



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 14 October 2020  
at 6:30PM**



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## **AGENDA AND SUMMARY OF RECOMMENDATIONS**

### **PRESENT**

### **NATIONAL ANTHEM**

### **OPENING PRAYER/S**

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairperson:

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

### **ABORIGINAL RECOGNITION**

Statement by the Chairperson:

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

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

Statement by the Chairperson:

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

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

### **POLITICAL DONATIONS DISCLOSURE**

Statement by the Chairperson:

*"In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement."*

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

## **DECLARATIONS OF INTEREST**

*Clause 4.16 and 4.17 of Council's Code of Conduct for Councillors requires that a councillor or a member of a Council committee who has a pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").*

- 4.16 A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.*
- 4.17 The councillor must not be present at, or in sight of, the meeting of the council or committee:*
- a) at any time during which the matter is being considered or discussed by the council or committee, or*
  - b) at any time during which the council or committee is voting on any question in relation to the matter.*

*Clause 5.10 and 5.11 of Council's Code of Conduct for Councillors requires that a councillor or a member of a Council committee who has a non pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").*

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

## **CONFIRMATION OF MINUTES**

THAT the Minutes of the General Meeting held on 9 September, 2020 be confirmed; subject to the last sentence on page 18 of the Minutes being amended from "Councillor Ruddock was taken to have voted against the amendment" to "Councillor Ruddock was taken to have voted against the motion". A copy of the Minutes has been distributed to all Councillors.

## **PETITIONS**

## **PRESENTATIONS**

## **RESCISSION MOTIONS**

## **MAYORAL MINUTES**

## **ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS**

### Note:

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

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

## **GENERAL BUSINESS**

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

## **OFFICE OF THE GENERAL MANAGER**

### **Page Number 1**

**Item 1      GM26/20 COVID-19 PANDEMIC - UPDATE ON COUNCIL'S RESPONSE**

## **RECOMMENDATION**

THAT the contents of the General Manager's Report No. GM26/20 be received and noted.

### **Page Number 5**

**Item 2      GM23/20 DRAFT ECONOMIC DEVELOPMENT AND TOURISM STRATEGY 2020-2025 FOR PUBLIC EXHIBITION**

**RECOMMENDATION**

THAT:

1. The draft Economic Development and Tourism Strategy 2020-2025 attached to General Manager's Report No. GM23/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

**CORPORATE SUPPORT DIVISION****Page Number 12****Item 3 CS29/20 INVESTMENTS AND BORROWINGS FOR 2020/21 - STATUS FOR PERIOD ENDING 31 AUGUST 2020****RECOMMENDATION**

THAT the contents of Director's Report No. CS29/20 be received and noted.

**Page Number 15****Item 4 CS30/20 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS - 2019/20 FINANCIAL YEAR****RECOMMENDATION**

THAT the:

1. 2019/20 General Purpose and Special Purpose Financial Reports be received and noted and referred for audit.
2. Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2019/20 Financial Reports.
3. 2019/20 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. General Manager be delegated authority to fix the date of the General Meeting at which the 2019/20 Financial Reports and Auditor's Report will be formally "presented to the public"

**Page Number 18****Item 5 CS31/20 PECUNIARY INTEREST AND OTHER MATTERS RETURNS - DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS****RECOMMENDATION**

THAT Council note the Written Returns of Interest recently lodged with the General Manager have been tabled as required by the Local Government Act.

## **COMMUNITY AND ENVIRONMENT DIVISION**

### **Page Number 21**

#### **Item 6 CE8/20 IPART DOMESTIC WASTE MANAGEMENT CHARGE REVIEW**

### **RECOMMENDATION**

THAT:

1. Council endorse the draft submission to the IPART Domestic Waste Management Charge Review attached to Director's Report No. CE8/20.
2. A copy of Council's submission be provided to local Members of Parliament.

### **Page Number 28**

#### **Item 7 CE9/20 RECRUITMENT OF NEW MEMBERS FOR THE CATCHMENTS REMEDIATION RATE EXPENDITURE REVIEW PANEL**

### **RECOMMENDATION**

THAT Council:

1. Endorse Nilmini De Silva, Warren Birkinshaw and Dilini Kumarasinghe as community representatives of the Catchments Remediation Rate Expenditure Review Panel.
2. Write to all nominees thanking them for their interest in participating on the Catchments Remediation Rate Review Panel.

### **Page Number 32**

#### **Item 8 CE12/20 DRAFT PLAY PLAN**

### **RECOMMENDATION**

THAT:

1. The draft Play Plan attached to Director's Report No. CE12/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

## **PLANNING AND COMPLIANCE DIVISION**

### **Page Number 40**

#### **Item 9 PL18/20 HORNSBY EMPLOYMENT LAND STUDY**



**RECOMMENDATION**

THAT:

1. The draft Hornsby Employment Land Study attached to Director's Report No. PL18/20 be placed on public exhibition for a period of 42 days in accordance with the consultation strategy outlined in the Report.
2. Following the exhibition, a report on submissions be presented to Council for its consideration.

**Page Number 49****Item 10 PC21/20 PLANNING PROPOSAL - VEGETATION MAPPING UPDATE****RECOMMENDATION**

THAT:

1. Council endorse the progression of the Planning Proposal attached to Director's Report PC21/20 to update and expand the Terrestrial Biodiversity Map within the *Hornsby Local Environmental Plan 2013* for submission to the Department and Planning, Industry and Environment for a Gateway Determination.
2. The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC21/20 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for its consideration.

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION****Page Number 59****Item 11 IM5/20 DRAFT WALKING AND CYCLING STRATEGY****RECOMMENDATION**

THAT:

1. The draft Walking and Cycling Strategy attached to Deputy General Manager's Report No. IM5/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

**PUBLIC FORUM – NON AGENDA ITEMS****QUESTIONS ON NOTICE**

**Page Number 65****Item 12 QWN1/20 COUNCIL DECISIONS****MAYOR'S NOTES****NOTICES OF MOTION****Page Number 66****Item 13 NOM16/20 STRATEGIES FOR DISABILITY INCLUSION ACTION PLAN AND DEVELOPMENT OF AN AGE FRIENDLY SHIRE STRATEGY**

COUNCILLOR MCINTOSH TO MOVE

THAT:

1. A workshop be held with Councillors to discuss the review of our *Disability Inclusion Action Plan (2017-2020)*, which requires a process of consultation and engagement with both our community and a range of key council staff to complete.
2. Council note that the NSW Ageing Strategy 2016-2020 is currently being reviewed, and that following release of the revised NSW Ageing Strategy that Council develop an *Age-friendly Strategy for our Shire*, which would address the needs of seniors in our Shire and incorporate the requirements for a Dementia-friendly Community, which was previously resolved by Council in 2018.
3. The proposal to complete this review and creation of a new strategy concurrently would save Council time and resources through shared consultation and engagement sessions and place Council in the best possible position to address these key issues for our community and to seek funds for the support of these actions.
4. As part of the creation of these two strategies it is proposed that key staff from across Council be engaged in training and professional development activities to ensure that the needs of seniors and people with a disability can be addressed across the full range of Council services, facilities and planning.
5. Both of these strategies require a comprehensive communication and consultation with our community, recognition of current best practice and will benefit from the exploration of opportunities for partnerships with aged and disability organisations and other agencies within in our community.

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

## **1 COVID-19 PANDEMIC - UPDATE ON COUNCIL'S RESPONSE**

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### **EXECUTIVE SUMMARY**

- Throughout September 2020 the confirmed cases of COVID-19 in NSW have slowly reduced to the point where there have been several consecutive 24-hour periods with no reported cases of community transmission across the State.
- This lower risk profile has allowed a shift in staff working arrangements with more staff able to work from the office, being up to 60% of working hours, subject to split working arrangements remaining in place to protect business continuity.
- Although all Council facilities are open, some continue to operate with amended service levels and some remain constrained by the requirements of the Public Health Orders. The lower risk profile, however, will allow all of the learn-to-swim programs to resume as normal.
- The current operating framework is planned to continue to at least January 2021 at which time there is expected to be more information available about possible vaccines and risk profiles. Notwithstanding, the organisation has demonstrated that rapid decisions can be made to change our staff working structures if COVID-19 cases in the Hornsby Shire emerge beyond an acceptable level of risk tolerance and continue to deliver essential services for our community.
- In view of the current low risk profile and stability of operations, the reporting on Council's response to the pandemic is proposed to shift to quarterly reporting to be included within the Council's quarterly performance report.

### **RECOMMENDATION**

THAT the contents of the General Manager's Report No. GM26/20 be received and noted.

## **PURPOSE**

The purpose of this Report is to provide an update on Council's current response to the COVID-19 Pandemic.

## **BACKGROUND**

The World Health Organisation has declared the COVID-19 virus as a pandemic. As the pandemic is expected to impact on Council's operations for an extended period, an ongoing status report will be provided, at least quarterly, for the duration of the pandemic and through the recovery phases.

## **DISCUSSION**

### **Status of Pandemic Response**

Throughout September 2020 the confirmed cases of COVID-19 in NSW have slowly reduced to the point where there have been several consecutive 24-hour periods with no reported cases of community transmission across the State.

Similarly, all other States and Territories across Australia have consistently recorded very low case numbers, with the exception of Victoria. However, following a very strict period of lockdown, the case numbers in Victoria are now starting to reduce and stabilise. The recent experience of virus transmission in Victoria, and the restrictive measures needed to contain the spread of the virus, is a reminder that ongoing vigilance is required to ensure that widespread community transmission does not return in NSW.

Although all Council facilities are open, some continue to operate with amended service levels and some remain constrained by the requirements of the Public Health Orders. These Orders particularly affect community halls and meeting rooms where larger gatherings are not permitted. Large-scale community events are also not able to be organised. The difficult decision to cancel the Mayor's Community Christmas Party and Australia Day Event (citizenship activities will still take place) has now been made as a result. The lower risk profile, however, will mean the Frogs and Goldfish learn-to-swim programs can resume as normal for the fourth school term.

A return to pre-COVID operations is not expected for a considerable time as we will continue to be guided by relevant Federal and State Government requirements. For this reason, some facilities will continue to operate on reduced hours of opening to facilitate the appropriate rostering of staff.

This operating framework is planned to continue to at least January 2021 at which time there is expected to be more information available about possible vaccines and risk profiles.

Council Meetings will remain on-line for the remainder of 2020. The 14 October 2020 General Meeting will operate along the same Zoom format as preceding meetings. However, for the November and December meetings it is proposed that, whilst they will remain on-line, there will be greater opportunity for direct community participation. The proposed format for these meetings will be outlined on Council's website when the respective agendas are published.

In view of the current low risk profile and stability of operations, the reporting on Council's response to the pandemic is proposed to shift to quarterly reporting to be included within the Council's quarterly performance report.

### **Impacts on Local Business and a Community Support Package**

As previously reported, local businesses have been actively registering on the Hornsby Localised platform. Council is posting important COVID-19 related information on Localised such as the details of free business support webinars and information on grants and support services for businesses.

Other local businesses are also starting to use the platform to promote their services and products to other businesses. A Buy Local campaign has now been launched in partnership with the Hornsby Chamber of Commerce and the Dural and Round Corner Chamber. The campaign is focused on using Council's digital media channels and through hard copy signage to encourage residents to support local businesses. This approach will eventually link with Hornsby Localised as a digital directory for local businesses.

Council is a key engagement point with cafes and restaurants and is assisting to keep the community safe and small businesses open by outlining their COVID Safe obligations under the Public Health Order. The Office of Local Government has requested that, in partnership with NSW Health and the Food Authority, Council play a role in promoting the importance of COVID Safe plans and social distancing. Our officers are working with the owners of food premises by providing a range of COVID Safe education materials and inspections of food related premises.

Staff are currently considering recommendations from the NSW state government supporting a COVID safe summer.

### **Emerging Risks**

#### Financial impacts

The impact of COVID-19 on the 2020/21 financial year has been assessed and equates to \$10.671 million for the year. A range of expenditure reductions were adopted to offset the impact, which also amount to \$10.671 million and result in the current forecast surplus of \$1.637 million for the 2020/21 financial year being maintained.

Income and expenditure levels compared to the budget will be monitored throughout 2020/21 as part of the quarterly review process. Careful monitoring of Council's financial position is continuing.

#### Ongoing Virus Transmission

It is evident from the issues confronting Victoria over the past three months, and ongoing spread of the virus through most countries of the world, that we cannot become complacent in our own organisational response. Government and media commentary is not predicting a resolution to the pandemic anytime in the near future. In his opening remarks at the media briefing on 24 August 2020, the WHO Director-General, Dr Tedros Adhanom Ghebreyesus, has indicated that if a safe and reliable vaccine was confirmed, the goal would be to administer at least 2 billion doses by the end of 2021.

Throughout the duration of this pandemic, therefore, we will need to remain agile and flexible in responding to any increase in the risk of virus transmission in the workplace or local community. The Pandemic Coordination Team and EXCO convene as required to evaluate any risks relevant to the Council and community.

### **Recovery Actions**

The following Principles continue to underpin each and every decision in relation to when our services and facilities will be fully returned to pre-COVID operations:

1. Health and safety of the public and staff aligned with State Government advice.
2. Facilitating recovery and reopening of services to the community without unnecessary delay.
3. Acknowledging financial and resource limitations and uncertainty.

Whilst Council will progressively resume normal operations it is nevertheless anticipated that the previous levels of demand for our facilities and services will take some time to return to normal.

Local Government will be a significant resource in supporting the recovery and rebuilding of our communities and promoting economic activity. In this regard, staff are compiling information on potential projects that can support any stimulus funding that becomes available in either the immediate future or as longer-term recovery efforts commence. Based on known and adopted priorities, these opportunities are being conveyed to State and Federal Governments. At the time of writing the Greater Sydney Commission have just released an analysis of the impacts of COVID on Sydney, outlining areas of focus to support recovery. Staff will review and communicate actions as required to Council.

A supplementary report will be provided should circumstances between the publishing of this report and the October meeting require further consideration by Council of COVID-19 related matters.

### **BUDGET**

The budgetary impacts associated with the COVID-19 pandemic are outlined in this report.

### **POLICY**

There are no immediate policy implications associated with this Report. A number of matters contained in this report, however, will be subject to further reporting.

### **CONCLUSION**

Council has activated its business continuity plans for its operations in response to the COVID-19 pandemic and implemented the various containment measures of Federal and State Governments. Council's response to the pandemic is assessed on a regular basis.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the General Manager – Steven Head.

STEVEN HEAD

General Manager

Office of the General Manager

### **Attachments:**

There are no attachments for this report.

File Reference: F2009/00827

Document Number: D08016264

## **2 DRAFT ECONOMIC DEVELOPMENT AND TOURISM STRATEGY 2020-2025 FOR PUBLIC EXHIBITION**

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### **EXECUTIVE SUMMARY**

- At its meeting on 10 October 2018, Council endorsed the Accelerated Local Environment Plan (LEP) Review Program. The technical studies under the productivity theme of the program included an Economic Development and Tourism Strategy and an Employment Land Study.
- The draft Economic Development and Tourism Strategy, 2020-2025 has been prepared to provide Council, in its role to support, facilitate and in some cases as a promoter of economic development, with a high-level plan of action to support the vibrancy, diversity and sustainability of the Hornsby Shire Council area.
- The draft Economic Development and Tourism Strategy is the first economic development or tourism strategy that Council has considered since 2011. As such, the document is foundational in its approach and focuses on identifying areas that require additional investigation or work, mixed with specific actions to support and foster sustainable economic development within Hornsby,
- The draft Strategy has been updated to include reference to the impacts of the COVID-19 pandemic on the local economy and recommends actions to support the economic recovery process.

