



BUSINESS PAPER

GENERAL MEETING

**Wednesday 10 October 2018
at 6:30PM**



TABLE OF CONTENTS

AGENDA AND SUMMARY OF RECOMMENDATIONS

RESCISSION MOTIONS

MAYORAL MINUTES

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

GENERAL BUSINESS

Office of the General Manager

Nil

Corporate Support Division

- Item 1 CS40/18 Pecuniary Interest and Other Matters Returns - Disclosures by
Councillors and Designated Persons 1
- Item 2 CS45/18 Investments and Borrowings for 2018/19 - Status for Period
Ending 31 August 2018 4

Environment and Human Services Division

Nil

Planning Division

- Item 3 PL25/18 Deferred Report - Affordable Housing Discussion Paper 7
- Item 4 PL26/18 Deferred Report - Design Excellence Review of Planning Controls 15
- Item 5 PL28/18 Accelerated LEP Review - Strategic Planning Program 25

Infrastructure and Recreation Division

Nil

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

MAYOR'S NOTES

- Item 6 MN11/18 Mayor's Notes from 1 to 30 September 2018 32

NOTICES OF MOTION

- Item 7 NOM28/18 Byles Creek Land Acquisition Strategy 34
- Item 8 NOM30/18 Berowra Pool Feasibility 36
- Item 9 NOM31/18 Surveying the Community 38

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

QUESTIONS WITHOUT NOTICE

AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Lieutenant Lloyd Stanimirovic of The Salvation Army, Hornsby will open tonight's meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

ABORIGINAL RECOGNITION

Statement by the Chairperson:

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

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

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

APOLOGIES / LEAVE OF ABSENCE

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement."

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

DECLARATIONS OF INTEREST

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

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

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

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

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

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

OR

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

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

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 12 September, 2018 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 CS40/18 PECUNIARY INTEREST AND OTHER MATTERS RETURNS - DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

RECOMMENDATION

THAT Council note the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

Page Number 4

Item 2 CS45/18 INVESTMENTS AND BORROWINGS FOR 2018/19 - STATUS FOR PERIOD ENDING 31 AUGUST 2018

RECOMMENDATION

THAT the contents of Deputy General Manager's Report No. CS45/18 be received and noted.

ENVIRONMENT AND HUMAN SERVICES DIVISION

Nil

PLANNING DIVISION**Page Number 7****Item 3 PL25/18 DEFERRED REPORT - AFFORDABLE HOUSING DISCUSSION PAPER****RECOMMENDATION**

THAT:

1. The Affordable Housing Discussion Paper attached to Group Manager's Report No. PL25/18 be placed on public exhibition for a period of 2 months in accordance with the engagement strategy outlined in the report.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.

Page Number 15**Item 4 PL26/18 DEFERRED REPORT - DESIGN EXCELLENCE REVIEW OF PLANNING CONTROLS****RECOMMENDATION**

THAT:

1. The draft amendments to the *HDCP 2013* attached to Group Manager's Report No. PL26/18 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.
3. A further report be presented to Council for progression of a Design Excellence Review Planning Proposal to implement proposed changes to the *HLEP 2013* as outlined in Group Manager's Report No. PL26/18.
4. Council endorse in principle the establishment of a formal Design Excellence Advisory Panel, with a further report being presented to Council concerning the appointment, constitution, fee structure and yearly budget allocation for the Panel.
5. In the interim, Council endorse the restructure and utilisation of Council's current Design Excellence Panel as set out in Group Manager's Report No. PL26/18 until such time as the formal panel is established.

6. Council write to the Minister for Planning requesting that a Design Guide apply to all medium density development to promote design excellence.
7. Council renew its subscription to the Cities Leadership Institute to June 2019.

Page Number 25**Item 5 PL28/18 ACCELERATED LEP REVIEW - STRATEGIC PLANNING PROGRAM****RECOMMENDATION**

THAT Council endorse the Local Environmental Plan (LEP) Review Report and Accelerated LEP Review Program attached to Group Manager's Report No. PL28/18 for submission to the Department of Planning and Environment to meet the first project deliverable under the Accelerated LEP Review Funding Agreement.

INFRASTRUCTURE AND RECREATION DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN****MAYOR'S NOTES****Page Number 32****Item 6 MN11/18 MAYOR'S NOTES FROM 1 TO 30 SEPTEMBER 2018****NOTICES OF MOTION****Page Number 34****Item 7 NOM28/18 BYLES CREEK LAND ACQUISITION STRATEGY****COUNCILLOR HUTCHENCE TO MOVE**

THAT:

1. A report be prepared for Council's consideration on the studies required, timing and resource implications to undertake a review of Council's Byles Creek land acquisition strategy aligned to the review of Council's Local Environmental Plan to be funded from the internally restricted reserve (Sale of 179 Beecroft Road, Cheltenham funds).
2. The balance of funds be identified to progress significant improvements to Cheltenham Oval playing surface including consideration of opportunities for converting the surface to synthetic turf and that the most feasible upgrade option be reported to Council.

Page Number 36

Item 8 NOM30/18 BEROWRA POOL FEASIBILITY

COUNCILLOR MARR TO MOVE

THAT:

1. Council fund and undertake as independent study and report on the report on the need and feasibility for an indoor 25 metre pool and a 10 metre program pool to be developed adjacent to the Berowra Community Centre.
2. Funds not in excess of \$50,000 be allocated to this project

Page Number 38

Item 9 NOM31/18 SURVEYING THE COMMUNITY

COUNCILLOR MARR TO MOVE

THAT:

1. Council prepare a discussion paper for an upcoming informal workshop that considers how the main Rates Notice for the year (the July Rates Notice) could be used to undertake an annual community survey which seeks comprehensive feedback on Council planning, community facilities, local issues and on Council's performance.
2. The discussion paper should consider the format of such a survey, how the feedback will be utilised and the costs and benefits of this approach.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

QUESTIONS WITHOUT NOTICE

1 PECUNIARY INTEREST AND OTHER MATTERS RETURNS - DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

EXECUTIVE SUMMARY

- Section 449 of the Local Government Act (the Act) details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Return/s by Councillors and Designated Persons.
- Section 450A (2) of the Act requires that Returns lodged under Section 449 are to be tabled at the next available Council meeting.
- In line with Section 450A (2), this Report seeks to table the Return/s recently lodged with the General Manager.

RECOMMENDATION

THAT Council note the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

PURPOSE

The purpose of this Report is to table the Disclosure of Pecuniary Interests and Other Matters Returns lodged by Councillors/Designated Persons who have left, commenced with, or internally transferred to a relevant position within Council; and to table the Disclosure of Pecuniary Interests and Other Matters Returns of all Councillors and Designated Persons which were required to be lodged for the period ending June 2018.

BACKGROUND

Section 449(1) of the Act requires a Councillor or Designated Person to complete and lodge with the General Manager a Disclosure of Pecuniary Interests and Other Matters Return within three months after becoming a Councillor or a Designated Person. Section 449(3) requires a Councillor or Designated Person holding that position at 30 June in any year to complete and lodge with the General Manager a Return within three months after that date. Section 449(5) states that nothing prevents a Councillor or Designated Person from lodging more than one Return in any year.

Section 450A (2) of the Act requires that Returns lodged under Section 449 are to be tabled at a meeting of Council. Returns lodged under Sections 449(1) and 449(3) are to be tabled at the first meeting held after the last day for lodgement under those Sections; and Returns lodged for any other reason are to be tabled at the first meeting after their lodgement.

Council's procedures in respect of the disclosing of interests have been developed to cater for the election/appointment/employment/retirement/resignation/etc. of Councillors or Designated Persons. These procedures:

- Require all Councillors and Designated Persons who hold that position at 30 June in any year to submit Returns to the General Manager by 30 September in that year (i.e. they are lodged under S449(3)). These Returns are tabled at Council's October or November General Meeting for that year.
- Require newly elected Councillors or newly appointed Designated Persons to lodge Returns to the General Manager within three months of their election/appointment (i.e. they are lodged under S449(1)). These Returns are tabled at the next available General Meeting of Council.
- Require those Councillors or Designated Persons who are leaving Council (because of retirement, resignation, etc.) to lodge Returns to the General Manager by their last day with Council. These Returns are tabled at the next available General Meeting of Council.

DISCUSSION

Returns Lodged in Accordance with Sections 449(1) and/or 449(5) of the Act and Council's Procedures

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns under Sections 449(1) and (5) of the Act at the General Meeting held on 13 June 2018 (see Deputy General Manager's Report No. CS27/18). Since that time, five additional Returns have been lodged with the General Manager and are now tabled as required by the Act.

Date Lodged	Councillor/Designated Person (Position)	Reason for Lodgement
3/9/2018	Traffic Ranger	New Employee
3/9/2018	Traffic Ranger	New Employee

24/9/2018	Engineer, Construction	Termination
24/9/2018	Major Projects Strategic Planning	New Employee
24/9/2018	Health Officer	New Employee

Returns Lodged in Accordance with Section 449(3) of the Local Government Act

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns under Section 449(3) of the Act at the General Meeting held on 11 October 2017. Those Returns were for the period ending 30 June 2017. In preparation for the tabling of this Report, action was taken over an extended period to remind all Councillors and Designated Persons of the need to complete their Returns for the period ending 30 June 2018. All Returns have been received and are tabled as required by the Local Government Act. They are held in a Register maintained by Council's Governance and Administration Coordinator.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report satisfies the requirements of the Act regarding the lodgement of Disclosure of Pecuniary Interests and Other Matters Return/s by Councillors and Designated Persons.

