 meeting. Subject to approval of the DA, bulk earthworks and site rehabilitation will commence in the first quarter of 2021. Master planning for the final park embellishments has been completed to a final draft stage ready for community engagement to be undertaken in early 2021. The total expenditure on the next stage of the project to 30 September 2020 is \$4.042 million. Currently \$50 million of funding is available from the NSW Government's Stronger Communities Fund provided in June 2018. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand.
- **Westleigh Park Development** – A final draft conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. The conceptual master plan will be used for a community engagement process to be undertaken in early 2021. The outcomes of the engagement will inform the final master plan, approvals and detail design process and the future Plan of Management. The total project expenditure to 30 September 2020 on this project (excluding the acquisition costs of \$21 million funded by development contributions) is \$0.788 million. Currently \$40 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand.
- **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 \$9.5 million with funding being sourced from developer contributions and the budget is expected to sufficiently cover increased costs from completing works at night. Detailed design for an early works package of the Peats Ferry Road project has been completed with quotations for construction currently being sourced. The remainder of the package will be tendered in late 2020 and awarded in early 2021. The total expenditure to 30 September 2020 on this project is \$0.875 million out of a budget of \$9.5 million, funded from development contributions.

- **Galston Aquatic Centre** – A development application has been approved 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 25 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 subject to funding. Council has approved a budget of \$5.6 million for the replacement roof over the 25-metre indoor pool, funded from internal reserves, general funds and cost savings identified within Council's Infrastructure and Major Projects Division. Detailed design plans are currently being prepared to obtain a construction certificate and to call for tenders.
- **25,000 Trees by 2020** – Council committed to planting 25,000 new trees by December 2020 to invest in the environment for future generations. As at 30 June 2020, over 25,000 trees had been planted, which represents the largest and fastest tree planting program in Australia. 40,995 other plants have also been planted during community planting days in support of the program. Because of the success of the program, Council has recommitted to a 'Greening our Shire' tree planting program with the aim of planting 30,000 trees by 2021. The expenditure incurred to 30 September 2020 is \$1.524 million out of a budget of \$2.5 million, largely funded from development contributions.
- **Hornsby Library** - The DA for the refurbishment of Hornsby Library was approved in March 2020, and a request for tenders for the refurbishment was issued in October 2020. The refurbishment works are budgeted at \$4.7M, to be funded from development contributions and external grants.

Asbestos Treatment – Council Administration Building

Following on from Council's consideration of Confidential General Manager's Report No. GM31/20 at the 14 October 2020 General Meeting where it was noted that asbestos was located in the roof cavity of the Council Administration Building at 296 Peats Ferry Road Hornsby, relevant investigations are underway and options for treatment are being developed. It is expected that Council will need to allocate funds to deal with this matter when it considers the December 2020 Quarter Review of the Budget in February 2021.

BUDGET

This Report provides the September 2020 Quarter Review of the 2020/21 Operational Plan (Budget), which, if adopted, will achieve a forecast surplus at 30 June 2021 of \$1.128 million. The predicted Budget result at 30 June 2021 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 September 2020 Quarter Review demonstrates that Council remains in a stable position to deliver local services and facilities in a financially responsible manner after adjusting the budget for the impact of the COVID-19 pandemic.




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.  Quarterly Budget Review Statement 30 September 2020
2.  Consolidated Budget Results 30 September 2020
3.  Accelerated Projects funded by Development Contributions

File Reference: F2020/00027

Document Number: D08032371

3 SINGLE USE PLASTICS POLICY

EXECUTIVE SUMMARY

- At the 12 August 2020 General Meeting, Council resolved to endorse the Draft Single Use Plastics Policy 2020 (draft Policy) and the accompanying Waste Management Guidelines for Event Organisers 2020 (draft Guidelines) for public exhibition.
- The draft Policy and Guidelines were subsequently placed on public exhibition from 14 August to 10 September 2020, with appropriate notation to make clear that during COVID-19 public health requirements and safe work practices take precedence.
- Seven submissions were received from the community with the majority congratulating Council on its positive environmental initiative. Several contained broader comments on recycling.
- Based on the submissions, it is recommended that no amendments to the draft Policy or Guidelines are required, and that Council adopt the draft Policy and Guidelines.

RECOMMENDATION

THAT Council adopt the Single Use Plastics Policy and the Waste Management Guidelines for Event Organisers 2020.

PURPOSE

The purpose of this Report is to outline community feedback received during the public exhibition of the draft Single Use Plastics Policy and Waste Management Guidelines for Event Organisers, and to seek Council's approval to adopt the policy and guidelines for implementation.

BACKGROUND

At the 12 August 2020 General Meeting, Council considered Executive Manager's Report No. EH2/20 and resolved that:

Council endorse the Draft Single Use Plastics Policy 2020 and accompanying Waste Management Guidelines for Event Organisers 2020 for the purpose of public exhibition.

Further detailed discussion on the issues surrounding the impacts of single use plastics were incorporated into Report No. EH2/20.

The Final versions of the Single Use Plastic Policy 2020 (**Attachment 1**) and the Waste Management Guidelines for Event Organisers 2020 (**Attachment 2**) accompany this report.

DISCUSSION

Public exhibition of the draft policy and accompanying guidelines

The draft Single Use Plastics Policy 2020 and accompanying Waste Management Guidelines for Event Organisers 2020 were placed on public exhibition from 14 August to 10 September 2020.

Community Submissions Summary

Seven submissions were received during the public exhibition period and were supportive of the draft Policy and Guidelines.

A summary of the submissions is included in the table below, and a copy of the submissions is attached for Councillors reference (**Attachment 3**).

Sub. No.	Date Received	Issues and Comments Raised
1	21/08/2020	<ul style="list-style-type: none"> Supports Council's draft policy and accompanying guidelines and commends council for taking action on this important issue. Council to adequately resource the policy to ensure the policy and guide are meaningful and applied. Consider extending the policy and guide to cover small hall hirers. Promote better waste management practices in general amongst community hirers. Suggest good waste management practices could be highlighted in the hirers' terms and conditions and could be attached to a bond.
2	07/09/2020	<ul style="list-style-type: none"> Requests clear guidelines for recycling plastics, e.g.: should lids be removed; necessity to wash first; aluminium lined cardboard containers.
3	07/09/2020	<ul style="list-style-type: none"> Positive move for Shire. Sets a benchmark for businesses and encourages households to eliminate plastic waste.
4	08/09/2020	<ul style="list-style-type: none"> Congratulations on taking action on single-use plastics.

