



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 8 September 2021  
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."*

### **ACKNOWLEDGEMENT OF COUNTRY**

Statement by the Chairperson:

*"Council recognises the Traditional Owners of the lands of Hornsby Shire, the Darug and Guringai peoples, and pays respect to their Ancestors and Elders past and present and to their Heritage. We acknowledge and uphold their intrinsic connections and continuing relationships to Country."*

### **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 11 August, 2021 be confirmed; a copy having been distributed to all Councillors.

#### **PETITIONS**

#### **PRESENTATIONS**

#### **RESCISSION MOTIONS**

#### **MAYORAL MINUTES**

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

Note:

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

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

#### **GENERAL BUSINESS**

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

#### **OFFICE OF THE GENERAL MANAGER**

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

**Item 1      GM43/21 PERFORMANCE REPORT JUNE 2021 - DELIVERY PROGRAM 2020-2022  
AND QUARTERLY BUDGET REVIEW STATEMENT**

#### **RECOMMENDATION**

THAT:

1. The June 2021 Performance Report showing progress of the Delivery Program 2020-2022 including the 2020/21 Operational Plan and Budget be received and noted.
2. The Quarterly Budget Review Statement for the period ending June 2021 be received and noted.

##### **Page Number 8**

**Item 2      GM44/21 COVID-19 PANDEMIC - UPDATE ON COUNCIL'S RESPONSE**

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**RECOMMENDATION**

THAT the contents of the General Manager's Report No. GM44/21 be received and noted.

**CORPORATE SUPPORT DIVISION**

**Page Number 13**

**Item 3 CS60/21 ELECTION OF DEPUTY MAYOR****RECOMMENDATION**

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.
2. If a Deputy Mayor is to be elected, Council:
  - a) Determine the period for which the Deputy Mayor is to be elected.
  - b) Determine if the election of the Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting (N.B. Open voting is the preferred method due to the Meeting being held online).
  - c) Request the Returning Officer to conduct the election, using the election method determined in b) above.
3. If a Deputy Mayoral election is held, the ballot papers (if any) be destroyed following the declaration of the election.

**Page Number 17**

**Item 4 CS61/21 COUNCILLOR REPRESENTATION ON COMMITTEES, WORKING PARTIES AND OTHER RELEVANT GROUPS - SEPTEMBER 2021 TO THE NEXT LOCAL GOVERNMENT ELECTION****RECOMMENDATION**

THAT Council extend the current Councillor representation on Committees, Working Parties and other relevant groups detailed in the attachment to Director's Report No. CS61/21 for the period to the next local government election.

**Page Number 20**

**Item 5 CS53/21 LOCAL GOVERNMENT NSW - 2021 ANNUAL CONFERENCE - DETERMINATION OF VOTING DELEGATES FOR BOARD ELECTION****RECOMMENDATION**

THAT:

1. Council determine the eight Councillors who will be Council's voting delegates for the 2021 LGNSW Board postal vote election.
2. All Councillors be registered for attendance at the Local Government NSW Online Conference to be held on 29 November 2021.

**Page Number 23****Item 6 CS55/21 INVESTMENTS AND BORROWINGS FOR 2021/2022 - STATUS FOR PERIOD ENDING 31 JULY 2021****RECOMMENDATION**

That the contents of Director's Report No. CS55/21 be received and noted.

**Page Number 26****Item 7 CS58/21 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS - 2020/21 FINANCIAL YEAR****RECOMMENDATION**

THAT the:

1. 2020/21 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 2020/21 Financial Reports.
3. 2020/21 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 2020/21 Financial Reports and Auditor's Report will be formally "presented to the public".

**COMMUNITY AND ENVIRONMENT DIVISION**

Nil

**PLANNING AND COMPLIANCE DIVISION**

Nil

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**

Nil

**PUBLIC FORUM – NON AGENDA ITEMS**



**QUESTIONS WITH NOTICE****Page Number 29****Item 8 QWN1/21 QUESTION WITH NOTICE - COVID19 PANDEMIC - IMPACT ON COUNCIL FINANCES AND STAFFING****MAYOR'S NOTES****NOTICES OF MOTION****Page Number 31****Item 9 NOM8/21 EMBRACING A ZERO-CARBON FUTURE****COUNCILLOR HEYDE TO MOVE**

THAT Council:

1. Note the warning from the Intergovernmental Panel on Climate Change (IPCC) that there is a narrowing window of opportunity to prevent catastrophic climate change.
2. Note that Council's emissions reductions targets for its community and its own operations will need to be reviewed in light of the latest IPCC science on keeping temperatures at 1.5 degrees or less of warming.
3. Acknowledge the leadership of the Member for Hornsby and Environment Minister Matt Kean in substantially increasing renewable generation, dispatchable generation, ongoing jobs and grid stability for NSW.
4. Note that Australia has an abundance of low-cost renewable energy resources and can leverage our competitive advantages to meet growing global demand for zero-emissions products.
5. Call on the Member for Berowra, Mr Julian Leeser, to sign the Community Protection Pledge, a set of 10 commitments for keeping residents safe from worsening extreme weather, distilled from the Final report of the National Bushfire and Climate Summit 2020.
6. Write to the Energy Minister Angus Taylor and Prime Minister Scott Morrison urging them to take ambitious 2030 and 2050 targets to COP26 UN Climate Change Conference in November 2021 to modernise Australian industry and create jobs.

**Page Number 35****Item 10 NOM9/21 HORNSBY'S CYCLING ECONOMY – ROAD CYCLING AND MOUNTAIN BIKING IN HORNSBY SHIRE****COUNCILLOR MCINTOSH TO MOVE**

THAT:

1. A Report on the Public Exhibition of Draft Walking and Cycling Strategy be brought back to Council as soon as is practicable and preferably within this term of Council.
2. The report give consideration to:
  - a) How mountain biking can be addressed across the shire.
  - b) The economic impact and benefits of both road cycling and mountain biking and how Hornsby Shire can benefit from capitalising on this existing trend.
  - c) Ways in which Council can expeditiously develop a Road Cycling and Mountain Bike Policy to inform other key current projects.
3. A Councillor workshop be held to discuss the options available to Council in regard to the development of this policy, including a recommended engagement approach.

#### **SUPPLEMENTARY AGENDA**

#### **MATTERS OF URGENCY**

**1 PERFORMANCE REPORT JUNE 2021 - DELIVERY PROGRAM 2020-2022 AND QUARTERLY BUDGET REVIEW STATEMENT**

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**EXECUTIVE SUMMARY**

- Council is required to review its budget each quarter. At the same time the Local Government Act 1993 states that half yearly progress reports should be provided to Council on the principal activities detailed in its Delivery Program.
- In this regard, the June 2021 Performance Report showing progress of the Delivery Program 2020-2022 including the 2020/21 Operational Plan and Budget is attached for Council's consideration.
- The 2020/21 Original Budget adopted by Council had considered the financial impact of the COVID-19 Pandemic. This required in some instances reduced income for services, as well as additional expenditure for enhanced cleaning of Council facilities and utilising restricted asset funds to offset these amounts.
- Better than anticipated economic recovery and prudent financial management no longer required the use of restricted asset funds to offset these amounts.
- Based on an inflow and outflow of funds as at 30 June 2021, the actual result for 2020/21 is a surplus of \$3,847K, which is \$2,832K more than the forecast surplus of \$1,015K in Council's 2020/21 Revised Budget. However, it is intended that \$2,832K from this surplus to be set aside into a restricted asset to help offset anticipated financial impact of COVID-19 next year. The remaining balance of \$1,015K, is intended to be transferred to the debt retirement and capital projects restricted asset to enable the implementation of initiatives identified in future years of Council's Long-Term Financial Plan (LTFP).
- Progress against the adopted Delivery Program including the 2020/21 Operational Plan and Budget, and the operational performance of the organisation has been in line with the service delivery standards adopted by Council.