RESPONSIBLE OFFICER

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

ROBYN ABICAIR
Manager - Governance and Customer Service
Corporate Support Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

Attachments:

There are no attachments for this report.

File Reference: F2018/00223

Document Number: D07500095

2 INVESTMENTS AND BORROWINGS FOR 2018/19 - STATUS FOR PERIOD ENDING 31 AUGUST 2018

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 August 2018 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the annualised return for the month of August 2018 was 2.65% compared to the benchmark of 1.50%.

RECOMMENDATION

THAT the contents of Deputy General Manager's Report No. CS45/18 be received and noted.

PURPOSE

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

BACKGROUND

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

DISCUSSION

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

Council's investment performance for the month ending 31 August 2018 is detailed in the attached document. In summary, the portfolio achieved an annualised return of 2.65% for August 2018, compared to the benchmark of 1.5%.

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2008 to date, based on the principal balances outstanding is 6.88%. The Borrowings Schedule as at 31 August 2018 is also attached for Council's information.

BUDGET

Budgeted investment income for 2018/19 is \$3,679,500 with an average budgeted monthly income of \$306,625. Total investment income for the month ended 31 August 2018 was \$1,245,770. Approximately 43% of the investment income received by Council relates to externally restricted funds (e.g. Section 94 monies) and is required to be allocated to those funds. All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.

CONSULTATION

Appropriate consultation has occurred with Council's investment advisor in the preparation of this Report. Due to the receipt of \$90 million from the NSW Government's Stronger Communities Fund, further investment advice is being obtained in respect of opportunities that will be available to Council on a larger investment portfolio balance. Investment of any of the funds will, of course, be in line with Council's Investment Strategy and as further investments occur, details will be reported to Council as part of regular monthly Investment and Borrowing Reports.

CONCLUSION

The investment of Council funds and the extent of its borrowings as at 31 August 2018 are detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those investments and borrowings.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Chief Financial Officer - Glen Magus - who can be contacted on 9847 6835.

GLEN MAGUS
Chief Financial Officer - Financial Services
Corporate Support Division

GARY BENSLEY
Deputy General Manager - Corporate Support
Corporate Support Division

ITEM 2

Attachments:

1. [⇒](#) Borrowings Report August 2018
2. [⇒](#) Investment Summary Report August 2018

File Reference: F2004/06987-02
Document Number: D07521674

3 DEFERRED REPORT - AFFORDABLE HOUSING DISCUSSION PAPER

EXECUTIVE SUMMARY

- Local government has responsibilities under the *Environmental Planning and Assessment (EP&A) Act, 1979* and the State Government's metropolitan and district planning which require the delivery of improved housing choice, diversity and affordability.
- The cost of housing is becoming a significant issue across Sydney. Access to housing is a critical issue and the increasing lack of availability of affordable housing is affecting social sustainability and community wellbeing.
- Key workers such as teachers, nurses, police, fire and ambulance officers who provide essential services and are an important part of Hornsby Shire's safety, vitality, sustainability and social diversity, are being priced out of the housing communities they serve.
- An Affordable Housing Discussion Paper (attached) has been prepared in recognition of Council's statutory and social obligations to assist in the provision of affordable housing.
- The Discussion Paper articulates a core housing goal for Council to "*Support community wellbeing through the provision of housing that is affordable and appropriate to household needs and preferences in terms of choice and location, while protecting and enhancing local surroundings and the natural environment*".
- The Discussion Paper has been amended in response to Council's resolution on 13 June 2018 by revising the writing style, removing the preliminary recommendations chapter, and clarifying investigations in relation to medium density housing.
- It is recommended that the Affordable Housing Discussion Paper be placed on public exhibition to seek feedback and suggestions from the community on how Council can provide the type of housing the Shire needs as it grows – not just in numbers but in diversity that can accommodate the changing needs of households in terms of format and affordability.

RECOMMENDATION

THAT:

1. The Affordable Housing Discussion Paper attached to Group Manager's Report No. PL25/18 be placed on public exhibition for a period of 2 months in accordance with the engagement strategy outlined in the report.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.

PURPOSE

The purpose of this Report is for Council to consider the endorsement of an Affordable Housing Discussion Paper for public exhibition, which is listed as a key initiative in Council's *Delivery Program 2018 – 2021*.

BACKGROUND

Local government has responsibilities under the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to provide affordable housing opportunities through its strategic planning and regulatory functions. The objects of the *EP&A Act* specify promotion of the delivery and maintenance of affordable housing. The *EP&A Act* also gives effect to strategic planning and the implementation of the State Government's metropolitan and district planning which require improved housing choice, diversity and affordability.

The Greater Sydney Commission's Metropolitan Plan – *A Metropolis of Three Cities* and the *North District Plan* set out objectives to deliver housing supply and affordability. Specifically, Planning Priority N5 of the North District Plan identifies the need to provide "housing supply, choice and affordability with access to jobs, services and public transport". Housing has both a social and economic role in meeting changing demographic needs over time and providing choice and affordability for a cross section of workers.

The Greater Sydney Commission and the NSW Department of Planning and Environment have advised they 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.

Council currently addresses the issue of affordable housing in its planning instruments by rezoning planned precincts for multi-unit housing to provide housing choice and requiring a mix of unit sizes. However, the provision of affordable housing requires a whole of government approach through a number of mechanisms rather than just relying on planning mechanisms.

Community engagement in the preparation of the *Community Strategic Plan 2018 – 2028* identified that Hornsby Shire was chosen as the place to live by most people due to the affordability of housing and the local services and facilities available. The *Delivery Program 2018-2021* lists an Affordable Housing Discussion Paper as a key initiative (3C.7) for 2018/2019. Councillors discussed housing affordability and housing choices at a recent workshop where it was agreed an Affordable Housing Discussion Paper should be presented to Council for endorsement for exhibition.

On 18 April 2018, a Councillor Workshop was held to present a draft Affordable Housing Discussion Paper and seek feedback on its content, in particular Council's goals and objectives for affordable housing and the preliminary recommendations which could be pursued by Council in relation to the provision of affordable housing.

Council subsequently considered Group Manager's Report No. PL17/18 at its meeting on 13 June 2018 and resolved as follows:

THAT consideration of Group Manager's Report No. PL17/18 - Affordable Housing Discussion Paper be deferred to allow Councillors and Council Officers to closely examine all implications to Hornsby Shire residents, prior to public exhibition, ensuring the discussion paper;

- 1. Is truly effective in resolving the housing affordability issue,*
- 2. Is not detrimental to the rest of the community,*

3. *Does not contribute to further over development or inappropriate development within Hornsby Shire.*
4. *Does not prejudice Councillors' relationship with Hornsby Shire residents in fighting over development and inappropriate development as promised in the September 2017 Council electoral campaign material.*
5. *Is simple, decisive, clearly communicated and beneficial to the collective interests of Hornsby Shire residents so that they can respond without anxiety or unnecessary confusion.*

A workshop was held with Councillors on 15 August 2018 to discuss the above matters. The key matters discussed at the workshop included investigating a greater diversity of lot sizes, potential locations for medium density on R3 zoned land, provision of affordable housing case studies following exhibition, ensuring any consideration of affordable housing would not result in overdevelopment and inappropriate development and revising the language in the draft Affordable Housing Discussion Paper to ensure it is clear and concise.

The draft Affordable Housing Discussion Paper (copy attached) has been amended in response to the workshop discussions including the revision of the language style, removal of the preliminary recommendations and lobbying of the Federal and State Government option, and ensuring any investigations in relation to medium density housing do not detrimentally impact existing low and medium density areas.

DISCUSSION

The Affordable Housing Discussion Paper attached to this report has been prepared in recognition of Council's statutory obligations to assist in the provision of affordable housing as well as its social obligations. Access to housing is a critical issue and the increasing lack of availability of affordable housing affects social sustainability and community well-being.

The purpose of the Discussion Paper is to explore housing affordability as it relates to Hornsby Shire, discuss the role of Federal, State and Local government in alleviating housing affordability issues and consider how Hornsby Council can encourage the provision of adequate, appropriate and affordable housing.

It is recommended that the Affordable Housing Discussion Paper be placed on public exhibition to seek feedback and suggestions from the community on how Council can provide the type of housing the Shire needs as it grows – not just in numbers but in diversity, that can accommodate the changing needs of households. Community engagement on the issue should be sought through numerous channels including the Mayors Message in local papers, Facebook posts, media releases, newspaper articles and targeted letters.

Affordable Housing Discussion Paper

1. Introduction and Purpose

The first chapter outlines the purpose of the Discussion Paper to explore housing affordability and options to address the issue within Hornsby Shire.

2. Context

The legislative framework and policy context is set out in this chapter. The *EP&A Act*, Sydney Region Plan and North District Plan all advocate for the provision of housing choice, diversity and affordability. Council's *Community Strategic Plan 2018 – 2028*, which identifies the main priorities and

aspirations for the future of the Shire, contains an action statement that confirms Council's commitment to *"collaboratively implementing infrastructure, sustainability, liveability, productivity and affordability initiatives to ensure our Bushland Shire thrives now and into the future."* Council's *Delivery Program 2018 – 2021* specifically identifies an Affordable Housing Discussion Paper as a key initiative (3C.7) to be delivered in 2018/19.