5	09/09/2020	• Congratulates and supports Council initiative.
6	10/09/2020	• Supports Single Use Plastics initiative. • Suggests kitchen scrap/organic rubbish recycling service. • Other non-related issues.
7	10/09/2020	• Simply pass and "follow the Single Use Plastics Policy 2020".

ITEM 3

Based on the submissions, it is recommended that no amendments to the draft policy or guidelines are required and that Council adopt the draft Policy and Guidelines.

BUDGET

The costs to implement this policy across Council operations and activities will be accommodated within existing budget allocations.

POLICY

The policy will act in conjunction with Council's Sustainable Procurement Determination 2013 to support a more sustainable approach to operations and events.

Externally delivered community events will also be required to comply with the Guidelines for Event Managers, as well as any modified approvals, commercial terms and conditions or hirer arrangements developed in response to the policy.

CONCLUSION

The adoption and implementation of this policy is an important step in providing leadership to the community in the avoidance of unnecessary and polluting single use plastic products. It will operate as a springboard to further demonstrable action and support that will enable the business sector, event managers and Council itself to minimise impacts on the environment that result from the use and inappropriate disposal of single use plastics.

The creation of this policy aligns with specific dedicated actions in the Waste Matters Strategy 2020.

RESPONSIBLE OFFICER



The officer responsible for the preparation of this Report is Chris Horsey, Manager Waste Management, 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.  FINAL - Single Use Plastics Policy 2020

-
2.  FINAL - Waste Management Guidelines for Events 2020
 3.  List of Submissions in Chronological Order

File Reference: F2018/00082

Document Number: D08012973

ITEM 3

4 DRAFT COMMUNITY AND CULTURAL FACILITIES STRATEGIC PLAN 2020-2030

EXECUTIVE SUMMARY

- In October 2018, Council endorsed the development of a number of specialised strategies under the (then) Department of Planning and Environment's Accelerated LEP Review Program. These specialised strategies included updating the Community and Cultural Facilities Strategic Plan under the liveability theme of the LSPS.
- The draft Community and Cultural Facilities Strategic Plan provides direction for the future planning, provision and management of Council's community and cultural facilities over the next 10 years. The Plan is focused on facilities which are owned by Council including libraries, community and cultural centres, scout and guide halls, historical society buildings and other Council-owned facilities providing social and/or cultural services.
- The Plan focuses on the following questions:
 - Where should facilities be located – and what spaces and services should they include?
 - What size should facilities be?
 - What is a sustainable approach to fees and charges?
 - What principles and directions should guide planning for facilities?
 - What strategies should Council prioritise?
- Key principles that have informed the revised plan include considering community facilities as a coordinated network; centrally located within districts and regions; serving identified social and cultural needs; making the best use of existing facilities; ensuring they are financially sustainable; multipurpose and flexible, friendly and welcoming and near public spaces.
- It is recommended that the draft Community and Cultural Facilities Strategic Plan be adopted for the purposes of public exhibition.

RECOMMENDATION

THAT:

1. The draft Community and Cultural Facilities Strategic Plan 2020-2030 attached to Director's Report No. CE13/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

PURPOSE

The purpose of this Report is to seek Council's endorsement to publicly exhibit the draft Community and Cultural Facilities Strategic Plan.

BACKGROUND

In August 2015 Council adopted the Community and Cultural Facilities Strategic Plan 2015-2025 which recommended a review within three to five years or earlier if there was a significant change in the information.

Since its adoption, several of the key recommendations have been progressed including the installation of keyless entry to community centres and entering new leases with kindergartens and pre-schools.

In addition to the preceding Plan reaching its fifth year, there have been external changes which have made it necessary for a review, including:

- The transfer of the former Hornsby Shire Council area south of the M2 Motorway (Epping, Eastwood and Carlingford) that was transferred to the City of Parramatta Council in 2016.
- Opening of the Cherrybrook Metro Station and planning for the Cherrybrook Station Precinct.
- Progress with the Hornsby Town Centre review whose objective it is to revitalise our major centre, strengthen the economic, employment and housing opportunities and enhance its public domain, accessibility and environmental sustainability.
- Future population growth across the Shire.

DISCUSSION

Council manages an extensive portfolio of community and cultural facilities including four libraries, 24 community and cultural centres, 10 leased kindergartens/preschools, other leased facilities, historical society halls, to provide a range of social services for our community. In addition, there are 12 Scout and Guide Halls located within Council parks and open spaces.

Elton Consulting were commissioned to assist Council in revising the previous Community and Cultural Facilities Strategic Plan. The plan provides Council with a strategic direction for the future planning, provision, management and administration of Council's community and cultural facilities property portfolio over the next 10 years.

The draft Plan focuses on the following questions:

- Where should facilities be located – and what spaces and services should they include?
- What size should facilities be?
- What is a sustainable approach to fees and charges?
- What principles and directions should guide planning for facilities?
- What strategies should Council prioritise?

The draft Plan recommends 8 overarching strategic directions for community and cultural facilities that have been summarised below:

1. Locate sub-regional facilities in Hornsby Town Centre, as part of the Hornsby Town Centre revitalisation.

2. Focus on multipurpose district hubs at Pennant Hills, Cherrybrook, Berowra and Galston.
3. Do not create or provide land for new single purpose, stand-alone facilities.
4. In the first instance, specific use spaces, which are identified as adding value to the community based on new or emerging demand, should be co-located in existing district hubs. If district hub co-location is not possible, consider locating specific use spaces in other existing and compatible facilities.
5. Work with Scouts NSW and Girl Guides NSW to renew all leases for scout and guide halls except Waitara Guide Hall (to enable it to be considered as part of a masterplan for the Wallarobba cluster of facilities), halls not maintained to a safe standard and halls without demonstrated activity and regular and systematic use.
6. Where spaces in existing sporting facilities are suitable or where new sporting facilities are being planned, facilitate suitable community access and use to enable broader community hire and standardised fees.
7. Investigate alternative booking system technologies to enhance usability for customers and staff, including online functionality.
8. Continue to apply consistency and sustainability of fees and charges

The draft Plan divides the Shire into four districts – Central, North Eastern, North Western and Southern (divided into a south eastern and south western sub-district) and provides specific recommendations for each of the facilities located in each district.

Key strategies for the Districts are as follows:

Central District

- Develop a co-located **regional 3,000sqm Central Hornsby Library and 4,000sqm multipurpose community centre** in a highly prominent and accessible location in the Hornsby Town Centre east side. The community centre space should incorporate a flexible performance space.
- Prepare a new master plan for a **district level 1,500-2,000sqm Wallarobba Arts and Cultural Centre** considering the entire Wallarobba cluster of facilities, maximising the use of the site and inclusive of some onsite parking. The Waitara Girl Guide Hall should be considered as part of the Wallarobba site masterplan. The facility should provide artistic working and creative spaces, with larger exhibition spaces provided in the regional Hornsby multipurpose community centre.