**RECOMMENDATION**

THAT:

1. The June 2021 Performance Report showing progress of the Delivery Program 2020-2022 including the 2020/21 Operational Plan and Budget be received and noted.
2. The Quarterly Budget Review Statement for the period ending June 2021 be received and noted.

## PURPOSE

The purpose of this Report is to present for Council's consideration the June 2021 Performance Report showing progress of the Delivery Program 2020-2022 including the 2020/21 Operational Plan and Budget, as required under s404 (5) of the Local Government Act 1993. Details within the Performance Report cover the twelve months from 1 July 2020 to 30 June 2021.

The Performance Report includes Council's Consolidated Budget Summary as at June 2021.

## BACKGROUND

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

To address the risks posed by the COVID-19 pandemic, NSW Council elections proposed for September 2020 were postponed for 12 months (see *OLG Circular No. 20-10 / 25 March 2020*), thereby extending the current term of office for Council to four years. A 2020-2022 Delivery Program, including the 2020/21 Operational Plan and Budget, was adopted by Council on 10 June 2020. This Performance Report provides updates on progress of actions within that document.

NSW Council elections have now been further delayed for three months until 4 December 2021 (see *OLG Circular No. 21-20 / 25 July 2021*) in response to the escalating outbreak of the Delta variant of the COVID-19 virus. The six-monthly Performance Report December 2021, scheduled to go before Council in February 2022, will contain progress updates to cover the extended term of office.

In line with Office of Local Government requirements, a Quarterly Budget Review Statement (QBRS) must be submitted for Council's consideration at the end of each quarter (except the June quarter). The Statement must be based on key financial indicators and the estimate of income and expenditure set out in Council's Operational Plan for the relevant year. To streamline reporting the QBRS will be linked to the half yearly performance report for each December and June period.

## DISCUSSION

The COVID-19 pandemic, and the resulting social distancing and mass gathering restrictions, meant that Hornsby Council experienced ongoing business disruptions impacting its ability to carry out services as normal. Council quickly transitioned from face to face to an online environment for essential operations including customer service, development applications and Council meetings.

While departments across Council were making and supporting these transitions, they were still busy delivering on operational commitments to the community. Council has completed / are on track 92 per cent of actions within the Delivery Program 2020-2022 and Operational Plan 2020/21, and 87% of planned capital projects have been completed / are on track.

The attached Performance Report contains commentary to describe the issues and challenges hindering progress and includes identifying icons for those Key Initiatives affected by COVID-19 during 2020/21. Although some projects were deferred, Council's financial recovery occurred faster than expected during 2020/21 and is forecast to fully return to a pre COVID-19 position in 2021/22.

## BUDGET – MAJOR PROJECTS

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

As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the financial capacity of Council to manage the operational, maintenance and renewal costs of facilities established for Hornsby Park and Westleigh Park based on the full scope of works identified in the draft master plans, would not be feasible based on Council's current financial capacity. Financial analysis by Council has indicated that an amount of ongoing expenditure of \$1,400,000 annually could be allocated for this purpose.

The financial capacity of Council will require either a focus on developing Hornsby Park with minimal development at Westleigh Park or focus on Westleigh Park with minimal development at Hornsby Park.

- **Hornsby Park – From Quarry to Park** – this project involves the redevelopment of the abandoned Hornsby Quarry and adjacent Old Mans Valley on the western side of Hornsby into open space for recreation purposes. Tenders have been called and assessed for the delivery of the recently approved bulk earthworks and site rehabilitation. The tender has been awarded to Ditchfield Contracting Pty Ltd, with works due to commence on site in later 2021. Master planning for the final park embellishments has been completed with a master plan adopted following community engagement at the July Council meeting. Design of the park embellishments in accordance with the adopted master plan has commenced. The total expenditure on the project to 30 June 2021 is \$6.240 million. Currently \$50 million of funding is available from the NSW Government's Stronger Communities Fund provided in June 2018. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand.
- **Westleigh Park Development** – A final draft conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. Community engagement was undertaken on the conceptual master plan from April to June 2021. Council resolved at its July Council meeting to undertake further engagement on a range of matters prior to further considering the draft conceptual master plan. The total project expenditure to 30 June 2021 on this project (excluding the acquisition costs of \$21 million funded by development contributions) is \$1.470 million. Currently \$40 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand.
- **Public Domain** - Concept design options for Asquith to Mount Colah and Galston Road main street projects were prepared and presented to Council with preferred concept options adopted. The aim of the projects is to improve streetscape amenity through the planting of advanced trees, landscaped garden beds, footpaths, shared paths, seating and signage.

The cost estimate for the Asquith to Mount Colah project from Hookhams Corner to Wattle Street is approximately \$9.3 million with funding being sourced from developer contributions. Construction has been completed on an early works package of the Asquith to Mount Colah project. A tender for the balance of the Asquith to Mount Colah project has been awarded to Talis Civil Pty Ltd, with works underway. Completion of the works has been delayed by the current government COVID-19 restrictions. Given increased confidence in total available funds, it is proposed to commence Stage 2 of the Asquith to Mount Colah Public Domain project. This would allow design works to commence and would provide an opportunity to provide some basic improvements (footpath and tree planting on the eastern side of the Pacific Highway and the construction of pedestrian refuge(s) at selected locations).

The total expenditure to 30 June 2021 on this project is \$1.446 million out of a budget of \$9.3 million, funded from development contributions.

- **Galston Aquatic Centre** – A tender for the refurbishment of the Galston Aquatic Centre was advertised in June 2021. The tender included a number of provisional items that will allow for the works to be staged if required. The expectation is that a decision on the preferred tender and scope of works will be available early September 2021 to allow construction to commence shortly afterwards. The total expenditure to 30 June 2021 on this project is \$0.685 million out of a budget of \$5.6 million. The work is being funded from general funds and a commonwealth grant.
- **25,000 Trees by 2020** – Council committed to planting 25,000 new trees by September 2020 to invest in the environment for future generations. Once achieved, a target of 30,000 trees was set as the final goal for September 2021. This program has been ambitious especially in responding to drought, bushfire, storms and COVID conditions during the projects term. The expenditure incurred to 30 June 2021 is \$2.288 million out of a budget of \$2.5 million, largely funded from development contributions.
- **Hornsby Library** - The development application for the refurbishment of Hornsby Library was approved in March 2020, and a request for tenders for the refurbishment was issued in October 2020. Tenders have been assessed, with the tender awarded to Built Pty Limited. Works commenced in January 2021 and whilst construction is continuing, delays have resulted from COVID-19 construction industry restrictions. The expenditure incurred to 30 June 2021 is \$3.431 million out of a budget of \$4.7 million funded from development contributions and external grants. The severe storm in April 2021 resulted in some water leaks at the Hornsby Library. Rectification work is currently underway to repair the source of the leaks and other maintenance and asset management matters identified following the storm. \$500K has been transferred to restricted funds from savings within Council's Community and Environment Division to cover additional expenditure if required.
- **Wisemans Ferry** – Construction is being managed by Council and includes a new three-lane boat ramp and 150 spaces for trailer and vehicle parking, as well as intersection upgrades and other ancillary works. The expenditure incurred to 30 June 2021 is \$3.068 million out of a budget of \$3.85 million, largely funded from a contribution from The Hills Shire Council and an external grant from the NSW State Government.

