



BUSINESS PAPER

GENERAL MEETING

**Wednesday 12 October 2022
at 6:30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

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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."

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

Councillors are reminded of their Oath or Affirmation of Office made under section 233A of the Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

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

4.16 A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.17 The councillor must not be present at, or in sight of, the meeting of the council or committee:

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

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

5.10 Significant non-pecuniary conflict of interests must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or*
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.*

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 14 September, 2022 be confirmed; a copy having been distributed to all Councillors.

THAT the Minutes of the Workshop Meeting held on 28 September, 2022 be confirmed; a copy having been distributed to all Councillors.

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

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

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

GENERAL BUSINESS

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

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION**Page Number 1**

**Item 1 CS82/22 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 by Councillors and Designated Staff have been tabled as required by the Local Government Act and Councils Code of Conduct.

Page Number 4

Item 2 CS77/22 INVESTMENTS AND BORROWINGS FOR 2022/2023 - STATUS FOR THE PERIOD ENDING 31 AUGUST 2022

RECOMMENDATION

That the contents of Director's Report No. CS77/22 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION**Page Number 7**

Item 3 CE3/22 REVIEW OF POLICIES AND CODES - COMMUNITY AND ENVIRONMENT DIVISION

RECOMMENDATION

THAT Council adopt the recommendations contained in the table in Director's Report No. CE3/22 in respect of each of the current policies under the jurisdiction of the Community and Environment Division.

Page Number 12

Item 4 CE18/22 RFT 21/2022 - RON PAYNE OVAL DRAINAGE, IRRIGATION AND AMENITIES BUILDING

RECOMMENDATION

THAT Council:

1. Decline the tender submission for RFT 21/2022 - Ron Payne Oval Drainage, Irrigation and Amenities Building and not proceed on the advertised contracted works.
2. Complete the Amenity Building under a separate procurement process to commence expenditure of grant funding within this financial year.
3. Complete the oval drainage and irrigation work next financial year to allow the project scope and delivery model to be amended to reduce costs, as well as grant funding to be sought to assist to supplement the funds required.

PLANNING AND COMPLIANCE DIVISION

Nil

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Page Number 16

Item 5 IM1/22 HORNSBY SHIRE DRAFT FLOOD RISK MANAGEMENT STUDY AND PLAN

RECOMMENDATION

THAT Council:

1. Endorse the draft Hornsby Shire Flood Risk Management Study, including the Hornsby Shire Flood Planning Maps, for public exhibition.
2. Provide written advice to each owner of properties that have been designated as a Flood Planning Area.
3. Report to Council on the results of the public exhibition.

Page Number 25

Item 6 IM3/22 PUBLIC DOMAIN GUIDELINES AND IMPROVEMENTS - BEECROFT TOWN CENTRE

RECOMMENDATION

THAT:

1. Council endorse the revised Beecroft Town Centre Domain Guidelines for public exhibition for a minimum of 28 days.
2. The results of the public exhibition be reported to Council for consideration.

CONFIDENTIAL ITEMS

Item 7 CE17/22 WASTE DISPOSAL SERVICE CONTRACT EXTENSION AND VARIATION

This report should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Item 8 CS78/22 PURCHASE OF LAND FOR OPEN SPACE AT HORNSBY

This report should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

PUBLIC FORUM – NON AGENDA ITEMS

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MAYOR'S NOTES

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Item 9 MN9/22 MAYOR'S NOTES FROM 01 SEPTEMBER TO 30 SEPTEMBER 2022

NOTICES OF MOTION

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

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

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 by Councillors and Designated Staff have been tabled as required by the Local Government Act and Councils Code of Conduct.

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 2022.

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 13 October 2021 (see Director's Report No. CS73/21). In preparation for the tabling of this current Report (CS82/22), 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 2022.

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 – 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:

There are no attachments for this report.

File Reference: F2021/00034
Document Number: D08494797

2 INVESTMENTS AND BORROWINGS FOR 2022/2023 - STATUS FOR THE PERIOD ENDING 31 AUGUST 2022

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 August 2022 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 August 2022 of 1.08% which includes a yield of -11.19% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 2.72% which includes a yield 12.25% from TCorp Managed Funds.

RECOMMENDATION

That the contents of Director's Report No. CS77/22 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 2022 is detailed in the attached document. In summary, the portfolio achieved an annualised return for August 2022 of 1.08%. On a financial year to date basis the portfolio achieved an annualised return of 2.72% which includes a yield of 12.25% from TCorp Managed Funds.

In respect of Council borrowings, the interest rate payable on the outstanding loan taken out in June 2013 (the last time that Council borrowed), based on the principal balances outstanding, is 5.89%. The Borrowings Schedule as at 31 August 2022 is also attached for Council's information.

BUDGET

Budgeted investment income for the year is \$4,788,420 with an average budgeted monthly income of \$399,035. Net investment income for the month ended 31 August 2022 was \$290,717 which includes an unrealised loss of \$217,194 from TCorp Managed Funds.

Budgeted investment income year to date at 31 August 2022 was \$798,070. Total investment income year to date as 31 August 2022 is \$1,333,196 which includes a year-to-date net gain of \$416,976 from TCorp Managed Funds.

Approximately 53.04% 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 of 31 August 2022 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

Attachments:

1.  HSC Investment Summary Report August 2022
2.  HSC Borrowings Schedule August 2022

File Reference: F2004/06987-02
Document Number: D08486708

3 REVIEW OF POLICIES AND CODES - COMMUNITY AND ENVIRONMENT DIVISION

EXECUTIVE SUMMARY

- Council's Policy – "Review, Adoption and Alteration of Council Policies" – states that each Division of Council has a two-month period in the first and third year of each term of Council to review all policies under their control and recommend any changes to Council.
- The current policies pertaining to the Community and Environment have now been reviewed and recommendations have been made for each policy based on current service needs and legislative changes.