North Eastern District

- Explore opportunities to reconfigure the **Berowra Community Centre and Library** to increase the amount of library space up to 350sqm by extending into the undercroft area.
- Make the best use of existing facilities in Brooklyn noting that a space of approximately 100-200sqm is likely to be suitable for multiple community uses in Brooklyn and should be the focus for consolidated uses. **In the existing facilities, the most suitable would be the Brooklyn Meeting Room** at 138sqm.

North Western District

- Create a multi-purpose **Galston District Hub** of combined library (250sqm) and existing community floorspace through re-locating and expanding the library with the existing Galston Community Centre.

Southern District

South Eastern sub-district

- **Pennant Hills Community Centre and Library** should include a 1000sqm library space (an increase of approximately 440sqm) and multipurpose community space of 1500sqm (approximate current size). A site masterplan should be developed including all available nearby land such that the users and services of the Pennant Hills Leisure and Learning Centre can be consolidated into an expanded and enhanced Pennant Hills Library and Community Centre. Funds from the disposal of the Pennant Hills Leisure and Learning Centre could be utilised towards expanding the Pennant Hills Library and Community Centre.

South Western sub-district

- Deliver a **district level hub, with a 1,000sqm library and 300sqm multipurpose community space, in a new Cherrybrook Station Precinct Hub.**

Spaces in the hub should address current gaps in facilities in the Southern district, including:

- Study rooms.
- A flexible larger space for community gatherings, which can be converted into smaller spaces.
- Indoor-outdoor connections.
 - No additional facilities should be committed to in the South Western sub-district until planning for the Cherrybrook SP is progressed/resolved.

The draft Plan also seeks to provide guidance on how to best respond to demand for performance space and community arts spaces within the Shire.

Performance Space

Elton found that an additional, large scale, single purpose performance space in the Shire by Council would be unsustainable. Instead, a centralised community, cultural and civic facility, with multipurpose space that enabled performances that would be able to be used for large civic functions and events would be a more appropriate response.

Community Arts Space

Elton note that community arts facilities are smaller, more locally focused spaces for community arts rather than professional performance with the emphasis more on studio, workshop and exhibition space and community programs.

Over a 5-10-year period Elton recommended that Council's Community Arts focus be on:

- Preparing a new masterplan for the Wallarobba cluster of facilities, investigating the expansion of Wallarobba Art and Cultural Centre to 1,500-2,000sqm.
- Moving multipurpose community uses out of the Wallarobba cluster of facilities and into a centrally located, regional multipurpose facility in the Hornsby Town Centre. This would enable the Wallarobba site to be master planned and community arts spaces and uses to be expanded.

- Clearly delineating the creative role of Wallarobba Arts and Cultural Centre from the Hornsby Town Centre creative spaces, as a practical art making space compared to premier exhibition and performance space.
- Where possible enabling village and district level multipurpose facilities to be used for diverse community creative and cultural community purposes.

In summary, the recommendations contained within the draft Plan seek to continue to move Council's community facilities portfolio towards a more sustainable service provision model where the facilities meet the needs of the current and future population, and where Council can afford to appropriately maintain the facilities over time.

CONSULTATION

To engage with the community, it is proposed that the draft Community and Cultural Facilities Strategic Plan would be publicly exhibited for a period of 42 days. Notification of the public exhibition would be through the following channels:

- Direct notification with:
 - Volunteer Management Committees.
 - Community Centre User Groups.
 - Tenants in leased facilities.
 - Scouts and Guides.
- Advertisement on Council's website – Have Your Say.
- Advertisement on Future Hornsby website.
- Council's eNewsletter – November edition.
- Emails to Future Hornsby database (users who registered for updates on the Sustainability or "all topics" under the Accelerated LEP Review).
- Social Media (Facebook, LinkedIn and Localised).
- Advertising and Mayor's message - Bush Telegraph, Galston & Glenorie News, Dural Roundup, Hornsby Kuring-gai Post and Living Heritage.

Following receipt of submissions, a further Council report would be prepared which addresses the comments received together with recommendations for any changes to be incorporated as part of a final adopted Community and Cultural Facilities Strategic Plan.

BUDGET

The draft Plan is a high level, strategic document that outlines Council's approach to the provision of community and cultural facilities.

Council's s7.11 development contributions plan identifies \$83.5M in capital expenditure across Council's community and cultural facility portfolio over the coming decade aligned to the 2015 Community and Cultural Facilities Strategic Plan. Should Council adopt a final 2020 Community and Cultural Facilities Strategic Plan, the s7.11 Plan would need to be updated such that the work schedule is consistent with the Strategic Plan.

It is also noted that as the Hornsby Town Centre Review and planning for the Cherrybrook Station Precinct is progressed, further updates to the s7.11 Plan would be required which would provide additional funds to deliver recommended facilities in the Hornsby Town Centre and Cherrybrook.

The costs included in the s7.11 Plan are necessarily high-level costings and further scoping and detailed design will be required to more accurately confirm the cost of each facility.

Council has a strong track record of financial responsibility. A quadruple bottom line approach, including financial sustainability considerations, when making decisions and committing to new projects and programs is critical.

Implementation of recommendations contained within the draft Strategy would occur through the development of Council's Delivery Program, annual budget and Operational Plan and would be subject to the strategic priorities of Council, the availability and allocation of resources by Council.

POLICY

The draft plan sets the high-level strategic direction and will set the policy framework for Council's ongoing provision of community and cultural facilities. Specific policy matters referred to in the draft Plan will be dealt with in forth coming policy reviews.

CONCLUSION

The draft Community and Cultural Facilities Strategic Plan 2020-2030 provides Council with a framework for the management and development of its community facility portfolio over the coming decade.

It does this by mapping industry standards of service provision and balancing this with the unique local needs in Hornsby.

It is recommended that the strategy be placed on public exhibition such that the community can comment on the approach proposed for ensuring the sustainable delivery of this important community service.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Library and Community Services – Cheryl Etheridge - who can be contacted on 9847 6801.