3. What is Affordable Housing?

Chapter 3 describes the term affordable housing as a reference to housing that is within a household's means to pay and appropriate to its needs in terms of size, form and location. Whether housing meets the needs of a household depends on whether the housing is of a reasonable standard and quality, not overcrowded or underutilised, located close to services and jobs that the members of the household travel to and is cost efficient to maintain.

Affordability is generally measured by the ratio of rent or purchase price to household income. Lower income households who are paying more than 30% of household income to meet their housing costs are generally considered to be in housing stress.

4. Demographics and Housing in Hornsby Shire

This chapter provides a snapshot of Hornsby Shire in relation to population, household size, median age, weekly rent, household income, jobs and labour force participation. It also contains discussion on key workers such as teachers, nurses, police, ambulance, fire and emergency workers who provide essential services and are an important part of the Shire's safety, vitality, sustainability and social diversity.

Key workers are affected by housing affordability as they can be priced out of housing in the communities they serve and may be forced to rent longer or buy or rent further away and face a long commute to work. A 2018 Key Worker Housing Affordability Report prepared by University of Sydney identifies that North Sydney and Hornsby have had a net loss of 1.8% of key worker population in the 10 years between 2006 and 2016.

The chapter also charts and compares median rent and sale prices for houses and units in Hornsby. Latest data available from Family and Community Services shows that as at June 2014 there was just 2% of private rental stock that was affordable for very low income earners in Hornsby and 6.2% for low income earners. Purchase affordability for very low income households has been close to 0% for the last 12 years, and 0.2% for low income households. Affordability for moderate income households to purchase in Hornsby is 3.5%, well below the average for Greater Sydney of 17.4% at June 2014.

5. State and Federal Government Roles

State and Federal Governments play a large role in influencing the housing market, which in turn impacts on housing policy. Government policies which influence the housing market are discussed in this chapter, including interest rates, negative gearing, first homebuyer assistance, Metropolitan and District Planning, State Environmental Planning Policies (SEPPs) such as the Affordable Rental Housing SEPP and SEPP 70 – Affordable Housing (Revised Schemes). Housing assistance programs are also discussed including Commonwealth Rent Assistance, Social Housing and Rentstart.

6. Local Government Role

Due to predicted substantial population growth, local councils are being pushed to ensure long term housing provision and affordability. Through the land use planning process, local government can promote diversity in housing outcomes for their communities and assist with housing supply.

However, a report by the Reserve Bank indicates that resistance to rezonings for increased densities within some areas is pushing up prices and adding a 'shadow price' to areas in Sydney and Melbourne which allow for such densities.

This chapter of the Discussion Paper discusses Council's current housing policy. Council currently addresses affordable housing through the preparation of strategies to rezone land and increase supply, increase the proportion of multi-unit dwellings and encourage adaptable housing and universal design. The chapter also discusses strategies other local councils are implementing to address housing affordability issues.

7. Moving Forward

Chapter 7 discusses Council's goals and objectives for affordable housing into the future. Building on previous goals set by Council, the framework of the Greater Sydney Commission's North District Plan and Council's Community Strategic Plan 2018-2028, the core housing goal articulated in the Discussion Paper is to *"Support community wellbeing through the provision of housing that is affordable and appropriate to household needs and preferences in terms of choice and location, while protecting and enhancing local surroundings and the natural environment"*.

In the context of the above core goal and in direct response to the demographic and market analysis provided in the Discussion Paper, Council's objectives for housing policy moving forward are identified as follows:

- Increase the supply of rental housing;
- Promote housing diversity through a range of housing types;
- Promote adaptable housing for the aging;
- Increase the proportion of medium density dwellings (carefully considered in the context of the State Governments Low Rise Medium Density Housing Code);
- Promote good quality urban and housing design;
- Promote multi-unit housing in locations which currently lack housing choice and affordability;
- Ensure that the location of new housing offers residents adequate access to transport, employment, services, and to social and support networks;
- Promote housing development that reflects land capability and pursues the principles of ecologically sustainable development;
- Minimise impact on the environment, including the environmental costs of infrastructure construction;
- Retain potentially productive agricultural and environmentally sensitive land; and
- Provide additional housing in areas where adequate sewerage, drainage, transport, community services and facilities, water, open space, recreation opportunities, schools, employment and public transport are or can be provided.

8. Options for Housing Policy

This chapter sets out and explains the planning mechanisms, direct facilitation and advocacy or partnership options available to Council in addressing affordability. These include updating the requirement for mix of dwelling types, investigating options for medium density housing in appropriate locations and forms, considering mandatory provision of affordable housing in new development when

land is rezoned (inclusionary zoning), request to be included in State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes) to provide Council the ability to collect affordable housing contributions in certain areas, consider utilising voluntary planning agreements as a means of securing affordable housing apartments or monetary contributions for the provision of affordable housing, supplying Council owned land and/or partnerships with community housing providers.

9. Summary of ‘Tell Council’ Questions

This section includes a summary list of all ‘Tell Council’ questions interspersed between chapters 5 - 8 prompting responses from agency and industry groups, registered community housing providers, the community, employers of key workers and other stakeholders.

10. Feedback

The final chapter requests feedback from the community to better understand housing affordability concerns and suggestions to help address affordability and inform our local strategic planning statement. This chapter clarifies that the community may wish to answer the questions posed throughout the document, provide other feedback on the document, or a combination of both.

CONSULTATION AND ENGAGEMENT STRATEGY

It is recommended that the Affordable Housing Discussion Paper attached to this report be placed on public exhibition for a period of 2 months. The exhibition would involve the following.

Newspaper advertisement - to appear in the Hornsby Advocate, Hills Shire Times and Northern District Times.

Website Notification - on Council’s website under ‘Have your Say’.

Mayors Message – details to be included as part of the ‘Mayors Message’ appearing in the Hornsby Advocate, Monthly Chronicle and Bush Telegraph.

eNews – an article in Council’s monthly eNews.

Social Media –posts on Council’s Facebook page at the beginning of the exhibition and midway through the exhibition period.

Media Release – a media release will be prepared by Council’s Strategy and Communications Team for distribution to relevant media outlets.

Displays – at Council’s Administration Centre and libraries

Letters – targeted letters to the following groups:

Agency and industry groups:

- NSW Family and Community Services – Centre for Affordable Housing;
- Sydney Alliance;
- Housing Supply Association;
- Urban Development Institute of Australia;
- Hornsby Chamber of Commerce; and
- Housing Industry Association;

Community Housing Providers

- Evolve Housing;

- Ecclesia Housing;
- Women's Housing Company;
- St George Community Housing;
- Link Housing;
- Metro Community Housing;
- Community Housing Limited; and
- My Foundations Youth Housing.

Employers of key workers

- NSW Department of Education
- NSW Health
- NSW Police Force
- Ambulance Service of NSW
- Fire and Rescue NSW

Community Housing Providers will also be contacted to ascertain their availability to present at a Informal Council Workshop. The purpose of the workshop will be to gain industry insights into community housing provision in Greater Sydney and the potential implications for Hornsby Shire.

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

BUDGET

The costs of exhibition of the Affordable Housing Discussion Paper are able to be met with funds from the annual Advertising Budget.

POLICY

The Hornsby Shire Affordable Housing Discussion Paper has been drafted to seek community feedback and suggestions concerning the issue of housing affordability and options for addressing the same. The feedback will be used in the upcoming preparation of Council's Local Strategic Planning Statement which is a new obligation under the *EP&A Act*. The Local Strategic Planning Statement is to be prepared by Council staff, Councillors and the community and will set the vision for land use in the local area, aligned with metropolitan and district plans and Council's own priorities.

CONCLUSION

Council currently addresses the issue of affordable housing in its planning instruments by rezoning planned precincts for multi-unit housing to provide housing choice and requiring a mix of unit sizes. However, with median rental and purchase prices for houses and units increasing there is a need for other mechanisms to assist address affordability. Lack of availability of affordable housing especially affects key workers who provide essential services and are an important part of Hornsby Shire's safety, vitality, sustainability and social diversity.

It is recommended that the attached Affordable Housing Discussion Paper be placed on public exhibition to seek feedback from the community to better understand affordability concerns and to seek suggestions to help develop solutions to address the issue.

RESPONSIBLE OFFICER

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

LOUISE GEE
Manager - Strategic Planning
Planning Division

JAMES FARRINGTON
Group Manager Planning
Planning Division

Attachments:

1. [⇒](#) Affordable Housing Discussion Paper - September 2018

File Reference: F2017/00252
Document Number: D07517659

4 DEFERRED REPORT - DESIGN EXCELLENCE REVIEW OF PLANNING CONTROLS

EXECUTIVE SUMMARY

- In accordance with resolutions of Council concerning built form outcomes in housing strategy precincts, urban design consultants were engaged to prepare a review of planning controls. Overall, the *Hornsby Development Control Plan (HDCP) 2013* defines desired outcomes and prescriptive measures that are generally consistent with best practice. Improvements could be achieved with a formal Design Review Panel and amendments to planning controls.
- At its meeting on 13 June 2018, Council considered Group Managers Report No. PL18/18 regarding the Design Excellence Review of Planning Controls and resolved to defer consideration of the matter to clarify the issues raised by community members.
- This report addresses the matters raised by community members and includes further HDCP amendments following a review of Ku-ring-gai Council's development controls.
- It is recommended that draft amendments to the *HDCP 2013* be endorsed for exhibition, further reports be presented to Council concerning changes to the *HLEP* and implementation of a Design Excellence Advisory Panel.