### **RECOMMENDATION**

THAT:

1. The draft Economic Development and Tourism Strategy 2020-2025 attached to General Manager's Report No. GM23/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

## PURPOSE

The purpose of this Report is to present the draft Economic Development and Tourism Strategy 2020-2025 for endorsement for public exhibition, as part of the Accelerated LEP Review Program.

## BACKGROUND

In March 2018, the *North District Plan* was released by the Greater Sydney Commission which provides a 20-year plan to manage growth while enhancing the liveability, sustainability and productivity of the North District.

Legislative changes were made to the *Environmental Planning and Assessment Act 1979* (EP&A Act) requiring all councils to update their Local Environmental Plans (LEPs) within 3 years to align with the priorities of the *North District Plan* and to prepare a Local Strategic Planning Statement (LSPS).

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 (then) 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'.*

At its meeting on 10 October 2018, Council endorsed the commencement of several technical studies under the (then) Department of Planning and Environment's Accelerated LEP Review Program. The technical studies under the productivity theme of the LSPS included an Economic Development and Tourism Strategy and an Employment Land Study. These technical studies, along with other studies under the Sustainable, Liveable and Collaborative themes informed the development of the Local Strategic Planning Statement that was adopted by Council in February 2020 and published on the NSW Planning Portal in March 2020. The productive themed technical studies have now been completed and are ready for exhibition – the Employment Land Study is being considered separately noting both strategies have been informed by the other. Once adopted by Council, these documents will contribute to the next review of the Local Strategic Planning Statement.

The draft strategy enabled by the Accelerated LEP Program responds to an earlier Notice of Motion from October 2017 concerning the development of an Economic Development Program including ongoing engagement with key stakeholder groups.

## DISCUSSION

### Local Strategic Planning Statement

The LSPS sets out a 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 how growth and change will be managed into the future.

The EP&A Act requires the LSPS to be reviewed every seven years, however it is expected that the LSPS will be reviewed on a more regular basis to align with the preparation of new Community Strategic Plan's.

### Draft Economic Development Tourism Strategy.

Informed by a well-developed understanding of the Shire's current economic development and tourism status and performance, the draft strategy provides Council with a framework to guide and facilitate local economic development and tourism into the future.



The draft Hornsby Shire Economic Development and Tourism Strategy, 2020-2025 has been developed based on extensive desktop research and in depth, targeted stakeholder consultation and analysis. It presents a plan of action that builds on the Shire's existing strengths to stimulate, support, attract and maintain business activity in Hornsby Shire.

The draft strategy is five years in duration because it assumes that foundational work needs to be undertaken in the first instance and then built upon once Council has established itself in the business of economic development and destination management to support tourism and visitation. It is envisaged that, if adopted and resourced, a more refined approach to economic development and tourism support may be developed in subsequent strategies.

In preparing the draft strategy, Council has engaged with key stakeholders to establish a new vision and framework for promoting and facilitating economic development and tourism activity into the future. The draft Vision: -

*Building on the superb natural environment and driven by innovation, Hornsby Shire is a vibrant and connected business and employment hub, and a location of choice for visitors, for investment, for learning and for living.*

is supported by Hornsby Shire Council's economic development and tourism charter which states that: -

*Hornsby Shire Council supports economic development through sound planning, information-sharing and service delivery, to help attract visitors, promote new investment, encourage local businesses to flourish in town centres in particular and cultivate Hornsby Shire's appeal as a place to live, learn and prosper.*

It is noted however, that this draft strategy is Council's first economic development strategy since 2011. As such, many actions and ideas for action are, by necessity, foundational and these actions should be addressed in the first instance and built upon in future iterations of strategy development.

The draft Economic Development and Tourism Strategy 2020-2025 documents opportunities for Hornsby Shire Council and its partners in government, the non-government sector, industry and the community to address collaboratively and to help facilitate change towards a prosperous future for Hornsby Shire and the wider region. The draft Hornsby Shire Economic Development and Tourism Strategy 2020-2025 contains three strategic themes: -

1. *Connected Hornsby Shire* – Establish and promote Hornsby Shire Council's role and capacity as an enabler of economic development.
2. *Smart and Innovative Hornsby Shire* – Establish Hornsby Shire as a globally connected smart and innovative Shire.
3. *Destination Hornsby Shire* – Position Hornsby Shire as a location of choice for visitors and events.

Between the three themes there are 36 opportunities for action which were derived from the targeted interviews and desk top research utilised to draft the strategy.

The actions that have been recommended for prioritisation within the strategy address core or foundational issues that will allow the themes to be progressed in a logical fashion. The recommended priority actions, in no order, are:

*Priority 1 - Connected Hornsby Shire – Undertake a survey of small and home-based businesses to better understand the composition and needs of this sector.*

During consultation and research, it was apparent that the Shire is home to a large number of small and home-based businesses and that Council has little to no understanding of their support needs or the opportunities that they might be seeking. As a foundational action associated with the Connected Hornsby Shire theme, commencing work on understanding the needs of business is an appropriate place to start and will likely confer benefits on the businesses of the Shire if needs can be identified and addressed.

*Priority 2 - Connected Hornsby Shire - Establish functional partnerships and collaboration based on key project objectives.*

This priority is founded on the notion that partnerships and collaboration including overseeing economic development initiatives need to be relevant to those that are contributing to them and also that, where possible, collaboration, committees and partnerships should be action orientated and outcome focused. The use of the collaborative model utilised in the development of the Waste Strategy, extended to include key stakeholders could form a useful basis for the development of key projects and relationships.

Council has also previously supported this priority (refer Report GM8/18), identifying the need for engagement with local Business Chambers, business networking groups and business support and training providers, as well as representatives from our town centres, home based business operators, emerging business owners and specific industry clusters, including tourism.

*Priority 3 - Smart and Innovative Hornsby Shire – Progress the development of the ICT Strategy which takes into account consideration of digital and smart city opportunities.*

This priority reflects the need to undertake some fundamental planning around how Council can best engage with digital and smart city initiatives and develop a clear understanding of the benefits prior to investing in technologies. The inclusion of this element in the draft Economic Development and Tourism Strategy is geared towards ensuring that businesses benefit from any investments that Council may make in smart cities infrastructure. The inclusion of smart city initiatives through upcoming major projects, Hornsby Town Centre Renewal, public domain and implementation of technology in future car parking management are practical examples of how this priority will be implemented.

*Priority 4 - Destination Hornsby Shire – Commission the preparation of a Hornsby Shire Destination Management Plan for river and rural communities.*

This priority reflects the need to have a strategic approach if Council is of the view to engage in supporting and encouraging tourism and day visitation in the Shire. The development of a Destination Management Plan would be completed in partnership with industry partners and would be designed to appropriately promote and manage visitation to the Shire to the benefit of businesses and residents in the Shire. This Plan will include some of Councils own unique assets such as Fagan Park in Galston and McKell Park in Brooklyn in addition to the multiple private facilities and destinations.

*Priority 5 - Destination Hornsby Shire - Investigate means by which Hornsby Shire Council can help encourage or facilitate the development of a night-time economy in the Hornsby Town Centre.*

This priority reflects work undertaken as part of the Hornsby Town Centre Project which outlines a vision of an active night-time economy creating a vibrant and attractive place.

### **COVID-19 Update**

The draft strategy has been updated to consider, where possible, the impacts of the COVID-19 pandemic. The strategy uses forecasting provided through the economy.id product, to map likely

impacts of COVID-19 across industries. It also offers suggestions of immediate actions that may be undertaken to assist economic recovery. These actions include:

- Providing local businesses with information on and access to services offering support for planning through adversity – including financial counselling, business continuity management, human resource management, taxation support, mental health support, etc. This includes support available through, for example, Business Connect, via the support services of Realise Business, through referrals to business training / re-training courses offered by Hornsby Kuring-gai Community College, Hornsby TAFE and via the networking and referral services offered by RDA Sydney.
- Supporting the initiatives of other organisations such as Northern Sydney Regional Organisation of Councils (NSROC), which is undertaking a survey of businesses in the region to better understand the impact of COVID-19, to inform business advocacy needs.
- Supporting local businesses by leveraging off the work of the Small Business Commissioner to investigate and promote local procurement options.
- Supporting local business start-ups and expansions by continuing to work to ensure (and promote) a supportive and enabling regulatory environment.
- Through its role as a local leader, restoring business confidence (and community confidence) by broadcasting positive messages about Hornsby Shire's economic recovery and local initiatives that are designed to support the recovery effort.

It is noted that during the COVID-19 lock downs, many of these actions were commenced by the Place Management Team to assist local businesses.

The Greater Sydney Commission has just released a report outlining the impact of COVID-19 on Sydney and recommendations on critical actions for its recovery. Whilst this strategy is on exhibition staff will review this report for further recommendations to Council.

## CONSULTATION

Extensive engagement was undertaken with the community for the development of the Local Strategic Planning Statement. Over 1900 residents were involved with the LSPS engagement and 1860 residents engaged across several platforms such as telephone surveys, pop ups, workshops, collaborative mapping tool, interviews and Have your Say via Council's website.

Specific engagement on the development of the draft Economic Development and Tourism Strategy 2020-2025 included:

- National Parks and Wildlife Service
- Regional Development Australia - Sydney
- Regional Development Australia - Central Coast
- NSW Small Business Commissioner's Office
- Selected residents who had previously expressed an interest in the subject
- Hornsby Chamber of Commerce
- A tourism operator on the Hawkesbury
- A resident association member

- Brooklyn Mooring Co-op
- Greater Sydney Commission
- Hornsby Ku-ring-gai Community College
- Northern Sydney Innovation Network
- 2017/2018 consultation - Elton Consulting
  - 3 x workshops (44 people – Pennant Hills and Asquith Golf Clubs and Hornsby RSL)
  - Online survey – 216 responses

To further engage with the community, it is proposed that as part of the public exhibition the draft strategy will be exhibited for a period of six weeks through the following channels:

- Advertisement on Council's website – Have Your Say
- Advertisement on Future Hornsby website
- Council's eNewsletter
- Emails to Future Hornsby database
- Social Media (Facebook, LinkedIn and Localised)
- Advertising and Mayor's message - Bush Telegraph, Galston & Glenorie News, Dural Roundup and Hornsby and Kuring-gai Post
- Notifying Council Advisory Committees
- Direct contact with those people who contributed to the formulation of the draft strategy.

## BUDGET

The \$2.5 million *Accelerated LEP Review Program* funding was utilised for the development of the draft Economic Development and Tourism Strategy 2020–2025.

This report recommends that Council places the Draft Economic Development and Tourism Strategy on public exhibition.

As outlined in the report the Strategy, once adopted, is essentially a new initiative for Council save for work undertaken to date to support Council's website, our COVID response and Place Management.

Whilst a high-level approximation of the cost to fully implement the actions outlined in the Strategy would be circa \$1.5m, wherever possible actions will be implemented through existing resources by ensuring that Economic Development and Tourism outcomes such as Smart City initiatives are addressed through relevant projects in those areas such as Hornsby Town Centre renewal and Hornsby Park and Council's ICT Strategy.

Implementation of this strategy should also seek to utilise collaborative models. The development of a Destination Management Plan (DMP) could follow the model established with the Waste Strategy bringing together key community and stakeholder representatives with Councillors and staff to develop a DMP with limited financial resources being available to support its development.

Implementation of actions contained within the draft strategy that require funding would occur through the development of Council's next Delivery Program, annual budget and Operational Plan. Implementation would be subject to the strategic priorities of Council, the availability and allocation of

resources by Council. Community response to the draft strategy will be an important contribution to Council's final decisions on budget and resource allocation.

To accelerate delivery of the actions, Council will seek alternative funding pathways such as applying for grants, including through Destination NSW, and working in collaboration with partners including neighbouring local government areas of the Hills, Hawkesbury and Central Coast Councils. Formal adoption of a strategy is often a precursor to successful funding applications from providers such as the NSW and Australian government.

If a five-year strategy delivery horizon was not essential for the Economic Development and Tourism Strategy, actions could be delivered over a longer horizon.

### **POLICY**

Following adoption of the strategy, the Council adopted priorities and actions will be incorporated into future amendments to the Local Strategic Planning Statement and new Community Strategic Plan.

### **CONCLUSION**

This report presents the draft Economic Development and Tourism Strategy 2020-2025 which provides direction for Council in its role as a promoter and a facilitator of economic development in the Shire, with a high-level plan of action to support the vibrancy, diversity and sustainability of the Hornsby Shire Council area.

Opportunities for action are listed in the draft strategy. Priority actions are listed above and in the Executive Summary within the draft strategy.

It is recommended that Council endorse the draft Economic Development and Tourism Strategy 2020-2025 for public exhibition.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Strategic Place Manager – David Johnston - who can be contacted on 9847 6800.

LOUISE GEE

Manager - Strategy and Place  
Office of the General Manager

STEVEN HEAD

General Manager  
Office of the General Manager

### **Attachments:**

1.  Draft Economic Development and Tourism Strategy

File Reference: F2018/00162#03

Document Number: D07978051

**3 INVESTMENTS AND BORROWINGS FOR 2020/21 - STATUS FOR PERIOD ENDING 31 AUGUST 2020**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 31 August 2020 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for August 2020 of 2.04% which includes yields from unrealised gains from TCorp Managed Funds.

**RECOMMENDATION**

THAT the contents of Director's Report No. CS29/20 be received and noted.

**PURPOSE**

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

**BACKGROUND**

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

**DISCUSSION**

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

Council's investment performance for the month ending 31 August 2020 is detailed in the attached document. In summary, the portfolio achieved an annualised return for August 2020 of 2.04%.

In respect of Council borrowings, the weighted average interest rate payable on outstanding loans taken out from June 2011 to date, based on the principal balances outstanding, is 6.17%. The Borrowings Schedule as at 31 August 2020 is also attached for Council's information.

**BUDGET**

Budgeted investment income for the year is \$5,239,939 with an average budgeted monthly income of \$436,662. Net investment income for the month ended 31 August 2020 was \$569,796 which includes an unrealised gain from TCorp Managed Funds of \$149,299.

Budgeted investment income year to date at August 2020 is \$873,324. Total investment income year to date at 31 August 2020 was \$1,103,768 which includes a year to date net gain of \$323,873 from TCorp Managed Funds.

Approximately 30% of the investment income received by Council relates to externally restricted funds (e.g. Section 7.11 and Section 7.12 development contribution funds) and is required to be allocated to those funds. All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.

Council's portfolio is currently above the maximum level in the 0 to 90-day term to maturity category set in Council's Investment Strategy with a current holding of 24% compared to the limit of 20%. The intent of this threshold is to maximise the return on Council's investment portfolio by avoiding over investing in short term investments that ordinarily generate a lower return than longer dated investments. However, in the current environment the opposite is occurring with short dated cash and notice accounts paying higher rates than longer term investments. Council staff are monitoring the return on these investments closely and are able to re-invest funds in longer dated investments at short notice if rates improve.

The returns from TCorp Managed Funds are presently experiencing significant market volatility due to the Covid-19 Pandemic. It is noted that this product has a 7-year investment horizon and will therefore reflect marked to market valuations on a monthly basis. Advice from Council's Independent

Investment Advisor, Prudential Investment Services, is to hold this investment for the 7-year timeframe originally planned. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

### CONCLUSION

The investment of Council funds and the extent of its borrowings as at 31 August 2020 are detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those investments and borrowings.



### RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Chief Financial Officer – Duncan Chell - who can be contacted on 9847 6822.

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

### Attachments:

1.  HSC Investment Summary Aug 2020
2.  HSC Borrowings Schedule Aug 2020

File Reference: F2004/06987-02  
Document Number: D07994224



**4 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS - 2019/20 FINANCIAL YEAR**

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**EXECUTIVE SUMMARY**

- Council's General Purpose and Special Purpose Financial Reports for the year ended 30 June 2020 (the Financial Reports) have been completed by staff in accordance with statutory requirements and accounting standards.
- Subject to Council's approval, the Financial Reports now need to be referred for audit.
- Following receipt of the Auditor's Reports, it is proposed that the Financial Reports and Auditor's Report be "presented to the public" at the 9 December 2020 General Meeting.

**RECOMMENDATION**

THAT the:

1. 2019/20 General Purpose and Special Purpose Financial Reports be received and noted and referred for audit.
2. Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2019/20 Financial Reports.
3. 2019/20 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. General Manager be delegated authority to fix the date of the General Meeting at which the 2019/20 Financial Reports and Auditor's Report will be formally "presented to the public".

**PURPOSE**

The purpose of this Report is to recommend that Council's 2019/20 Financial Reports be received and noted and referred for audit.

**BACKGROUND**

In accordance with Section 413 of the Local Government Act, Council must prepare a set of Financial Reports for each year and must refer them for external audit as soon as practicable after the end of that year.

**DISCUSSION**

Council's Financial Reports for 2019/20 have been completed by staff in accordance with the requirements of the Local Government Act, the Local Government Code of Accounting Practice and relevant Accounting Standards. It is recommended that they be referred to Council's external auditors for review.

The unaudited Financial Reports (a copy of which has been provided to Councillors under separate cover) are not for distribution to the public at this stage. The audited Reports are those that will be made available to the public in accordance with Local Government Act requirements.

Council is required to give notice as to the Meeting at which the Financial Reports (including the Auditor's Reports) will be formally "presented to the public". The proposed date for this Meeting will be set as soon as possible after the Auditor's Reports have been received.

At this stage, it is anticipated that the Reports will be "presented to the public" at the 9 December 2020 General Meeting. The date of this meeting is one month later than in previous years because the Office of Local Government has granted a one-month extension to Councils to prepare their Financial Reports in response to the COVID-19 pandemic, which must be submitted to the OLG by 31 December 2020 instead of by 30 November 2020. Council's external auditor is expected to be available to make a presentation on the Reports at that General Meeting.

Following presentation of the Reports to the public, any person may make a submission concerning the Reports within a period of seven days after the 9 December 2020 General Meeting.

**BUDGET**

There are no budgetary implications associated with this Report.

**POLICY**

The Financial Reports have been compiled in accordance with the Local Government Act, the Local Government (General) Regulation 2005 and the Local Government Code of Accounting Practice issued by the Office of Local Government.

**CONCLUSION**

Council's referral of the 2019/20 Financial Reports for audit, and ultimately the presentation of the Financial and Auditor's Report to the public at the 9 December 2020 General Meeting, will ensure that the requirements of the Local Government Act have been met.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Chief Financial Officer – Duncan Chell, who can be contacted on 9847 6822.

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

There are no attachments for this report.

File Reference: F2019/00148  
Document Number: D08007197

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

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**EXECUTIVE SUMMARY**

- Section 440AAB (1) of the Local Government Act (the Act) advises of the requirement for lodgement of Written Returns of Interest in accordance with a council's Code of Conduct.
- Clauses 4.18 - 4.24 of Council's Code of Conduct for Staff provides details in respect of the lodgement of these Returns by Designated Persons.
- Clauses 4.9 - 4.15 of Council's Code of Conduct for Councillors provides details in respect of the lodgement of these Returns by Councillors.
- Section 440AAB (2) of the Act requires that Returns lodged under Section 440AAB (1) are to be tabled at the next available Council meeting.
- In line with Section 440AAB (2) of the Act and the relevant Clauses of Council's Code of Conduct for Staff and Code of Conduct for Councillors this Report seeks to table the Return/s recently lodged with the General Manager.

**RECOMMENDATION**

THAT Council note the Written Returns of Interest 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 Written Returns of Interests submitted 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 2020.

## BACKGROUND

Section 440AAB (1) of the Act advises of the requirement for lodgement of Written Returns of Interest under a Code of Conduct. Relevantly, Clauses 4.18 - 4.24 of Council's Code of Conduct for Staff and Clauses 4.9 – 4.15 of Council's Code of Conduct for Councillors outline these requirements. (The requirements are the same for Designated Staff as they are for Councillors however, as Council has a separate Code of Conduct for Staff and Code of Conduct for Councillors, the relevant Clause references vary. For ease of interpretation in this Report, reference has been made to Designated Persons and specific clauses in only the Code of Conduct for Staff, noting that the same requirements apply to the corresponding Clauses in the Code of Conduct for Councillors.)

Clause 4.18 a) of Council's Code of Conduct for Staff requires a Designated Person to complete and lodge with the General Manager a Written Return of Interest within three months after becoming a Designated Person. Clause 4.18 b) requires a 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. Clause 4.18 c) of Council's Code of Conduct for Staff requires a Designated Person to complete and lodge with the General Manager a Written Return of Interest within three months of the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs a) or b).

Section 440AAB (2) of the Act requires that Returns lodged under Section 440AAB (1) are to be tabled at a meeting of Council. Clause 4.22 of the Code requires that Returns lodged under Clause 4.18 a) and 4.18 b) of the Code are to be tabled at the first meeting held after the last day for lodgement under those Clauses. Clause 4.23 of the Code requires that Returns lodged under Clause 4.18 c) 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. These Returns are generally tabled at Council's October 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. 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 Council's Code of Conduct for Staff, Code of Conduct for Councillors, and Procedures**

In respect of Clause 4.18 a) of Council's Code of Conduct – lodgement of a Return after becoming a Designated Person – and Clause 4.18 c) – lodgement of a Return after becoming aware of an interest not previously disclosed – there are no Returns to be tabled.

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns under Clause 4.18(b) of Council's Code of Conduct for Staff and Clauses 4.9(b) of Council's Code of Conduct for Councillors – lodgement of a Return by a Designated Person holding that position at 30 June - at the General Meeting held on 09 October 2019 (see Deputy General Manager's Report No. CS22/19). In preparation for the tabling of this current Report (CS31/20), action has been 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 2020.

All Pecuniary Interest and Other Matters Returns in respect of the above requirement have been lodged with the General Manager are now tabled as required by the Local Government Act.

#### **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 Written Returns of Interest in accordance with its Codes of Conduct.

#### **RESPONSIBLE OFFICER**

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

ROBYN ABICAIRE  
Manager - Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

#### **Attachments:**

There are no attachments for this report.

File Reference: F2019/00288  
Document Number: D08007820

## **6 IPART DOMESTIC WASTE MANAGEMENT CHARGE REVIEW**

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### **EXECUTIVE SUMMARY**

- In November 2019 the Independent Pricing and Regulatory Tribunal (IPART) commenced a review into Local Council Domestic Waste Management (DWM) charges, with a discussion paper (Attachment 1 to Director's Report No. CE8/20) being released in August 2020 calling for stakeholder feedback via formal submissions by 20 October 2020.
- IPART's discussion paper notes that there is a wide variation in DWM charges between councils, and in some cases, these may not be delivering good value for ratepayers. IPART also found that there may be challenges for councils in purchasing and pricing waste management services, including a lack of market competition and other cost pressures.
- In this context IPART are seeking feedback on DWM charges and potential options for regulatory intervention moving forward. Whilst IPART has the power to specify the maximum percentage by which DWM charges may be varied in a given year (similar to rate pegging), it has chosen previously not to regulate, and the current discussion paper indicates that their preliminary position is to favour a less prescriptive, more targeted approach that focuses on information and guidance. Potential options for this include: developing a set of pricing principles for setting DWM charges, as guidance for councils; reporting enabling comparison of like services across similar councils; and detailed further investigation and regulation only applied to outlier councils.
- Officers have developed a draft submission to IPART's discussion paper, that can be found at Attachment 2 to Director's Report No. CE8/20; and is seeking Councils endorsement to lodge the submission.

### **RECOMMENDATION**

#### **THAT:**

1. Council endorse the draft submission to the IPART Domestic Waste Management Charge Review attached to Director's Report No. CE8/20.
2. A copy of Council's submission be provided to local Members of Parliament.

**PURPOSE**

The purpose of this Report is to inform Council on the IPART Domestic Waste Management (DWM) Charges Review, potential implications for local government in NSW, and to seek endorsement for a draft submission to IPART.

**BACKGROUND**

Under the Local Government Act 1993, councils provide waste services to domestic properties and recover “reasonable costs” through DWM charges - Section 496.

Up to 2016/17, the Office of Local Government audited the reasonable cost basis of DWM charges. IPART has existing powers to regulate council DWM charges in a similar manner to rate pegging, however has not adopted this approach to date noting the previous audit function provided by OLG.

Given OLG have not provided an auditing function for some time, IPART is now considering if regulation may be required to ensure council DWM charge management and the services provided are cost effective, efficient and represent value for money for rate payers.

In November 2019 IPART commenced a review into local council DWM charge, with a Discussion Paper being released in August 2020 and have called for formal stakeholder submissions by 20 October 2020 on the issues raised and proposed regulatory approaches being considered.

**DISCUSSION**

IPART's Discussion Paper (Attachment 1 to Director's Report No. CE8/20) raised a number of concerns regarding local council DWM charges including:

- That some councils DWM charges may not be delivering good value for rate payers
- That some councils may be disproportionately loading corporate overheads into the DWM charges to cost shift from the general fund budget
- That some councils are generating DWM charge surpluses and may be holding excessive reserves
- That the current practice of apportioning pensioner rebates into the DWM charge should not be permitted and these costs should be carried within the general rates only
- That there may be challenges for councils in purchasing and pricing waste services, with limited market competition and other cost pressures
- That councils are a monopoly provider of domestic waste services and residents are not able to opt out and take up alternative services
- That there is a need for greater DWM charge reporting, monitoring and benchmarking and that improved guidelines and/or regulations on DWM charges may be required

IPART has existing powers to regulate the DWM charge by specifying a maximum percentage increase in a given year (similar to rates pegging), however to date have chosen not to regulate the DWM charge in the past as suitable measures (OLG audits and competitive tendering) were considered adequate.

Whilst IPART retain the option to regulate DWM price increase, IPART have indicated that their preliminary position is to favour a less prescriptive, more targeted approach that focuses on information and guidance.



Notwithstanding, if the DWM charge was to be regulated with maximum increases specified, Council may have difficulties meeting contract obligations and community expectations around progressing resource recovery outcomes, and therefore the draft submission suggests that regulation does not appear to be warranted at this point in time and could limit councils' ability to effectively deliver an essential service.

Potential options identified by IPART for greater oversight include:

- Developing a set of pricing principles for setting DWM charges
- Reporting enabling comparison of like services across similar councils
- Detailed further investigation and regulation only applied to outlier councils

### **Pricing Principles**

In their discussion paper IPART have suggested the following pricing principles for DWM charges:

1. DWM charges should reflect a 'user pays' approach
  - DWM charges should recover the costs of providing DWM services, not the councils' other functions and services
  - Incremental cost allocation should be applied
  - Social programs (pensioner rebates) should be funded from general rates revenue
2. Only reasonable cost categories should be reflected in DWM charges
3. DWM charges should reflect efficient costs
4. DWM charges should be transparent
  - To assist local councils
  - To assist customers
5. DWM charges should seek to ensure price stability

The draft submission supports the majority of pricing principles proposed by IPART, except where they relate to incremental costing for overheads; and pensioner concessions which are discussed in further detail below.

Using the 2019 Local Government Cost Index Survey results, IPART found that for metropolitan councils, overheads were assessed as comprising 65% of reported DWM expenses and that this appears to be comparatively high. It appears that there may be data integrity issues with the information IPART have drawn this conclusion from as Hornsby Shire Council's corporate overheads component only make up 4% of the total DWM charge, and only 15% of Councils total corporate overheads are attributed into the DWM charge.

It is difficult to see how IPART can maintain a position that over 50% of the DWM charge costs relate to overheads for metropolitan councils as most have large value outsourced waste contracts that typically make up around 80% of councils' waste cost structure.

IPART appear to be including other costs of providing waste services in their overhead's category, such as employee benefits and on-costs, contractor and consultancy costs, remuneration of auditors and legal fees, operating leases and electricity. Council categorises these costs as direct costs related to providing waste services to the community and as such they are funded by the DWM charge.

IPART is proposing that only the “incremental cost” of Council’s overhead costs are permitted to be costed to the DWM charge. The incremental cost is the actual overhead cost saving to Council if it were to cease providing waste services. This approach would result in no or a very low level of corporate costs for functions such as financial services, information technology and human resources being costed to the DWM charge as the largest components of these functions relate to employee expenses and fixed contract costs, which would not immediately reduce should Council cease providing waste services. Currently Council apportions the reasonable direct “average” corporate overhead costs of these functions to all of Council’s branches including Domestic Waste using consistent methodology. This ensures that every function of Council pays for the services which they have been provided.

Average costing is considered fair because costs apportioned on this basis are efficient because of the economies of scale achieved from large corporate functions that serve all of Council’s operations. Domestic Waste therefore benefits from receiving these services at a discount compared to the cost that would be incurred should DWM be required to separately procure them, which would be the case if it were outsourced. It is also noted that many of Council’s external funding bodies for grants and reserves accept corporate overheads that have been apportioned on an average basis, and Council also draws funds from its own internal reserves using this methodology. IPART’s recommendation to move to incremental costing would result in DWM being treated differently to all other parts of Council.

IPART have proposed a remedy in their discussion paper in moving to their proposed incremental cost approach, being that Council lower its DWM charges to the efficient cost-reflective level and seek a special variation to increase general rates by the equivalent amount. This would incur significant time and cost to Council and would result in the same total amount of rates and DWM charges being levied, which questions the validity of applying for the variation. This approach could also result in residents with higher unimproved land values paying a larger share of the increase and detailed modelling would be required to fully understand the impact on individual residents, noting that those with higher unimproved land values may not always have a greater ability to pay. This is an issue that has recently been raised by IPART in their separate review into rating in NSW.

In line with both the *Local Government Act* and *Office of Local Government (OLG), Council Rating and Revenue Raising Manual*, councils cost a proportional amount of the pensioner concession to the DWM charge. IPART is proposing that this “social program” should be funded from general rates revenue only, as it doesn’t represent a “user pays” approach. IPART view the DWM charge as a “user charge” service and the general rates being based on an “ability to pay”.

As such IPART are proposing that the current apportionment of the pensioner concession in the DWM charge be transferred into the general rates budget. IPART’s position regarding pensioner concessions appears to be inconsistent with the *OLG Rating and Revenue Raising Manual* which provides specific guidance on the apportionment of pensioner concessions between ordinary rates and DWM charges.

As such, the draft submission disagrees with IPART’s position that pensioner concessions should be solely funded from the general rates revenue.

IPART are proposing to develop a reporting, monitoring and benchmarking regime that would improve transparency and council accountability in the setting of DWM charges; and inform future regulatory decisions on DWM charges.

This could include:

- A publicly available comparison tool comparing DWM charges for equivalent services across comparable councils
- A publicly available centralised, comprehensive register of successful tender contract values for waste services across councils

The draft submission supports benchmarking as an approach, noting that there are a wide range of variables that would need to be considered to properly facilitate comparisons of 'equivalent services' and 'comparable councils'.

