



BUSINESS PAPER

GENERAL MEETING

**Wednesday 8 March 2023
at 6:30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

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."

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."

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 8 February, 2023 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 GM8/23 PROVISION OF RENEWABLE ENERGY INFRASTRUCTURE****RECOMMENDATION**

THAT Council prepare tender documentation for the provision of renewable energy infrastructure that could be installed at Hornsby Park and / or Westleigh Park.

CORPORATE SUPPORT DIVISION**Page Number 5****Item 2 CS4/23 ADMINISTRATION OF COUNCIL'S 2024 LOCAL GOVERNMENT ELECTION**

RECOMMENDATION

THAT:

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

Page Number 11**Item 3 CS10/23 INVESTMENTS AND BORROWINGS FOR 2022/23 - STATUS FOR PERIOD ENDING 31 JANUARY 2023****RECOMMENDATION**

THAT the contents of Director's Report No. CS10/23 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION**Page Number 14****Item 4 PC4/23 REPORT ON SUBMISSIONS - HIGH STREET AND ASHLEY STREET PLANNING PROPOSAL****RECOMMENDATION**

THAT:

1. Council endorse the High and Ashley Street Planning Proposal as exhibited (attached to Director's Report No. PC4/23) and submit it to the Department of Planning and Environment for finalisation.
2. Council endorse the Hornsby Development Control Plan 2013 amendments (attached to Director's Report No. PC4/23) to come into force upon finalisation of the Planning Proposal.
3. Submitters be advised of Council's decision.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Page Number 24**Item 5 IM1/23 WESTLEIGH PARK - MASTER PLAN AND PLAN OF MANAGEMENT****RECOMMENDATION**

THAT:

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Council endorse the exhibition of the draft Plan of Management for Westleigh for a minimum period of 28 days.
3. Council endorse the publication of the updated draft Master Plan in conjunction with the exhibition of the draft Plan of Management.
4. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period.

Page Number 35**Item 6 IM2/23 HORNSBY PARK****RECOMMENDATION**

THAT COUNCIL:

1. Endorse the development and delivery of the Base Case (Crusher Plant, tracks and trails and lookouts to the south and west of the quarry void) in the short term (mid-2024).
2. Identify its preference for either Option 1 – Old Mans Valley play space (end of 2025 at the earliest) **OR** Option 2 – the canopy skywalk and cable bridge that links Hornsby Town Centre to the Crusher Plant (mid-2024).

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS WITH NOTICE****MAYOR'S NOTES****Page Number 45****Item 7 MN2/23 MAYOR'S NOTES 01 FEBRUARY 2023 TO 28 FEBRUARY 2023****NOTICES OF MOTION****Page Number 46****Item 8 NOM2/23 TROVE FUNDING**

COUNCILLOR MCINTOSH TO MOVE

That Council:

1. Make representation to the local Federal Member, Julian Leeser MP, in relation to the need for a sustainable federal funding model for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
2. Write to the Federal Minister for the Arts, the Hon Tony Burke MP and the Shadow Minister for the Arts, the Hon Paul Fletcher MP calling for sustainable funding to ensure the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
3. Endorse the actions of the NSW Public Libraries Association in lobbying for additional sustainable funds for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 PROVISION OF RENEWABLE ENERGY INFRASTRUCTURE

EXECUTIVE SUMMARY

- Council has a commitment towards embedding sustainability into its strategic processes and demonstrating environmental innovation. Council's Community Strategic Plan *Your Vision: Your Future 2036* illustrates that our community wants a resilient and sustainable Shire and that we will minimise our footprint and transition to net zero (Goal 3.2 A net zero community). In response to this goal, Council's Delivery Program and Operational Plan has a Key Initiative - 8C.K01 to "Undertake investigation into large scale renewable energy projects in Hornsby".
- Council recognises that the renewable energy landscape and technology more broadly is evolving at an increasingly rapid rate, as are the commercial arrangements for their creation and application. This led to Council deciding to undertake an Expression of Interest (EOI) process for the provision of next generation renewable energy applications that can be delivered through leveraging existing Council-owned land and/or facilities, as opposed to a significant upfront financial contribution from Council.
- The objective of the EOI was to determine if there is a market for the provision of renewable energy infrastructure within Hornsby Shire. Public open EOIs were called in May 2022 with the tender period closing on 27 May 2022. Four EOIs were received, each outlining a unique technology choice and scale. A confidential report was submitted to Council's 10 August 2022 General Meeting. Council resolved to adopt the recommendations in respect of Expression of Interest No. EOI16/2022 which were contained in the EOI Evaluation Report attached to Confidential General Manager's Report No. GM26/22.
- Following discussion with the Office of Local Government on the appropriate procedural requirements and approval pathway Council proposes to develop tender documentation for an outcome based renewable energy facility at either Hornsby Park and/or Westleigh Park.