RECOMMENDATION

THAT:

1. The draft amendments to the *HDCP 2013* attached to Group Manager's Report No. PL26/18 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.
3. A further report be presented to Council for progression of a Design Excellence Review Planning Proposal to implement proposed changes to the *HLEP 2013* as outlined in Group Manager's Report No. PL26/18.
4. Council endorse in principle the establishment of a formal Design Excellence Advisory Panel, with a further report being presented to Council concerning the appointment, constitution, fee structure and yearly budget allocation for the Panel.
5. In the interim, Council endorse the restructure and utilisation of Council's current Design Excellence Panel as set out in Group Manager's Report No. PL26/18 until such time as the formal panel is established.
6. Council write to the Minister for Planning requesting that a Design Guide apply to all medium density development to promote design excellence.
7. Council renew its subscription to the Cities Leadership Institute to June 2019.

PURPOSE

The purpose of this Report is to discuss the findings and recommendations of the Design Excellence Planning Controls review and present associated draft amendments to the *HDCP 2013* for endorsement for public exhibition.

This report addresses the matters raised by community members at the Council meeting held on 13 June 2018, with respect to HDCP controls for tree protection and concerns regarding the implementation of the urban design consultant's recommendations into the HDCP amendments.

BACKGROUND

At its meeting on 8 November 2017, Council considered Notice of Motion No. NOM13/17 concerning recent development in Hornsby Shire and resolved that:

1. *Council note that a Councillor Briefing has been scheduled for 15 November 2017 which provides an appropriate opportunity for Councillors to discuss the Hornsby Local Environmental Plan and Development Control Plan and the introduction of Independent Hearing and Assessment Panels.*
2. *In response to concerns raised in the community relating to the built form outcomes of Council's previous housing strategies and other matters, Council make as its top strategic planning priority a review of its planning controls to inform amendments to the Hornsby Local Environmental Plan and Development Control Plan.*
3. *At the Briefing mentioned in 1. above, Council consider the scope and methodology for the review of its planning controls as well as the resource and financial implications.*
4. *Any review of planning controls should include, but not be limited to, the introduction of further landscaping requirements such as increased deep soil planting areas, provisions for canopy tree planting, introduction of material and colour schedules and greater opportunities for "Green Walls" on residential flat buildings.*

Also at its meeting on 8 November 2017, Council considered Notice of Motion No. NOM14/17 concerning Expansion of Design Excellence Provisions and resolved that:

A report be prepared for Council's consideration presenting amendments to the Hornsby Local Environmental Plan 2013 and Hornsby Development Control Plan 2013 to expand the application of the Design Excellence provisions to townhouses and all residential flat buildings.

In accordance with the above resolutions, expressions of interest were sought from consultants on Council's Design Excellence Panel. Following an assessment of submissions against selection criteria, Architects Johannsen and Associates (AJA) were engaged to review the Design Excellence provisions and the planning controls for residential flat buildings and townhouses based on built form outcomes in Housing Strategy precincts.

AJA has submitted a report on the Design Excellence (Residential Development) Planning Controls Review (copy attached).

At its meeting on 13 June 2018, Council considered Group Manager's Report No. PL18/18 regarding the Design Excellence Review of Planning Controls. At the meeting, issues were raised by community members with respect to the HDCP amendments, including controls relating to the protection of trees on development sites and concerns that the urban design consultant's recommendations had not been adequately incorporated into the recommended HDCP amendments. Council resolved that

consideration of the Report be deferred to allow clarification of some of the issues raised by members of the public.

Council also requested that consideration be given to Ku-ring-gai Council's development controls and where appropriate, the incorporation of Ku-ring-gai's controls into the HDCP to achieve a landscape setting and improved built outcomes.

DISCUSSION

This report discusses the findings and recommendations of the Design Excellence Planning Controls Review, which was prepared by AJA and Think Planners, with input from landscape architect Spackman Mossop Michaels. The report also presents associated draft amendments to the *HDCP 2013* for endorsement for exhibition.

This report also addresses matters raised by members of the community at the 13 June 2018 Council meeting.

Design Excellence Planning Controls Review

The Review considers how five storey and townhouse typologies are impacting on existing suburban streetscapes and identifies where there is scope for improvement with respect to built form and character outcomes and the potential for more greening in the urban environment.

In summary the Review finds that, overall, the *HDCP 2013* defines desired outcomes and prescriptive measures that are generally consistent with best practice. A tour and inspection of built form carried out by the consultants identifies that there are some good examples of how considerate application of the current *HDCP* controls can achieve quality results. However, there are also examples of inconsistencies in how the controls are articulated, interpreted and applied.

The Review recommends that many improvements could be realised with the broader application of a formal design review panel, in conjunction with a number of amendments to planning controls that should be applied. A summary of key findings is provided below:

Public Domain

The public domain is the critical transition zone between buildings and private land at the street edge and the public domain. The Review finds that within the Hornsby local government area, there is a wide range of public domain conditions that are determined by the road hierarchy, topography and existing trees and vegetation. To combat long street wall impacts there should be strategies for maintenance of the existing tree canopy and additional street planting wherever possible.

At its meeting on 11 July 2018, Council considered Deputy General Manager's Report No. IR7/18 regarding public domain strategies to improve the quality of town centres and housing strategy precincts. At the meeting, Council resolved to allocate \$300,000 in funding to support the development of public domain plans. The public domain plans will be reported to Council prior to proceeding to exhibition.

Residential Flat Buildings

The Review considers built form outcomes within five storey housing strategy precincts and finds instances where street walls of development are too predominant. The review acknowledges that there can be good vegetation outcomes fronting unit developments over time as plantings mature. However, this requires a stronger focus on retention of existing trees, tree species selection and the interface between the boundary of private development sites and the public domain. Amendments to controls within the *HDCP* are recommended to strengthen requirements for tree retention, deep soil

landscaping, setbacks, front fences, coordinated services planning, roof terraces and green walls in the chapters relating to Site Requirements, Setbacks, Landscaping and Open Space.

Concerns in relation to visual outcomes for buildings with mezzanine levels are examined in the Review. It is noted that the 17.5m height limit for five storey buildings provides flexibility for sloping sites and allows a variety of roof forms and expression. However, in some instances attempts have been made to configure an additional floor within the height limit resulting in non-compliance with Apartment Design Guide ceiling heights and unfortunate mezzanine outcomes. Recommended amendments to the *HDCP* include controls to discourage mezzanine levels, unless the proposal demonstrates design excellence and includes architectural treatments such as sleaving to minimise visual impacts of mezzanine levels. Further, a reduction in the height control under the *HLEP 2013* by 1m to 16.5m is recommended.

The *HDCP* contains detailed measures intended to deal with building separation and articulation. The Review notes that differences in interpretation of the controls has led to overly complicated facades which cannot be resolved by the application of more design guidelines. Instead, it is recommended that the Building Form and Separation chapter be simplified to refer to the Apartment Design Guide in conjunction with the formation of a formal Design Excellence Advisory Panel (see further discussion below under Design Review Panel).

The tour and inspection of housing strategy precincts carried out by the consultant identifies the significant impact that the materials, finishes and positioning of services have on the visual environment and also the way in which buildings can assist to minimise heat island impacts and lower energy needs. The Review recommends amendments to the *HDCP* in the form of a new chapter on Materials, Finishes and Services and an amendment to the Development Application Submission Guidelines to set out how services should be planned and coordinated.

Townhouses

The Review considers built form outcomes within medium density townhouse precincts and notes that, as this typology is not covered by the Apartment Design Guide, there is less design scrutiny which has led to some undesirable visual impacts. Pre-Development Application requirements should be strengthened for medium density development to assist address scale and contextual elements, in conjunction with the formation of a formal Design Excellence Advisory Panel (see further discussion below under Design Review Panel). Similar to the findings for residential flat buildings, amendments to controls within the *HDCP* are recommended to strengthen requirements for tree retention, deep soil landscaping, setbacks and coordinated services planning in the chapters relating to Site Requirements, Setbacks, Landscaping and Open Space.

The Review also recommends that Council lobby the State Government for amendments to *State Environmental Planning Policy (SEPP) 65 – Design Quality of Residential Apartment Development* and the Apartment Design Guide to include provisions for assessment of townhouse developments that are two storeys or more and comprise at least two units. However, since the preparation of the Design Excellence Planning Controls Review, the Department of Planning and Environment introduced a new Low Rise Medium Density Housing Code and an accompanying Medium Density Design Guide which commenced on 6 July 2018. Council was successful in obtaining an exemption from the Medium Density Code for Hornsby Shire for a period of 12 months, meaning complying development for the purpose of medium density development is not permitted in the Hornsby Shire until July 2019.