The project has been impacted by the recent flooding of the Hawkesbury River and the inclusion of asbestos in the sediment deposited on the floodplain. Continuing the project will require additional funding of \$3.3 million, which has been sought from NSW Public Works Advisory to cover the cost of entombing the asbestos into excavated contaminant cells and other works associated with the flooding. At the date of this report an outcome on Council's application for funding is pending and Council Officers are investigating whether other funding sources can be identified. When known this information will be reported to Council as part of the Quarterly Budget Review reporting process.

#### Asbestos Treatment – Council Administration Building

Works have commenced to remediate Council's Administration Building in accordance with the resolution from Confidential Deputy General Manager's Report IM8/20. The work is divided into two stages:

#### **Stage One:**

- Removal of all asbestos from Ground Floor North and First Floor North.
- Removal of Synthetic Mineral Fibre ceiling panels (and suitable replacement) from 2<sup>nd</sup> Floor North and 3<sup>rd</sup> Floor North. This has been included as a precautionary measure and will incur a minimal cost of about \$30,000.

**Stage Two:**

- Solutions to enable re-occupation of the Administration Building, albeit in a modified form than previously existed.

Removal of the asbestos from Ground Floor North and First Floor North have been completed and the total expenditure to 30 June 2021 is \$1.533 million out of a budget of \$3.58 million from an external grant.

Other operational achievements are contained in the Performance Report attachment to this Report. These include:

- The development of Hornsby Shire's new Public Domain Guidelines and Signage Plan which will guide the design of public spaces, such as streets, lanes, squares and parks in the Housing Strategy Precincts of Asquith, Waitara, Thornleigh, West Pennant Hills, Beecroft and the Galston main street, ensuring our town centres remain attractive, sustainable and resilient well into the future
- The Pennant Hills Library upgrade, which included installing air-conditioning, new lighting, resealed windows and other improvements
- Adoption of six key strategies to guide the way forward for Hornsby Shire – Housing Strategy, Sustainable Hornsby 2040, Economic Development and Tourism Strategy, Play Plan, Off-Leash Dog Park Strategy, Community and Cultural Facilities Strategic Plan
- Adoption of a new set of principles and actions to guide the future planning of Brooklyn
- Adoption of a new Community Engagement Policy and Plan
- Completion of 46 capital projects, including:
  - An upgraded playground at Hopeville Park, Hornsby Heights, and new fitness equipment at Galston Recreation Reserve, as well as minor upgrades to a further 23 parks
  - 1,285 metres of local roads rehabilitated
  - 1,734 metres of new kerb and guttering
  - 16 new footpaths (totalling 5,460 metres)
  - 1,792 metres of bushwalking tracks constructed/upgraded at six sites.

**BUDGET**

This Review includes the full year results for 2020/21, comparing actual expenditure, income and funding sources against the budget. Based on this inflow and outflow of funds as at 30 June 2021, the actual result for 2020/21 is a surplus of \$3,847K which is \$2,832K more than the forecast surplus of \$1,015K in Council's 2020/21 Revised Budget. This result is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

As noted in General Manager's Report No. GM12/20 (considered at the 10 June 2020 General Meeting) the Original Budget adopted by Council included necessary income adjustments forecasted to decline because of the COVID-19 pandemic, as well as additional expenditure for enhanced cleaning of Council facilities. To maintain prudent financial management and retain a budget surplus for the 2020/21 financial year required deferring some projects and utilising restricted asset funds where possible.

A review of the income adjustments made to the 2020/21 Original Budget has found that income did not decrease as low as anticipated. This largely reflects recovery during 2020/21 in the broader economy and the nature of some of the services that Council provides. This better than expected result has meant that budgeted transfers from restricted funds were not required at 30 June 2021.

The better than anticipated surplus is intended to be set aside in two restricted asset accounts for the following purposes:

- \$1,015K – This amount represents Council's forecast budget surplus, which is intended to be transferred to the debt retirement and capital projects restricted asset to enable the implementation of initiatives identified in future years of Council's Long-Term Financial Plan (LTFP).
- \$2,832K – The remaining surplus is intended to be transferred to the 2021/22 Annual Budget to help offset the financial impact of COVID-19 next financial year. Council Officers have assessed that this amount is sufficient to cover the financial impact of lockdown measures on the 2021/22 Original Budget for up to 8 months based on current estimates.
- It is noted that a number of Special Rate Variation (SRV) funded capital projects were deferred (as noted in General Manager's Report GM12/20 – Adoption of Council's 2020-2022 Delivery Program Including the Operational Plan 2020/21) to help offset the financial decline in revenue due to COVID-19. The SRV funds deferred have been reinstated within the 2021/22 financial year to ensure compliance with the approval granted for these special rate funds.

#### Reimbursement for Storm Expenditure

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

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

#### **POLICY**

There are no policy implications associated with this Report.



**CONCLUSION**

Council's consideration of this Report ensures that relevant statutory requirements have been met. The June 2020 Performance Report and quarterly budget review demonstrate that Council remains in a stable position to deliver local services and facilities in a financially responsible manner.




**RESPONSIBLE OFFICER**

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

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

STEVEN HEAD  
General Manager  
Office of the General Manager

**Attachments:**

1.  June 2020/21 Quarterly Budget Review Statement
2.  30 June 2021 Consolidated Budget Results
3.  Performance Report June 2021

File Reference: F2020/00027  
Document Number: D08223604

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

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### **EXECUTIVE SUMMARY**

- From the period of September 2020 to June 2021 the confirmed cases of COVID-19 in NSW were able to be managed by NSW Health professionals to a point where the broader community was able to function in a relatively normal manner.
- This lower risk profile had 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 were open through this period, some continued to operate with amended service levels and some remained constrained by the requirements of the Public Health Orders, particularly related to size of gatherings. At various times, different clusters of virus transmission in Sydney limited the ability of some staff to travel to work, in particular during December/January when clusters emerged in both the Northern Beaches and Berala.
- In mid-June 2021 there was a confirmed case of community transmission in Sydney of the Delta variant of the virus. The Delta variant is significantly more transmissible than previous variants of the virus and due to evidence of further transmission, a staged lockdown of Sydney and surrounding regions commenced on Saturday 26 June.
- In response to this lockdown announcement on 26 June all indoor Council facilities were closed to public access. These included Libraries, Community Centres, Thornleigh Brickpit Stadium, Aquatic and Leisure Centres, Thornleigh Community Recycling Centre and Customer Service Centres. As at the time of writing this report these facilities are expected to remain closed to the public for the foreseeable future.
- Throughout this current lockdown, Council has continued to maintain core services for the community such as waste and cleansing, infrastructure asset and parks maintenance and repair. Many other staff have also been able to continue to respond to customer requests through a combination of work-from-home arrangements and controlled onsite visitation. Several specialised community services such as Home Modification & Maintenance and Home Library have also continued to operate.
- A positive commitment from the Hornsby Shire community has been their willingness to get vaccinated with current rates of vaccination being some of the highest in NSW.

### **RECOMMENDATION**

THAT the contents of the General Manager's Report No. GM44/21 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 in view of the second major lockdown of metropolitan Sydney which has impacted Council's operations.

## **BACKGROUND**

Monthly reporting on the status of Council's response to the COVID-19 Pandemic was provided from April 2020 to September 2020 to address matters arising from the first major lockdown of metropolitan Sydney. Following a period of relative normality, a second major lockdown of metropolitan Sydney and surrounding regions was announced on 26 June 2021. This report provides a status report on the impacts of this current lockdown.