RECOMMENDATION

THAT Council adopt the recommendations contained in the table in Director's Report No. CE3/22 in respect of each of the current policies under the jurisdiction of the Community and Environment Division.

PURPOSE

The purpose of this Report is to present to Council the outcomes of the review of policies under the jurisdiction of the Director Community and Environment Division, and to seek Council's endorsement of the recommended actions in response to the review of those policies.

BACKGROUND

Council's Policy – "Review, Adoption and Alteration of Council Policies" – states that each Division of Council has a two-month period in the first and third year of each term of Council to review all policies under their control and recommend any changes to Council.

The policies under the jurisdiction of the Director Community and Environment Division were last reviewed at the Ordinary Meeting of Council on 12 September 2018 Group Manager's Report No. EH16/18.

DISCUSSION

Policy	Comment and Recommendation
Community Services Branch	
Aboriginal Reconciliation Statement of Commitment POL00165	The content and intent of this document remains relevant and should be retained. Recommendation – To be retained as is.
Community Grants and Sponsorship POL00443	The content and intent of this document was reviewed and updated at the September 2022 General Meeting. Recommendation – To be retained as is.
Lease/License of Council Land and Buildings to Community Groups POL00174	The intent of this document remains relevant however it needs to be substantially updated. Recommendation – That this Policy be retained at present, noting that it will subject to review under separate cover at a later point.
Sponsorship and In-Kind Support – Council's Involvement POL00258	The content and intent of this document remains relevant and should be retained, however internal responsibility for this Policy should transition to Council's Strategy and Place Team. Recommendation – Responsibility for this Policy to transfer to the Strategy and Place Team, otherwise content to remain the same.
Street Library on Public Land POL00463	The content and intent of this document remains relevant and should be retained. Recommendation – To be retained as is.

Policy	Comment and Recommendation
Dual naming and/or re-naming of Council facilities POL00517	The content and intent of this document remains relevant and should be retained. Recommendation – To be retained as is.
Natural Resources Branch	
Policy – Green Offsets POL00169	<p>The purpose of the Green Offsets Policy (GOP) is to guide the offsetting requirements for the loss of biodiversity and biodiversity values within Hornsby Shire. Importantly application of the GOP occurs once the development (or permit) assessment process has been undertaken which considers the biodiversity conservation principles of 'avoid, minimise and mitigate'</p> <p>In 2018, the GOP was reviewed to incorporate legislative and planning control changes, improved data and mapping availability (namely the Ecological Australia vegetation maps of 2017), and changes to make the Policy more user friendly. The revised policy was considered by Council at its September 2018 meeting and Council resolved to refer the draft to the Bushland Management Advisory Committee (BMAC) and also place it on public exhibition.</p> <p>Following the public exhibition and consideration by BMAC, the draft Policy was the subject to a series of informal workshops with Councillors however, reporting back to Council was deferred noting that Council was also considering a Planning Proposal to update its Terrestrial Biodiversity layer within the Hornsby Local Environmental Plan.</p> <p>The Green Offsets Policy will need to be considered by Council under separate cover at a later point.</p> <p>Recommendation – That the Policy be retained as is, noting that an informal workshop of Council will be scheduled for discussion seeking direction for future implementation.</p>
Policy – Water Quality and Conservation POL00270	<p>The Water Sensitive Hornsby Strategy identifies changes in policy and practice that will be required for Hornsby to become a Water Sensitive City. New policies will be developed over coming years that will supersede the Water Quality and Conservation policy.</p> <p>To enable this, the current Policy should be updated to extend the target year from 2022 to 2025.</p>

Policy	Comment and Recommendation
	Recommendation – To be retained noting the change in target year.
Waste Management Branch	
Provision of Waste Service to Infirm Households POL00353	The content of this policy remains relevant however it has been reviewed and updated to recognize Council strategies such as Social Inclusion Hornsby (Disability Inclusion Action Plan) and the draft Healthy Ageing Hornsby Strategy. A new title is also proposed – Assisted Living Waste Services to Domestic Households. Recommendation – That the amended policy be adopted by Council.
Single Use Plastics POL00513	The content of this policy remains relevant however it has been amended to include the Plastic Reduction and Circular Economy Act 2021. It is recommended that the revised policy be adopted. Recommendation – That this Policy be amended as shown in the copy attached to this Report.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

Details of the review that has been undertaken of each current Policy are summarised within this Report.

CONCLUSION

The review of policies under the jurisdiction of the Community and Environment Division has been undertaken with the view to amend and retain documents as policies if they add value to Council's operations and to ensure that policies are not simply a restatement of legislation, standards, etc., that Council is otherwise expected to follow.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Director – Community and Environment Division – Steve Fedorow, who can be contacted on 9847 6541.