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Attachments:

1.  Draft Community and Cultural Facilities Strategic Plan

File Reference: F2009/00391-03

Document Number: D08016520

ITEM 4

5 REPORT ON SUBMISSIONS - DRAFT LOCAL HOUSING STRATEGY

EXECUTIVE SUMMARY

- At its meeting on 8 July 2020, Council considered a report on the draft Hornsby Housing Strategy 2020 and resolved to exhibit the draft Strategy for a period of 28 days.
- The draft Strategy sets out (in more detail than the Local Strategic Planning Statement) the priorities, actions and capacity for housing to demonstrate how housing supply targets will be met.
- The draft Strategy was exhibited from 3 August 2020 to 4 September 2020. During this period, seven submissions were received.
- The submissions are generally supportive of the draft Strategy, though make comment on a number of issues including housing diversity and affordability, medium density housing, seniors living developments, open space requirements and impacts of COVID-19.
- No changes to the draft Strategy are recommended in response to the issues raised in submissions. However, further discussions with the Greater Sydney Commission and local housing providers are recommended concerning housing diversity and affordability.
- It is recommended that Council adopt the Hornsby Housing Strategy 2020 attached to Director's Report No. PC22/20 and publish the Strategy on the NSW Planning Portal to meet legislative requirements under the Accelerated LEP Review Program.

RECOMMENDATION

THAT:

1. Council adopt the Hornsby Housing Strategy 2020 attached to Director's Report No. PC22/20.
2. The Strategy be published on the NSW Planning Portal to meet legislative requirements of the Accelerated LEP Review Program.
3. Council request a briefing by representatives from the Greater Sydney Commission and local housing providers on housing diversity and affordability, including a tour of best-practice examples of affordable housing developments.
4. Submitters be advised of Council's decision.

PURPOSE

The purpose of this Report is to address the matters raised in submissions received during the exhibition of the draft Housing Strategy and seek Council's endorsement to adopt and publish the Strategy on the NSW Planning Portal.

BACKGROUND

At its meeting on 10 October 2018, Council endorsed the commencement of several technical studies under the (then) Department of Planning and Environment's Accelerated LEP Review Program. Under the Program, Council has been receiving \$2.5m (paid in instalments) to complete a range of technical studies, including the preparation of a Local Strategic Planning Statement.

Council's Local Strategic Planning Statement was adopted in February 2020 and published on the NSW Planning Portal in March 2020. The remaining LEP Review technical studies are at various stages of completion and will inform future amendments to Council's planning instruments.

All councils in NSW are required to prepare a Local Housing Strategy. Council's Housing Strategy must be delivered as part of the Accelerated LEP Review program.

At its meeting on 8 July 2020, Council considered Director's Report No. PL15/20 which presented the draft Hornsby Housing Strategy 2020 and resolved that:

1. *The draft Hornsby Shire Housing Strategy 2020 attached to Director's Report No. PL15/20 be placed on public exhibition for a period of 28 days (subsequent to the finalisation of formatting and design in accordance with Council's Style Guide).*
2. *A copy of the draft Strategy be provided to the Department of Planning, Industry and Environment.*
3. *Following exhibition, a report on submissions be presented to Council for its consideration.*

In accordance with Council's resolution, the draft Housing Strategy was publicly exhibited for 28 days from 3 August 2020 to 4 September 2020 and a copy was forwarded to DPIE.

DISCUSSION

This report outlines the submissions received in response to the exhibition of the draft Strategy, considers feedback from DPIE on housing targets and discusses housing diversity and affordability.

Submissions

A total of seven submissions were received during the exhibition of the draft Strategy, including a submission from the Property Council of Australia. Submissions are generally supportive of the approach to focus future housing supply in the Hornsby Town Centre, Government land within the Cherrybrook Station Precinct and for a future review of Pennant Hills. There is mixed support for the provision of medium density housing and Council's continued efforts to seek exemptions from the *Seniors Housing SEPP* and *Low-Rise Housing Diversity Code*. These matters, as well as a number of separate issues raised in submissions, are discussed below.

1. Accuracy of population and housing estimates

A submission raises concerns that the calculations for the estimated population growth and/or additional homes required are incorrect due to the forecast number of people per household not equating to a whole number.

Comment:

Part 1.1 – Executive Summary of the draft Strategy states that *“the Shire’s population is predicted to reach 179,582 by 2036. This represents an increase of nearly 32,000 people between 2016 and 2036. There will be a corresponding need for an additional 14,879 new homes by 2036.”*

These figures are population growth estimates and forecast housing calculations based on the demographic and population forecast data prepared by *.id The Population experts*. In calculating the additional provision of housing required in Hornsby Shire, population trends are averaged out to provide occupancy rates per household which varies depending on the form of housing, to ensure housing supply accurately meets population growth trends. In accordance with industry best practice, these occupancy rates are extrapolated and not rounded to the nearest whole number.

Recommendation:

No changes to the Strategy in response to the submission regarding household occupancy rates.

2. Implications of COVID-19 on the property market

A submission raises concerns regarding structural changes in the property market due to the COVID-19 pandemic, in particular the shift to working from home and the impacts this will have on local infrastructure due to technological changes in renewable energy and communication. To address this, the submission recommends the incorporation of an additional action within the Strategy to account for the implications of the current crisis.

Comment:

The impacts of the COVID-19 pandemic on population trends and the projected demand of housing in Hornsby Shire is highly variable and its extent will be difficult to quantify and reflect within this Local Housing Strategy at this time. This Strategy outlines the housing current targets in accordance with the North District Plan which have remained unchanged throughout the current pandemic and are still required to be implemented.

The Greater Sydney Commission has been working with stakeholders across Government to gather and interpret data to investigate the changes and the impacts of COVID 19 on Greater Sydney. The Commission has advised that the data and observations from this work, together with further observations as more data becomes available, will influence a refresh of the Greater Sydney Region Plan and other government initiatives to get the best outcomes for the metropolis of three cities. It is acknowledged that further analysis may need to be undertaken in the future to address any new requirements established by the State Government regarding COVID-19 effects on housing demand and supply.

Recommendation:

No changes to the Strategy be made at this time in response to the submission regarding COVID-19 impacts.

3. Rural lands housing precinct

A submission requests that Council consider adopting an action within the Housing Strategy to enable a precinct-scale pilot housing development project in the rural lands which incorporates a co-working hub for remote work and co-living developments supported by precinct scale infrastructure.

Comment:

The inclusion of a precinct-scale housing development within the rural areas is not consistent with the priorities or actions of the Hornsby Local Strategic Planning Statement (LSPS) or the North District Plan. Urban development should be limited to within the identified Urban Area under the LSPS and

North District Plan. Council's draft Housing Strategy outlines how Council will meet the housing targets over the next 10 years within the urban areas without the need for increased development within the Rural areas.

Recommendation:

No changes to the Strategy in response to the submission regarding a proposed precinct-scale pilot project within the Rural Areas.

4. Seniors living developments

A submission raises concerns regarding the application of the *State Environmental Planning Policy (Housing for Seniors or People with Disability) 2004* (Seniors SEPP) in Hornsby Shire which allows for ad-hoc development in low-density areas and overrides Council's controls. A further submission outlines that seniors living developments are becoming outdated and that Council should alternatively consider the creation of multi-generational, micro neighbourhoods.