It is recommended that a request me made to the Minister for Planning, requesting that either the Medium Density Design Guide be uncoupled from the Code to stand alone to promote design excellence for any type of medium density development, or alternatively that *SEPP 65* and the Apartment Design Guide be amended to include townhouses as originally recommended.

Design Excellence

As identified in the Review, design excellence is a concept and not a development standard. It is not possible to deal with the concept of design excellence in the same way as a setback or a landscape area control via a quantum or number. In recognition of this, and in the context of new planning controls promoting tall residential towers within the western side of Hornsby Town Centre, Council adopted an additional local provision within the *HLEP 2013* which sets out design excellence criteria. Clause 6.8 Design Excellence of the *HELP 2013* came into force in September 2015 and applies to developments at or above 10 storeys in height.

Council, at its meeting on 8 November 2017, resolved to expand the application of the design excellence clause to include all residential flat buildings and townhouses, regardless of height. The Review supports this expansion of the clause, as the principles and criteria set out are consistent with best practice and relevant to numerous built forms irrespective of height. In addition, it recommends that Council's pursuit of design excellence be also articulated in the *HDCP* through the addition of a Design Excellence chapter and consideration of a Design Competition in the redevelopment of large scale strategic centres such as Hornsby Town Centre.

Council is a member of the Cities Leadership Institute (formerly the Future Cities Collaborative), a not-for-profit organisation dedicated to building the capacity of urban leaders to make cities, towns and communities great places. The Cities Leadership Institute has invited Council to renew its subscription. The ongoing involvement of the Institute and its Director, Professor Edward Blakely, will provide a level of independent overview and professional advice that will value-add to Council's pursuit of best practice and design excellence. Accordingly, although not specifically covered by the Review, it is recommended that Council renew its subscription for 12 months.

Design Review Panel

Council currently has a Design Excellence Panel made up of consultant architects and urban designers which are called upon to provide advice on development applications. However, the Review recommends that the scope and operation of the current Design Excellence Panel be expanded to a formal Design Review Panel.

The principle of design review panels was first outlined under *SEPP 65* with the intent that Design Review Panels be appointed to meet and provide advice on whether an apartment development meets the design principles of the *SEPP* and the Apartment Design Guide. Some councils have now constituted design panels for design excellence appraisal on a wider range of development. It is recommended that a Design Excellence Advisory Panel be established by appointing a Chairperson and two panel members each being independent specialists from the disciplines of architecture, urban design, heritage or landscape architecture. Alternate panel members should be appointed to cover absences or conflicts of interest. However, it is preferable that the same panel members sit on the panel to develop a consistent design excellence message that addresses the key desires and concerns of Council.

Panel meetings would be convened on a needs basis dependent upon the number of referred applications. The scope of the panel would be open to any multi-unit residential developments and referral would be required at Pre-DA stage as well as during the DA assessment.

Panel members would be remunerated based on a flat rate. A review of similar panels at other councils indicates the following remuneration rates. There would also be additional upfront costs to appoint and constitute the panel and ongoing costs relating to administration (agendas, minutes, and notification letters).

	Half day	Full day
Panel Member (x2)	\$1,000 (\$2,000)	\$1,800 (\$3,600)
Chairperson	\$1,800	\$2,500
Total cost	\$3,800	\$6,100

Clause 248 of the *Environmental Planning and Assessment Regulation 2000* prescribes a maximum fee for referral to a design review panel of \$3,000 which is charged to applicants. A tiered fee structure should be adopted to reflect the scale of development, for example development under three storeys could be charged half of the maximum fee and development over three storeys could be charged the full fee. Across Sydney there are differing approaches to fees for Pre-Development Application review, review during Development Assessment and any subsequent review necessary. To encourage applications to be referred for Pre-DA review to the panel, a further tiered fee structure may be required. Council may also need to commit a yearly budget to cover ongoing costs of the Panel that fall outside of cost recovery.

It is recommended that Council endorse in principle the establishment of a formal Design Excellence Advisory Panel, with a further report being presented to Council concerning the appointment, constitution, fee structure and yearly budget allocation for the Panel. In the interim, it is recommended that the consultants on Council's current Design Excellence Panel be restructured and utilised on the basis described above until such time as the formal Panel is established.

The recommendations arising from the Design Excellence (Residential Development) Planning Controls Review are discussed above and summarised as a hierarchy of actions below.

1. *Immediate changes*

- Public Domain Strategy – this is already a current priority and Council has allocated funding to progress the Public Domain Strategy.
- Amendments to the *HDCP 2013* – draft amendments are attached to this report and include strengthening of controls in relation to design excellence, mezzanine levels, public domain, tree retention, landscaping, deep soil planting, and setbacks.

2. *Medium/long term changes*

- Amendments to the *HLEP 2013* – the changes recommended to the height limit for five storey development and expansion of Clause 6.8 Design Excellence would require the adoption of a Planning Proposal (discussed below under the heading Hornsby Local Environmental Plan Amendments).
- Formal Design Excellence Advisory Panel – Council currently has a panel of consultants who provide comments on a range of multi-unit development applications. The current panel can be restructured and utilised until a formal Panel is established. It is recommended that a further report be presented to Council concerning the establishment of a formal Panel.

- Design Competitions – this being considered as part of the Hornsby Town Centre East Side Planning Proposal which is already being progressed by Council.
3. *Long term changes*
- Request/lobby for changes to State Government *SEPPs* and Design Guides – Council's recently wrote to the Minister for Planning raising concerns with the Low Density Medium Housing Code and requesting deferral of its implementation for Hornsby Shire. It is recommended that this be followed up with another letter requesting that either the Medium Density Design Guide be uncoupled from the Code to stand alone to promote design excellence for any type of medium density development, or alternatively that *SEPP 65* and the Apartment Design Guide be amended to include townhouses.

Development Control Plan Amendments

Draft amendments to the *HDCP 2013* were prepared and considered at the 13 June 2018 Council meeting. The amendments were based on the recommendations from the Design Excellence Planning Controls Review, along with an evaluation of submissions to Council concerning trees and vegetation provisions.

At the Council meeting, community members raised concerns with the HDCP amendments, particularly, concerns that the recommendations of Council's urban design consultant had not been adequately incorporated into the HDCP amendments and that the new controls for tree protection on development sites were problematic. Council resolved to defer consideration of the matter to clarify the issues raised by community members. The matters are addressed below:

Protection of Trees on Development Sites

Concerns were raised by a community member with respect to the new proposed clause (Part 1C.1.2) relating to tree management on development sites. It was suggested that the new clause may undermine the current Tree and Vegetation controls within Part 1B.6 and the provisions of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas)* (Vegetation SEPP).

Following the Council meeting, Council consulted with its legal team regarding the application of *State Environmental Planning Policy (Vegetation in Non-Rural Areas)* (Vegetation SEPP) and the implications of the proposed new clause on the existing Tree and Vegetation controls within 1B.6 of the HDCP. The Vegetation SEPP regulates clearing that is not ancillary to development requiring consent. Any clearing that is ancillary to development requiring consent requires an assessment as part of the development assessment process. The proposed new clauses for Tree Management on Development Sites would not undermine Clause 1B.6 of the HDCP. However, some changes to wording would be appropriate to clarify interpretation and application. The changes would involve amendments to Part 1B.6 Trees and Vegetation and the proposed new clause, Part 1C.1.2 Tree Management on Development Sites.

The design review was not intended to be a review of Council's tree controls. To avoid delays in proceeding with the new HDCP controls for residential built form and implementing the recommendations for formation of the design excellence panel, the tree controls should be reviewed as a separate matter. It is intended that a further report be prepared to Council relating to amendments to Council's Tree and Vegetation provisions in Part 1B.6.2 and the inclusion of a new clause 1C.1.2 relating to Management of Trees on Development sites.

Inclusion of the urban design consultant's recommendations in the HDCP amendments

Concerns were raised by community members that the HDCP amendments did not adequately incorporate the recommendations of the urban design consultants. To address these concerns, Council's consultants were requested to review the draft HDCP amendments to ensure their recommendations have been adequately incorporated in the controls.

The consultants confirmed that the draft HDCP amendments incorporate their recommendations. Minor wording amendments were recommended to clarify some aspects and these have been incorporated into the revised HDCP amendments.

Ku-ring-gai Councils development controls

A meeting was recently held with officers of Ku-ring-gai Council's planning division to review their controls for residential flat developments. One of the main differences is that Ku-ring-gai Council applies greater setback controls from the front boundary than Hornsby, which provide greater areas for landscaping and tree canopy growth. Although the front setback controls of Ku-ring-gai Council are generally larger than Hornsby Council's, the rear setbacks are less than Hornsby's requirements.

Based on the review of Ku-ring-gai Council's controls the following further amendments to the draft HDCP are recommended:

1. Delete permissible encroachment of balconies to 7m from the front boundary. This will mean balconies will need to be setback between 8-10m in accordance with the building setback controls.
2. Increase front setback of basement car park to 8m (from 7m) to increase the area for deep soil planting.
3. Increase front landscape verge to 8m (from 7m).
4. Include a 7m setback control for courtyards of units at ground level, to minimise the encroachments to the front setback and allow sufficient area for deep soil landscaping.
5. Require a landscape plan to include any required electricity kiosks, hydrants, garbage storage areas, letter boxes and paths, so that an accurate indication of the available deep soil and landscaped areas can be made during DA assessment.
6. Require any required encroachments to the front setback to be screened where possible and integrated into the landscape setting.
7. Include a control to discourage mezzanine levels, unless the proposal demonstrates design excellence and includes architectural treatments such as sleaving.
8. Include a control allowing communal open space at roof top level where it is in addition to the minimum required area at ground level.