RECOMMENDATION

THAT Council prepare tender documentation for the provision of renewable energy infrastructure that could be installed at Hornsby Park and / or Westleigh Park.

PURPOSE

The purpose of this Report is to provide Council with details of the next step to progress the Provision of Renewable Energy Infrastructure in Hornsby Shire.

BACKGROUND

In 2019 Council adopted a target of net zero emissions by 2050, with interim targets of 32% reduction by 2025 and 53% reduction by 2030, for both Council and the community. Hornsby Shire's community greenhouse gas emissions profile for 2016/17 identifies that we produce 1.3 million tonnes of CO2 emissions each year (Resilient Sydney, 2019) and significant action is required to reduce these emissions if we are to meet our target. This profile has been informed by data on transport, electricity, waste and water practices in our LGA.

Council's Community Strategic Plan *Your Vision: Your Future 2036* illustrates that our community wants a resilient and sustainable Shire and that we will minimise our footprint and transition to net zero (Goal 3.2 A net zero community). In response to this goal Council's Delivery Program and Operational Plan has a Key Initiative - 8C.K01 "Undertake investigation into large scale renewable energy projects in Hornsby".

Council recognises that the renewable energy landscape and technology more broadly are evolving at an increasingly rapid rate, as are the commercial arrangements for their creation and application. Consequently, in October 2021 Council undertook a Market Sounding Process for the provision of Renewable Energy. During this process, seven companies were approached directly as well as advertising the opportunity on Council's website. Feedback from several companies indicated that there was an appetite for large scale renewable energy solutions within the Shire. This led to Council deciding to undertake an expression of interest (EOI) process in May 2022 for the provision of next generation renewable energy applications that could be delivered through leveraging existing Council-owned land and or facilities, as opposed to a significant upfront financial contribution from Council. The objective of the EOI was to determine if there is a market for the provision of renewable energy infrastructure within Hornsby Shire. Four EOIs were received by the closing date and a confidential report was submitted to Council's 10 August 2022 General Meeting. Council resolved to adopt the recommendations in respect of Expression of Interest No. EOI16/2022 which were contained in the EOI Evaluation Report attached to Confidential General Manager's Report No. GM26/22.

DISCUSSION

As the scale of a renewable energy project may be significant Council engaged in discussions with the Office of Local Government and external advisors about the appropriate procedural requirements to progress such a project. Council also reviewed its land holdings to determine which parcel of land would be suitable for such a project.

Investigations were undertaken at Hornsby Park and Westleigh Park due to the large parcel of land available on each site, alignment with the overall vision for each site and the potential for commercial opportunities to deliver project outcomes and contribute to the park's delivery and management.

Community feedback received in October and November 2022 during the recent exhibition of the proposed Special Rate Variation also outlined the community's desire for Council to investigate commercial opportunities and alternative funding sources to deliver on large projects such as Hornsby Park and Westleigh Park for community use.

In line with the actions in Council's Community Strategic Plan, Delivery Program and Operational Plan and the guiding principles of Council's sustainability framework, Council is now looking to consider alternative funding sources for Hornsby Park and / or Westleigh Park that can:

- Deliver multiple benefits.
- Drive innovation and creativity.
- Establish the Council as a leader in sustainability, embracing its responsibility to future generations of residents.
- Build partnerships, with a view to working more collaboratively with the community and like-minded organisations, businesses, and government locally, nationally and internationally.
- Ensure knowledge sharing and learning, including from Indigenous communities, scientists, technical experts, and the broader community.

The provision of a renewable energy project at either Hornsby Park and / or Westleigh Park is consistent with the Master Plans for each site and could offer an opportunity to fund some of the elements at either park but is likely to take some time to investigate. The investigation of a renewable energy project at either of these locations would not stop or halter the delivery of current projects and would need to be complimentary to the overall vision of the sites. This was discussed with the Office of Local Government and Council believes there is value in proceeding to a public tender for an outcome based renewable energy facility at Hornsby Park and/or Westleigh Park.