For example, any comparison model would need to account for variables such as:

- Differences in the types of services provided, differing service levels, differing service to cost structures, multiple DWM charges for each council, variable bin sizes and collection frequencies, and differing applications of direct user pays charges etc.
- Variations in multiple characteristics between councils such as single dwelling/multi-unit dwelling ratios, on-property collections, quantum of difficult access streets, distances from waste facilities impacting on transport costs, LGA size in square km's, settlement patterns between LGAs, exposure to traffic congestion, major road infrastructure projects, and road tolls etc.
- The availability of waste service providers and or infrastructure within an LGA, timing of public tenders and associated market conditions, impacts from government policies at the time of tendering, and global market conditions for plant, fuel and the sale of recyclables etc.

IPART is also proposing a centralised tender outcome and contract price register, that is accessible by local councils to assist provide transparency on contract costs and to assist in driving down contract pricing. Whilst this information is extremely useful, and most councils will appreciate accessing such information in a centralised database allowing easy comparative analysis, it is noted that under Government Information (Public Access) Act (GIPA), councils are already required to maintain a public contract register on their web sites providing details on major waste contracts.

IPART's discussion paper notes that many councils over-recover the cost of providing domestic waste services and are in surplus for a period of time. Under the *Local Government Act* and *Office of Local Government (OLG)*, *Council Rating and Revenue Raising Manual* councils are encouraged to ensure DWM charge stability and to plan for any known forward "lumpy" costs. Most councils intentionally generate surplus DWM charge revenue to be held in restricted reserve funds, referred to as Waste Reserves, for specific purposes or contingencies directly related to domestic waste services. These Waste Reserve funds are held to cover waste related costs for the following purposes:

- Ongoing environmental management and remediation of former landfills
- A prudent reserve for contract claims and variations
- A reserve for one off / non-recurrent projects e.g. major procurement facilitation, legal services, change of collection days and waste strategy projects
- Major strategic planning initiatives related to local/regional waste infrastructure
- The replacement of waste assets such as bin stock or collection vehicles
- To buffer increases in contract costs associated with the commencement of new contracts

Council's current Waste Reserve funds are considered legislatively appropriate, prudent and fit for purpose to provide ongoing domestic waste services to the community.

**BUDGET**

It is considered that the DWM charges applied by Council reflect the reasonable cost of providing the DWM services that our community desire.

Improved reporting and benchmarking for DWM charges is supported to bring about greater transparency, however possible regulation by IPART in setting the maximum percentage by which a DWM charge may increase does not appear to be warranted at this point in time and could limit council's ability to effectively deliver an essential service that the Hornsby community expect and are prepared to pay for.

IPART's proposed pricing principles as they apply to incremental costing and pensioner concessions would result in up to \$1.5 million in costs per annum needing to be transferred to the general fund, negatively impacting Council's ability to fund other services and capital works which would need to be reduced correspondingly or alternatively additional income in the form of a special rate variation be sought to make up the difference.

**POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

Council's DWM charge practices are considered sound, represent the reasonable costs of providing waste services to the community and are in line with current legislation and guidelines.

IPART's proposal to introduce greater transparency around DWM charges through a reporting and benchmarking regime are supported, however direct regulation with maximum percentage increases does not appear warranted at this point in time and could limit councils' ability to effectively deliver an essential service, meet contractual obligations and community expectations around resource recovery outcomes.

The draft submission attached to Director's Report No. CE8/20 is recommended for Council endorsement and submission to IPART.

**RESPONSIBLE OFFICER**

The officers responsible for the preparation of this Report are the Manager, Waste Management – Christopher Horsey, and the Chief Financial Officer – Duncan Chell who can be contacted on 9847 4816 and 9847 6822 respectively.



GLEN MAGUS

Director - Corporate Support  
Corporate Support Division

STEPHEN FEDOROW

Director - Community and Environment  
Community and Environment Division

**Attachments:**

- 
1.  IPART - Local Council Domestic Waste Management Charges Discussion Paper
  2.  Hornsby Shire Council - IPART DWMC Review Submission - September 2020

File Reference: F2018/00082

Document Number: D08007897

# ITEM 6

## 7 RECRUITMENT OF NEW MEMBERS FOR THE CATCHMENTS REMEDIATION RATE EXPENDITURE REVIEW PANEL

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### EXECUTIVE SUMMARY

- Council's Catchments Remediation Rate Expenditure Review Panel was established to review the expenditure of the Catchments Remediation Rate – a special rate that is paid by all ratepayers to manage the stormwater quality entering all waterways within the Shire.
- The Panel is comprised of up to six community members and a Chair appointed by Council. Currently there are five community members, many of whom have been long serving members.
- Given that the Panel meets twice per year, discussions amongst the Panel, and separately with Councillors at an informal workshop identified that there would be merit in Council seeking to appoint additional members to the Panel at this juncture, as some of the current members no longer reside within the Shire and that this would allow for a transition period where new members could come up to speed with the committee and its role ahead of its current term expiring in September 2021.
- Expressions of Interest for three (3) community representatives to the Catchments Remediation Rate Expenditure Review Panel occurred between 3 August 2020 and 7 September 2020. Twelve applications were received from community representatives.
- Applications have been assessed, and three (3) new community representatives have been recommended in accordance with the Catchments Remediation Rate Expenditure Review Panel Charter and Council's Advisory Committee Core Terms of Reference.
- In accordance with the Panel Charter, the appointment of a new member is to be determined by Council.

### RECOMMENDATION

THAT Council:

1. Endorse Nilmini De Silva, Warren Birkinshaw and Dilini Kumarasinghe as community representatives of the Catchments Remediation Rate Expenditure Review Panel.
2. Write to all nominees thanking them for their interest in participating on the Catchments Remediation Rate Review Panel.

## PURPOSE

The purpose of this Report is to seek Council's endorsement to appoint three additional community representatives Catchments Remediation Rate Expenditure Review Panel to provide a transition period for the Panel ahead of its current term expiring in September 2021.

## BACKGROUND

The Catchments Remediation Rate Expenditure Review Panel was established following Council's signing of the Statement of Joint Intent regarding water quality in Berowra Creek in 1994, and the lifting of the Catchments Remediation Rate from 2.5% to 5% in 1995.

The Panel's purpose is to review expenditure of the Catchments Remediation Rate to ensure that it is used to manage the stormwater quality entering all waterways within the Shire, and it has the following specific roles and responsibilities:

1. To note the criteria which enables costs to be eligible for CRR funding.
2. To assess the validity of funding decisions made by Council staff against the criteria.
3. To note information relevant to CRR funding, available from Council's accounts.
4. To determine, in consultation with Council and staff, if the CRR funds have been appropriately assigned.

The Panel is comprised of up to six community members, and a Chair (Councillor) appointed by Council. Currently the Panel has five community members. Some of these members have participated since the inception of the Panel in 1995, maintaining their membership throughout. Additionally, over the course of time some Panel members have moved and no longer reside within the Shire.

Discussions amongst the Panel, and separately with Councillors at an informal workshop identified that there would be merit in Council seeking to appoint additional members to the Panel at this juncture.

Whilst this would mean that Panel membership would temporarily be greater than the six community members outlined in the Panel's Charter. Noting that the Panel meets twice per year, this would allow new members to sit alongside existing members for a transition period of 12 months ahead of the Panel's current term expiring in September 2021.

## DISCUSSION

Expressions of Interest for three (3) community representatives to the Catchments Remediation Rate Expenditure Review Panel were called between 3 August and 7 September 2020.

Advertising was undertaken through the following channels:

- Council's website
- eNews
- Advertisement in Hornsby Ku-ring-gai Post, Bush Telegraph, Galston & Glenorie News and Dooral Roundup
- Facebook

Council received 12 nominations as provided at in Attachment 1. The quality, experience and depth of knowledge of applicants was very high.

In accordance with Council's Core Terms of Reference for Advisory Committees, an interdivisional panel of Council officers (from the Natural Resources, Finance and Design and Construction Branches) evaluated the nominations against the following criteria

- Skills and experience
- Interest/s and an awareness of local issues that pertain to total catchment management
- Understanding of accounting and budgeting processes
- Familiarity with project management principles
- Appreciation of engineering, water management and relevant environmental processes

1. The recommended community representatives all provided extremely detailed responses to the above, ranging from their work history in related areas (e.g. project management, budgeting and water related engineering) to knowledge and understanding of contemporary best practice catchment remediation initiatives (e.g. physical interventions, engagement, planning and compliance) and would provide valuable contributions to the Panel.

The three new recommended applicants are:

First Name	Last Name
Nilmini	De Silva
Warren	Birkinshaw
Dilini	Kumarasinghe

## BUDGET

There are no budgetary implications associated with this Report.

## POLICY

There are no policy implications associated with this Report.

## CONCLUSION

It is recommended that the three new community representatives, Nilmini De Silva, Warren Birkinshaw, and Dilini Kumarasinghe be endorsed by Council as panel members for the Catchments Remediation Rate Expenditure Review Panel.

The three recommended community representatives possess a broad range of engineering, financial and natural resource management experience, enabling them to effectively contribute to the Catchments Remediation Expenditure Review Panel in reviewing expenditure and assessing the validity of funding decisions against eligible criteria identified in the Catchments Remediation Rate Expenditure Review Panel Charter.

## RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the David Beharrell – Operations Manager, Natural Resources who can be contacted on 9847 6860.



PETER COAD  
Manager - Natural Resources  
Community and Environment Division

STEPHEN FEDOROW  
Director - Community and Environment  
Community and Environment Division

ITEM 7

**Attachments:**

1. Summary List of CRR Panel Applicants



2. CRR Panel - Candidate Applications - *This attachment should be dealt with in confidential session, under Section 10A (2) (a) of the Local Government Act, 1993. This report contains personnel matters concerning particular individuals (other than councillors).. (The attachment includes the personal details including home address, phone and email details of applicants to the CRR Panel. )*

File Reference: F2005/00829-03  
Document Number: D08010581

## **8 DRAFT PLAY PLAN**

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### **EXECUTIVE SUMMARY**

- In October 2018, Council endorsed the development of a number of specialised strategies under the (then) Department of Planning and Environment's Accelerated LEP Review Program. These specialised strategies included a Play Plan under the liveability theme of the LSPS.
- Extensive community consultation was undertaken as part of the development of the Local Strategic Planning Statement and the development of the draft Play Plan specifically.
- The draft Play Plan provides a vision, principles, assigns hierarchies, and sets out recommendations for managing our playgrounds and play spaces now and into the future.
- The draft Play Plan proposes a net increase of 17 play spaces across the Shire focussed in high growth areas of the Shire, or areas of inadequate supply. Where additional play spaces are required, without adequate land, play spaces can be upgraded in hierarchy, catering for more people. The draft Play Plan also proposes that Council does not replace playground equipment at three pocket parks when the current equipment reaches the end of its useful life noting that each of these locations has other nearby playgrounds that residents would be able to access.
- It is recommended that the draft Play Plan be adopted for the purposes of public exhibition.

### **RECOMMENDATION**

THAT:

1. The draft Play Plan attached to Director's Report No. CE12/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

## PURPOSE

The purpose of this Report is to seek Council's endorsement to publicly exhibit the draft Play Plan.

## BACKGROUND

In June 2018, in response to a Notice of Motion (NOM6/18) regarding a Hornsby Shire Playground Strategy, Council resolved in part to:

*Develop a Shire wide Playground Strategy that will identify opportunities for renewal of existing playgrounds, rationalisation of under-utilised playgrounds and the development of new facilities based upon a comprehensive audit of the existing network.*

The Play Plan specifically addresses this NoM together with the Hornsby Active Living Strategy (2015) which recommended that a Play Plan be established.

Completion of this Play Plan together with a range of other strategies are outlined as a priority and action within the Local Strategic Planning Statement that was adopted in February 2020 and published on the NSW Planning Portal in March 2020.

## DISCUSSION

### Local Strategic Planning Statement and Community Strategic Plan

The LSPS sets out a 20-year vision for land use in the Hornsby Shire, and acknowledges the special characteristics which contribute to the local identity, shared community values to be maintained and how growth and change will be managed into the future.

The EP&A Act requires the LSPS to be updated every seven years, however, it is expected that the LSPS will be updated on a more regular basis to align with the preparation of new Community Strategic Plans every three years and/or following the finalisation of major strategic studies.

The draft Play Plan attached to this Report, once adopted by Council in its final form following community consultation outlined in this Report, would inform the next revision of the LSPS and Council's new Community Strategic Plan.

### Play

Hornsby's current population is estimated to be approximately 150,000 and is expected to grow by 15% to around 170,000 people by 2028. The Hornsby LGA is a popular location for families with nearly 70% of all households identifying as families with children.

Play is essential for a child's healthy development and is recognised in the UN Convention on the Rights of the Child as a universally accepted right. There is a responsibility at all levels of government to provide opportunities for children to play. This includes children with disabilities who have the right to participate in play, and contemporary play spaces should aim to be inclusive of everyone in the community.

Play is not only beneficial for children – people of all ages are playful, although the types of play that we engage with are likely to change over our lifetime.

### Pressures on Play

Like most of Sydney, Hornsby Shire is subject to pressures associated with population growth, increased urban density and compact living, changing demographics and increasing cultural diversity; and our community are telling us that they would like new playgrounds to be constructed, and existing playgrounds to be upgraded and refurbished with the provision of shade and inclusive play spaces amongst other features.

In a financially constrained environment, it is important that Council have a Shire wide, Play Plan that establishes guiding principles for play, and as such provide recommendations and an action plan to guide future planning, design and management of our play spaces in a cost effective, equitable manner across the Shire.

### Play space provision

The draft Play Plan found that Hornsby has a high level of play space provision (131 sites) when considered in relation to population size, however, there are variations in the quality of provision and accessibility to play spaces across different parts of the Local Government Area (LGA).

The distribution of play spaces in Hornsby is generally aligned with the historical population and development pattern. Most play spaces are located around key centres in the south-eastern part of the LGA. Large areas of the western portion of the LGA, which include bushland and rural settings, do not have access to a play space without the use of a vehicle.

Hornsby Shire play spaces are generally of high quality and well maintained. A high number of existing play spaces provide adequate shade, pathways and drinking fountains. Many play spaces also benefit from natural elements, including unique bushland and creek settings.

Most existing play spaces are provided at the local (71) and pocket (46) level. Fagan Park is currently the only regional space in the Hornsby Shire, and it attracts people from all over Sydney.

The age of existing play spaces ranges between 6 months and 30 years old. The designs generally reflect the trends in play from the era they were built in. As a result, there is duplication in the equipment and play experience provided in a number of the play spaces.

### High Level Recommendations and Action Plans

The draft Play Plan sets out five high level recommendations for play across the Shire as follows:

Recommendation	Priority
Incorporate the value of play and a child's right to play into the Hornsby Town Centre Revitalisation	High
Incorporate the provision of new play spaces and upgrades as identified in this Play Plan into the Hornsby Town Centre Revitalisation masterplan.	High
Incorporate the play principles and child's right to play into the Hornsby Development Control Plan and other statutory and strategic documents to maximise uptake of best practice play.	Medium
Develop a communications strategy for the promotion of play spaces, including upgrades to the Hornsby Shire website to include imagery of all play spaces, play space features and inclusiveness of play spaces. Consider non-digital communications for residents who are not computer literate.	Medium
Develop a POM to guide the management of Regional level play spaces – this will include the future Hornsby Quarry Regional play space.	Medium

The draft Play Plan recommends that in order to maintain current provision of playgrounds in response to a growing population, a net increase of 17 play spaces are proposed in high growth areas, or areas of inadequate supply. Where additional play spaces are required, without adequate land, play spaces can be upgraded in hierarchy, catering for more people. Current play equipment at three pocket parks is proposed to be removed when it reaches the end of its useful life.