Stephen Fedorow
Director - Community and Environment
Community and Environment Division

Attachments:

1.  Policy - Aboriginal Reconciliation Statement of Commitment
2.  Policy - Community Grants and Sponsorship
3.  Policy - Lease Licence of Council Land and Buildings to Community Groups
4.  Policy - Street Library on Public Land
5.  Policy - Sponsorship and In-Kind Support - Council's Involvement
6.  Policy - Dual Naming and or Re-naming of Council Facilities
7.  Policy - Green Offsets
8.  Policy - Water Quality and Conservation
9.  Policy - Waste Service to Infirm Households - Provision of
10.  Policy - Single Use Plastics

File Reference: F2013/00129

Document Number: D08352658

4 RFT 21/2022 - RON PAYNE OVAL DRAINAGE, IRRIGATION AND AMENITIES BUILDING

EXECUTIVE SUMMARY

- The proposal for new amenities and the provision of drainage, irrigation at Ron Payne Oval was recommended as part of Council's Sportsground Strategy.
- A State Government Grant of \$1.5 million has been provided to assist in delivering the oval works, with Council contributing \$500,000 (inclusive of s7.11 development contribution funds).
- Council recently called open tenders in accordance with the required Regulations for the complete scope of work and a total of one (1) submission was received.
- The lump sum price of this submission is over the available budget. Therefore, it is recommended that Council should decline the Tender.
- It is proposed that Council proceed to complete the Amenities Building component of the project under separate procurement process to commence expenditure of the grant funding within this financial year.
- Council may then seek project savings by procuring the oval drainage and irrigation work separately next financial year. This deferment will allow the project scope and delivery model to be amended to reduce costs, as well as grant funding to be sought to assist to supplement the funds required.

RECOMMENDATION

THAT Council:

1. Decline the tender submission for RFT 21/2022 - Ron Payne Oval Drainage, Irrigation and Amenities Building and not proceed on the advertised contracted works.
2. Complete the Amenity Building under a separate procurement process to commence expenditure of grant funding within this financial year.
3. Complete the oval drainage and irrigation work next financial year to allow the project scope and delivery model to be amended to reduce costs, as well as grant funding to be sought to assist to supplement the funds required.

PURPOSE

The purpose of this Report is to provide a recommendation for tender RFT 21/2022.

BACKGROUND

The Hornsby Sportsground Strategy identifies a gap in demand and supply for sportsgrounds in Hornsby LGA. The Strategy recommends the upgrade of ancillary facilities on existing grounds to compliment capacity upgrades and address contemporary access and universal design issues.

Council was provided with State Government Grant for the work at Ron Payne Oval. Council also has funding in the 7.11 Development Contribution Plan contributing towards this project. It is programmed to have the project completed by June 2023.

The objective of the project is to provide an improved playing surface and increased carrying capacity for sportsground users. This includes installation of an irrigation system which accesses re-used stormwater and resolves drainage issues that occur after rain events making the oval unusable for extensive periods. A proposed amenities building would provide new storage, changerooms, and toilets to support sportsground users. The amenities are designed to ensure all ability access and improve facilities aimed at supporting female participation.

Currently the site is serviced only by a standalone toilet block that does not meet accessibility requirements.

Council staff have been in discussion with Ron Payne sport clubs since 2021 regarding these works and the project was subject to public consultation conducted earlier this year. Scheduling of the complete construction works was planned as one contract to minimise disruptions to sports clubs.

DISCUSSION

The Tender No. RFT21/2022 – Ron Payne Oval Amenities Building, Drainage, and Irrigation is a single lump sum tender. It was decided to procure all the work under one contract to consolidate construction time.

A public tender notice was issued on Tenderlink on 2 August 2022 and closed 25 August 2022. One tender submission was received by following company:

- Landscape Solutions Pty Ltd

The tender received was at least 25% above the available budget for the work including contingency.

Current market conditions mean that prices have increased beyond what was anticipated in pre-tender estimates.

Assessment of the submitted tender price indicates the additional cost come from tenderers margins and preliminaries for project managing the proposed works.

By receiving one submission, no comparison or understanding of the market can be achieved to ensure the tenderers lump sum provided is competitive.

Pursuant to Local Government Regulation, Tender acceptance options of re-tendering or selective tendering are not considered to be advantageous in this situation due to the extent the tender price is above the project budget and immediate savings would not be possible to meet the allocated funding available.

Council can proceed with the amenities building component of the work as a separate package using a Local Government Procurement (LGP) Contract. This is a prefabricated supply and install price is

known from pre-tender quotes. Procurement using the LGP Contract will mean that commencement of the building can commence immediately.

It is proposed that the project management of the prefabricated amenities building install and associated works by Council staff will make considerate cost savings that bring the total project within the current available budget. This will also enable the amenities building to be largely completed by June 2023 and within the timeframe required by the Grant funding agreement.

Following completion of the amenities building, Council will be able to accurately know the remaining available budget for the oval upgrade and allow any additional funding required to be sourced such as through sports grant programs. The project scope may also be potentially altered to meet the budget available.

Separating the oval construction from the amenities will mean that this work will need to be completed in the following financial year when budget is available. The oval will also be available for use in the 2022/23 summer sports season.

BUDGET

A total budget of \$2,000,000 is available for this project. Council's pretender cost estimate is considered accurate and achievable.

The tendered price received from Landscape Solutions exceeded the available budget. Details of the tendered price are contained in Confidential Attachment 1. to Director's Report No. CE18/22.

CONSULTATION

Councils' Procurement Manager was consulted to ensure the required procedural method of determining the tender resolution was conducted in accordance with the Local Government Regulations.

BUDGET

The substantial expenditure of state government grant funding is required by June 2023. To ensure this occurs, work on the amenities building should proceed through a new separate procurement and management process.

Council will need to review budget availability along with potential grants to support funding of the oval drainage and Irrigation work in 2023/24 financial year.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

In consideration of all the tender option in accordance with the Local Government Regulation Acceptance of Tenders it is recommended to decline the one submitted tender.

Due to budget constraints, Council cannot commit to further funding and should refer to alternative option to carry out works in a separate package.

This would mean Council can deliver separate components of the project and expend available grant funds within the deadlines. For Council to invite fresh applications based upon the same scope of work, or, await outcomes of future grant funding requests to increase the budget available would be disadvantageous to achieve any deliverables within the timeframes required.