## **DISCUSSION**

### **Status of Pandemic Response**

From the period of September 2020 to June 2021 the confirmed cases of COVID-19 in NSW were able to be managed by NSW Health professionals to a point where the broader community was able to function in a relatively normal manner. In mid-June 2021, however, there was a confirmed case of community transmission in Sydney of the Delta variant of the virus.

The Delta variant is significantly more transmissible than previous variants of the virus and due to evidence of further transmission, a staged lockdown of Sydney and surrounding regions commenced on Saturday 26 June.

In response to this lockdown announcement all indoor Council facilities were closed to public access. These included Libraries, Community Centres, Thornleigh Brickpit Stadium, Aquatic and Leisure Centres, Thornleigh Community Recycling Centre and Customer Service Centres. As at the time of writing this report these facilities are expected to remain closed to the public for the foreseeable future.

Throughout this current lockdown, Council has continued to maintain core services for the community such as waste and cleansing, infrastructure asset and parks maintenance and repair. Many other staff have also been able to continue to respond to customer requests through a combination of work-from-home arrangements and controlled onsite visitation. Several specialised community services such as Home Modification & Maintenance and Home Library have also continued to operate.

### **Impacts on Staff**

In response to the closure of indoor facilities on 26 June 2021 in line with the Public Health Order, it was necessary to stand down all casual staff employed by Council within libraries, aquatic and leisure centres, Brickpit Stadium and Council's community centres. Those staff were advised that it would not be possible to offer any further shifts to them until further notice. Where staff have lost at least 8 hours per week of work, they are entitled to apply for Government wage supplements.

The initial lockdown period was in place for a 2-week period from 26 June until 9 July and any casual staff members rostered during that time period were paid for those shifts. 83 casual staff members were rostered and paid by Council in the fortnight that included 9 July 2021. 55 of this number were employed in our Aquatic and Brickpit Team, 13 in our Libraries, 9 in Natural Resources and 6 in other areas of Council. It has not been possible to provide suitable duties for affected casual staff.

With respect to permanent staff, where it has been necessary to close or restrict their service, where they have not been able to work from home fully or partially, and where Council has been unable to

identify suitable/alternate duties, it has been necessary to temporarily stand them down, or to temporarily engage them for only part time hours in accordance with the provisions of the NSW Local Government Splinter Award.

Under the Splinter Award, staff who cannot perform work for the reasons mentioned above are paid COVID Special Leave for up to four (4) weeks, assuming their service is still temporarily closed or temporarily restricted for that length of time. Staff who can only perform their work from home on a partial basis, or full-time staff that can only be provided work in the workplace on a temporarily part time basis are paid COVID Special Leave for the remainder of their weekly work hours, up to the equivalent four (4) week period.

A total of 101 staff have accessed the COVID Special Leave provisions of the Splinter Award. Of this number, 88 were due to the two-week construction lockdown.

As at the date of writing this report, no staff have exhausted their 4-week COVID Special Leave entitlement. Under the Splinter Award, where staff have exhausted the equivalent of four (4) weeks of COVID Special Leave, they are then required to proceed onto accrued annual leave where that accrued leave exceeds four (4) weeks. When this leave entitlement is reduced to four (4) weeks, they are then eligible for a fixed payment of \$888.50 per week, paid as a Job Retention Allowance for up to 13 weeks. This payment can be supplemented from existing leave balances to preserve income levels if required.

At this point, it has not been necessary to contemplate these latter provisions of the Splinter Award for staff.

### **Planning Ahead**

The successful development of several different vaccines enabled the commencement of a community vaccination program in the first quarter of 2021. By the end of August 2021, well in excess of 6 million doses of either the Astra-Zeneca or Pfizer vaccines will have been administered. This equates to at least 60% of the NSW population having received either the first dose or both doses of the vaccine.

It is pleasing that the Hornsby Shire LGA is currently one of the leading areas in NSW for the take-up of vaccinations.

Current expectations are that lockdown restrictions will start to be relaxed when various vaccination targets are achieved, being 60%, 70% and 80% of population coverage. It is anticipated that this 80% milestone could be met by mid-November 2021. At each of these milestones, Council staff will promptly seek to resume services and re-open facilities if the Public Health Orders permit.

### **Impacts on Local Business**

As reported last year, local businesses have been actively registering on the Hornsby Localised platform. Registration has now increased to 224 local businesses. 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 actively using the platform to promote their services and products to other businesses.

### Financial impacts

Council Officers have undertaken an assessment of the financial impact of lockdown measures from the COVID-19 pandemic on the 2021/22 Annual Budget. The assessment is a best estimate based on Council's past experience of income and expenditure from facility closures during the first round of lockdown measures in 2020 compared to budgeted amounts in the 2021/22 Annual Budget. The

estimated financial impact to the 2021/22 Annual Budget is a net income reduction of \$362K for each month NSW is in lockdown,

As noted in General Manager's Report GM43/21 (Performance Report June 2021 - Delivery Program 2020-2022 and Quarterly Budget Review Statement) also to this meeting, Council achieved a budget surplus \$2.832 million greater than forecast at 30 June 2021, largely because Council's financial recovery from COVID-19 occurred faster than anticipated. This better than expected surplus is intended to be transferred to the 2021/22 Annual Budget to help offset the financial impact of COVID-19 in this financial year. Based on the assessment undertaken this amount is sufficient to cover the financial impact of lockdown measures for up to 8 months based on current estimates. Income and expenditure levels compared to the budget will be monitored throughout 2021/22 as part of the quarterly review process.

### **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.

### **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: D08228671

**ITEM 2**

### **3 ELECTION OF DEPUTY MAYOR**

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#### **EXECUTIVE SUMMARY**

- In accordance with Section 231 of the Local Government Act, Councillors may elect a person from among their number to be the Deputy Mayor, with the term of such office being either equal to that of the Mayoral term or for a shorter period.
- This Report provides details about the role of a Deputy Mayor and the choices that Council has about the period and method of election to such office.
- If Council decides to elect a Deputy Mayor, it will need to determine the term for which the Deputy Mayor will serve and the method of voting to be used for electing the Deputy Mayor. It will also need to appoint the General Manager (or his delegate) to conduct the election.

#### **RECOMMENDATION**

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.
2. If a Deputy Mayor is to be elected, Council:
  - a) Determine the period for which the Deputy Mayor is to be elected.
  - b) Determine if the election of the Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting (N.B. Open voting is the preferred method due to the Meeting being held online).
  - c) Request the Returning Officer to conduct the election, using the election method determined in b) above.
3. If a Deputy Mayoral election is held, the ballot papers (if any) be destroyed following the declaration of the election.

## **PURPOSE**

The purpose of this Report is to provide Council with the opportunity to consider whether or not it wishes to elect a Deputy Mayor. The Report includes information about the role of the Deputy Mayor and the different methods of voting which can be used to elect a Deputy Mayor.

## **BACKGROUND**

In accordance with Section 231 of the Local Government Act, Councillors may elect a person from among their number to be the Deputy Mayor, with such term of office being either equal to that of the Mayoral term or for a shorter period.

Prior to the March 2004 local government elections, Hornsby Council's Mayor was elected annually by the Councillors. It was also Council's practice to annually elect a Deputy Mayor. At the 2004 election, the method of electing Hornsby's Mayor was changed to be by the residents/ratepayers across the Shire for the term of the elected Council, i.e. a popularly elected Mayor rather than by the elected Councillors on an annual basis.