An overview of proposed changes in playground number and hierarchy is provided in Table 1 below.

HIERARCHY	NO. OF CURRENT PLAY SPACES (2020)	NO. OF CURRENT PLAY SPACES TO BE REMOVED	PLAY SPACES TO UPGRADED IN HIERARCHY	NO. OF NEW PLAY SPACES	NO. OF PROPOSED SPECIAL USE PLAY SPACES ADJOINING TO EXISTING SITES	TOTAL PLAY SPACES (2035)
Regional	1			+1		2
District	7		+6	+1		14
Local	71		+2	+3		76
Pocket	46	-3				43
Special Use	6			+2	+5	13
<b>Total</b>	<b>131</b>	<b>-3</b>	<b>+8</b>	<b>+7</b>	<b>+5</b>	<b>148</b>

Table 1: Changes in playspace number and hierarchy

The draft Play Plan is broken down into 10 districts aligned to Council's Plans of Management. The draft Play Plan provides specific recommendations for each play space across the Shire, with major changes (including new play spaces, upgraded hierarchies or play space removals) shown in Table 2 below. Detailed recommendations for each play space can be found within the district recommendations of the draft Play Plan attached to this Report.

P.O.M DISTRICT	PLAY SPACE NAME	SUBURB	CURRENT HIERARCHY LEVEL	PROPOSED HIERARCHY LEVEL	ACTION	PRIORITY
1	Epping Oval Play Space	Epping	Local	District	Upgrade Hierarchy	High
2 & 2a	Kenley Park	Normanhurst	Pocket	-	Remove	High
2 & 2a	Westleigh Park Play Space	Westleigh	-	Local	New Play Space	High
2 & 2a	Brickpit Park	Thornleigh	Local	District	Upgrade Hierarchy	High
2 & 2a	Wollundry Park	Pennant Hills	Local	District	Upgrade Hierarchy	High
3 & 9	Hornsby Park (Crusher Plant)	Hornsby	-	District	New Play Space	High
3 & 9	Hornsby Park (Old Mans Valley) Hornsby Quarry Water Play Space	Hornsby	-	Regional/ Special Use	New Play Space	High
3 & 9	Hornsby Town Centre Play Space	Hornsby	-	Special Use	New Play Space	High
4	Ulolo Community Park	Hornsby Heights	Pocket	Local	Upgrade Hierarchy	High
4	Hunt Reserve	Mount Colah	Local	District	Upgrade Hierarchy	High
4	Berry Park	Mt Colah	-	Local	New Play Space	High
5 & 7	Warrina St Oval Play Space	Berowra	Local	District	Upgrade Hierarchy	High
6	Nancy Place	Galston	Pocket	-	Remove	High
6	Arcadia Play Space	Arcadia	-	Local	New Play Space	Medium
8	Moorfield Hill Reserve	Dural	Pocket	Local	Upgrade Hierarchy	High
8	Myson Drive Park	Cherrybrook	Pocket	-	Remove	High
8	Edward Bennett Oval Play Space	Cherrybrook	Local	District	Upgrade Hierarchy	High

Table 2: Major recommended changes to playspaces

The Play Plan recommends not replacing playground equipment at three pocket parks when the current equipment reaches the end of its useful life. Each of these locations has other nearby playgrounds as outlined.

Kenley Park is located adjacent to Brickpit Park. It is proposed that a pathway be established at the intersection of Dartford Road and Pennant Hills Road linking directly into Brickpit Park thereby providing access to a playground that is also increased in hierarchy from local to district size.

Myson Drive Park is a narrow strip of land located directly adjacent to New Line Road. It is proposed to retain and renew the existing playground at Edna Seehusen Reserve which is approximately 300 metres from this site and away from New Line Road.

Nancy Place Park is a small relatively isolated area which lacks any passive surveillance with the absence of a street frontage. It is proposed to remove this equipment noting Fagan Park provides an enhanced play opportunities and facilities located ten-minute walk using a shared off-road pathway.

## CONSULTATION

Broad community consultation was undertaken in the development of the draft Play Plan with a total of 1,011 people (including 156 children and 83 young people) engaged across 16 separate consultations.

Consultations were held from March – May 2019 and the following methods of engagement were used:

- An online community surveys
- Face-to-face consultations
- Preference surveys
- Presentations followed by a group discussion

As part of this process a range of special user groups were consulted in order to ensure that the draft Play Plan catered for all aspects of the community and considered several aspects of inclusive play. This included:

*Disability:* Consultations with parents and carers of children with a disability ensured that the special challenges faced by them when visiting playgrounds are considered. It was also seen as an opportunity to better understand what would make Hornsby's playgrounds more accessible and inclusive as well as more appealing to this user group.

*Age:* It is common to focus play planning and provision on early to middle childhood and overlook opportunities to better *include* the very young (infants and toddlers) and older people. Consultations were held with two playgroups attended by mothers with infants and toddlers. At the other end of the age spectrum, a consultation with a local Probus group with most attendees over the age of 75, gave valuable insights into being more inclusive of older people in the community.

*Indigenous Culture:* It is important for the Play Plan to consider opportunities to respect and include local Aboriginal culture in the design of playgrounds. Two consultations were held with Aboriginal elders to provide some insight into how this may be achieved in Hornsby's playgrounds.

A copy of the consultation outcomes report that informed development of the draft Play Plan is provided at Attachment 2 to Director's Report No. CE12/20.

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

- Advertisement on Council's website – Have Your Say
- Advertisement on Future Hornsby website
- Council's eNewsletter – November edition
- Emails to Future Hornsby database (users who registered for updates on the Sustainability or "all topics" under the Accelerated LEP Review),
- Social Media (Facebook, LinkedIn and Localised)
- Advertising and Mayor's message - Bush Telegraph, Galston & Glenorie News, Dural Roundup, Hornsby Kuring-gai Post and Living Heritage

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

**BUDGET**

The \$2.5 million *Accelerated LEP Review Program* funding was utilised for the development of the draft strategies and associated community consultation.

This Report recommends that Council places the draft Play Plan on public exhibition

The draft Play Plan outlines a long-term, sustainable vision for play in the Hornsby community over the coming 20 years and provides a range of recommendations for Council.

As the draft Play Plan is a high-level strategic document, detailed costings and funding sources yet to be developed for each recommendation. Nevertheless, a high-level approximation (assuming maintenance of the current scope and extent of Council's programs and services) indicates that to progress the actions identified within a five-year period would require approximately \$8 Million (excluding the Quarry and Westleigh projects) to implement, with Council and committed grant funds available of approximately \$7.4 Million. This leaves a funding gap of approximately \$600,000 over that period. Following public exhibition should Council proceed to adopt the Play Plan as policy, Council would need to explore additional grant opportunities to bridge this gap and/or prioritise implementation of projects.

Implementation of actions contained within the draft Play Plan would occur through the development of Council's Delivery Program, Annual Budget and Operational Plan. Implementation would be subject to the strategic priorities of Council, the availability and allocation of resources by Council.

Community response to the draft Play Plan together with other draft LSPS strategies will be an important contribution to Council's final decisions on budget and resource allocation.

**POLICY**

Once adopted in its final form, the draft Play Plan would set a vision for Council as it seeks to improve the quality and livability of the Shire. Adopted priorities and actions would be incorporated into future amendments to the Local Strategic Planning Statement and new Community Strategic Plan.

**CONCLUSION**

The draft Play Plan draws upon extensive community engagement, professional advice on contemporary best practice in play, as it seeks to provide Council with a framework to address ever increasing demand for play across the Shire.

The draft Play Plan provides a practical framework for planning, design and management, and for the future direction of individual parks and public play spaces.

This report seeks Council's endorsement to place the draft Play Plan on public exhibition.

**RESPONSIBLE OFFICER**



The officer responsible for the preparation of this Report is the Manager, Parks, Trees and Recreation – David Sheils - who can be contacted on 9847 6792.

DAVID SHEILS  
Manager - Parks Trees and Recreation  
Community and Environment Division

STEPHEN FEDOROW  
Director - Community and Environment  
Community and Environment Division



**Attachments:**

1.  Draft Play Plan
2.  Initial Community Consultation Report

File Reference: F2018/00312

Document Number: D08013514

## **9 HORNSBY EMPLOYMENT LAND STUDY**

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### **EXECUTIVE SUMMARY**

- At its meeting on 10 October 2018, Council endorsed the Accelerated Local Environmental Plan (LEP) Review Program. The technical studies under the productivity theme include an Economic Development and Tourism Strategy and Employment Lands Study.
- Hill PDA was engaged to undertake a review of employment lands in accordance with the priorities and directions in the North District Plan.
- The purpose of the draft Employment Land Study is to identify the key economic and employment issues affecting Hornsby Shire in the context of the North District, review the quantum of business and industrial zoned land (known as employment land) within the Shire and provide a strategy for employment land which supports sustainable growth to meet the employment targets within the North District Plan.
- The draft Employment Land Study provides recommendations for amendments to planning controls and six broad strategic directions, with associated actions, to guide employment land use in Hornsby Shire.
- It is recommended that Council endorse the draft Hornsby Employment Land Study attached to this report for public exhibition.

### **RECOMMENDATION**

#### **THAT:**

1. The draft Hornsby Employment Land Study attached to Director's Report No. PL18/20 be placed on public exhibition for a period of 42 days in accordance with the consultation 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 to present the draft Hornsby Employment Land Study to Council for endorsement for exhibition, as part of the Accelerated LEP Review program.

## BACKGROUND

In March 2018, the North District Plan was released by the Greater Sydney Commission which provides a long-term plan to manage growth while enhancing the liveability, sustainability and productivity of the North District.

At its meeting on 10 October 2018, Council endorsed the commencement of several technical studies under the (then) Department of Planning and Environment's Accelerated LEP Review Program. Under the Program, Council has been receiving \$2.5m (paid in instalments) to complete a range of technical studies, including the preparation of a Local Strategic Planning Statement (LSPS). The studies under the productivity theme include an Economic Development and Tourism Strategy and Employment Lands Study. The Economic Development and Tourism Strategy is the subject of a separate report to Council on the agenda for consideration by Council at the 14 October 2020 meeting.

The Hornsby LSPS was adopted in February 2020 and published on the NSW Planning Portal in March 2020. The remaining LEP Review technical studies are nearing completion and will inform future amendments to Council's planning controls.

This report presents the draft Hornsby Employment Land Study for endorsement for public exhibition.

## DISCUSSION

The purpose of the draft Employment Land Study is to identify the key economic and employment issues affecting Hornsby Shire in the context of the North District, review the quantum of business and industrial zoned land (known as employment land) within the Local Government Area (LGA) and provide a strategy for employment land which supports sustainable growth to meet the employment targets within the North District Plan.

The current strategy for employment zoned land in Hornsby Shire is based on the recommendations of the *Ku-ring-gai and Hornsby Subregional Employment Study (2008)*. The strategy needs to be updated to account for recent economic and employment trends and reflect the current priorities and directions in State and District plans.

The findings and recommendations of the Employment Land Study (once adopted) are intended to inform amendments to the Local Strategic Planning Statement, the *Hornsby Local Environmental Plan (HLEP) 2013* and *Hornsby Development Control Plan (DCP)*.

The draft Study is structured as follows:

- *Chapter 1 Introduction* – includes the background, purpose and objectives of the Study.
- *Chapter 2 Strategic context* – reviews the local context of Hornsby, highlighting key drivers that influence economic activity and development within, and around, the LGA.
- *Chapter 3 Policy and literature context* – provides an overview of the relevant State and local government policies and legislation that influence employment land uses within commercial centres and employment precincts in Hornsby Shire.
- *Chapter 4 Market trends* – documents historic and emerging trends in the commercial, retail and industrial markets and their potential implications for Hornsby Shire.

- *Chapter 5 Hornsby economic environment* – reviews current and historic economic and employment trends within the LGA and the wider locality.
- *Chapter 6 Centre and employment precinct overview* – reviews the employment precincts, commercial centres, and special use zones within the Hornsby LGA.
- *Chapter 7 Employment precinct floorspace demand* – provides projections of floorspace demand for industrial and urban services in each employment precinct to 2036.
- *Chapter 8 Commercial centre floorspace demand* – provides projections of floorspace demand for retail and non-retail services in each commercial centre to 2036.
- *Chapter 9 Capacity assessment* – assesses the capacity for each employment precinct and commercial centre to *accommodate* the projected growth in demand under different development scenarios.
- *Chapter 10 Stakeholder engagement* – provides a summary of the stakeholder consultation conducted during the preparation of the draft Study.
- *Chapter 11 Planning control review* – reviews local controls for business and industrial zoned land and provides recommendations on the *future* role and function for each zone, potential changes to current controls and possible implications.
- *Chapter 12 Employment lands strategy* – provides strategic directions for employment land use in the Hornsby LGA, including actions to encourage and promote sustainable economic growth and future local employment.

The draft Employment Land Study undertaken by Hill PDA and the corresponding evaluation and findings were completed based on 2016 census data plus market trends, research and surveys in 2019, prior to the COVID-19 pandemic. At the time of writing this report, the latest available unemployment figures from the Australian Labour Force Survey (March quarter 2020) had not been impacted by COVID-19. However, a COVID-19 Outlook Tool has been developed by economy.id as summarised in the snapshot below.

### **Snapshot – COVID 19**

The Australian Bureau of Statistics (2 September 2020) reported that Australia's Gross Domestic Product (GDP) fell 7.0 per cent in the June quarter 2020, the largest quarterly fall on record. Recent analysis by economy.id indicates that Hornsby Shire's Gross Regional Product (GRP) is forecast to fall by -12.7% in the June Quarter 2020. This fall is lower than the NSW average. Local jobs are forecast to fall by -8.2% in the June Quarter 2020, which equates to a fall of 4,154 jobs. If JobKeeper recipients are included in the analysis, then the employment fall is estimated at -14.0% (7,098 jobs).

The long-term impact of COVID-19 on the local economy is, and will be, primarily shaped by the health and economic policies of the Commonwealth and State governments. The Strategic Directions and Recommendations contained within the draft Employment Land Study aim to support employment growth and place-making, which is perhaps more important than ever before.

### **Findings – Employment Land Study**

Over a ten-year period to 2016, total jobs generated within Hornsby Shire experienced a net increase of 899 jobs or 2%, reaching a total of around 42,300 jobs. The standout growth industries were those in the health and education sector, which recorded 1,673 jobs or 15% increase over the period. However, there were corresponding losses in the manufacturing and retail sectors.

**Industrial land**

There are 11 employment precincts (comprising industrial zoned land) located within the LGA. Combined, these precincts provide around 191 hectares of land zoned for industrial and urban services, of which, 172 hectares (90%) is developed while around 19 hectares (10%) is undeveloped.

The largest employment precinct, by total employment floorspace, is Mount Kuring-Gai with a total of almost 199,850sqm (25%) of the total employment floorspace. Of the total employment space across all the eleven precincts, the largest amount is attributed to the industry of manufacturing with around 142,545sqm (18%) of all employment space.

The draft study highlights that to maintain the affordability of industrial and employment precinct land, it is important to have enough zoned and serviced land available for future expansion opportunities.