As such, it is recommended that Council rejects the tender and does not proceed with this proposed contract.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Parks, Trees and Recreation Branch – David Sheils, who can be contacted on 02 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. Tendered Price Table for Ron Payne Oval - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

File Reference: F2022/00185
Document Number: D08493307

5 HORNSBY SHIRE DRAFT FLOOD RISK MANAGEMENT STUDY AND PLAN

EXECUTIVE SUMMARY

- The NSW Government developed a Flood Prone Land Policy to support the management of flood risk to enable the protection of existing and future occupants of flood prone land from the ramification of floods.
- This report includes the draft Hornsby Shire Flood Risk Management Study and Plan which has been drafted in accordance with the NSW Government's Floodplain Development Manual.
- Scenarios considering the impact of climate change by the end of the 21st Century are included in the Flood Risk Management Study and Plan, but they were not incorporated into the 1% AEP, in compliance with the recommended approach.
- It is expected that modelling for the 1% AEP will be updated over the years and Council will respond to any changes in parameters arising from responses to climate change impacts.
- The report seeks endorsement for the draft Hornsby Shire Flood Risk Management Study and Plan, which includes the Hornsby Shire Flood Planning Maps developed as part of the Plan, to be publicly exhibited.
- The final Flood Risk Management Study and Plan, which includes the Flood Planning Maps, will be reported to Council after the public exhibition of the draft Flood Risk Management Study and Plan and incorporation of any changes required from the results of the exhibition process.
- A total of 3872 urban properties out of a total of 43,071 were identified as properties that may experience flooding due to overland flow (i.e. 9% of properties). These 3872 properties are identified in the Flood Planning Maps to be placed on public exhibition as part of the FRMSP.

RECOMMENDATION

THAT Council:

1. Endorse the draft Hornsby Shire Flood Risk Management Study, including the Hornsby Shire Flood Planning Maps, for public exhibition.
2. Provide written advice to each owner of properties that have been designated as a Flood Planning Area.
3. Report to Council on the results of the public exhibition.

PURPOSE

This report presents the draft Hornsby Shire Council Flood Risk Management Study and Plan (FRMSP), including Flood Planning Maps, (Attachment 1) for Council's consideration and endorsement for public exhibition.

It also seeks Council's endorsement to write to each of the 3872 urban properties in identified Flood Planning Areas as part of the process of the development of the FRMSP.

BACKGROUND

The recognition and management of flood risk is an essential requirement to enable the protection of existing and future occupants of flood prone land from the ramification of floods. The management of flood prone land is the responsibility of Local Government.

The NSW Government has developed a Flood Prone Land Policy (FPLP) to support this management role. It is aimed at providing management options for existing flood problems in developing areas and ensuring that new developments are compatible with the determined flood hazard and do not create additional flooding problems in other areas.

To assist in implementing this policy, the NSW Government prepared the Floodplain Development Manual (FDM). This document is intended to guide councils in developing and implementing their Flood Risk Management Plans (FRMPs). These plans are intended to address three key issues:

- Safety of people.
- Management of potential damage to property and infrastructure.
- Management of the cumulative impacts of development.

The Floodplain Development Manual also sets out guidance on the preparation of Flood Risk Management Plans in accordance with the following steps:

1. Formation of Floodplain Risk Management Committee.
2. Data Collection.
3. Flood and Overland Flow Study.
4. Floodplain Risk Management Study.
5. Floodplain Risk Management Plan.
6. Floodplain Risk Management Plan implementation.

Council has completed steps 1 to 3. Details of these can be found in two Council Reports WK63/10 (Attachment 2) and WK23/11 (Attachment 3). The draft Flood Risk Management Study and Plan covered by this report combines steps 4 and 5 of the above process. Step 6 will be undertaken after the public exhibition of the FRMSP, and the incorporation of any changes required from the results of the exhibition process. Implementation will commence after Council endorses this finalisation of the Flood Risk Management Study and Plan.

DISCUSSION

The draft Flood Risk Management Study and Plan represents the penultimate step in the floodplain risk management process. The following information outlines how this process has been undertaken to date.

Overland Flood Study

The Hornsby Overland Flood Study (OFS) was undertaken to enable properties within urban areas that are likely to be affected by overland flow from Council's stormwater drainage system to be identified.

The study distinguishes between overland flow and mainstream flooding.

- Overland flow/flooding generally affects upper catchment areas and applies to most of the urban areas within the Shire. These overland flows generally follow paths where the natural creeks have been converted into piped systems or through flow paths in existing developments.
- Mainstream flooding within Hornsby Shire is generally contained within the National Parks and Reserves and along the Hawkesbury River, and results when the stream flow overtops the banks of a stream or river.

Flood Planning Maps were developed to identify flood prone areas affected by the mainstream and overland flood types.

The mainstream flooding and overland flow areas need to be identified to ensure that inundation and flooding affects are considered as part of the development assessment process and require a Development Application (DA).

All other properties not so affected will then benefit from the complying development provision under the Codes SEPP General Housing Code. Thus, only Flood Planning Areas (FPA), identified in the Flood Planning Maps, will need to be scrutinised through the DA process.

Methodology for Flood Study

To meet the main objective of identifying the urban properties affected by either overland flow or mainstream flooding, areas were assessed using the applicable modelling:

1. Urban areas affected by overland flow/flooding.
2. Urban area affected by mainstream flooding.

The analysis required for item 1, Overland Flow, is a complex task in an urban environment such as Hornsby Shire and a specialist consultant, Cardno Pty Ltd., was engaged to carry out the work. The technical details of the methodology are provided in the draft Hornsby Flood Risk Management Study and Plan report.