Although Councillors no longer have the responsibility of electing the Mayor, it is still necessary for Council to decide whether or not to elect a Deputy Mayor and, if so, to determine the period of the term to be served by the Deputy Mayor. Council's latest decision in this regard was at the General Meeting held on 9 September 2020, when it considered Deputy General Manager's Report No. CS23/20 and elected Councillor Hutchence as Deputy Mayor for the period to September 2021.

## **DISCUSSION**

### **The Role of Deputy Mayor**

The Deputy Mayor may exercise any function of the Mayor, at the request of the Mayor, if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor. If there was to be a casual vacancy in the office of Mayor up until 18 months prior to the date specified for the next ordinary election, a by-election for the position of Mayor would need to be conducted in accordance with a timetable set by the Local Government Act. If the vacancy occurred within 18 months of the next ordinary election, the vacancy would be filled by the NSW Governor appointing a Councillor nominated by the Council to be the Mayor. The Deputy Mayor would usually fulfil the duties of Mayor during the above periods until a new Mayor was elected or appointed.

### **Period of Election of the Deputy Mayor**

Under Section 231 of the Local Government Act, Councillors may elect a Deputy Mayor for the same period as the Mayoral term or for a shorter period. As Council's Mayor is popularly elected, the current Mayoral term is until the next local government election, currently scheduled for 4 December 2021. Although the past practice at Hornsby Council has been to elect a Deputy Mayor for a 12-month period, it would be appropriate in the current circumstances to elect a Deputy Mayor for the period 8 September 2021 until the holding of the next local government election.

### **Method of Election**

If a Deputy Mayor is to be elected, the method of election is in accordance with Schedule 7 of the Local Government (General) Regulation 2005. A Councillor may be nominated without notice for election as Deputy Mayor provided the nomination is made in writing by two or more Councillors (one of whom may be the nominee) and the nominee consents to the nomination in writing. The nomination is to be delivered or sent to the Returning Officer. A nomination form in respect of a Deputy Mayoral Election is included as an attachment to this Report.



If only one Councillor is nominated for election as Deputy Mayor, that Councillor is elected. If more than one Councillor is nominated, an election shall be held at which the General Manager (or his nominee) is the Returning Officer. To ensure probity of the election process, the counting of votes, where necessary, is undertaken in the presence of the Returning Officer and at least one other staff member.

The Council must resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. It should be noted that any recommendation on the method of election (if any) is dependant to some extent on the number of candidates – see below.

#### ***Preferential Ballot***

Preferential ballot would only normally be used if there are three or more candidates. Under this system, Councillors indicate their order of preference for all candidates. If a candidate receives more than half the first preference votes (i.e. an absolute majority), he or she is declared elected. If no candidate has an absolute majority, the candidate with the lowest number of votes is excluded and his or her preferences are allocated to the other candidates and so on, until one candidate has more than half the votes. A preference for each candidate standing for election must be indicated on a ballot paper, or the ballot paper will be declared invalid.

#### ***Ordinary Ballot***

Ordinary ballot would normally apply where there are two or more candidates and Council decides to proceed by secret ballot. If there are only two candidates, the candidate with the higher number of votes is elected. If the two candidates are tied, the one elected is chosen by lot. If there are three or more candidates, the candidate with the lowest number of votes is excluded and a fresh vote is taken and so on, until there are only two candidates. A final vote between the two candidates is then taken and the candidate with the higher number of votes is declared elected. If at any stage during a count up until two candidates are remaining, there is a tie on the lowest number of votes, the one excluded is chosen by lot.

#### ***Open Voting***

Open voting uses the same system as ordinary ballot, except that voting is by a show of hands or similar means and not by secret ballot. (N.B. This method of voting has traditionally been used by Council to elect a Deputy Mayor)

#### ***Choosing by Lot***

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer; folded, to prevent the names being seen; mixed and then drawn at random by the Returning Officer. The candidate whose name is on the drawn slip is chosen.

As the 8 September 2021 General Meeting is to be held online, it is appropriate that the open voting method be used on this occasion for election of a Deputy Mayor.

#### **Appointment of Scrutineers and Inspection of Ballot Papers and Progress of Count**

Council has previously sought legal advice about the ability of Councillors to inspect ballot papers and the progress of the count as well as the ability of election candidates to appoint scrutineers. In summary, the advice was that candidates are not entitled to appoint scrutineers; an inspection of the ballot papers should not be permitted; the progress of the count should not be revealed; and the ballot

papers (if any) for the Deputy Mayoral election should be destroyed after the election has been declared.

### **BUDGET**

There are no budgetary implications associated with this Report.

### **POLICY**

There are no policy implications associated with this Report.

### **CONCLUSION**

Council needs to consider the contents of this Report and determine whether or not it wishes to elect a Deputy Mayor for the period from 8 September 2021 to the next local government election. If it does decide to elect a Deputy Mayor, Council will also need to determine the method of voting to be used to elect the Deputy Mayor. As the September 2021 General Meeting is to be held online, it is recommended the Open Voting method be used. Council will also need to request the General Manager, or his nominee, to conduct the election.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Acting Manager, Governance and Customer Service – Stephen Colburt, who can be contacted on 9847 6761.

STEPHEN COLBURT  
Manager, Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

### **Attachments:**

1.  Nomination Form - Deputy Mayor - September 2021

File Reference: F2004/07075

Document Number: D08223046

**4 COUNCILLOR REPRESENTATION ON COMMITTEES, WORKING PARTIES AND OTHER RELEVANT GROUPS - SEPTEMBER 2021 TO THE NEXT LOCAL GOVERNMENT ELECTION**

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**EXECUTIVE SUMMARY**

- Each year, Council reviews the need for Councillor representation on Committees, Working Parties and other relevant groups and makes a determination about the appointment of Councillors.
- This Report provides information about each of the current Committees, Working Parties and other groups, and seeks a Council determination in respect of the appointment of Councillors for the period September 2021 to the next local government election.

**RECOMMENDATION**

THAT Council extend the current Councillor representation on Committees, Working Parties and other relevant groups detailed in the attachment to Director's Report No. CS61/21 for the period to the next local government election.

**PURPOSE**

The purpose of this Report is to provide the opportunity for Council to review Councillor representation on Committees, Working Parties and other relevant groups and appoint Councillor representatives, as considered appropriate, for the period to the next local government election.

**BACKGROUND**

At the 9 September 2020 General Meeting, Council considered Deputy General Manager's Report No. CS25/20 and appointed Councillor representatives to Committees, Working Parties and other relevant groups for the period September 2020 to September 2021. It was also determined that a review of Committees, Working Parties, and other relevant groups be conducted. That review was completed, and a Core Terms of Reference for Hornsby Shire Council Advisory Committees was developed.

**DISCUSSION**

The current Councillor representation on Committees, Working Parties and Groups was scheduled to expire in September 2021 when the next local government elections were due to be held. Due to the current COVID restrictions, the elections have now been delayed and rescheduled to 4 December 2021. As a consequence, Council now has the opportunity to review the Councillor Representation on each Committee, Working Party and group for the period September 2021 to the next local government election. The current list of Committees, Working Parties and other groups and Councillor representation is included as an attachment to this Report.

As the current term of Council has been extended by a relatively short period, it is considered appropriate that the currently formed Committees, Working Parties and Groups (and Councillor representation on each) be extended until the next local government elections.

**BUDGET**

There are no budgetary implications associated with this Report.

**POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

Having regard to the current circumstances, it is proposed that Council extend the term of Councillor representatives to all Committees, Working Parties and Groups (shown in the table attached to this Report) for the period up until the next local government election.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Acting Manager, Governance and Customer Service – Stephen Colburt, who can be contacted on 9847 6761.