**Business land**

There are 31 commercial centres located within the LGA. Combined, these precincts provide around 68.4 hectares of appropriately zoned land. These land zonings and the amount of land zoned include:

- B1 - Neighbourhood Centre with 13.0 hectares or 19% of total centres land stock.
- B2 - Local Centre with 26.4 hectares or 39% of total centres land stock.
- B3 - Commercial Core with 8.9 hectares or 13% of total centres land stock.
- B4 - Mixed Use with 17.7 hectares or 26% of total centres land stock.
- RU5 - Rural Village with 2.3 hectares or 3% of total centres land stock.

The study notes these centres will need to accommodate around 195,060sqm of additional floorspace to meet future demand. Most of the forecast floorspace will be directed towards the Hornsby Town Centre with an additional 125,820sqm or 65% of the total net demand being accommodated in the centre to meet jobs targets set out in the North District Plan.

**Recommendations****1. Planning Controls Review**

The draft Study identifies the following key planning recommendations for business and industrial zoned land to better support employment growth and place-making in the LGA:

**B1 - Neighbourhood centre**

- Only allow residential uses as part of shop-top housing.

**B2 - Local centre**

- Require any redevelopment to replace the same quantity (or more) of commercial floor space in any future development.
- Review height controls to ensure they are consistent with floor space ratio controls.
- Introduce a minimum non-residential floor space ratio requirement to support anticipated future demand for employment floorspace.
- Consider permitting local distribution and light industry uses where there are no impacts on the amenity and character of a centre.

**B3 - Commercial core (strategic centre)**

- Optimise commercial development by potentially setting aside an area for commercial and administrative uses in the commercial core.
- Encourage major tenants (education, health and government activities) through potential bonus floor space provisions and/or the outcomes of the Hornsby Town Centre Review.

#### *B4 – Mixed Use*

- Only allow residential development as part of mixed-use development with commercial premises on the ground floor.
- Retain and encourage the opportunity for local distribution premises and light industries.
- Specify minimum ground level floor to ceiling heights to maximise the types of commercial uses that can operate.

#### *B5- Business Development*

- Retain existing business development zones on the periphery of centres and industrial areas and investigate opportunities for introducing more B5 zoned land to accommodate future demand.
- Review ground level floor to ceiling heights to maximise and protect the diversity of uses that can be accommodated.
- Consider prohibiting shop top housing and neighbourhood shops.
- Consider increasing the height of buildings to at least 14.5m.

#### *B6 – Enterprise Corridor*

- Only allow residential development as part of mixed-use development with commercial or light industry premises on the ground floor.
- Review ground level floor to ceiling heights to maximise and protect the diversity of uses that can be accommodated.
- Retain and encourage the opportunity for local distribution premises and light industries.
- Investigate opportunities to further expand the B6 zoning.
- Consider increasing the height of buildings to at least 14.5m.

#### *IN1 - General Industrial*

- Protect remaining industrial land by not introducing other competing uses.
- Review building heights in industrial areas to enable greater flexibility in built form design.
- Review maximum site cover controls (Mount Kuring-Gai and Dural) to enable greater development footprint.
- Investigate opportunities for additional IN1 zoned land.

#### *IN2 - Light Industrial*

- Protect remaining industrial land by not introducing other competing uses.
- Consider rezoning the IN2 Industrial Land in the Brickpit.
- Explore opportunities for additional IN2 land around Dural.

*IN4 - Working Waterfront*

- Review permissible uses, including uses not dependent on access to water.

*SP3 - Tourist*

- Consider prohibiting all forms of residential accommodation to protect and encourage the use of the land for tourism activities consistent with objectives of the zone.

**2. Strategic Directions and Strategies**

The draft Hornsby Employment Land Study identifies the following six broad strategic directions to guide the supply, development and utilisation of employment lands in the Shire. Each direction is supported by a number of strategies which are listed below. Further details and the proposed actions to support the strategies are detailed in the draft Study.

*Direction 1. Improve the utilisation and appeal of employment lands*

- 1.1. Prioritise employment growth in the Hornsby Town Centre.
- 1.2. Revitalise Pennant Hills to Thornleigh Corridor by undertaking a planning controls study (consistent with the Action in the Hornsby Local Strategic Planning Statement).
- 1.3. Grow Waitara into a vibrant eat street and convenience centre by considering expansion of the B2 zone on the northern side of the station and providing more convenience retail and restaurant uses.
- 1.4. Revitalise Asquith Village by undertaking design and feasibility testing.
- 1.5. Implement non-residential FSR controls to secure the employment function of commercial centres.
- 1.6. Increase the industrial capacity of the employment precincts in Mount Kuring-gai and Asquith; by reviewing the height controls.
- 1.7. Deliver better places of employment by encouraging convenience retail and services (e.g. gyms and banks) in employment areas and improve connectivity to surrounding open space.

*Direction 2. Establish a sustainable long-term supply of employment land*

- 2.1. Establish a pipeline of industrial land by investigating opportunities for future rezoning.
- 2.2. Protect and retain the Hornsby B5 Business Development (Urban Service Land) and increase the height limit to at least 14.5m.
- 2.3. Update the NSW Employment Lands Development Monitor (ELDM).
- 2.4. Secure supply of enterprise and business development land by investigation of opportunities for future rezoning.

*Direction 3. Protect zones for uses that align with their intended role and function*

- 3.1. Rezone land that no longer aligns with the function and role of the centre or employment precinct.
- 3.2. Protect the role and function of employment lands.

*Direction 4. Attract a greater diversity of employment and learning opportunities*

- 4.1. Attract knowledge intensive jobs such as professional, scientific, technical and financial services in the Hornsby Town Centre by investigating opportunities to become a trial ground for new technologies and encouraging the supply of smaller format office space.
- 4.2. Support the growth of agriculture, manufacturing and tourism by working with local businesses and TAFE to run short courses for upskilling and determine pathways to support the productivity of rural lands as part of the Rural Lands Study and Economic Development Strategy.
- 4.3. Explore synergies with the local TAFE and universities to develop training and education programs targeted to local industries.
- 4.4. Partnerships with the health and social services industry.

*Direction 5. Deliver infrastructure that supports current needs and future growth*

- 5.1. Road networks are appropriate to accommodate growth.
- 5.2. Industrial and urban service areas have strong public transport connectivity.
- 5.3. Advocate on behalf of the community for timely delivery of improved internet and mobile services.
- 5.4. Sufficient provision of parking.
- 5.5. Early delivery of utility service.
- 5.6. Effective funding for infrastructure.

*Direction 6. Establish a framework for sustainable and continued economic growth*

- 6.1. Amend the definitions in the commercial centre hierarchy.
- 6.2. Update the commercial centre hierarchy in the DCP to better reflect the new terms in the Region and District Plan and to better reflect the permissible uses and types of centres.
- 6.3. Establish a clear economic identity for Hornsby LGA.

## CONSULTATION

Stakeholder consultation was undertaken during the preparation of the draft Hornsby Employment Land Study, which included an online survey, focus group sessions, targeted phone calls and a key stakeholder workshop with internal Council representatives. Participants included local business owners, industrial business operators, major landowners, real estate agents, property industry representatives, and residents.

Following Council endorsement for exhibition, the draft Employment Land Study would be placed on public exhibition for a period of six weeks and advertised through the following channels:

- Advertisement on Council's website noticeboard – Have Your Say
- Advertisement on Future Hornsby website
- Council's eNewsletter
- Council's Facebook Page
- Advertising and Mayor's message – Bush Telegraph, Galston and Glenorie News, Dural Roundup and Hornsby and Kuring-Gai Post



- Letters/Email to all people who have registered for updates on 'Economic Development' or 'all topics' under the Accelerated LEP Review
- Letters and/or emails to people who participated in the 2019 preliminary stakeholder consultation (and provided contact details)
- Notify Council Advisory Committees
- Referral to Business Chambers within the Shire

Following exhibition, a report would be presented to Council summarising the community feedback for consideration of next steps.

### **BUDGET**

The costs associated with the preparation of the Employment Land Study are covered under the Accelerated LEP Review funding.

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

### **POLICY**

The Hornsby Employment Land Study will inform future amendments to the Hornsby LSPS, HLEP, and DCPs, and development of local strategies for employment land use and economic development. Any recommended changes to the HLEP or DCP (if adopted after exhibition) would require further reports to Council and public exhibition of the proposed changes.

### **CONCLUSION**

The draft Hornsby Employment Land Study was prepared in accordance with the Accelerated LEP Review program. The study provides an evidence-based framework to update the local strategy for employment lands which consistent with the priorities and directions in the North District Plan and the objectives of the Hornsby Local Strategic Planning Statement.

It is recommended that the draft Hornsby Employment Land Study be placed on public exhibition.


### **RESPONSIBLE OFFICER**

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

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**Attachments:**

1.  P19061 - Hornsby Employment Land Study - Final Draft August 2020

File Reference: F2018/00162-002

Document Number: D07943512

## 10 PLANNING PROPOSAL - VEGETATION MAPPING UPDATE

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### EXECUTIVE SUMMARY

- The *Hornsby Local Environmental Plan 2013 (HLEP 2013)* includes a Terrestrial Biodiversity Map and a corresponding Clause (6.4 Terrestrial Biodiversity) that details matters for consideration when assessing a development application on land within the mapped area.
- In 2017, Council engaged Ecological Australia to update the vegetation mapping (previously undertaken by Smith and Smith 2008) referred to as the ELA Vegetation Map 2017.
- At its meeting on 11 December 2019, Council resolved to prepare a Planning Proposal to replace the current Terrestrial Biodiversity Map within the *HLEP 2013* with an updated vegetation map.
- At its meeting on 12 August 2020, Council resolved that the updated *HLEP 2013* Terrestrial Biodiversity Map should identify all vegetation communities (National, State, Regional and local) plus a 10m buffer. The planning proposal has been prepared in accordance with Council's resolution.
- On 30 September 2020, the Local Planning Panel reviewed and provided advice on the Planning Proposal in accordance with the Local Planning Panels Direction. The Local Planning Panel acknowledges that the Planning Proposal is an appropriate mechanism to implement Council's policy intent to protect all vegetation communities in Hornsby Shire.

### RECOMMENDATION

THAT:

1. Council endorse the progression of the Planning Proposal attached to Director's Report PC21/20 to update and expand the Terrestrial Biodiversity Map within the *Hornsby Local Environmental Plan 2013* for submission to the Department and Planning, Industry and Environment for a Gateway Determination.
2. The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC21/20 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for its consideration.

## PURPOSE

The purpose of this Report is to present a Council initiated Planning Proposal to update and expand the Terrestrial Biodiversity Map within the *HLEP 2013* along with associated amendments to the Hornsby Development Control Plan (HDCP) to allow residents to undertake some exempt tree and vegetation work within the mapped area.

## BACKGROUND

The *HLEP 2013* includes a Terrestrial Biodiversity Map and a corresponding Clause (6.4 Terrestrial Biodiversity) that details matters for consideration when assessing a development application on land within the mapped area. The current Terrestrial Biodiversity Map identifies National, State and Regionally significant vegetation communities based on Smith and Smith Vegetation Communities of Hornsby Shire Mapping (2008 Update) plus 'Bushland Protection' land previously recognised under the *Hornsby Shire Local Environmental Plan 1994 (HSLEP 1994)*.

In 2017, Council engaged Ecological Australia to update the vegetation mapping, referred to as the ELA Vegetation Map 2017. On 27 November 2019, the vegetation map updates were presented to Councillors at an informal workshop. Discussion included options to update the *HLEP 2013* Terrestrial Biodiversity Map to include additional vegetation communities.

At its meeting on 11 December 2019, Council considered Mayoral Minute No. MM13/19 concerning opportunities to strengthen protection of biodiversity and tree canopy and resolved that:

1. *Council prepare a Planning Proposal to replace the current Terrestrial Biodiversity Map within the Hornsby Local Environmental Plan 2013 with a new Map using updated vegetation mapping prepared on behalf of Council by Eco Logical Australia with the inclusion of 10 metre buffers.*
2. *Council consult the Hornsby Local Planning Panel in the preparation of the Planning Proposal and the comments of the Panel be addressed in the report to Council presenting the Proposal.*
3. *When the Planning Proposal is submitted to the Department of Planning, Industry and Environment, Council request the matter be expedited to ensure practical effect is given to the updated vegetation mapping in consideration of all development applications, tree and vegetation permits, and development processes.*
4. *Until such time as the Planning Proposal has been gazetted, all development applications involving tree removal within the area shown on the updated vegetation map be assessed comprehensively in accordance with the tree preservation controls within the Hornsby Development Control Plan.*
5. *Whilst the Planning Proposal is being prepared, Council undertake a communication exercise to seek broad feedback that can be incorporated/considered when Council considers adopting the formal Planning Proposal.*

In accordance with Council's resolution, preparation of a Planning Proposal commenced. However, in drafting the Planning Proposal and preparing a consultation strategy to seek community feedback, it became apparent that there are several options for incorporating the Hornsby Vegetation Map 2017 into the *HLEP 2013* Terrestrial Biodiversity Map with differing implications for each option.

Accordingly, on 4 March 2020, a Councillor workshop was held to discuss the various options and implications. At the workshop, a range of views were expressed by Councillors and it was generally agreed that a report should be presented to Council to confirm the scope of the Planning Proposal.

At its meeting on 12 August 2020, Council considered a Director's Report No. PL5/20 outlining three options to update the Terrestrial Biodiversity Map within the HLEP 2013 and resolved that:

1. *Council adopt Option 2 as outlined in Directors Report No. PL5/20 as the basis for the preparation of a Planning Proposal to update the Terrestrial Biodiversity Map within the Hornsby Local Environmental Plan 2013.*
2. *The report presenting the Planning Proposal to Council be discussed at a Councillor workshop and address appropriate amendments to the Tree and Vegetation Preservation element of the Hornsby Development Control Plan (DCP) to allow residents to undertake exempt tree work as described in the DCP within mapped areas.*
3. *Council undertake community consultation after Gateway Determination to seek public comment on the Planning Proposal as part of the Plan-making process.*
4. *Council consult the Hornsby Local Planning Panel in the preparation of the Planning Proposal and the comments of the Panel be addressed in a report to Council presenting the Proposal.*

Option 2 involves the identification of all vegetation communities on the *HLEP 2013* Terrestrial Biodiversity Map (National, State, Regional and local) plus a 10m buffer. The attached Planning Proposal has been prepared in accordance with the option endorsed by Council.

Also, in accordance with Council's resolution, on 23 September 2020, a Councillor workshop was held to discuss the Planning Proposal and appropriate amendments to the HDCP to allow residents to undertake exempt tree and vegetation work within the mapped area.

## DISCUSSION

This report presents the Vegetation Mapping Planning Proposal for endorsement by Council to seek a Gateway Determination to enable formal community consultation. It also presents associated amendments to the HDCP, to be exhibited concurrently with the Planning Proposal, after a Gateway Determination is received.

### 1. Planning Proposal

The Planning Proposal involves the identification of all vegetation communities on the *HLEP 2013* Terrestrial Biodiversity Map (National, State, Regional and local) plus a 10m buffer. The proposed amendments are detailed below.

#### **Mapping**

Currently, the Terrestrial Biodiversity Map within the *HLEP 2013* identifies vegetation of National, State and Regional significance plus approximately 50 ha of 'Bushland Protection' land previously recognised under the *HSLEP 1994*, identified through past localised precinct planning studies in the 1990's. Mapping comprises 3 Critically Endangered Ecological Communities (CEECs), 10 Endangered Ecological Communities (EECs) listed under State and Federal legislation and 11 regionally significant vegetation communities.