The proposed setback amendments will increase area available for deep soil planting and tree canopy growth in the front setback. These amendments would not compromise the ability of developments to achieve building articulation and would improve the capacity for developments to achieve a landscape setting.

Hornsby Local Environmental Plan Amendments

As discussed above, the Review recommends a reduction in the maximum height limit for five storey development by 1m (from 17.5m to 16.5m) to avoid mezzanine apartments, along with an amendment to Clause 6.8 Design Excellence to apply to all development regardless of height or type. A Planning Proposal would be required to progress such amendments to the *HLEP*. It is recommended that a

further report be presented to Council with a Design Excellence Review Planning Proposal for adoption for Gateway Determination.

Investigation of the use of a Design Competition under Clause 6.8 of the *HELP 2013* for the redevelopment of large scale strategic centres such as Hornsby Town Centre is also recommended in the Review. This action is being considered as part of the Hornsby Town Centre East Side Planning Proposal which is already being progressed by Council.

CONSULTATION AND ENGAGEMENT STRATEGY

It is recommended that the draft amendments to the *HDCP 2013* attached to this report be placed on public exhibition for a period of two months. The exhibition would involve the following.

Newspaper advertisement - to appear in the Hornsby Advocate, Hills Shire Times and Northern District Times.

Website Notification - on Council's website under 'Have your Say'.

Mayors Message – details to be included as part of the 'Mayors Message' appearing in the Hornsby Advocate, Monthly Chronicle and Bush Telegraph.

ENews – an article in Council's monthly eNews.

Social Media –posts on Council's Facebook page at the beginning of the exhibition and midway through the exhibition period.

Media Release – a media release will be prepared by Council's Strategy and Communications Team for distribution to relevant media outlets.

Information Drop-In Sessions – details of the time and location of the information drop-in sessions to be advertised in the newspaper advertisement, Council's website, E-news and Facebook.

Displays – at Council's Administration Centre and libraries.

Photo-Montages – illustrating the improvements to the built form and landscape setting of developments to be included in exhibition material.

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

BUDGET

Consultant costs associated with the Design Excellence Planning Controls Review have been met with funds from the Strategic Planning Annual Operating Budget. The costs of public exhibition of the draft amendments to the HDCP are able to be met with funds from the annual Advertising Budget.

POLICY

The draft amendments to the *HDCP 2013* will be exhibited in accordance with the requirements of the *Environmental Planning and Assessment Regulation*. Should Council be of a mind to adopt the amendments subsequent to receiving a report on submissions, they would be incorporated into the *HDCP* and come into force upon notification in a local newspaper.

CONCLUSION

The Design Excellence Planning Controls Review finds that, overall; the *HDCP 2013* defines desired outcomes and prescriptive measures that are consistent with best practice. However, there are also examples of inconsistencies in how the controls are articulated, interpreted and applied.

The Review recommends that many improvements could be realised with the broader application of a formal design review panel, in conjunction with a number of amendments to planning controls as outlined in this report.

It is recommended that the draft amendments to the *HD*CP attached to this report be placed on public exhibition for a period of 28 days, and that further reports be presented to Council concerning changes to the *HLEP* through a Design Excellence Review Planning Proposal and the implementation of a Design Excellence Advisory Panel. It is also recommended that Council renew its subscription to the Cities Leadership Institute to value-add to Council's pursuit of best practice and design excellence.

RESPONSIBLE OFFICER

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

LOUISE GEE
Manager - Strategic Planning
Planning Division

JAMES FARRINGTON
Group Manager Planning
Planning Division

Attachments:

- 1.⇒ Draft amendments to HD
- 2.⇒ Design excellence and residential development (planning controls) review

File Reference: F2014/00312
Document Number: D07518680

5 ACCELERATED LEP REVIEW - STRATEGIC PLANNING PROGRAM

EXECUTIVE SUMMARY

- The *Hornsby Local Environmental Plan (HLEP) 2013* has been reviewed against the priorities and actions of the North District Plan and the Community Strategic Plan in accordance with legislative requirements.
- The Local Environmental Plan (LEP) Review finds that Hornsby Council is well placed to deliver on the actions identified in the North District Plan. To inform the preparation of a Local Strategic Planning Statement (a 20 year vision for land use in Hornsby Shire) existing strategies will require updating, along with delivery of some additional projects.
- The Local Strategic Planning Statement is not intended to have all the answers to future challenges and opportunities and will identify the need for further local strategic planning required such as precinct and master planning, local character statements, housing and infrastructure strategies. The Department of Planning and Environment advises that Local Strategic Planning Statements should be seen as evolutionary where identified actions result in future refinements and amendments to LEPs.
- The \$2.5 million funding provided to Council under the Accelerated LEP Review will facilitate a number of the strategic studies and plans necessary to support the update of the *HLEP 2013* within a two year time-frame. Other projects will be addressed as a future action of the Local Strategic Planning Statement.
- The LEP Review is required to be submitted to the Department of Planning and Environment by 31 October 2018 to meet the first project deliverable under the Accelerated LEP Review Funding Agreement.

RECOMMENDATION

THAT Council endorse the Local Environmental Plan (LEP) Review Report and Accelerated LEP Review Program attached to Group Manager's Report No. PL28/18 for submission to the Department of Planning and Environment to meet the first project deliverable under the Accelerated LEP Review Funding Agreement.

PURPOSE

The purpose of this Report is to present a program of work to be undertaken under the Accelerated LEP Review Funding Agreement and an accompanying LEP Review Report for endorsement by Council.

BACKGROUND

At its meeting on 13 June 2018, Council considered Group Manager's Report No. PL19/18 concerning District Planning and a funding offer from the Department of Planning and Environment and resolved that:

1. Council accept the funding offer of \$2.5 million under the Department of Planning and Environment's 'Accelerated LEP Review Program'.
2. The General Manager be authorised to accept the funding offer from the Department of Planning and Environment and sign the associated Funding Agreement.
3. Council note the Department of Planning and Environment's requirement that the review and update of the Hornsby Local Environmental Plan must be completed by 30 June 2020.
4. A further report be prepared for consideration by Council outlining a program, timeframes, resource requirements and budget to undertake a review of the Hornsby Local Environmental Plan.

In accordance with the Funding Agreement which has now been entered into, Council is required to undertake a review of the *Hornsby Local Environmental Plan 2013* to check its alignment with the actions in the North District Plan.

DISCUSSION

An LEP Review Report, Accelerated LEP Review Program and associated Strategic Planning Program (attached) have been prepared for Council's endorsement and are discussed below. The LEP Review Report is required to be submitted to the Department of Planning and Environment by 31 October 2018 to meet the first project deliverable under the Accelerated LEP Review Funding Agreement. The Department will undertake an initial appraisal of the LEP Review and report it to the Greater Sydney Commission as part of its assurance role in the implementation of the District Plans.

The purpose of the LEP Review is to identify how closely aligned the *HLEP 2013* is to the planning priorities and actions in the North District Plan and identify priorities for investigation to inform a Local Strategic Planning Statement.

LOCAL STRATEGIC PLANNING STATEMENT

The requirement for a Local Strategic Planning Statement was introduced into legislation in March 2018. Section 3.9 of the *Environmental Planning and Assessment (EP&A) Act* requires councils to prepare and make a Local Strategic Planning Statement, which is to be reviewed at least every seven years.

Local Strategic Planning Statements set out the 20-year vision for land use in the local area, the special characteristics which contribute to local identity, shared community values to be maintained and enhanced and how growth and change will be managed into the future.

The Statement is not intended to have all the answers to future challenges and opportunities. It will identify the need for further local strategic planning required such as precinct and master planning, local character statements, housing and infrastructure strategies. The Department of Planning and

Environment advises that Local Strategic Planning Statements should be seen as evolutionary where identified actions result in future refinements and amendments to LEPs.

LEP Review Report

The LEP Review Report has been prepared to satisfy the legislative requirements under Section 3.8 (4) of the *EP&A Act* for councils to undertake a review of their LEPs following the making of a District Plan.

The Greater Sydney Commission and the Department of Planning and Environment facilitated Technical Working Groups (TWGs) between June and September 2018 to ensure consistent interpretation of the District Plans, facilitate the sharing of evidence and data, assist the coordination of cross boundary and district wide issues and identify priorities for further studies and investigations. Council officers have attended TWGs on the following topics:

- Local Environmental Plan Updates;
- Local Strategic Planning Statements;
- Sustainability;
- Rural Lands
- Housing and Liveability;
- Productivity; and
- Infrastructure and Collaboration.

Council's LEP Review has been prepared based on analysis of the North District Plan, the Hornsby Shire Community Strategic Plan, and existing Council policies and strategies. Executive Management has overseen a coordinated cross divisional approach to the LEP Review with staff collaborating to identify Council projects and strategies which align with the priorities of the North District Plan and the Community Strategic Plan.

The outcome of the Review is that Hornsby Council is well placed to deliver on the actions identified in the North District Plan. Some existing strategies will require updating, along with delivery of some additional projects, to inform the preparation of a Local Strategic Planning Statement as outlined below.