It is proposed that the outcomes based renewable energy tender offer up to but not exceed a 30-year lease under section 47 of the Local Government Act (subject to all requirements, including Ministerial consent being met) for a portion of Hornsby Park and/or Westleigh Park. Any proposed project would need to be consistent with the Master Plan for each site and only be for a portion of the site. The tender will be informed by the EOI and will be a public competitive process.

CONSULTATION

In the preparation of this Report there was consultation with Council's Probity Advisor for Expression of Interest No. EOI16/2022, Council's legal advisers (Bartier Perry) and the Office of Local Government concerning the use of community land and the process to be undertaken should a project be of a scale to trigger a Public Private Partnership.

Community consultation will be undertaken to ensure the community is aware of any proposed project and have an ability to provide input as the tender process progresses. Councillors will also be briefed prior to the release of any public tender and the matter will be reported back to Council.

BUDGET

At this stage, there are no budgetary implications associated with this Report. Depending on Council's decision, it may be necessary to seek advice and support from third parties who have expert knowledge of the renewable energy industry and/or expertise associated with the protection of Council's commercial interests. Any expenditure associated with such advice and support will be reported to Council through an appropriate quarterly budget review.

POLICY

Consideration of renewable energy proposals align with the Sustainable Theme of Council's Community Strategic Plan and the strategic direction of Resilient and Sustainable. In particular, the stated outcome of "*We will minimise our footprint and transition to net zero*" is particularly relevant.

From a Climate Wise perspective, Council's intent to *"Reduce Council's corporate greenhouse gas emissions to 32 percent below 2018 levels by 2025, 53 percent below 2018 levels by 2030 and net zero by 2050"* and to *"Support the community in the goal of reaching net zero emissions by 2050 through the delivery of programs and initiatives that further community greenhouse gas emission reduction efforts"* also have close links to renewable energy proposals.

Renewable energy proposals also have relevance to the following key initiatives contained in Council's Delivery Program - to *"Embed resilience across the organisation"* and *"Undertake investigation into large scale renewable energy projects in Hornsby"*.

CONCLUSION

The provision of a renewable energy project at either Hornsby Park and / or Westleigh Park could offer an opportunity to fund some of the elements contained in the Hornsby Park Master Plan or the Westleigh Park draft Master Plan and assist our community reach net zero. It is recommended that Council prepare tender documentation for an outcome based renewable energy facility that could be installed at either Hornsby Park and/or Westleigh Park. It is proposed that the tender offer up to but not exceed a 30-year lease under section 47 of the Local Government Act (subject to all requirements, including Ministerial consent being met). The tender will be informed by the EOI and will be a public competitive process.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Strategy and Place – Julie Ryland - who can be contacted on 9847 6773.

STEVEN HEAD
General Manager
Office of the General Manager

Attachments:

There are no attachments for this report.

File Reference: F2021/00252
Document Number: D08595223

2 ADMINISTRATION OF COUNCIL'S 2024 LOCAL GOVERNMENT ELECTION

- Section 296 of the Local Government Act provides that a decision about who will administer the election of a council is required to be made at least 18 months prior to the election. In respect of Council's 2024 election, a decision is required to be made by 13 March 2023.
- Council engaged the NSW Electoral Commission (NSWEC) to administer its 2012, 2017 and 2021 elections and those elections were run successfully and without incident.
- It is recommended that the NSWEC be engaged to administer Council's 2024 election for the following reasons – it will allow Council to remain at arms' length from the election process; it will ensure that the NSWEC is responsible for all risks associated with the management of the election; it avoids resourcing issues which would otherwise be associated with conducting the election; and there does not appear to be significant savings available to Council by administering its own election.

RECOMMENDATION

THAT:

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

PURPOSE

The purpose of this Report is to provide Council with information which will enable it to make a decision in respect of who will conduct its 14 September 2024 election.

BACKGROUND

Section 296 of the Local Government Act provides that council elections are to be administered by the general manager of the council. Councils do, however, have an option to enter into a contract or make arrangements with the NSWEC to administer the council elections. In line with Section 55(3)(p) of the Act, a council does not need to invite tenders before entering into such a contract with the NSWEC.