Due to changes in vegetation patterns and updates to State and Federal legislation and community classifications since the Smith and Smith 2008 mapping, the *HLEP 2013* Terrestrial Biodiversity Map requires updating in accordance with the ELA Vegetation Report 2017. Remnants of Cumberland Plain Woodland vegetation community have been identified which is a CEEC and Angophora Woodlands has been upgraded from local to regionally significant. The ELA 2017 mapping also applies a broader vegetation definition and has consequently captured more vegetation, as it

accounts for remnant vegetation without a native understorey, particularly in the urban and rural residential boundaries with bushland (known as relictual occurrences).

Further, Council has resolved that the updated mapping include the identification of all vegetation communities (adding 9 local or common communities) plus a 10m buffer. The current and proposed mapping is set out in Part 4 of the attached Planning Proposal.

### **Terminology**

Clause 6.4 of the *HLEP 2013* details matters that must be addressed when assessing a development application on land within the area mapped on the Terrestrial Biodiversity Map. The terminology of both Clause 6.4 and the HLEP Map refers to “terrestrial biodiversity” in accordance with model provisions and drafting advice from the Department of Planning at the time the *HLEP 2013* was being prepared.

It is proposed that the terminology be replaced with “environmentally sensitive land” to avoid any uncertainty concerning the application of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)*. The Codes SEPP identifies specific land-based exclusions under ‘Clause 1.19 – Land on which complying development may not be carried out’. One such exclusion is environmentally sensitive land identified in an environmental planning instrument.

To provide consistency with the terminology in the SEPP, the planning proposal seeks to amend the map title to “Environmentally Sensitive Land”, change all references to “Biodiversity” on each map to “Environmentally Sensitive Land” and replace all references to “Terrestrial Biodiversity” in Clause 6.4 and the Dictionary with “Environmentally Sensitive Land”.

## **2. Development Control Plan Amendments**

In accordance with Council’s resolution, a workshop was held to discuss appropriate amendments to the HDCP to allow residents to undertake exempt tree work within the proposed mapped area. At the workshop, it was generally agreed that the appropriate approach for DCP amendments would be to ensure that some exempt tree work could be carried out within the proposed mapped area, such as the removal of trees less than 3m in height and the removal of dead or dying trees and vegetation. In accordance with the discussion at the workshop, three parts of the DCP are proposed to be updated as outlined below and in the attachment to this report.

### **Part 1B.6.1 Tree Preservation**

Currently, for land mapped on the Terrestrial Biodiversity Map, the exempt tree works listed under part 1B.6.1 (d) of the HDCP do not apply (see Part 1B.6.1 (e)) which has implications including that:

- The removal of species listed under the *NSW Biosecurity Act 2015* require consent.
- All tree works require a tree permit including removal of dead trees, pruning of a tree by less than 10%, removal of trees under 3 metres, removal or pruning of a tree where the trunk of the tree is within 3 metres of an approved building, and removal of trees that pose a threat to life or property.
- The removal or pruning of trees on Council owned or managed land by Council is not permitted, unless appropriate approval has been obtained.

In recognition of the extended coverage of the mapping, Councillors generally agreed that some of the above exempt tree work should be allowed to be carried out within the proposed mapped area. Accordingly, the following amendments are recommended:

- Delete reference to the Terrestrial Biodiversity Map under Part 1B.6.1 (e) to allow certain tree works without consent in the mapped area.
- Add a statement within Part 1B.6.1 (d) to clarify that the removal or pruning of a tree within 3 metres of an approved building cannot be carried out as exempt tree works on mapped land.
- Update the references to the 'Terrestrial Biodiversity Map' to 'Environmentally Sensitive Land Map'.

#### **Part 1B.6.2 Vegetation Preservation**

Currently, for land mapped on the Terrestrial Biodiversity Map, exemptions for vegetation clearing (excluding trees) as per table 1B.6.2 (a) do not apply to land within 50 metres of, and including, mapped land. Exemptions include vegetation clearing once every 5 years of up to 30m<sup>2</sup> in rural areas and 10m<sup>2</sup> in residential, business and industrial zones.

In recognition of the extended coverage of the mapping, Councillors generally agreed that some of the exempt vegetation work should be allowed to be carried out within the proposed mapped area. Accordingly, the following amendments are recommended:

- Delete reference to the Terrestrial Biodiversity Map under Part 1B.6.2 (e) to allow certain vegetation works without consent in the mapped area.
- Add a statement within Part 1B.6.2 (d) Exempt Vegetation Work to clarify that the specified vegetation clearing every 5 years cannot be undertaken on land mapped as Environmentally Sensitive Land.
- Update the references to the 'Terrestrial Biodiversity Map' to 'Environmentally Sensitive Land Map'.
- Update the notes section to reference current legislative requirements.

#### **Part 1C.1.1 Biodiversity**

Currently, the provisions listed under Part 1C.1.1 Biodiversity of the HDCP apply to land identified on the Terrestrial Biodiversity Map. In accordance with Council's resolution, these controls would continue to apply to the proposed mapped area. However, to complement the proposed updates to the vegetation mapping, the following amendments are recommended:

- Add a provision that a flora and fauna assessment may not be required where a preliminary assessment has been submitted by a suitably qualified consultant demonstrating that vegetation in the mapped area will not be affected.
- Add a provision beneath Table 1C.1.1(a) Buffer Zones to Vegetation Types to note that the required buffers should be discounted where a buffer has been provided on the mapping.
- Update the references to the 'Terrestrial Biodiversity Map' to 'Environmentally Sensitive Land Map'.
- Update outdated references from the Threatened Species Conservation Act 1995 to the Biodiversity Conservation Act 2016.
- Update the vegetation studies referred to within the notes section to include the Vegetation Map Update Report prepared by Ecological Australia (2017).

## STRATEGIC AND STATUTORY CONTEXT

This report considers the merit of the planning proposal in relation to State and local planning policies and legislation regarding the potential impacts of the proposal. The relevant policy and legislation are discussed below.

### Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

*A Metropolis of Three Cities – the Greater Sydney Region Plan* has been prepared by the NSW State Government to guide land use planning decisions for the next 40 years (to 2056). The *North District Plan* is a guide for implementing *A Metropolis of Three Cities - the Greater Sydney Region Plan* at a District level and is a bridge between regional and local planning.

The plans set strategies and actions for accommodating Sydney's future population growth and identifies key targets such as *dwelling* numbers, infrastructure planning, liability, sustainability and productivity.

The planning proposal is *consistent* with the relevant objectives of *A Metropolis of Three Cities* and the actions of the *North District Plan*, by providing continued recognition and protection of the biodiversity values of the native vegetation within Hornsby Shire as outlined in Section B.Q3 of the attached Planning Proposal.

### Section 9.1 Local Planning Directions

Section 9.1 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* allows the Minister for Planning and Public Spaces (the Minister) to provide direction to Council in relation to the preparation of draft local environmental plans.

The planning proposal has been considered against the following Directions relevant to the proposal:

#### *Direction 1.1 Business and Industrial zones*

The objectives of the direction are:

- (a) *Encourage employment growth in suitable locations.*
- (b) *Protect employment land in business and industrial zones.*
- (c) *Support the viability of identified centres.*

This Direction applies as the proposal affects land within existing business and industrial zones. The planning proposal will generally not reduce the potential floor space area for employment uses in business or industrial zones but rather ensure greater consideration is given to the impact future development could have on the surrounding environment.

#### *Direction 1.2 Rural Zones*

The objective of this direction is to protect the agricultural production value of rural land. The planning proposal is consistent with this direction as it does not seek to rezone rural land or contain provisions that would increase the permissible density of land within a rural zone.

#### *Direction 2.1 Environmental Protection Zones*

The objective of this direction is:

- (a) *To protect and conserve environmental sensitive areas.*

The planning proposal is consistent with this direction as it would facilitate the protection of land identified as having high biodiversity significance in accordance with the Hornsby Vegetation Mapping



Report 2017 prepared by Eco Logical Australia. It is intended to continue mapping endangered ecological communities and significant vegetation listed under *NSW Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999* as well as adding additional local communities.

#### *Direction 3.1 Residential Zones*

The objectives of the direction are:

- (a) *To encourage a variety and choice of housing types to provide for existing and future housing needs.*
- (b) *To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) *To minimise the impact of residential development on the environment and resource lands.*

This Direction applies to the proposal affects land within an existing residential zone. The planning proposal is consistent with this direction as it ensures that housing design and implementation takes into consideration the environmental constraints of a site and the surrounding area to maintain the protection of vegetation communities.

#### *Direction 4.4 – Planning for Bushfire Protection*

The objectives of the direction are:

- (a) *To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land use in bushfire prone area.*
- (b) *To encourage sound management of bush fire prone areas.*

The planning proposal applies to land identified under the bushfire prone land map of Hornsby Shire as it maps areas of vegetation which is aligned with the areas of high bushfire attack levels.

The planning proposal will be forwarded to the Commissioner of the NSW Rural Fire Service for comment following receipt of a gateway determination and prior to undertaking community consultation in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

### **Hornsby Community Strategic Plan - Your Vision Your Future 2028**

The Hornsby Community Strategic Plan 'Your Vision Your Future 2028' is a 10-year vision that identifies the main priorities and aspirations for the future of Hornsby Shire and is Council's long-term plan to deliver the best possible services for the Shire. The Planning Proposal meets a number of the Focus Areas of the Community Strategic Plan as outlined in Section B.Q4 of the Planning Proposal.

### **Hornsby Local Strategic Planning Statement**

In March 2020, the Hornsby Local Strategic Planning Statement (LSPS) was published, which sets out a 20-year vision for land-use in Hornsby Shire, identifying the special character and community values that are to be preserved as well as how Council will manage growth and change. The Planning proposal meets a number the priorities and actions contained within the draft LSPS as outlined in Section B.Q4 of the Planning Proposal.

### **Draft Biodiversity Conservation Strategy 2020**

The Draft Biodiversity Conservation Strategy 2020 is currently on exhibition which will guide both Council and the community to conserve and manage Hornsby LGA's biodiversity. The Strategy offers a range of recommended actions that sit alongside several other key strategies prepared in support of the Hornsby Local Strategic Planning Statement. This planning proposal is consistent with the draft Strategy to give effect to *Action 1.1.2 Implement the revised HLEP 2013 Terrestrial Biodiversity Map*.

### Local Planning Panel Advice

The Local Planning Panels Direction – Planning Proposals, requires that the Local Planning Panel must give its advice on a Planning Proposal before Council considers whether to forward it to the Minister or Greater Sydney Commission. The Planning Proposal was presented to the Local Planning Panel (LPP) at its briefing on 30 September 2020.

The Panel acknowledged that the Planning Proposal is an appropriate mechanism to implement Council's policy intent to enhance the protection and management of vegetation by ensuring the appropriate level of consideration and assessment is undertaken for development proposals. Further, it was acknowledged that the proposed mapping has been prepared in accordance with sound advice from ecological consultants.

The Panel noted that the proposed vegetation mapping will affect a significant number of properties within the Shire and that it will be critical to engage with property owners following receipt of a Gateway Determination in progression of the Planning Proposal. The LPP advice is attached to this report.

### CONSULTATION

It is expected that, in accordance with "*A guide to preparing local environmental plans*" prepared by the Department of Planning and Environment (2018) a public exhibition period of 28 days will be required by the Gateway Determination.

A consultation strategy has been prepared as part of the planning proposal for endorsement by the DPIE. Part 5 of the planning proposal contains the Consultation Strategy which at a minimum will include the following:

- Notification letters and a copy of the planning proposal will be sent to relevant public authorities outlined in the Gateway Determination.
- A public notice will be placed in relevant newspapers. The public notice will identify the purpose of the planning proposal, exhibition dates and where the proposal can be viewed.
- The planning proposal will be exhibited on the Council website under 'Have Your Say' (<https://www.hornsby.nsw.gov.au/council/noticeboard/your-say>). Council's libraries have access to the website.
- A letter will be sent to affected land owners advising them of the exhibition and how to make a submission; and
- The planning proposal will be displayed at the Council Administration Centre, 296 Peats Road, Hornsby and at Council's libraries.
- Referral to Council Advisory Committees.

It is proposed that the draft amendments to the HDCP attached to this report are exhibited concurrently with the Planning Proposal. A report outlining the outcomes of the public agency

consultation and submissions received during public exhibition would be presented to Council for its consideration at the conclusion of the exhibition period.

## **BUDGET**

There are no budgetary implications associated with this Report.

## **STATUTORY CONSIDERATIONS**

The preparation of a Planning proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to proceed with the Proposal to Gateway Determination, the DPIE would confirm whether any technical studies are required and relevant parts of the Planning proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 2.4 of the EP&A Act allows the Minister and the Director-General to delegate functions to a Council and/or an officer or employee of a Council. When submitting a planning proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- To make and determine not to make an LEP.
- To defer inclusion of certain matters.
- To identify which matters must be considered and which stages of the plan making process must be carried out again.

At its meeting on 12 December 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager. Acknowledgement of Council's resolution was received from the Department of Planning and Environment on 3 March 2013.

On the grounds that the planning proposal is consistent with the types of draft LEPs to be routinely delegated by the DPI&E, it is recommended that Council exercise the Authorisation in this instance.

## **POLICY**

The Local Planning Panels Direction – Planning Proposals requires that the Local Planning Panel give its advice on the Planning Proposal before Council considers whether to forward it to the Minister or Greater Sydney Commission. The advice of the Hornsby Local Planning Panel is presented in this report.

## **CONCLUSION**

The Proposal seeks to update and expand the *HLEP 2013* Terrestrial Biodiversity Map and replace the term “Terrestrial Biodiversity” with “Environmentally Sensitive Land” in Clause 6.4 (and make subsequent changes to the associated maps).

The Proposal implements the ELA 2017 Vegetation Map and seeks to map vegetation communities of National, State, Regional and local significance plus a 10-metre buffer in accordance with Council's resolution. This will provide continued recognition and protection of the biodiversity values of the native vegetation within Hornsby Shire. Amendments to the HDCP are also sought in accordance with Council's resolution. The Local Planning Panel acknowledges that the Planning Proposal is an appropriate mechanism to implement Council's policy intent to protect all vegetation communities in Hornsby Shire.

Accordingly, it is recommended that Council endorse progression of the attached Planning Proposal for submission to DPIE for Gateway Determination and subsequent exhibition of the Planning Proposal and associated draft DCP amendments.




**RESPONSIBLE OFFICER**

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

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**ITEM 10****Attachments:**

1. Planning Proposal - Vegetation Map Update  

2. Proposed DCP Amendments - Vegetation Map Update Planning Proposal  

3. Final Minutes - Hornsby Local Planning Panel - Vegetation Map Update Planning Proposal  


File Reference: F2020/00021  
Document Number: D08008771

## 11 DRAFT WALKING AND CYCLING STRATEGY

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### EXECUTIVE SUMMARY

- At its meeting on 9 September 2020, Council considered General Manager's Report No. 18/20 concerning Draft Sustainable Hornsby 2040. Draft Sustainable Hornsby 2040 provides a framework for Council and the community to embed sustainability into Council's regular operations. Environmental sustainability underpins the four pillars of our corporate framework of liveable, sustainable, productive and collaborative.
- The Draft Walking and Cycling Strategy along with the Biodiversity Conservation Strategy, Urban Forest Strategy, Water Sensitive Hornsby Strategy and Climate Wise Hornsby Plan inform an overarching Environmental Sustainability Strategy under Council's environmental sustainability theme.
- The main objective of the Draft Walking and Cycling Strategy is to provide a framework to increase participation in walking and cycling, prioritise its delivery and to improve the supporting infrastructure and resourcing for these activities.
- It applies essentially to the urbanised areas of the Shire. It does not include an assessment of paved paths in the rural areas or the provision of mountain biking. These will be the subject of separate investigations.
- The delivery of several actions and a suggested capital works program nominated in the Draft Walking and Cycling Strategy will depend on available budgets and the results of the prioritisation derived from the public exhibition of this and the other supporting strategies, some of which are mentioned above.
- Notwithstanding, the Strategy will be useful in setting a framework for the preparation, design and implementation of new housing precincts, street tree planting programs and road improvement works. It will also assist with the preparation of grant applications and annual budget decisions.
- It is recommended that the Draft Walking and Cycling Strategy be adopted for public exhibition.