With recent advances in flood and overland flow modelling packages, it has been possible to create a model to define the overland flow behaviour across the entire urban area of the Shire. A two-dimensional computer model, TUFLOW, was utilised to model the overland flows in these areas of the LGA.

The identification of properties that would be affected was based on the criteria that the property is inundated by overland flow to a depth greater than 150mm during a 1% Annual Exceedance Probability (AEP) or for a 100-year Average Recurrence Interval (ARI) design storm event.

It is to be noted that an overland flow depth more than 150mm has been selected as the critical depth for the Hornsby Overland Flood Study due to the relatively steep terrain of the Shire and taking cognisance that, in conjunction with the steep terrain, the velocity of overland flow is relatively high and can cause significant storm damage and create a hazard for the community in the 1% AEP event.

The adopted Overland Flood Study flow depth more than 150mm from the study was endorsed by the Hornsby Shire Floodplain Risk Management Committee (FRMC) as being appropriate for the Shire.

The selected overland flow depth of 150mm is less than the 300mm depth given in the Floodplain Development Manual for the preparation of Flood Planning Maps. The 300mm depth, while appropriate for mainstream flooding, is not considered appropriate for Hornsby's steep overland flow affected urban catchments.

Mainstream Flooding (item 2) is a complex regional scale task and is undertaken by a State Government agency such as infrastructure NSW (iNSW). iNSW is currently undertaking such a study of the Hawkesbury/Nepean River which is scheduled to be completed in late-2022.

It should be noted that Flood Extent maps for mainstream flooding have been prepared for Hornsby Shire Council's Hawkesbury River communities based on flood level information provided from previous studies of the Hawkesbury River. The currently adopted mapping was undertaken in 1997 by Australia Water Coastal Services (AWACS) Pty Ltd study and will be updated by the iNSW study when finalised.

A Rural Lands Overland Flood Study for the rural areas of the Shire will be undertaken as funding becomes available. It is intended that the Rural Lands Flood Study will be incorporated into the Hornsby Shire Flood Risk Management Study and Plan, upon adoption by Council.

Council's Floodplain Risk Management Committee (FRMC)

The results of the technical studies were endorsed by the Hornsby Shire Floodplain Risk Management Committee on 5 August 2010. This committee is an essential part of the process as prescribed by the Floodplain Development Manual. The Hornsby Shire FRMC consisted of the following ten members:

- Two Councillors with one as the Committee Chairperson.
- Three Community Representatives selected from applicants after advertising in the local press and evaluation of submitted expressions of interest.
- Three Council staff, one each representing Council's Infrastructure and Major Projects Division, Community and Environment Division and Planning and Compliance Division.
- One Representative from the Department of Environment, Climate Change and Water (DECCW) now Department of Planning Industry and Environment (DPIE).
- One Representative from the State Emergency Services (SES).

The Committee endorsed the study and flood maps and recommended that these be reported to Council and be placed on public exhibition. After Council endorsement these were placed on public exhibition on 20 November 2010.

Current Flood Risk Management Processes

At a briefing session between Council's Infrastructure and Major Projects Division and Councillors on 30 October 2013, it was agreed that Council should proceed with Stages 5 and 6 of the Floodplain Risk Management Process. Specialist consultants Cardno Pty Ltd were engaged to prepare the Flood Risk Management Study and Plan and a draft document was completed ready for public exhibition in June 2015. Due to impending Council amalgamation and boundary changes at that time, it was decided not to proceed with the public exhibition until the amalgamation issue was finalised.

In 2019 after the conclusion of the amalgamation process, it was considered prudent to proceed to finalisation with the Flood Risk Management Study and Plan again however two events impacted this process:

1. The boundary change that moved Epping and Carlingford and a small area of Beecroft into the City of Parramatta.
2. The release of a new hydrology standard ARR 2019. This superseded the older version of ARR 1987 and necessitated remodelling and mapping to comply with this standard.

All reviews of the modelling and mapping have been carried out in accordance with the methodology adopted in the Council Report from 2011. The flood planning mapping is compliant with this methodology and hence the outcomes of the public exhibition process.

Outcomes of Overland Flood Study

The main objective of the Hornsby Overland Flood Study was to identify urban properties that may be affected by overland flow/flooding.

A total of 4879 urban properties out of a total of 45,062 were identified as properties that may experience flooding due to overland flow (i.e.,10.8% of properties). The latest 2021 iteration of modelling shows 3872 urban properties of a total 43,071 (i.e.,9% of properties) have now been identified as Flood Planning Areas. A summary of the number of properties identified is tabulated below:

Year	Number of Properties	Percental of Total Properties
2010	4879	10.8
2021	3872	9.0

Note: The number of properties is less in 2021 due to the 2017 boundary change where Epping and Carlingford were transferred to Paramatta LGA.

Flood Planning Maps (FPMs)

The Overland Flood Study was used to prepare Flood Planning Maps (FPMs) for use with the Hornsby Shire Comprehensive LEP to control development in the flood prone areas of the Shire. The Flood Planning Maps will be placed on public exhibition as part of the draft Hornsby Shire Flood Risk Management Study and Plan.

Impacts on Properties identified in the Flood Planning Maps

The properties are identified on Section 10.7 Planning Certificates as within the flood planning area and subject to flood related development controls.

The availability of flood maps on Council's website will help landowners identify the need to address flood controls in development proposals. For sites within a flood planning area, property owners will need to check with their engineer whether they can do complying development (if low risk), or a DA will be required with a hydraulic study prepared in conjunction with the development proposal. Where the extent of overland flow is significant, a more detailed hydraulic study will be required than if the extent of overland flow/flooding were minor and no development were proposed within the area of the lot affected by the overland flow.