Comment:

Council has recently exhibited a draft Seniors Housing Demand and Supply Review which was prepared (in part) to support Council's requests concerning the application of the Seniors SEPP within low density heritage conservation areas and on rural zoned land. Council has continued its advocacy against the Seniors SEPP overriding local planning controls and will consider the preparation of a local strategy for seniors housing which would prevent ad-hoc planning outcomes that result from the Seniors SEPP. Such seniors housing strategy, if prepared, would look at other forms and options for housing, not just age-segregated housing developments.

Recommendation:

No changes to the Strategy in response to the submissions regarding seniors living development and the Seniors SEPP.

5. Open space requirements

Submissions suggest that additional requirements should be included within the Housing Strategy to ensure that new dwellings and high-density neighbourhoods are located within close proximity to local infrastructure such as playgrounds, skate parks and sporting fields. Additionally, concerns are raised that there is a lack of open space other than bushland, especially within the Pennant Hills area and there needs to be the provision of more multiuse facilities available within designated open space areas to align with the NSW "*Greener Places*" Strategy.

Comment:

Due to the steep topography of the Shire, the long lineal ridgetop development pattern and transport barriers such as rail lines and main roads, there are gaps in the distribution of open space within 400m and 200m of low density and high-density dwellings respectively. As part of the Accelerated LEP Review, long term actions of Council's Active Living Strategy are being progressed, including the Play Plan and the Walking and Cycling Strategy which are currently on exhibition. These documents aim to improve the provision and quality of playgrounds and improve connectivity, accessibility and active transport links between open spaces throughout Hornsby Shire. Council's Sportsground Strategy identifies opportunities for improvements to facilities such as increasing the capacity of existing sportsgrounds, investigation of additional synthetic fields and partnerships with schools and other institutions.

Recommendation:

No changes to the Strategy in response to the submissions regarding open space.

6. Medium density housing

Some submissions outline support for Council's continued advocacy to prevent SEPP controls overriding Council policy and to plan for appropriate medium density housing that does not conflict with low density neighbourhoods, the character of heritage conservation areas or environmental values and is in proximity to public transport.

One submission objects to medium density housing being located in Beecroft/Cheltenham. Another submission raises concerns that although the vision and objectives of the draft Strategy aim to encourage opportunities for housing diversity, the location of potential sites to provide medium density housing is not outlined within the draft Strategy. Concerns are also raised that in the absence of a considered strategy for medium density housing, granny flats would continue to be developed in an ad-hoc manner which can have amenity and environmental impacts.

Comment:

Council has made numerous representations to DPIE and the Minister raising concerns about the application of the *Low-Rise Housing Diversity Code* (formerly the Low-Rise Medium Density Housing Code) within Hornsby Shire as it would override local strategies that are prepared in consultation with the local community. Council continues to advocate for changes to State policy for medium density housing to enable a progression of its own strategy that enables medium density housing in suitable locations which reflects the surrounding local character and landscape setting. As outlined as an action in both the LSPS and the draft Housing Strategy, investigations could commence into appropriate expansion of the R3 Medium Density Zone to provide additional medium density housing opportunities in appropriate locations if Council is provided the option to prepare local controls for medium density housing.

Recommendation:

No changes to the Strategy in response to the submissions regarding medium density housing.

7. Pennant Hills Town Centre Review

Submissions recognise the importance of delivering the Pennant Hills Town Centre Review to provide a variety of housing choice including medium density housing and that the review should consider the whole Pennant Hills Road Corridor, open space, active transport and parking.

Comment:

As identified within the LSPS and the draft Housing Strategy, it is expected that there will be a reduction in traffic on Pennant Hills Road and surrounding local roads following the opening of NorthConnex. This would provide opportunities for the review of the Pennant Hills Road corridor to consider landuse, movement and place and for the review and revitalisation of Pennant Hills Town Centre.

Recommendation:

No changes to the Strategy in response to submissions regarding the Pennant Hills Town Centre Review.

8. Heritage

A submission comments that there should be an initiative to identify more individual dwellings of historical significance within housing precincts to ensure that heritage is strongly linked to the surrounding local area.

Comment:

The consideration of heritage and local character is essential when planning for the future provision of housing options as outlined within the draft Housing Strategy. Council has commenced a Comprehensive Heritage Review which will provide a better understanding of heritage throughout Hornsby Shire and assist guide future land use decisions and will consider the addition of heritage items listed under the HLEP 2013 as part of this process.

Recommendation:

No changes to the Strategy in response to submission regarding heritage.

9. Property Council of Australia

The Property Council of Australia notes that the draft Strategy is consistent with the *Local Housing Strategy Guideline and Template* issued by DPIE and that Council can accommodate its short to medium term housing targets.

The submission supports the six objectives in the draft Strategy to promote design excellence, minimise environmental impact, protect sensitive areas from development, encourage housing diversity, promote sustainable locations for housing growth and ensure housing growth aligns with the Region and District Plan priorities. The submission also supports the Liveable priorities and actions from the LSPS and the draft Strategy.

However, the Property Council comments that exemptions from the Low-Rise Housing Diversity SEPP should not be progressed until Council can demonstrate an appropriate medium density housing policy response. The submission recommends that Council work with the Department, Greater Sydney Commission (GSC) and other local councils to develop an appropriate mechanism to deliver a variety of housing types for all community members, including seniors.

Comment:

Council has continually worked with the State Government to ensure the provision of housing within the Hornsby area is compatible with surrounding land uses and to prevent State policy overriding Council's controls to allow this. As discussed above, Council continues to advocate for changes to the State policy for medium density housing to enable local controls consistent with the character of the area. Council will continue to work closely with both the GSC and DPIE to ensure the best planning outcomes for Hornsby Shire.

Recommendation:

No changes to the Strategy in response to the submission from the Property Council.

Housing Targets

In July 2020, correspondence from DPIE was received concerning Council's Accelerated LEP Review program and funding agreement, questioning Council's capacity to meet the 6-10-year housing targets set by the Greater Sydney Commission.

Since receipt of the letter, Council officers have clarified with DPIE's Deputy Secretary, Place and Infrastructure, as demonstrated in Council's Local Strategic Planning Statement and the draft Housing Strategy, that there is no projected housing supply gap for the 6-10-year target due to the proposed development of government land at Cherrybrook Station and the Hornsby Town Centre Review which is currently underway. A copy of the draft Housing Strategy was provided to DPIE during the exhibition period.