### RECOMMENDATION

#### THAT:

1. The draft Walking and Cycling Strategy attached to Deputy General Manager's Report No. IM5/20 be placed on public exhibition for a period of 42 days.
2. Following exhibition, a report on submissions be presented to Council for its consideration.

## PURPOSE

The purpose of this Report is to seek Council's endorsement to publicly exhibit the draft Walking and Cycling Strategy.

## BACKGROUND

At its meeting on 9 September 2020, Council considered General Manager's Report No. 18/20 concerning Draft Sustainable Hornsby 2040. Draft Sustainable Hornsby 2040 provides a framework for Council and the community to embed sustainability into Council's regular operations. Environmental sustainability underpins the four pillars of our corporate framework of liveable, sustainable, productive and collaborative.

Several specialised strategies were attached to General Manager's Report 18/20, that once adopted by Council in their final form following community consultation, would inform the next revision of the Local Strategic Planning Statement and Council's new Community Strategic Plan.

The strategies presented in General Manager's Report 18/20 were a response to several environmental priorities that emerged across the spectrum of environmental areas that the community was consulted on, including trees, water, biodiversity, waste, urban heat/climate change and active transport. Importantly, the priorities identified by the community included those which need to be addressed now, and those that are expected to present an issue in the future. Notably, these included:

- The need to address climate change, and/or mitigate its effects, and building community resilience to environmental changes and risks.
- Protecting and conserving the rich biodiversity in Hornsby, with attention to the tree canopy and endangered species.
- Ensuring that new developments are built with appropriate consideration to the environment and ongoing sustainability.
- Mitigating the environmental effects of population growth (such as traffic congestion, overcrowded public transport, increased rubbish generation, degradation of walking tracks and parkland), and planning for adequate infrastructure.
- Building safe, connected walking and cycling networks across the LGA, including cycling infrastructure at railway stations such as dedicated bike racks (including the importance of embracing new technologies such as e-bikes).
- Educating the community on sustainable practices (such as recycling and reduction in the use of single-use plastics).

Draft Sustainable Hornsby 2040 Strategy forms an overarching environmental sustainability strategy for Council that draws together several supporting documents including the:

- Draft Biodiversity Conservation Strategy
- Draft Urban Forest Strategy
- Draft Water Sensitive Hornsby Strategy
- Draft Climate Wise Hornsby Plan
- Draft Walking and Cycling Strategy

- Waste Matters Strategy (adopted February 2020)

and provides the foundation for Council to work with the community in these areas.

It was indicated in General Manager's Report 18/20 that the Draft Walking and Cycling Strategy would be presented to the October 2020 Meeting of Council.

## DISCUSSION

The Draft Walking and Cycling Strategy covers the urbanised areas for walking and cycling with bushwalking extending into the rural areas. It does not include an assessment of paved paths in the rural areas or mountain biking.

The main objective of the Strategy is to provide a framework for Council to increase participation in walking and cycling, prioritise its delivery and to improve the supporting infrastructure and resources for these activities in Hornsby Shire over the next 10 years.

In addition to the above the Strategy will inform the preparation of:

- Design solutions for residential housing precincts
- Development contribution plans/voluntary planning agreements
- Street tree planting programs
- Development consent conditions
- Road improvement programs
- Grant applications/budget decisions
- Evaluation and monitoring program

The Strategy proposes that the primary objective of increasing participation in walking and cycling would be achieved by:

- Increasing the provision of facilities for short trips (under two kilometre walk and a five-kilometre ride)
- Improving the safety and convenience of facilities for all people who walk and cycle

Key elements relevant to the Strategy's objective are:

- A prioritised list of improvements
- Path and Non-path standards
- An Implementation Plan comprising a few actions

**Prioritised list of improvements** - A capital works program has been developed to inform construction of suitable facilities over the next 10 years with the aim of providing a continuous network of key walking and cycling corridors, resolve missing links and to provide walking and cycling opportunities that connect residents to areas of high use including town centres, hospitals, schools, recreational and public transport facilities.

The priority of the provision of projects is related to those links where expected patronage levels and community benefit are expected to be higher and generally correspond with the current density of residential development and the expected growth in residential development over the life of the plan. An equitable distribution of projects across the Shire has also been a consideration.

Projects have also been drawn from the Hornsby Shire Bike Plan (2019), which in addition to a community benefit and patronage level approach proposed several model solutions to establish broad interest in such facilities. These tend to focus on local school catchments where there is an interest in cycling to school and where it is expected further patronage could be encouraged through upgrading of local cycling routes.

The shared pedestrian/cycle path network focuses on the following priority areas:

- Hornsby/ Mount Kuring-Gai corridor including solutions for:
  - Waitara to Hornsby Town Centre/Waitara Railway Station
  - Mount Kuring-Gai to Hornsby
  - Hornsby Town Centre to Hornsby Hospital
  - Hornsby Town Centre Florence St and Hunter Lane (pedestrian bridge to library)
- Beecroft, Cheltenham and Epping North area incorporating routes to Beecroft and Cheltenham Railway Stations
- Cherrybrook incorporating routes to the new metro railway station and the Cherrybrook Village Shopping Centre
- Westleigh/Thornleigh incorporating routes to Westleigh Park and Pennant Hills Railway Station

The proposed separate footpath network focuses on filling in the gaps in the current footpath network. It seeks to:

- Strengthen circuit walks within urban areas to encourage exercise in selected locations
- Improve links to bushwalking track entrances through either footpath or signage works
- Improve links to town and village centres and retail precincts
- Improve links to key destinations such as parks, schools etc
- Reinforce and add to existing pathway network, notably in the suburbs of Beecroft, North Epping, West Pennant Hills, Westleigh, Thornleigh, Asquith, Hornsby Heights, Mount Colah, Mount Kuring-gai, Berowra and Brooklyn. The paths would also extend the connections to the Great North Walk

The proposed bushwalking tracks mirror those projects adopted in the recent s7.11 Development Contributions Plan.

The delivery and nature of the suggested capital works program will be influenced by the availability of funds and specific site constraints, notably heritage, wildlife habitat and bushland protection needs, neighbourhood character, the presence of utilities, car parking needs and the presence of mature trees.

**Path and Non-path standards** – Notable among the path standards is the requirement to construct 1.8m wide footpaths in high density areas that link to key destinations. Non-path infrastructure includes wayfinding signage, interpretive signage, lighting, seating, bicycle parking and storage, drinking fountains, public toilet provision and other amenities. The provision of the facilities will be required to address the requirements of the *Disability Discrimination Act, 1992* and Council's *Disability Inclusion Action Plan 2017-2020*.



**Implementation Plan** - Actions are identified in the Strategy that form part of the Implementation Plan. Twenty-one actions have been identified, of which five are high priority, nine medium priority, one low priority and six ongoing. The actions are grouped under the following headings:

- Provision of suitable facilities
- Promotion
- Integrated Planning
- Monitoring and Guidance

## CONSULTATION

The Strategy has been informed by consultation processes undertaken for the Hornsby Bike Plan (2019) and the outcomes of the National Cycling Participation Survey (2020) conducted for the Hornsby Shire local government area.

It is proposed that the Draft Strategy will be publicly exhibited for a period of 42 days. Notification of the public exhibition would be through the following channels:

- Advertisement on Council's website – Have Your Say
- Advertisement on Future Hornsby website
- Council's eNewsletter – November edition
- Emails to Future Hornsby database
- Social Media (Facebook, LinkedIn and Localised)
- Advertising and Mayor's message - Bush Telegraph, Galston & Glenorie News, Dural Roundup, Hornsby Ku-ring-gai Post and Living Heritage

Bike North, Bicycle NSW, local Civic trusts and the Environmental Sustainability Advisory Committee will also be approached for comment on the Draft Strategy.

## BUDGET

The Draft Strategy identifies twenty-one actions and foreshadows that \$145,000 will be required to progress investigations and monitoring activities. The construction of high priority footpaths has been estimated at \$7,000,000 and the construction of high priority shared pedestrian/ cycle paths has been estimated at about \$24,000,000 for a 10- year period commencing in the 2021/22 financial year. Costs will be refined as actual design solutions are developed. Currently the current budget settings are enough to fund about 80% of the footpath projects and about 30% of the high-priority shared pedestrian/cycleway network. The proposed bushwalking tracks mirror those projects adopted in the recent s7.11 Development Contributions Plan.

Council has a strong track record of financial responsibility. A quadruple bottom line approach, including financial sustainability considerations, when making decisions and committing to new projects and programs is critical. One of the key questions to be posed during the engagement period is the priority of the capital works program. The outcomes of this engagement will aid Council's final decisions regarding the adoption of strategy.

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

Community response to all of the draft strategies mentioned in this report will be an important contribution to Council's final decisions on budget and resource allocation.

To accelerate delivery of the Strategy, Council will seek alternative funding pathways such as applying for grants and working in collaboration with partners. Formal adoption of strategies is often a precursor to successful funding applications from providers such as the NSW and Australian governments.

### **POLICY**

Once adopted in their final form, the Draft Strategy will set a vision for Council as it seeks to improve the participation in walking and cycling across the Shire. Adopted priorities and actions would be incorporated into future amendments to the Local Strategic Planning Statement and new Community Strategic Plan.

### **CONCLUSION**

The Draft Walking and Cycling Strategy provides an integrated solution for the provision of footpaths and cycleways across the urban part of the shire. It will provide one source of information for residents, councillors and council officers and helps to inform budgetary decisions, grant applications and other potential funding sources. The identified network will be used to allocate work in the Delivery Plan on a priority basis equitably across the shire.


### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Deputy General Manager Infrastructure and Major Projects – Bob Stephens - who can be contacted on 9847 6665.

ROBERT STEPHENS

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

### **Attachments:**

1.  Walking and Cycling Strategy

File Reference: F2018/00293

Document Number: D08013668

## 12 COUNCIL DECISIONS

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ASKED BY COUNCILLOR TILBURY

TO THE GENERAL MANAGER:

Noting that my Notice of Motion No. NOM15/20 – Council Decisions – was not supported by Council at the 9 September 2020 General Meeting and noting that Council has a number of policies in place to guide Councillors' interaction with, and response to, members of the community, can the General Manager advise what avenues are available to ensure consistent and equitable treatment to all our constituents. Is there opportunity to amend any of these policies to include specific guidelines so that particular individuals or groups do not receive a disproportionate amount of attention and time from Councillors and/or staff, particularly when similar concerns continue to be raised by the one person or group.

**Attachments:**

There are no attachments for this report.

File Reference: F2020/00029

Document Number: D08020759

### 13 STRATEGIES FOR DISABILITY INCLUSION ACTION PLAN AND DEVELOPMENT OF AN AGE FRIENDLY SHIRE STRATEGY

COUNCILLOR MCINTOSH TO MOVE

THAT:

1. A workshop be held with Councillors to discuss the review of our *Disability Inclusion Action Plan (2017-2020)*, which requires a process of consultation and engagement with both our community and a range of key council staff to complete.
2. Council note that the NSW Ageing Strategy 2016-2020 is currently being reviewed, and that following release of the revised NSW Ageing Strategy that Council develop an *Age-friendly Strategy for our Shire*, which would address the needs of seniors in our Shire and incorporate the requirements for a Dementia-friendly Community, which was previously resolved by Council in 2018.
3. The proposal to complete this review and creation of a new strategy concurrently would save Council time and resources through shared consultation and engagement sessions and place Council in the best possible position to address these key issues for our community and to seek funds for the support of these actions.
4. As part of the creation of these two strategies it is proposed that key staff from across Council be engaged in training and professional development activities to ensure that the needs of seniors and people with a disability can be addressed across the full range of Council services, facilities and planning.
5. Both of these strategies require a comprehensive communication and consultation with our community, recognition of current best practice and will benefit from the exploration of opportunities for partnerships with aged and disability organisations and other agencies within in our community.

#### Note from Councillor

##### 1. **Disability Access**

In June 2017, Hornsby Shire Council adopted our Disability Inclusion Action Plan (2017-2020). This strategy was intended to outline Council's commitment to improving opportunities for people of all ages who live with disabilities to access the full range of services and activities available in the community.

While this Action Plan meets the requirement for Councils to have a current Disability Plan, this document and the actions outlined within it are not embedded well within our overall policy framework, and issues of accessibility and inclusion have recently been overlooked in the planning of some

Council documents and in the planning of council facilities. While we have addressed these oversights in subsequent versions of documents and in construction, it highlights the need for an urgent review of this Action Plan, of renewed consultation with our community and the engagement of staff in key areas related to disability access and inclusion.

It is proposed that a Council workshop be held to discuss how we can engage with people living with a disability in our community and the organisations who serve them, to ensure that our new Disability Inclusion Action Plan addresses the specific needs of our community.

## **2. Age-friendly Strategy**

As we embark upon a renewal of our Disability Inclusion Action Plan, there is an obvious need to address the needs of seniors within our community.

The NSW Ageing Strategy 2016-2021 is currently being reviewed and a new, whole-of-government, whole-of-community plan will be launched in 2021. It is appropriate that we utilise the information provided in this NSW Strategy to inform our own, locally focussed action plan.

Hornsby Shire has a large senior's population, with greater than the Sydney average for all age groups over the age of thirty-five years, or 57.5% of our population. In 2018, we resolved to undertake work to become a Dementia-friendly community in partnership with a range of local organisations who support seniors and their carers living with dementia. Council addresses the needs of seniors through a variety of community events, activities and information sessions particularly through our library and community development team and have undertaken a considerable body of work in the area of seniors housing through the *Seniors Housing Demand and Supply Review* (July 2020). However, we do not have an overarching senior's policy statement or strategy such as an Active Seniors Strategy or Age-friendly Shire Strategy, which would define our role in supporting our Shire's seniors.

### ***Saving Resources / Supporting our community***

It makes great sense to undertake the review our Disability Inclusion Action Plan and create a new Strategy for Seniors simultaneously. We have strong connections with a number of groups and agencies in our area who work in these two sectors and there are considerable resources available through other agencies such as the Northern Sydney Dementia Collaborative and the WHO (World Health Organisation) Global Network for Age friendly Cities and Communities to support us.

There is great similarity in the issues to be dealt with in these plans, issues such as support, advocacy, inclusion and engagement; and clearly some crossover between the two groups in terms of consultation and engagement. Completing these two strategies together would save council resources in staff time, in engagement and consultation processes and will ensure that we can deliver two comprehensive strategies that could meet the needs of a large part of our population now and into the future.

Having strong strategies in place means that the actions outlined in these key plans can be included in our infrastructure and planning policies moving forward and places us in the best position to seek grant funding opportunities in these key areas.

#### **Attachments:**

There are no attachments for this report.

File Reference: F2017/00061

Document Number: D08020668