Impacts of Climate Change

The FRMS&P includes possible impacts of changes to climate conditions by the end of the 21st Century for the overland flows generally due to an expected increase in rainfall intensities.

Australian Rainfall and Runoff (ARR) is an Australian Government national guideline document, data and software suite that can be used for the estimation of design flood characteristics in Australia. It provides guidance provided on the Interim Climate Change Factors using RCP – Representative Concentration Pathways.

RCPs are prescribed pathways for greenhouse gas and aerosol concentrations, together with land use change, that are consistent with a set of broad climate outcomes used by the climate modelling community. The pathways are characterised by the radiative forcing produced by the end of the 21st century where radiative forcing is the extra heat the lower atmosphere will retain as a result of additional greenhouse gases, measured in Watts per square metre (W/m²).

The complexity of humanity's possible future emissions has been reduced to just four representative pathways where each of the RCPs covers the 1850–2100 period and represents a larger set of scenarios in the scientific literature. The full range of emissions scenarios, with and without climate policy, is included within the range of the RCPs which includes one mitigation scenario leading to a very low forcing level (RCP2.6), two medium stabilisation scenarios (RCP4.5 and RCP6) and one very high baseline emission scenario (RCP8.5).

- The 8.5 pathway arises from little effort to reduce emissions and represents a failure to curb warming by 2100.
- The 6.0 pathway stabilises total radiative forcing shortly after 2100 by the application of a range of technologies and strategies for reducing greenhouse gas emissions.
- RCP4.5 is a scenario of long-term, global emissions of greenhouse gases, short-lived species, and land-use-land- cover which stabilizes radiative forcing at 4.5 Watts per meter squared (W m⁻², approximately 650 ppm CO₂-equivalent) in the year 2100 without ever exceeding that value
- RCP 2.6 is the most ambitious pathway. It sees emissions peak early, then fall due to active removal of atmospheric carbon dioxide

Two Climate Change scenarios were modelled as recommended by ARR2019 with the results intended to indicate what **may** happen under these predicted conditions. The number of potentially impacted properties is indicative and would require substantial investigation to confirm.

- 2090 RCP 4.5 (1%AEP plus 10% increased rainfall intensity)
 - Total 4066 urban properties identified as Flood Planning Areas
 - \$110M for Flood Mitigation Works
- 2090 RCP 8.5 (1%AEP plus 20% increased rainfall intensity)
 - Total 4143 urban properties identified as Flood Planning Areas
 - \$115M for Flood Mitigation Works

The modelled 1% AEP does not include the impact of climate change for the urban areas. It is expected that modelling for the 1% AEP will be updated over the years and Council will respond to any changes in parameters arising from responses to climate change impacts.

Flood Mitigation Works for Urban Areas

Flood Mitigation Works arising from the modelled 1% AEP for urban areas have been identified for inclusion into Council's Drainage Improvement Works Program:

- High Priority Overland Flow Areas (\$86.32M)
 - Properties are located within the 1% AEP flood extents as shown on Council's Flood Mapping
 - Affected by overland flow depths greater than 150 mm
 - Subject to habitable, non-habitable or overground (yard) flooding
- Medium Priority Overland Flow Areas (\$14.41M)
 - Areas located within the 1% AEP flood extents but less than 150 mm of overland flow depth
 - Subject to non-habitable or overground (yard) flooding
- Low Priority Other Areas (not costed)
 - Areas are located outside the Flood Planning Areas
 - May be subject to nuisance flows, ponding

The above costs are indicative and these along with a review of the priority of improvements will be subject to further consideration following the adoption of the Flood Risk Management Plan and Study.

NSW Government Flood-prone Land Package 2021

This package, only recently released by the NSW Government, updates and expands the application of Flood Risk Management principles in the floodplain. The Guidelines (see Attachment 4) sets out the scope and outcomes to be enacted with the package. The main components affecting Flood Risk Management within Hornsby's LGA are:

1. The current flood controls in Clause 6.3 of the LEP have been repealed.
2. A new Mandatory Clause 5.21 Flood Planning has been introduced into Hornsby's LEP.

An Optional Clause 5.22 relating to Special Considerations is available for Council to consider (if mapping of the Probable Maximum Flood is adopted).

This effect of the optional Special Flood Considerations clause on development in the floodplain is to extend development controls beyond the current Flood Planning Maps, where they are limited to areas below the Flood Planning Level (FPL) which Hornsby Council has at the 1% AEP level, to areas between this limit and the Probable Maximum Flood level (PMF). Previously this area of the floodplain has not been specifically designated to apply planning controls however the package aims to allow councils to consider its development and what controls overall may be appropriate. These would be mainly Special Use developments which are listed in the Guideline. Domestic development controls will not be affected in this newly identified area.

Council's Flood Risk Management Study and Plan applies to developments up to the Flood Planning Level, i.e., 1% AEP. In the future, should Council decide to address the Probable Maximum Flood in the FRMSP and prepare a PMF map, Council could prepare a planning proposal to include the optional clause at that time.

CONSULTATION

The draft FRMSP will be on exhibition for six weeks from late October 2022. The objective of engagement is to raise community awareness about flooding risk to properties and to inform them of

the draft FRMSP. There will be an opportunity for the community to comment on or ask questions relating to Flood Planning Areas and potential flood management measures.

Cardno has been contracted to manage community enquiries and to collate submissions.