On 13 October 2020, Council received a letter from DPIE (copy attached) confirming that, following analysis of the draft Housing Strategy, Council has adequately demonstrated its capacity to meet the 6-10-year indicative housing targets set by the Greater Sydney Commission. The letter notes the strategic importance of the Hornsby Town Centre, as included in the draft Local Housing Strategy, as a key component to the future of housing for the Shire.

Housing Diversity and Affordability

Both Council's LSPS and draft Housing Strategy note that more housing diversity is needed to meet the needs of our evolving households, age structures, incomes and cultural backgrounds. More single person and small household dwellings will be required close to transport and services. It is also acknowledged that more affordable housing is needed for key workers such as nurses, policemen and women and paramedics, along with single parent families. The provision of diverse and affordable housing has been a theme of submissions received in response to the LSPS and the draft Housing Strategy.

Prior to these, Council exhibited an Affordable Housing Discussion Paper in early 2019. Approximately 130 individuals participated in the consultations comprising focus group sessions, telephone interviews, online surveys and written submissions. The key findings were that there was strong generalised support for Council to develop a carefully worded policy on affordable housing that improves affordability for people who are experiencing rental or mortgage stress. However, it was also apparent that there was a lack of understanding in the community about what role Council can play and some confusion between what is 'affordable housing' and what is 'social housing'.

An informal Councillor workshop was held in June 2019, where the results of the public exhibition were presented and there was discussion about whether the focus groups represented the broader community and general agreement that discussions with the community should continue.

Since the exhibition of the Affordable Housing Discussion Paper, Council's draft LSPS was prepared and exhibited. Community feedback on both the Discussion Paper and the LSPS informed the adoption of Liveable Action LA17 *Prioritise the findings and recommendations from the Affordable Housing Discussion Paper including the preparation of affordable rental housing scheme under SEPP 70*. The LSPS also acknowledges advice from the GSC and DPIE that the Commission will be working with councils to facilitate housing diversity through the implementation of actions from the North District Plan, including mechanisms to deliver an Affordable Rental Housing Target.

Given the issues raised in submissions on the Affordable Housing Discussion Paper, the LSPS and now the draft Housing Strategy concerning medium density housing, housing diversity and affordability, it is recommended that Council request a briefing by representatives from the Greater Sydney Commission and local housing providers on potential solutions and policy considerations, including a tour of best-practice examples of affordable housing developments.

CONSULTATION

The draft Housing Strategy was placed on public exhibition for a period of 28 days through the following channels:

- Advertisement on Council's website noticeboard.
- Advertisement on Future Hornsby website.
- Council's eNewsletter.

- Emails to Future Hornsby database (users who registered for updates on the housing strategy or “all topics” under the Accelerated LEP Review).

BUDGET

The costs associated with the preparation of the Housing Strategy are covered under the Accelerated LEP Review funding. Implementation of recommendations of the Strategy, including any amendments to the *HLEP 2013* or DCP, would occur through the development of Council's next Delivery Program, annual budget and Operational Plan. This would be subject to the strategic priorities of Council and the availability and allocation of resources by Council. Should Council wish to prioritise the implementation of the recommendations rather than staging projects over a number of years, a report would be required to be presented to Council outlining the scope, financial and resource implications associated with the engagement of external consultants.

POLICY

Sections 3.8 (4) and 3.9 of the EP&A Act require the review of the HLEP 2013 and the preparation of an LSPS to give effect to the North District Plan. Participation in the Accelerated LEP Review Program requires delivery of the work to meet funding milestones. The Housing Strategy is a key deliverable under the Accelerated LEP Review program which has satisfied this requirement.

CONCLUSION

The draft Hornsby Housing Strategy 2020 was prepared as a requirement under the Accelerated LEP Review Program and aligns with the priorities and actions in Council's LSPS, as well as setting out (in more detail than the LSPS) the priorities, actions and capacity for housing in a local area to demonstrate how housing supply targets will be met.

The draft Strategy was publicly exhibited for a period of 28 days. Seven submissions were received. No changes to the Housing Strategy are recommended as a result of the submissions received. However, further discussions with the Greater Sydney Commission and local housing providers are recommended concerning housing diversity and affordability.

It is recommended that the Housing Strategy attached to this report be adopted by Council and published on the NSW Planning Portal.



RESPONSIBLE OFFICER

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

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Attachments:

1.  Letter from DPIE in response to Housing Strategy targets
2.  Hornsby Local Housing Strategy 2020 - FINAL VERSION

File Reference: F2020/00096

Document Number: D08016945

ITEM 5

6 BYLES CREEK PLANNING STUDY

EXECUTIVE SUMMARY

- At its meeting on 12 August 2020, Council considered a report on the Byles Creek Catchment Land Acquisition Strategy which concluded that the current extent of the Open Space zoning is appropriate to protect the biodiversity values and ecosystem functionality of the corridor.
- Council noted the findings of the Strategy and resolved that an informal Councillor workshop be held to discuss the aim, scope, timing and resource implications of undertaking a review of planning controls to protect the environmental qualities of residential properties adjoining open space lands within the Byles Creek catchment.
- At a Councillor workshop on 7 October 2020, it was generally agreed that a review of the planning controls for residential lots adjoining the Byles Creek corridor should be progressed as a priority project, to be funded from monies held from the sale of 179 Beecroft Road, Cheltenham.
- This report discusses the outcomes of the workshop and recommends that Council endorse progression of a Byles Creek Planning Study in accordance with the draft study brief attached to this report.

RECOMMENDATION

THAT:

1. Council endorse progression of the Byles Creek Planning Study in accordance with the Study Brief attached to Director's Report No. PC23/20.
2. Restricted asset funds from the sale of 179 Beecroft Road, Cheltenham be used to fund consultant input and the allocation of an additional temporary Strategic Planner for a period of 12 months.

PURPOSE

The purpose of this Report is to seek endorsement to progress a planning study to review the planning controls for residential properties adjoining the open space zoned land within the Byles Creek corridor.

BACKGROUND

At its meeting on 12 June 2019, Council resolved to review the Byles Creek Catchment Land Acquisition Strategy (Strategy Review). DFP Planning Consultants and Cumberland Ecology were commissioned to undertake an assessment of the environmental and social values of the Byles Creek corridor to inform the strategic approach to land acquisition within the catchment.

The Strategy Review concluded that the current extent of the RE1 Open Space zoning is appropriate to protect the biodiversity values and ecosystem functionality of the corridor. Further, the current zoning is sufficient in terms of satisfying the objectives and terrestrial biodiversity provisions of the Hornsby Local Environmental Plan 2013.