STEPHEN COLBURT  
Manager, Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

1.  Current Councillor Representation on Committees

File Reference: F2004/07056

Document Number: D08223104

**LOCAL GOVERNMENT NSW - 2021 ANNUAL CONFERENCE - DETERMINATION OF VOTING DELEGATES FOR BOARD ELECTION**

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**EXECUTIVE SUMMARY**

- The postponement of local government elections in NSW has had a flow-on effect for the Local Government NSW (LGNSW) Annual Conference. The annual event will now be split into two components:
  - A one-hour Conference to present LGNSW's annual report and financial reports, which will be conducted online from 9.30am on Monday 29 November 2021; and
  - A Special Conference – including the debate and resolution of motions setting LGNSW's advocacy agenda for 2022 - to be held in-person at the Hyatt Regency Sydney from Monday 28 February to Wednesday 2 March 2022
- As the election for the LGNSW Board will now be carried out via a postal vote, and with Council being entitled to eight voting delegates, a decision needs to be made about who the eight Councillor voting delegates will be.
- It is noted that the determination of voting delegates for the Special Conference to be held in February/March 2022 will be the subject of a further Report to the new Council in February 2022.

**RECOMMENDATION**

THAT:

1. Council determine the eight Councillors who will be Council's voting delegates for the 2021 LGNSW Board postal vote election.
2. All Councillors be registered for attendance at the Local Government NSW Online Conference to be held on 29 November 2021.

## **PURPOSE**

The purpose of this Report is to provide an opportunity for Council to determine its voting delegates for the LGNSW Board Elections.

## **BACKGROUND**

The 2021 LGNSW Annual Conference was scheduled to be held at The Hyatt Regency, Sydney from Sunday 28 to Tuesday 30 November 2021, however the postponement of local government elections in NSW has had a significant effect for LGNSW's Annual Conference.

The annual event will now be split into two components:

- A one-hour Conference to present LGNSW's annual report and financial reports, which will be conducted online from 9.30am on Monday 29 November 2021; and
- A Special Conference – including the debate and resolution of motions setting LGNSW's advocacy agenda for 2022 - to be held in-person at the Hyatt Regency Sydney from Monday 28 February to Wednesday 2 March 2022.

The Conference traditionally provides the opportunity for Council delegates to network and be involved in discussions and consideration of motions about matters which affect local government across NSW.

## **DISCUSSION**

As the LGNSW Annual Conference will now be split, this Report seeks to determine Council's voting delegates for the LGNSW Board election, noting that advice has been received that the election will be held as a postal vote. It is intended that a separate Report in respect of voting delegates for the LGNSW Special Conference will be submitted for the new Council's consideration at the 9 February 2022 General Meeting.

LGNSW have advised that Hornsby Shire Council is entitled to eight voting delegates for the Board election. Voting delegates are required to be advised to LGNSW by 5 October 2021. Registrations to attend the online one-hour Conference are currently open and all Councillors are entitled to attend.

## **BUDGET**

Although funds have been allocated in the 2021/22 budget for attendance by Councillors and relevant staff at the LGNSW Annual Conference, it is noted that the Online Conference to be held on 29 November 2021 is free to all members.

## **POLICY**

Councillor attendance at LGNSW Annual Conferences normally occurs in accordance with the Councillors' Expenses and Facilities Policy.

## **CONCLUSION**

LGNSW has advised that Council is entitled to eight voting delegates for the LGNSW 2021 Board elections which are to be held by postal vote. Council needs to resolve who those eight voting delegates will be.

## **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Acting Manager Governance and Customer Service – Stephen Colburt, who can be contacted on 9847 6761.

STEPHEN COLBURT  
Manager, Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**ITEM 5**

**Attachments:**

There are no attachments for this report.

File Reference: F2021/00005

Document Number: D08208615



**6 INVESTMENTS AND BORROWINGS FOR 2021/2022 - STATUS FOR PERIOD ENDING 31 JULY 2021**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 31 July 2021 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 made in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the requirements of the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for July 2021 of 2.53% which includes a yield of 19.72% from TCorp Managed Funds.

**RECOMMENDATION**

That the contents of Director's Report No. CS55/21 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 July 2021 is detailed in the attached document. In summary, the portfolio achieved an annualised return for July of 2.53%.

In respect of Council borrowings, the interest rate payable on the outstanding loan taken out from June 2013 (the last time that Council borrowed), based on the principal balances outstanding, is 5.89%. The Borrowings Schedule as at 31 July 2021 is also attached for Council's information.

**BUDGET**

Budgeted investment income for the year is \$3,855,180 with an average budgeted monthly income of \$321,265. Net investment income for the month ended 31 July 2021 was \$553,652 which includes an unrealised gain of \$346,188 from TCorp Managed Funds.

Approximately 57.99% of the investment income received by Council relates to externally restricted funds (e.g. Stronger Communities Grant funding and 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.

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

**CONCLUSION**

The investment of Council funds and the extent of its borrowings as at 31 July 2021 is 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

**ITEM 6**

**Attachments:**

1.  HSC Investment Summary Report July 2021
2.  HSC Borrowings Schedule July 2021

File Reference: F2004/06987-02

Document Number: D08216079

**7 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS - 2020/21 FINANCIAL YEAR**

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**EXECUTIVE SUMMARY**

- Council's General Purpose and Special Purpose Financial Reports for the year ended 30 June 2021 (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 10 November 2021 General Meeting.

**RECOMMENDATION**

THAT the:

1. 2020/21 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 2020/21 Financial Reports.
3. 2020/21 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 2020/21 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 2020/21 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 2020/21 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 10 November 2021 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 10 November 2021 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 2020/21 Financial Reports for audit, and ultimately the presentation of the Financial and Auditor's Report to the public at the 10 November 2021 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

**ITEM 7**

**Attachments:**

There are no attachments for this report.

File Reference: F2021/00135

Document Number: D08222087

**8 QUESTION WITH NOTICE - COVID19 PANDEMIC - IMPACT ON COUNCIL FINANCES AND STAFFING**

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ASKED BY COUNCILLOR MCINTOSH

To the General Manager:

1. Could the General Manager advise, preferably by Report to the next Council Meeting, the impact of this current COVID-19 extended lockdown on Council's finances, specifically in regard to the loss of revenue and the likely impact on the current Council budget and future services?
2. Have any Hornsby Council staff been stood down under the Local Government Splinter Award, and if so, for how long?
3. How many casual staff were stood down? Were these staff employed directly by Council? Were casual staff affected by this able to be offered any alternative employment within Council.

**Response**

Council officers have undertaken an assessment of the financial impact on the 2021/22 Budget due to the COVID-19 pandemic lockdown measures. The assessment is a best estimate based on Council's past experience of income and expenditure from facility closures during the first round of lockdown measures in 2020 compared to budgeted amounts in the 2021/22 Annual Budget.

The estimated financial impact to the 2021/22 Annual Budget is a net income reduction of \$362K for each month NSW is in lockdown.

As noted in General Manager's Report No. GM43/21 (Performance Report June 2021 - Delivery Program 2020-2022 and Quarterly Budget Review Statement) which is to be considered at this Meeting, Council achieved a budget surplus \$2.832 million greater than forecast at 30 June 2021, largely because Council's financial recovery from COVID-19 occurred faster than anticipated.

This better than expected surplus is intended to be transferred to the 2021/22 Annual Budget to help offset the financial impact of COVID-19 in that year. Based on the assessment undertaken, this amount is sufficient to cover the financial impact of lockdown measures for up to eight months based on current estimates. Income and expenditure levels compared to the budget will continue to be monitored throughout 2021/22 as part of the quarterly review process.