Demographics

Critical to the preparation of a Local Strategic Planning Statement is a detailed demographic analysis. Council subscribes to Profile.id to access, present and compare census data. Council's review of the existing strategies, as outlined below, will require further demographic work and detailed analysis to form an evidence-based narrative of how our community's characteristics and needs are changing, what is driving the change and what we can anticipate for the future.

Housing

Council's most recent Housing Strategy (2011) rezoned additional precincts across the Shire for medium and high density housing, mainly in the form of five storey residential flat buildings. Based on current housing policy and completions, Council is well placed to meet the State Government's North District Plan 5 year target of 4,350 new dwellings with no additional rezonings required.

Although there is sufficient zoned land and development pipeline capacity to accommodate required dwelling growth in the short term, Council's planning for the medium to long term targets will focus on housing choice and diversity, affordability, liveability and local character. It will also involve

assessment of the demand for medium density, child care and seniors housing developments to inform exemption strategies from State Government policies which override local planning controls.

Employment and Economic Development

The current planning strategy for employment lands is based on the recommendations of the *Ku-ring-gai and Hornsby Subregional Employment Study (2008)*. A decade on, the Study needs to be updated to reflect current retail, business and industrial trends and identify how to attract significant investment and activity in our commercial centres to provide jobs growth. In addition, the Greater Sydney Commission is leading a review of industrial and urban services land. Council's planning for economic development also needs to consider tourism opportunities (including eco-tourism), the night-time economy and place-based initiatives to attract visitors and improve experiences.

Heritage

Council protects buildings, places and landscapes of historical and environmental heritage through the identification and listing of heritage items and heritage conservation areas, overlaid with planning controls. More than 800 heritage items have been listed and nine Heritage Conservation Areas (HCA) established since Council's first Heritage Study was prepared in 1991. Five subsequent periodical reviews have been undertaken since, to reassess identified heritage values and respond to nominations received for potential new listings.

At its meeting on 8 August 2018, Council resolved to undertake a comprehensive Heritage Study to inform amendments to Council's planning controls and the preparation of a Local Strategic Planning Statement. Part 1 of the Study will include a gap analysis and identification of priority actions that could be achieved through the Accelerated LEP Review program.

Environmental Sustainability

Council is directly responsible for 2,000 hectares of bushland. Council manages policies, strategies and programs to ensure bushland and waterways are protected and enhanced. Council's planning for the future growth of the Shire needs to include measures to address climate change adaptation, urban heat mapping, water conservation, an urban forest strategy (to complement Council's 25,000 trees by 2020 initiative) and design excellence for green infrastructure. It will also include a Biodiversity Management Plan, to refine and ground truth vegetation mapping which informs the Terrestrial Biodiversity LEP mapping.

Rural Lands

The rural lands of Hornsby Shire are part of the Metropolitan Rural Area and contain a mixture of productive agricultural land, extractive industries, rural residential development as well as significant areas of native vegetation. Council's approach to guiding development within the rural areas of the Shire to date has been informed by previous studies such as the Rural Lands Study 1995, Rural Resource Study 2006, Rural Lands Planning Provisions 2009 and a Rural Lands Planning Issues Community Survey undertaken in 2014. Planning for the future of the rural areas will require a review of our planning strategy to ensure it aligns with the actions and responsibilities under the North District Plan, consistent with Council's submission to the Greater Sydney Commission supporting design-led planning in rural areas to investigate tourism, employment and housing opportunities that conserve the rural character of these areas.

Council has raised a number of concerns with the Minister for Planning and the Greater Sydney Commission about the proliferation of seniors housing in the rural areas, the problems with issuing of Site Compatibility Certificates and the inconsistencies with the objectives of the North District Plan.

The Greater Sydney Commission has requested Council's participation in a pilot project to conduct detailed research on the challenges identified concerning site compatibility certificates for seniors housing and housing for people with disability within the Metropolitan Rural Area.

Community and Cultural Facilities

Council's Community and Cultural Facilities Strategic Plan sets the long term direction for community and cultural facilities within Hornsby Shire. The Plan requires updating to reflect current priorities and demographic trends and the loss of territory south of the M2 motorway to the City of Parramatta Council.

Open Space and Connectivity

The Active Living Hornsby Strategy (2016) identifies the recreation and open space needs of the Hornsby community and provides a strategic framework from which to guide and manage future open space and recreation planning for Hornsby Shire. The Strategy identifies further Plans that need to be actioned in a staged approach. Planning for and maximising the use of existing open space will need to include progression of the further Plans identified in the Active Living Hornsby Strategy, including a Play Plan and a Walking and Cycling Plan.

Hornsby Town Centre

Both the North District Plan and Council's Community Strategic Plan include priorities to grow business opportunities and jobs and to create attractive centres. Council has resolved to undertake a Hornsby Town Centre Review to revitalise Hornsby to make it a more liveable, green and community focussed centre. The Hornsby Town Centre Review is an important step in the preparation of a Local Strategic Planning Statement and will address a number of actions from the North District Plan, including revitalisation and integration of the Centre, promotion of walking, cycling and public transport to and within the centre, public domain upgrades, place-making initiatives, new civic spaces, integrating social infrastructure to support social connections and provide a community hub.

Strategic Planning Program

The \$2.5 million funding provided to Council under the Accelerated LEP Review Funding Agreement will facilitate strategic studies and plans necessary to support the review and update of the *HLEP 2013* within a two year time-frame. The LEP Review Report identifies a number of existing studies and additional projects which should be undertaken to inform the preparation of a Local Strategic Planning Statement. There may be other projects that are not on the list that will need to be carried out as a future action of the Local Strategic Planning Statement with future budget and resource allocation. The Strategic Planning Branch is also responsible for delivering other strategic planning work such as development contributions plans and assessment of owner-initiated planning proposals. The attached Strategic Planning Program lists the projects to be undertaken over the next two years.

Other Projects

Pennant Hills Town Centre - Recent infrastructure in the area such as the North Connex Tunnel provides an opportunistic time to review the Pennant Hills Road Corridor between Pennant Hills and Thornleigh. Council has also long received feedback that the Pennant Hills Town Centre is in need of revitalisation and renewal. It is recommended that once the Accelerated LEP Review projects are underway, a report be prepared for consideration by Council before the end of 2019 which reviews resource implications and capacity to take on extra projects. This timeframe would allow Council to explore the revitalisation of the Pennant Hills Town Centre in the context of the scheduled demographic, open space and heritage analyses and Council's medium to long term housing targets.

Brooklyn Improvement Masterplan - There are a number of tasks that have not been completed to finalise the draft Brooklyn Improvement Masterplan. It is recommended that priority be given to working with the community on a place-making approach in the short term, with a focus on achievable short term improvements prior to formally revisiting the Masterplan, similar to the approach outlined above for Pennant Hills.

Should Council be of a mind to pursue either (or both) the Pennant Hills and Brooklyn projects as part of the Accelerated LEP Review Program, consideration should be given to the substitution of similar sized projects from the draft Program attached to this report. Alternatively, Council would need to allocated additional financial and staff resources to deliver the projects.

CONSULTATION

Council's Community Strategic Plan 2018-2028 was adopted by Council in June 2018. It gives a timely and clear indication of community views and values. The CSP and the accompanying research and community consultation data undertaken by a consultant were considered when preparing this LEP Review. In-depth community consultation will be undertaken as studies progress, including exhibition of draft studies, exhibition of the draft Local Strategic Planning Statement and exhibition of any subsequent Planning Proposals to amend the *HELP 2013*.

NEXT STEPS

The LEP Review will be submitted to the Department of Planning and Environment and the Greater Sydney Commission for endorsement. Once endorsed, a project plan will be finalised and submitted to the Department which outlines budgets, timeframes, governance and responsibilities for each project, study or strategy update. Under the Accelerated LEP Review Funding Agreement, Council is to have its draft studies and a draft Local Strategic Planning Statement prepared by July 2019.

BUDGET

There are no budgetary implications associated with this Report. The proposed Accelerated LEP Review Program is subject to a \$2.5 million funding offer and agreement with the Department of Planning and Environment.

POLICY

Sections 3.8 (4) and 3.9 of the *EP&A Act* require the review of the *HLEP 2013* and the preparation of a Local Strategic Planning Statement to give effect to the North District Plan. Participation in the Accelerated LEP Review Program requires delivery of the work within two years at minimal financial cost to Council.

CONCLUSION

This report provides an overview of Council's current planning policies and strategies and the work required to update the *HELP 2013* to align it with the North District Plan.

The LEP Review finds that Hornsby Council is well placed to deliver on the actions identified in the North District Plan. Existing strategies will require updating, along with delivery of some additional projects, to inform the preparation of a Local Strategic Planning Statement.

It is recommended that Council endorse the attached LEP Review Report and Accelerated LEP Review Program for submission to the Department of Planning and Environment to meet the first project deliverable under the Accelerated LEP Review Funding Agreement.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Strategic Planning – Louise Gee - who can be contacted on 98476744.