At its meeting on 12 August 2020, Council considered Director's Report No. EH7/20 concerning the outcomes of the Strategy Review and resolved that:

1. *The contents of Director's Report No. EH7/20 be received and noted.*
2. *Council note the social value placed on the Byles Creek Valley as evidenced by the existence of an informal walking trail along Byles Creek, and as a priority, progress the development of a walking track strategy for the Byles Creek Corridor to determine a preferred trail alignment having regard to ecological constraints, constructability, etc.*
3. *The development of the walking track strategy be funded from the internally restricted reserve (Sale of 179 Beecroft Road, Cheltenham) funds.*
4. *Prior to the preparation of a report to Council, a Councillor workshop be held to discuss the aim, scope, timing and resource implications of undertaking a review of planning controls to protect the environmental qualities of residential properties adjoining open space lands within the Byles Creek catchment.*
5. *The report referred to in point 4 be submitted for Council's consideration at a General Meeting within the next six months.*

In accordance with the Council's resolution, an informal Councillor workshop was held on 7 October 2020.

DISCUSSION

This report provides an overview of the aim, scope, timing and resource implications of undertaking a review of the planning controls for residential properties adjoining the open space zoned lands within the Byles Creek corridor. The report also presents a draft study brief to undertake the proposed planning study.

Planning Study

A Byles Creek Planning Study would review the suitability of current planning controls to maintain the environmental qualities of residential lots that adjoin the open space zoned lands within the Byles Creek corridor. The aim, scope, timing and resource implications are outlined below.

Aim

The aim of the Study would be to develop a strategy to allow residential development that reflects the unique environmental, social and aesthetic qualities of those properties.

Scope

The study area would include the properties zoned R2 Low Density Residential surrounding the Byles Creek corridor open space zoned land, bounded by Malton Road, Sutherland Road, Azalea Grove, Kurrajong Street, and Lane Cove National Park.

It is acknowledged that there are other residential properties within the Shire that adjoin Open Space lands. However, a review of residential properties in Byles Creek, may be an appropriate pilot project to inform prioritisation of future investigations of a planning approach for other environmentally sensitive lands throughout the Shire following consideration of the outcomes and recommendations of the Study.

Timing

The Study would be progressed in the short term as a priority project and would require an amendment to the Delivery and Operational Plan and a quarterly budget review update. It is anticipated that the Study would be completed within 12 months, inclusive of consultant engagement, research, public exhibition, analysis of information and formal presentation of findings and recommendations.

Resource and Budget Implications

Progression of the Study would involve funding of between \$50,000 to a maximum of \$100,000, including consultant input and the allocation of a temporary Strategic Planner. It would be appropriate that funds for the Study be allocated from the restricted asset funds from the sale of 179 Beecroft Road, Cheltenham.

Study Brief

A combination of consultant input and inhouse resources would be required to undertake the Study. A draft study brief is attached to this report and is structured as follows:

Purpose: To review the suitability of the current planning controls to maintain the environmental qualities of residential lots immediately adjoining open space lands within the Byles Creek corridor.

Background: The background section of the brief outlines the context of previous studies undertaken for Byles Creek.

Study Area: The study area would include the properties zoned R2 Low Density Residential surrounding the Byles Creek corridor open space zoned land as mapped in the study brief, bounded by Malton Road, Sutherland Road, Azalea Grove, Kurrajong Street, and Lane Cove National Park.

Objectives: To develop a strategy that will promote residential development and reflect the environmental, social and aesthetic qualities of the adjoining Byles Creek corridor and to outline recommendations for improvements to planning controls.

Scope of work: A preliminary assessment of existing physical and legislative conditions for the Byles Creek catchment area (including topography; proximity to a watercourse; soil landscapes; flora and fauna; bushfire hazard; economic implications; and infrastructure constraints), identification and mapping of development potential for residential lots, consultation and engagement with stakeholders, analysis of strategic implications and recommendations for amendments to the Hornsby Local Environmental Plan (HLEP) 2013 and Hornsby Development Control Plan (HDCP) if necessary.

Deliverables: Study outputs would include the following:

1. Byles Creek Planning Study – an evidence-based report documenting the existing conditions, analysis and outcomes for residential lots adjoining Byles Creek and overall recommendations for any amendments to planning controls.
2. Maps identifying the Study area, current planning controls, and recommended planning controls with details addressing the rationale for the recommendations.
3. Presentation to Councillors.

CONSULTATION

At the informal Councillor workshop on 7 October 2020, the uniqueness of the Byles Creek corridor was acknowledged. There was general agreement that current planning controls do not adequately reflect the environmental qualities and limited development potential of residential lands adjoining the open space zoned land within the Byles Creek corridor and that the planning controls should be reviewed. Should Council resolve to progress the Study, an invitation for quotations for consultant input would be advertised based on the study brief or relevant aspects of the study brief.

As part of the Study, consultation would occur with stakeholders including property owners, community groups and the community in general. Consultation would also occur with the Department of Planning, Industry and Environment and other councils seeking best practice examples for development at the interface with environmentally sensitive lands.

BUDGET

Given Council's commitment to current projects within the Operational and Delivery Plan and the strategic priorities and actions under the LSPS, three options were outlined at the informal workshop to accommodate the Study as follows:

- Option 1: Consider the Study for inclusion in the next review of the Operational and Delivery Plan.
- Option 2a: Progress in the short term with a deferral of similar sized projects.
- Option 2b: Progress in the short term with allocation of additional staff resources.

It was generally agreed that a report to Council should be prepared seeking endorsement to progress the Study in the short term as a priority project, with the allocation of an additional temporary Strategic Planner (Option 2b) and funding from the sale of 179 Beecroft Road, Cheltenham.

It is anticipated that the study would involve a combination of consultant input and inhouse resources with a maximum budget of \$100,000 to cover both consultant input and engagement of a temporary Strategic Planner for a period of 12 months to manage the Study.

POLICY

Should Council resolve to progress the Study, an amendment to the Delivery and Operational Plan would be required. A quarterly budget review would also be progressed as appropriate.

A separate report would be prepared for Council's consideration presenting the findings of the planning study and any recommended amendments to the *HLEP* and/or *HDCP*.

CONCLUSION

This report provides an overview of the proposed aim, scope, timing and resource implications for undertaking a review of the planning controls for the residential properties adjoining the Byles Creek

corridor. The report also presents a draft study brief outlining the purpose, background, study area, objectives, scope of work and deliverables for the project.

It is recommended that Council endorse the progression of the Byles Creek Planning Study, the Study brief attached to this report and Study funding from the sale of 179 Beecroft Road, Cheltenham.

RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Draft Study Brief - Byles Creek Planning Review - November 2020

File Reference: F2020/00288
Document Number: D08024395

7 HORNSBY DEVELOPMENT CONTROL PLAN AMENDMENTS - HOUSEKEEPING PLANNING PROPOSAL

EXECUTIVE SUMMARY

- This report seeks Council's endorsement to exhibit amendments to the Hornsby Development Control Plan (HDCP) 2013 to reflect changes to building height controls soon to be implemented under the Hornsby Local Environmental Plan (HLEP) 2013 as a result of the Housekeeping Amendment Planning Proposal.
- The Planning Proposal includes amendments to the HLEP Height of Building map to reduce the permitted height of 5 storey residential flat buildings from 17.5m to 16.5m to improve design quality outcomes by minimising the opportunity to include mezzanine levels.
- The proposed change to building height in the HLEP was notified to the community as part of both preliminary exhibition and statutory exhibition periods of the Planning Proposal and was endorsed by Council at its meeting on 10 June 2020 for finalisation by the Department of Planning, Industry and Environment (DPIE).
- The DPIE has indicated that publication of the amendments to the HLEP are imminent. Therefore, to achieve consistency across Council's planning controls, it is necessary that the HDCP is amended to reflect the revised 16.5m height standard under HLEP.
- It is recommended that Council endorse the exhibition of the attached draft amendments to the HDCP to align planning controls for building height.

RECOMMENDATION

THAT:

1. The draft amendments to the building height controls of the Hornsby Development Control Plan 2013 attached to Director's Report No. PC24/20 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for consideration.

PURPOSE

The purpose of this report is to seek Council's endorsement to exhibit amendments to the building height controls of the HDCP to reflect imminent changes to the HLEP that were previously exhibited and adopted by Council.

BACKGROUND

At its meeting on 8 November 2017, Council resolved to undertake a Design Excellence Review of planning controls with the aim of improving the built form outcomes of residential flat buildings and townhouses development in Hornsby Shire.

Architects Johannsen and Associates (AJA) were engaged to prepare the *'Hornsby Shire Council Design Excellence and Residential Development Review'* which recommended amendments to the HDCP and HLEP and the establishment of a Design Excellence Review Panel. At its meeting on 10 October 2018, Council resolved to implement the recommendations of the Review.

In January 2019, Council made the recommended amendments to the HDCP involving changes to landscaping requirements, deep soil planting, setbacks, materials and finishes and screening of services as recommended by the Review.

In November 2019, the recommendations relating to the LEP controls for height and design excellence were incorporated in the Housekeeping Amendment Planning Proposal. This involved a reduction in the permitted building height for 5 storey units from 17.5m to 16.5m and the expansion of provisions in Clause 6.8 Design Excellence to apply to all unit developments regardless of height.

Preliminary notification of the Planning Proposal was undertaken in December 2019. Following receipt of a Gateway Determination in February 2020, the proposal was placed on formal public exhibition between 11 March 2020 and 10 April 2020.

At its meeting on 10 June 2020, Council considered a report on submissions and resolved to endorse the Housekeeping Amendments Planning Proposal for submission to the DPIE for finalisation.

In April 2020, Council endorsed nine members of the Hornsby Shire Council Design Excellence Panel for a two-year term. The Panel has been established and is in operation.

DISCUSSION

The change to the permitted building height in the HDCP was not proposed with the other design excellence DCP amendments undertaken in January 2019, as it could not be implemented prior to the progression of the Planning Proposal to amend the HLEP.

Based on recent advice from DPIE, the amendments to the HLEP adopted by Council will soon be published and implemented. The DCP therefore requires an update to align with the amended height control.

The proposed DCP amendments attached to this report are recommended to achieve consistency across Council's planning controls and reflect the revised 16.5m height standard which is soon to be published in the HLEP. The proposed amendments are limited to a revision to numerical requirements to reference the 16.5m building height only and do not involve any change to the wording of established planning controls.

The proposed DCP amendment completes the suite of actions implemented by Council in response to Design Excellence, which is identified as a key project in Council's Local Strategic Planning Statement.

CONSULTATION

The proposed reduction in the permitted building height for 5 storey residential flat buildings from 17.5 to 16.5m was exhibited as part of both preliminary and statutory exhibition of the Housekeeping Amendment Planning Proposal.

The preliminary exhibition of the Planning Proposal commenced in December 2019 before the issue of Gateway Determination by DPIE in February 2020. The amendments were then exhibited during the statutory exhibition of the Planning Proposal from 11 March 2020 to 10 April 2020. Following the exhibition period, a report on submissions was presented to Council for consideration at its meeting on 10 June 2020. Council resolved to endorse the Planning Proposal for submission to the DPIE for finalisation.

Proposed Exhibition – Hornsby DCP Amendments

The amendment to the HDCP is a procedural matter to achieve consistency across Council's planning controls.

The Hornsby Shire Community Participation Plan (CPP) prescribes that amendments to a development control plan should be exhibited to the community for a minimum period of 28 days. The CPP also prescribes that the consultation strategy for any strategic planning policy or plan will vary depending on the urgency, scale and nature of the project and anticipated level of community interest. Given the extensive community consultation completed for the Planning Proposal and the endorsed position of Council on HLEP building height standard, the exhibition of the HDCP amendment to align planning controls does not warrant an extensive consultation strategy.

Accordingly, it is recommended that the draft amendments to the *HDCP 2013* attached to this report be placed on public exhibition for 28 days through advertisement on Council's website under 'Have your Say'.

BUDGET

There are no budgetary implications from the exhibition of the HDCP amendments.

POLICY

The draft amendments to the HDCP are required to achieve consistency with the building height development standards soon to be implemented in the HLEP. Following exhibition of the draft HDCP amendments, a report will be presented to Council for consideration of submissions. Subject to Council endorsement, the amendments would be incorporated into the HDCP and come into force once published on Council's website.

CONCLUSION

Council's endorsement is sought for the exhibition of amendments to the HDCP to reflect changes to building height controls soon to be implemented in the HLEP as a result of the Housekeeping Amendment Planning Proposal.

The proposed amendments are limited to a revision to numerical requirements to reference the 16.5m building height only and do not involve any change to the wording of established planning controls. The proposed DCP amendment completes the suite of actions implemented by Council in response to Design Excellence, which is identified as a key project in Council's Local Strategic Planning Statement.

It is recommended that the draft amendments to the HDCP attached to this report be placed on public exhibition for a period of 28 days on Council's website.


RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Draft HDCP Amendments - Building Height

File Reference: F2019/00392

Document Number: D08026683

8 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS

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. PC25/20 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 July to 30 September 2020.

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 July 2020 to 30 September 2020.

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 July 2020 to 30 September 2020.


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 July 2020 to 30 September 2020

File Reference: F2004/07599-02

Document Number: D08027754