In response to the closure of indoor facilities on 26 June 2021 in line with the Public Health Order, it was necessary to stand down all casual staff employed by Council within libraries, aquatic and leisure centres, Brickpit Stadium and Council's community centres. Those staff were advised that it would not be possible to offer any further shifts to them until further notice. Where staff have lost at least 8 hours per week of work, they are entitled to apply for Government wage supplements.

The initial lockdown period was in place for a two-week period from 26 June until 9 July and any casual staff members rostered during that time period were paid for those shifts. 83 casual staff members were rostered and paid by Council in the fortnight that included 9 July 2021. 55 of this number were employed in our Aquatic and Brickpit Team, 13 in our Libraries, nine in Natural Resources and six in other areas of Council. It has not been possible to provide other suitable duties for affected casual staff.

With respect to permanent staff, where it has been necessary to close or restrict their service, where they have not been able to work from home fully or partially, and where Council has been unable to identify suitable/alternate duties, it has been necessary to temporarily stand them down or to temporarily engage them for only part time hours in accordance with the provisions of the NSW Local Government Splinter Award.

Under the Splinter Award, staff who cannot perform work for the reasons mentioned above are paid COVID Special Leave for up to four weeks, assuming their service is still temporarily closed or temporarily restricted for that length of time. Staff who can only perform their work from home on a partial basis, or full-time staff that can only be provided work in the workplace on a temporarily part time basis are paid COVID Special Leave for the remainder of their weekly work hours, up to the equivalent four-week period. A total of 101 staff have accessed the COVID Special Leave provisions of the Splinter Award. Of this number, 88 were due to the two-week construction lockdown.

As at the date of providing this response, no staff have exhausted their four-week COVID Special Leave entitlement. Under the Splinter Award, where staff have exhausted the equivalent of four weeks of COVID Special Leave, they are then required to proceed onto accrued annual leave where that accrued leave exceeds four weeks.

When this leave entitlement is reduced to four weeks, they are then eligible for a fixed payment of \$888.50 per week, paid as a Job Retention Allowance for up to 13 weeks. This payment can be supplemented from existing leave balances to preserve income levels if required. At this point, it has not been necessary to contemplate these latter provisions of the Splinter Award for staff.

**Attachments:**

There are no attachments for this report.

File Reference: F2004/09351

Document Number: D08225522



## 9 EMBRACING A ZERO-CARBON FUTURE

### COUNCILLOR HEYDE TO MOVE

THAT Council:

1. Note the warning from the Intergovernmental Panel on Climate Change (IPCC) that there is a narrowing window of opportunity to prevent catastrophic climate change.
2. Note that Council's emissions reductions targets for its community and its own operations will need to be reviewed in light of the latest IPCC science on keeping temperatures at 1.5 degrees or less of warming.
3. Acknowledge the leadership of the Member for Hornsby and Environment Minister Matt Kean in substantially increasing renewable generation, dispatchable generation, ongoing jobs and grid stability for NSW.
4. Note that Australia has an abundance of low-cost renewable energy resources and can leverage our competitive advantages to meet growing global demand for zero-emissions products.
5. Call on the Member for Berowra, Mr Julian Leeser, to sign the Community Protection Pledge, a set of 10 commitments for keeping residents safe from worsening extreme weather, distilled from the Final report of the National Bushfire and Climate Summit 2020.
6. Write to the Energy Minister Angus Taylor and Prime Minister Scott Morrison urging them to take ambitious 2030 and 2050 targets to COP26 UN Climate Change Conference in November 2021 to modernise Australian industry and create jobs.

#### **Note from Councillor**

##### **The IPCC's 'code red'**

On 9 August 2021 the IPCC released its [latest report](#), which is a comprehensive assessment of the physical science of climate change. It is the most important climate science update for almost a decade.

The IPCC is the most authoritative international body on climate science. Established in 1988, the group publishes Assessment Reports every five to eight years. The United Nations Secretary-General, Antonio Guterres, described the report as a "code red for humanity".

##### **What does the report say?**

The report shows there is a narrow path to avoiding climate catastrophe, but only through immediate, deep and sustained emissions reductions. This may be our final warning. It is clear that the scale and pace at which humans are altering the climate system has almost no precedent. The changes are

being driven by burning fossil fuels.

### **An opportunity for leadership**

All levels of government have a primary duty to keep residents safe, but the Federal Government's leadership is crucial in responding to the scale of the risk of climate impacts. Following the worst ever Black Summer bushfires in eastern Australia, 150 experts from around the country determined how Australia should respond to the growing risks of extreme weather disasters. The Australian Bushfire and Climate Plan made 165 broad-ranging recommendations.

The Community Protection Pledge distils those recommendations into 10 commitments that Federal Members can implement in order to protect Australians now, and into the future.

- Addressing the root cause of the climate crisis and worsening extreme weather by accelerating Australia's efforts to cut greenhouse gas emissions. Emissions need to plummet this decade, with net zero emissions achieved very soon thereafter.
- Urgently implementing all 80 recommendations of the Royal Commission into National Natural Disaster Arrangements, including providing the necessary funding.
- Increasing funding for research into climate change and extreme weather, including new and more detailed climate projections that better inform risk assessments and the impacts of such disasters on human health.
- Investing in communities so they are better prepared when disasters strike and can recover more quickly; recognising that preparedness saves lives and many dollars in avoided disaster recovery costs.
- Enhancing Australia's capabilities for responding to extreme weather disasters in line with advice from State and Territory agencies. This includes better resourcing and coordination so that responses are swift, coordinated, and stop emergencies from escalating into disasters.
- Improving community engagement, education and support around extreme weather so that individuals are better informed, prepared and empowered to act. This includes investing in adequate warning systems and locally-led initiatives such as community resilience hubs.
- Making rapid and comprehensive recovery from extreme weather events a priority for all levels of government. This requires fast, evidence-based and transparent access to disaster recovery payments for survivors, so help gets to people on the ground quickly.
- Preparing Australian infrastructure, including homes and community facilities, for extreme weather events. This includes reforming Building Standards and appropriate rebates and subsidies for retrofitting to ensure solutions are affordable to all.
- Involving health and family violence experts in disaster planning and response coordination and ensuring adequate access to health services including mental health and family violence services, and access to telehealth for all those affected by disasters.
- Providing adequate funding to support the critical role of local governments in disaster preparedness and recovery, so that they have the resources to build resilient communities.

### **NSW has embraced clean energy opportunities**

The NSW Government has released the NSW Climate Change Policy Framework, which commits

NSW to the aspirational objectives of achieving net zero emissions and helping NSW to become more resilient to a changing climate. The NSW government has adopted targets of 35% cut in emissions by 2030 from 2005 levels and net zero emissions by 2050.

Within this framework, the \$750 million Net Zero Industry and Innovation Program aims to help carbon intensive industries transition to clean energy. This is complemented by the NSW Electricity Infrastructure Roadmap, the NSW Government's legislated plan to bring online 12 gigawatts of renewable energy and two gigawatts of storage by 2030 and creating 6,300 construction and 2,800 ongoing jobs.

NSW Energy Minister Matt Kean has [made a strong argument](#) for his federal counterparts to adopt a net zero by 2050 target, including that Australia essentially already has one because it has been adopted by all Australian States and Territories.