LOUISE GEE
Manager - Strategic Planning
Planning Division

JAMES FARRINGTON
Group Manager Planning
Planning Division

Attachments:

1. [⇒](#) LEP Review Report
2. [⇒](#) Accelerated LEP Review Program
3. [⇒](#) Strategic Planning Program

File Reference: F2018/00162
Document Number: D07522648

6 MAYOR'S NOTES FROM 1 TO 30 SEPTEMBER 2018

Note: These are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

Saturday 8 September 2018 – On behalf of the Mayor, Councillor Waddell attended Warrah's Annual Community Spring Fair at Dural.

Tuesday 11 September 2018 – The Mayor participated on the panel for the Brother Tony Whelan Public Speaking Competition at St Patrick's Catholic School at Asquith.

Tuesday 11 September 2018 – On behalf of the Mayor, Councillor Browne attended the 60th Diamond Anniversary of the Lions Club of Hornsby at Hornsby RSL Club.

Saturday 15 September 2018 – On behalf of the Mayor, Councillor Tilbury attended LinC Hornsby's Annual Thanksgiving Service and Annual General Meeting at Mount Colah Uniting Church, Mount Colah.

Saturday 15 September 2018 – On behalf of the Mayor, Councillor Browne officially opened the National Trust of Australia (NSW) Exhibition on "The Life of Marie Byles" at "Ahisma" in Cheltenham.

Sunday 16 September 2018 – On behalf of the Mayor, Councillor Tilbury presented the Hornsby Shire Bowling Cup at the Hornsby Shire Men's Bowling Competition held at Asquith Bowling Club.

Sunday 16 September 2018 – On behalf of the Mayor, Councillor Browne attended Lisgar Gardens 50th Anniversary of opening to the public at Lisgar Gardens in Hornsby.

Monday 17 September 2018 – On Behalf of the Mayor, Deputy Mayor del Gallego hosted two Citizenship Ceremonies in the Council Chambers.

Thursday 20 September 2018 – On behalf of the Mayor, Councillor Tilbury attended the Hornsby/Ku-ring-gai District RFS Medal Presentation Ceremony at Hornsby Ku-ring-gai Fire Control Centre in Cowan.

Saturday 22 September 2018 – On behalf of the Mayor, Councillor Tilbury attended Ku-ring-gai Historical Society Inc and Hornsby and Districts Amateur Radio Club's event to celebrate the Centenary of the First Direct Wireless Message from the United Kingdom to Australia at Wahroonga.

Monday 24 September 2018 – The Mayor attended the Arden Year 12 TAS ICON Showcase at Arden Secondary School Campus in Epping.

Wednesday 26 September 2018 – The Mayor attended St Leo's College Class of 2018 Graduation Mass at The Light of Christ Centre in Waitara.

Thursday 27 September 2018 – The Mayor attended Pacific Hills Christian School's "Thanking You for your contribution to making a better Community" Morning Tea at the School in Dural.

Friday 28 September 2018 – The Mayor attended Tennis Seniors NSW State Tennis Championships at Pennant Hills.

Friday 28 September 2018 – The Mayor presented awards at the Hornsby/North Western Sydney Regional Volunteer of the Year Award Ceremony at Castle Hill RSL Club.

File Reference: F2004/07053

Document Number: D07534142

ITEM 6

7 BYLES CREEK LAND ACQUISITION STRATEGY**COUNCILLOR HUTCHENCE TO MOVE****THAT:**

1. A report be prepared for Council's consideration on the studies required, timing and resource implications to undertake a review of Council's Byles Creek land acquisition strategy aligned to the review of Council's Local Environmental Plan to be funded from the internally restricted reserve (Sale of 179 Beecroft Road, Cheltenham funds).
2. The balance of funds be identified to progress significant improvements to Cheltenham Oval playing surface including consideration of opportunities for converting the surface to synthetic turf and that the most feasible upgrade option be reported to Council.

Note From Councillor

Following the sale of 179 Beecroft Road, Cheltenham, Council holds \$2.18 million in funds that have been restricted to provide community and cultural infrastructure supporting the Beecroft and Cheltenham communities.

A coalition representing the Beecroft Cheltenham Civic Trust, Byles Creek Valley Union and the Beecroft Sports Clubs attended a Mayoral Meeting in early September where the community members identified that the two priorities for these funds should be the acquisition of land for passive or open space and the conversion of Cheltenham Oval to a synthetic surface.

The Byles Creek Catchment is an environmentally significant area that contains bushland in excellent condition holding high biodiversity values. The bushland provides connectivity between the significant vegetation corridor along Byles Creek and Lane Cove National Park, allowing species to disperse between the reserves and National Park. Further, the area contains habitat suitable for a range of threatened flora and fauna species including *Leptospermum deanei*, *Genoplesium baueri*, Gang-gang Cockatoo, Grey-headed Flying-fox and Powerful Owl.

Council's Open Space Review 2007 recognised the environmental significance of this area and recommended the retention of the Open Space zoning in the catchment and identified these lands for acquisition.

It has been over a decade since this review was completed, and the community is now requesting that Council strengthen the Byles Creek vegetation corridor by identifying additional bushland properties for acquisition.

Reviewing Council's Byles Creek land acquisition strategy is a serious undertaking and in this regard I seek Councillors support in calling for a report that outlines the studies that would be required, timing and resource implications to undertake a review of this strategy with a view that the restricted funds

from the sale of 179 Beecroft Road, Cheltenham could be used to progress this initiative aligned to the current review of the LEP.

The community has also suggested that converting Cheltenham Oval to a synthetic surface would be of community value and a suitable avenue to apply the restricted funds.

There are many variables that need to be taken into account when considering synthetic surfaces including the costs of installing; ability to use for optimum hours to (i.e. up to 60 hours per week) to achieve required cost benefit; environmental issues such as drainage (stormwater) and adjoining residents; the presence of support facilities such as car parking and lighting. As such, a detailed feasibility study and business case should be completed to identify the most feasible upgrade option addressing the location, demand, financial viability, use and capital development cost.

Accordingly, I seek Councillors support to also progress a detailed feasibility study and business case for converting Cheltenham Oval to a synthetic surface.

Attachments:

There are no attachments for this report.

File Reference: F2011/00854

Document Number: D07531411

8 BEROWRA POOL FEASIBILITY

COUNCILLOR MARR TO MOVE**THAT:**

1. Council fund and undertake as independent study and report on the report on the need and feasibility for an indoor 25 metre pool and a 10 metre program pool to be developed adjacent to the Berowra Community Centre.
2. Funds not in excess of \$50,000 be allocated to this project

Note From Councillor

Berowra and surrounding areas is a unique place that has a population of around 21,000 local residents. These residents reside in Berowra, Berowra Heights, Cowan, Brooklyn, Berowra Waters, Mt Ku-ring-gai and Mt Colah. A pool in the vicinity of the Berowra Community Centre would serve these areas. There are also many people who pass through and/or park at Berowra who could benefit from the provision of a public pool facility.

Various studies have identified the many community benefits of public pools. Some of these surveys showed strong support and a willingness from residents to contribute financially to the construction of a pool. The centre of Berowra is about 17 kilometres or 20 minutes driving time north of Hornsby Shire Council Chambers and Hornsby Pool. The estimated \$6 million cost for a pool at Berowra plus associated running costs of about \$300,000 per annum would seem very reasonable in comparison with a total expenditure of \$60 million plus for the provision of new sportsgrounds at Westleigh (including the cost of purchasing the land).

In my mind there is a strong argument for a public swimming pool and leisure facility at Berowra. The current provision of two public pools in the Shire is insufficient to accommodate Hornsby's current population. It seems reasonable to investigate the need and feasibility of providing an indoor 25 metre pool and a 10 metre program pool at Berowra.

Sources of funding for the construction of a pool facility at Berowra Pool could include:

- Introduction of an infrastructure levy.
- A voluntary resident levy and associated discounts.
- Use of rates and money from sale of properties and facilities north of Hornsby.
- Government Grants.
- Use of volunteers in the construction of the facility.

Attachments:

There are no attachments for this report.

File Reference: F2013/00751

Document Number: D07531658

ITEM 8

9 SURVEYING THE COMMUNITY

COUNCILLOR MARR TO MOVE

THAT:

1. Council prepare a discussion paper for an upcoming informal workshop that considers how the main Rates Notice for the year (the July Rates Notice) could be used to undertake an annual community survey which seeks comprehensive feedback on Council planning, community facilities, local issues and on Council's performance.
2. The discussion paper should consider the format of such a survey, how the feedback will be utilised and the costs and benefits of this approach.

Note From Councillor

Council exists purely to serve the community, so it is important that we have a firm understanding of exactly what the community is thinking. The Councillors and staff are constantly talking to members of the public, gaining valuable feedback, but we obviously cannot reach everybody. What does reach absolutely everybody is the annual rates notice that is sent to all households in the Shire. This could be an excellent opportunity to take the pulse of the community on a range of issues.

I propose we investigate the possibility of including a survey with the annual rates notice, asking residents about the issues that are significant to them. It will be a chance to hear both the good and the bad. It is pleasing to know what the community likes about our work, but it is far more important to know where they feel we could do better.

This would not replace other forms of public consultation, such as the community forums, Facebook, Twitter, Instagram, pop-ups in public areas, the Community Strategic Plan consultation, responses to the monthly e-news, other specific surveys such as the one for the Waste Management Strategy, and the opportunity for submissions that accompanies every significant decision Council makes.

Attachments:

There are no attachments for this report.

File Reference: F2013/00223

Document Number: D07531685