Information regarding the FRMSP exhibition will be advertised widely through the regular communication channels including:

- Notification letter out to approximately 4,000 affected properties
- Your Say Hornsby website, with summary of draft FRSMP, a feedback form and FAQs
- Promotion via Council's e-Newsletter and Social Media (Facebook)
- Advertisements in the November edition of newspapers and promotion in Mayor's message
- Hard copies of the relevant documents will be available Council libraries

BUDGET

The costs associated with the development of the Flood Risk Management Study and Plan and Flood Mapping Plans have been met from existing budget allocations. The costs associated with implementation of the Flood Risk Management Plan will be reported separately.

POLICY

There are no policy implications from updating the Flood Risk Management Study and Plan as no changes from current procedures are proposed.

Should Council decide there is a need to manage flood risk beyond the current Flood Planning Level and up to the Probable Maximum Flood level, this will require an addendum to the Flood Risk Management Study and Plan to allow for its implications and to Council's processes in approving and conditioning Development Applications and a Planning Proposal to adopt the corresponding Option Clause 5.22 covering Special Considerations.

CONCLUSION

Council has undertaken the steps recommended by the NSW Government's Floodplain Development Manual to complete a draft Flood Risk Management Study and Plan. This document, including the Flood Planning Maps, is presented to Council for its consideration and endorsement to be placed on public exhibition.





RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Peter Powell, Manager Asset Operations and Maintenance, Infrastructure and Major Projects Division, who can be contacted on 9847 4803.

ROBERT STEPHENS

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

Attachments:

1. Attachment 1 - Draft Hornsby Floodplain Risk Management Study and Plan

2. Attachment 2 - Report WK63/10 - Hornsby Overland Flow Study Report and Draft Flood Planning Maps

3. Attachment 3 - Report WK23/11 - Hornsby Overland Flow Study and Draft Flood Planning Maps

4. Attachment 4 - Considering Flooding in Land use Planning Guideline July 2021


File Reference: F2010/00651-07

Document Number: D08307244

6 PUBLIC DOMAIN GUIDELINES AND IMPROVEMENTS - BEECROFT TOWN CENTRE

EXECUTIVE SUMMARY

- In 2018 Council resolved to prepare Public Domain Guidelines (PDG) for several areas. The purpose of the PDG was to:
 - Provide guidance on disability design principles, sustainable materials selection, material types and application and typical streetscape upgrades to several selected areas.
 - Provide additional detail to that included in the Hornsby DCP to assist in the assessment of Development Applications and ensure high quality public domain outcomes.
- At its General Meeting on 14 July 2021 Council deferred the adoption of the Public Domain Guidelines (PDG) for the Beecroft Town Centre in response to concerns raised by the community.
- The PDG for Beecroft have been reviewed and changes recommended. The changes focus on:
 - Redesign and renaming of the “Civic Heart Plaza” to reflect the walkway and plaza concept indicated in the Hornsby Development Control Plan Key Principles Diagram.
 - Hannah Street remaining as a two-way vehicular road.
- It is recommended that the changes are publicly exhibited.

RECOMMENDATION

THAT:

1. Council endorse the revised Beecroft Town Centre Domain Guidelines for public exhibition for a minimum of 28 days.
2. The results of the public exhibition be reported to Council for consideration.

PURPOSE

The purpose of this report is to seek endorsement of the attached proposed amendments of the draft PDG for Beecroft Village to enable the conduct of a public exhibition.

BACKGROUND

Following Council's resolution on 11 July 2018, Oculus consultants were engaged in December 2018 to prepare Public Domain Guidelines (PDG) and main street plans for several existing town centres across Hornsby Shire, including for Asquith, Beecroft, Galston, Thornleigh, Waitara and West Pennant Hills. Community engagement for the PDG was undertaken in March 2019 and included website and social media promotion, forums and on-line surveys and street pop-up events.

The PDG provides conceptual, diagrammatic information based on guiding principles to deliver improved town centre and public domain outcomes. These should not be interpreted as firm proposals. They suggest innovative and bold solutions that are conceivable yet remain subject to detailed investigations to prove feasibility.

The PDG provide guidance on disability design principles, sustainable materials selection, material types and application and typical streetscape upgrades to several selected areas. They also provide additional detail to that included in the Hornsby DCP to assist in the assessment of Development Applications and ensure high quality public domain outcomes.

In response to submissions received, the PDG was adopted at the Council Meeting of 14 July 2021 for all parts with exclusion of 'Part E – Key Projects, Beecroft' which was stamped as DRAFT in response to concerns raised by the community.

Councillors were briefed on proposed changes to the PDG applying to Beecroft on 27 July 2022. This briefing also canvassed a concept design for improvements to the Wongala/Hannah Street intersection that could possibly be constructed as part of the accelerated s7.11 program. The concept design is consistent with the revised PDGs and will be dealt with separately.

DISCUSSION

Response to Community Concerns

The community consultation conducted in 2019 identified several issues:

- Impact of the 'Civic Heart Plaza' on part of the property holding known as 5 Wongala Crescent and a smaller plaza area on 7, 9 and 11 Wongala Crescent with frontage to Hannah Street and 3-5 Hannah Street.
- Concerns that the above proposals would require expensive land acquisition.
- Concerns with the traffic implications posed by the partial closure of Hannah Street and conversion to one-way road.

Proposed amendments to the PDG aim to address concerns in the following ways:

- The drawing in the PDG will be amended to reflect the walkway and plaza concept indicated in the Hornsby Development Control Plan Key Principles Diagram and the recently approved redevelopment proposal for property No 5 Wongala Crescent. The approval includes mixed residential and commercial uses and provision for a through-site pedestrian accessway, connecting from Wongala Crescent with the existing carpark on Hannah Street. The development will also deliver a retail interface with the adjoining carpark site. It is noted that, while this development will not provide as many shops as currently exist, it will deliver a

basement carpark for use by residents and the public. The development is conditioned to enable a basement connection for any future redevelopment to 7,9 and 11 Wongala Crescent and 3-5 Hannah Street.