### **Hornsby Shire Council: committed to more liveable neighbourhoods and reducing operational overheads**

I'm proud to belong to a Council that has recognised the importance of climate solutions and how these solutions improve the Hornsby Shire's liveability and reduce operational costs. Council has committed to a target of net zero by 2050 with interim targets of 32% reductions from 2018 levels by 2025 and 53% reductions from 2018 levels by 2030 for its own operations with similar targets for the Community.

Climate Wise Hornsby is Council's adopted climate change mitigation and adaptation plan and roadmap for driving economic activity, meeting residents' needs for better services and amenity, and meeting those emissions reduction targets. Actions taken so far to reduce emissions include:

- Planting 30,000 trees along street verges, parks and reserves.
- Prioritising the use of crushed glass as a substitute for natural sand in roads and footpaths to stimulate end markets for recycled glass and drive down the costs of recycling.
- Seeking 100% clean energy in the market for Council's next electricity contract.
- Establishing an Environmental Sustainability Advisory Committee with expert community representation.
- Completing the rollout of LED lighting on residential roads.
- Implementing a car-share scheme with provider GoGet.
- Reporting on investments in fossil fuel-exposed banks and financial products.
- The installation in 2021/22 of solar at five community centres, the Community Recycling Centre and Hornsby Aquatic Centre.
- The replacement in Council's fleet of 14 combustion engine vehicles with hybrid vehicles.

### **Aussies love renewables**

[Australia has the highest uptake of solar in the world](#). More than 2.68 million rooftop solar power systems have been installed in Australia, meaning one in four homes have solar panels on their roof. It's not hard to see why: with the installation of a 6kW solar power system, a typical family [saves around \\$1,500 on their annual energy bills](#).

Not only that, [renewables create jobs](#): in 2019, at least 25,000 people were employed across renewable energy supply chains and almost 10,000 of those ongoing jobs were in rooftop solar. By 2035 the renewable energy sector could employ as many as 46,000 people under the AEMO's [Step Change Scenario](#).

But rooftop solar isn't the only clean economy opportunity that could grow jobs right here in Hornsby Shire. [The Million Jobs Plan](#) by thinktank Beyond Zero Emissions shows that one of the most impactful ways Australia can cut emissions is by making buildings more energy-efficient. The Better Buildings initiative demonstrates that it would create 180,000+ on-going jobs and reduce the cost of living for 2.65 million Australian households - and there's no reason why Hornsby shouldn't get a slice of the pie.

**References:**

- NSW Industry Innovation Program  
[https://www.energysaver.nsw.gov.au/sites/default/files/2021-03/NetZero-Industry-Innovation-Program\\_FINAL\\_24-March-21\\_webaccessible.pdf](https://www.energysaver.nsw.gov.au/sites/default/files/2021-03/NetZero-Industry-Innovation-Program_FINAL_24-March-21_webaccessible.pdf)
- Million Jobs Plan: [https://bze.org.au/research\\_release/million-jobs-plan/](https://bze.org.au/research_release/million-jobs-plan/)
- Number of solar installations: <https://www.cleanenergycouncil.org.au/herenow/the-facts>
- Community pledge: <https://www.climatecouncil.org.au/resources/community-protection-pledge/>

**Attachments:**

There are no attachments for this report.

File Reference: F2010/00262

Document Number: D08234662

**10 HORNSBY'S CYCLING ECONOMY – ROAD CYCLING AND MOUNTAIN BIKING IN HORNSBY SHIRE**

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COUNCILLOR MCINTOSH TO MOVE

THAT:

1. A Report on the Public Exhibition of Draft Walking and Cycling Strategy be brought back to Council as soon as is practicable and preferably within this term of Council.
2. The report give consideration to:
  - a) How mountain biking can be addressed across the shire.
  - b) The economic impact and benefits of both road cycling and mountain biking and how Hornsby Shire can benefit from capitalising on this existing trend.
  - c) Ways in which Council can expeditiously develop a Road Cycling and Mountain Bike Policy to inform other key current projects.
3. A Councillor workshop be held to discuss the options available to Council in regard to the development of this policy, including a recommended engagement approach.

**Note from Councillor**

In October 2020, Council resolved to place on exhibition the Draft Walking and Cycling Strategy for Public Exhibition.

From the Council report (IM5/20 – 14/10/2020) the scope of the Draft Strategy is as follows:

*“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.”*

This Strategy, which was on public exhibition from late October until 18 December 2020 has yet to come back to Council for formal adoption.

At the same time as this draft Strategy adopted for exhibition, Council placed on public exhibition the Draft Economic Development and Tourism Strategy. This Strategy, which was formally adopted by Council in May 2021 notes as a short-term action (to be undertaken within two years) that Council should

*“Explore opportunities to further develop and market Hornsby Shire as a location of choice for*

*cycle tourism, mountain biking, bush walking and active recreation.”*

Alongside these two strategies Council has undertaken works to progress the Masterplans for two of the largest parkland projects our Shire is likely to see: the Hornsby Park Masterplan and the Westleigh Park Masterplan, both of which contain specific and substantive references to cycling and in particular, mountain biking.

While Council has deferred the Westleigh Park Masterplan for further consultation with key stakeholders, Council has not yet adopted a formal position on Mountain Biking or Road Cycling in our Shire. For every other area where Council creates or manages major infrastructure projects, our decision making is guided by both site-specific masterplans and by issues-based strategies. Council has strategies for our Cultural/Community Facilities, Playgrounds, Sportsgrounds, Unstructured Recreation and Water-based Recreation.

Earlier Strategies adopted by Council point to the need for Council to develop and adopt a formal position in regard to mountain biking in particular. The Unstructured Recreation Strategy 2018 notes the need for Council to

*“establish an agreed management process” and a “need to have a consistent approach by the Shire and other land managers to cross country MTB trails.”*

In particular this report notes

*“There are opportunities to embrace and manage mountain bike use in selective areas as has been done in Tasmania and Victoria.”*

It is worth noting that development of a Hornsby Road Cycling & Mountain Biking strategy would involve engagement with local residents and community stakeholders; local and regional cycling and mountain bike groups together with the National Parks and Wildlife Service (NPWS), Crown Lands representatives and other local Councils in our region. There would also be value in connecting with major groups such as Bicycle NSW and Auscycling for their input.

### **The Cycling Economy**

Numerous research projects have been undertaken internationally and within Australia as to the value of the Cycling Economy for local and regional areas. It is proposed that research documents, such as those outlined below should be utilised to develop a detailed strategy for Council as to the value of Road Cycling and Mountain Biking to our local community and economy. Just two examples of what is an extensive list are:

The South Australian Bike Economy – April 2017

<https://urbancollaboration.com/2017/04/11/why-sa-is-the-place-for-the-bike-economy/>

Mountain Biking in Australia: an Economic and Participation Analysis – March 2021

<https://assets.auscycling.org.au/s3fs-public/2021-03/mountain-biking-in-australia-final-report-march-2021.pdf?sOhdYZLJUG1eZnmPE8yYmFQbbuOqrfm4=>

### **Action Needed**

Council must progress the consultation on Westleigh Park with key stakeholders as a matter of some urgency – in order to satisfy the requirements of the funding from the NSW Government and to resolve the issues that have been identified in the preliminary consultation process. This process is already underway and it is noted that Council staff are working on the next phase of the consultations

to progress this project.

It is further noted that a considerable amount of remediation and decontamination work is required on the Westleigh Park site, which provides an opportunity for the extended consultation and engagement process to be undertaken and provides an opportunity for Council to develop and exhibit a proposed policy on Road Cycling and Mountain Biking, in conjunction with this process.

**Attachments:**

There are no attachments for this report.

File Reference: F2018/00162#31

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