- Retention of the depiction of a plaza or arcade on the private land holding associated with 7, 9 and 11 Hannah Street with potential for development above. The provision of basement car parking connection from the adjoining redevelopment of 5 Wongala Crescent provides an opportunity to achieve this initiative. The initiative will be annotated to indicate that any such proposal will be subject to future discussion and agreement with Council and landowners.
- No change is proposed to the Hannah Street vehicular traffic circulation. The PDG will be amended to reflect Hannah Street remaining as a two-way vehicular road.
- In line with the principle of delivering a more highly pedestrian-friendly environment, it will be recommended in the PDG that traffic calming and improved safe crossing options for Hannah Street are investigated.

Other suggested amendments:

- Amend or remove overly prescriptive or detailed references to site development opportunities. Instead, the PDG will reference the principle underpinning opportunities that may be explored. For example, instead of proposing installation of a bioretention system in a specific location, the document will refer to the implementation of WSUD improvements in association with all new developments.
- Amend content to ensure that the Beecroft Station Gardens are identified as an existing asset within the study area and to acknowledge its contribution to the character of Beecroft Village and importance as a central venue for recreation and community gatherings.

Community and Stakeholder Engagement

Although the Beecroft PDG recommendations were not adopted in full, engagement undertaken previously did receive good levels of general support for the principles and concept proposals for public domain improvements.

Landowners of the sites at 7-11 Wongala Crescent and 3-5 Hannah Street will be consulted ahead of a public exhibition of the revised PDG. These landowners have been engaged during the process of development approval for the adjoining development at No. 5 Wongala Crescent and the Public Domain Guidelines have been amended to address their comments and concerns.

It is proposed that the main engagement platform will be on-line, with a specific webpage developed for 'Public Domain Guideline Amendments – Beecroft Village'. The site will prompt submissions directly via a Feedback Form. The webpage will also provide options for the making submissions via email or via the postal service. Information flyers and Drop In Sessions will also be arranged.

Flyers directing people for the making of submissions and Drop In Sessions will be handed out at the railway station on at least 2 weekday evenings early in the Exhibition phase.

It is proposed that a Drop In Session occurs on the first Saturday morning within a minimum 28 day Exhibition.

The main page of the website will provide a snapshot view of proposed Key Amendments (Attachment 1). The Document Library tab will contain a mark-up summarising all proposed PDG Amendments for the Beecroft Study Area (Attachment 2) as well as the entire draft PDG document and FAQ's for those seeking further information.

Following Engagement, an Outcomes Report will be prepared and will incorporate any recommended changes arising from the community consultation.

BUDGET

There are no budget implications associated with the amended PDGs.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Proposed amendments to the draft Public Domain Guidelines for Beecroft have been illustrated. The changes seek to address submissions received during the previous community consultation exercise. It is recommended that proposed refinements are publicly exhibited for comment and that once adopted they form the basis of further upgrades to the public domain.



RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Landscape Architect/ Urban Designer in Major Projects – James Frawley - who can be contacted on 9847 6854.

ROBERT STEPHENS

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

Attachments:

1.  Attachment 1 - Key Amendments Plan - Beecroft PDG
2.  Attachment 2 - PDG Amendments - Beecroft Study Area

File Reference: F2021/00091

Document Number: D08432644

9 MAYOR'S NOTES FROM 01 SEPTEMBER TO 30 SEPTEMBER 2022

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

Saturday 3rd September 2022 – The Mayor attended the Brooklyn Community Association Annual General Meeting in Brooklyn.

Wednesday 7th September 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Friday 9th September 2022 – On behalf of the Mayor, Councillor Greenwood, attended the Bishop's Breakfast 'Communities in Collaboration – A Focus to the Future' hosted by Most Reverend Anthony Randazzo at The Epping Club in Epping.

Sunday 11th September 2022 – The Mayor attended the Hindi Divas Celebrations hosted by IABBV Hindi School at Thornleigh West Primary School in Thornleigh.

Friday 16th September 2022 – The Mayor hosted four Citizenship Ceremonies on 'Citizenship Day' in the Council Chambers at Hornsby Shire Council in Hornsby.

Saturday 17th September 2022 – On behalf of the Mayor, Deputy Mayor, Councillor Tilbury attended the Ku-ring-gai Netball Finals at Canoon Road Netball Courts in South Turramurra.

Sunday 18th September 2022 – The Mayor attended 'Protecting our Forests Launch' hosted by Hornsby Shire Council in Ginger Meggs Park, Hornsby.

Sunday 18th September 2022 – The Mayor attended the Scouts NSW, Sydney North Region Adult Recognition Awards Ceremony at 1st Lane Cove Scout Hall in Lane Cove.

Sunday 18th September 2022 – On behalf of the Mayor, Deputy Mayor, Councillor Tilbury attended the Memorial Service for Queen Elizabeth II hosted by Julian Leeser MP at Hornsby RSL in Hornsby.

Monday 19th September 2022 – The Mayor hosted a Q&A Session with students from The Special Education Unit, Pennant Hills High School in the Council Chambers at Hornsby Shire Council in Hornsby.

Friday 23rd September 2022 – The Mayor attended the Hornsby Ku-ring-gai Community College Art Exhibition at Hornsby Ku-ring-gai Community College in Hornsby.

File Reference: F2004/07053
Document Number: D08498113