Where a council decides to conduct its own elections, the general manager has full responsibility. In this regard, the general manager may choose to engage the services of an external provider to manage and/or assist in running the election. Where specific costs of engaging such a provider are expected to exceed \$250,000, tenders must be called for the required service in line with the tendering requirements of the Local Government Act. The responsibilities of a general manager in administering a council election are comprehensive and broad-ranging. They include tasks such as:

- Ensuring compliance with all relevant legislation.
- Management of all election costs.
- Appointing a suitably qualified independent returning officer and a substitute returning officer.
- Determining the fees payable to those officers and other electoral officials.
- Determining the polling places.
- Managing candidate information.
- Developing and printing all forms.
- Preparing rolls for non-resident owners and occupiers/rate-paying lessees.
- Managing postal voting and pre-poll voting.
- Ensuring results and all relevant information is included on Council's website.
- Determining non-voters and providing a list to the NSWEC within 14 days of the election.
- Preparing a detailed report to the Minister for Local Government on the conduct of the election, ensuring disclosure of a number of things required by legislation including full and transparent costs.

Following consideration of Executive Manager's Report No. CC69/11 (prepared in respect of the 2012 election), Deputy General Manager's Report No. CS49/14 (prepared in respect of the 2017 election) and Deputy General Manager's Report No. CS1/19 (prepared in respect of the 2021 election), Council engaged the NSWEC to administer its 2012, 2017 and 2021 elections. No major issues arose in respect of these elections and the service provided by the NSWEC was efficient and the necessary work was undertaken by knowledgeable and experienced staff.

A decision about who is to conduct Council's 14 September 2024 election is required by legislation to be made at least 18 months prior to the election i.e. by 13 March 2023.

DISCUSSION**Local Government Elections – 2021**

A total of 124 councils across NSW were required to hold elections in 2021. Based on the NSWEC's Reports on those elections, 122 of the councils (i.e. 98.4% of the total) chose to have their election administered by the NSWEC whilst two councils (Fairfield and Penrith) conducted their own elections, four Councils were in Administration and were unable to participate in the election.

Whilst the two councils would undoubtedly claim that they saved money by conducting their own elections, a reliable cost comparison with the elections conducted by the NSWEC (for Hornsby and the remaining councils) is difficult to achieve.

There are many variable aspects to consider in a comparison, and without the benefit of a detailed cost sheet from each of the councils in the same format as provided by the NSWEC, it would not be clear whether equitable cost elements were included. For example, the method of voting impacts on election costs as does whether the election included a popularly-elected mayor, how many councillors were elected across how many wards, etc. There would also be difficulties in ensuring that the full resourcing costs of council staff to manage aspects of the elections and/or any costs of backfilling the positions for the election period were included.

Council's 2021 Election – Conducted by the NSWEC

The level of service provided by the NSWEC in administering Council's 2021 election was generally very good and saw relevant Council staff working well with the Returning Officer appointed by the NSWEC. The Returning Officer was knowledgeable, experienced and efficient, and although key staff had regular update meetings with the Returning Officer, there was little other impact on the staff's time which left them available to carry out their usual Council duties.

From an administrative perspective, Council noted some improvements and efficiencies that the NSWEC had implemented since the 2017 elections e.g. their greater involvement in sourcing and selecting appropriate Returning Officer's accommodation and improvements to their on line system for lodgement of non-residential roll applications. This ensured that the involvement of Council staff was minimal but effective.

The election itself ran smoothly, with no major issues being experienced. Following the election, notification of results by the NSWEC was efficient and timely. During the whole pre-election, election, and post-election process, any issues, concerns, and questions from the public were dealt with by the Returning Officer and/or his staff.

The total cost to Council of the 2021 election (exclusive of GST) was \$862,040 which equated to approximately \$8.70 per elector for each of the 99,089 registered electors. This compared to the \$684,684 expended by Council on the 2017 election and represents an increase of approximately 26%.

Administration of Council's 14 September 2024 Election

In determining who should be recommended to conduct Council's 2024 election, staff have given consideration to the following points.

- A decision to appoint the NSWEC would be consistent with that of approximately 98% of councils across NSW and should ensure an efficiency of approach in respect of all required elections.
- The NSWEC has successfully administered Council's 2012, 2017 and 2021 elections under a contract with Council. They also administered previous Council elections in line with State Government requirements at the time.

- It is prudent that Council remains at arms' length from the election process, ensuring openness and accountability. By engaging the NSWEC and not being directly involved in the running of its own election, such openness and accountability is clearly demonstrated to the community.
- If the NSWEC are contracted, they would be responsible for all the risks associated with running and managing the full election process. If Council runs its own election, it is accountable under the Local Government Act.
- If engaged, the NSWEC would manage all interfaces with the public. Their appointed staff would be responsible for responding to questions and enquiries from the public, ensuring all relevant information is loaded to our website, etc. leaving Council staff free to carry on with their usual duties.
- With the engagement of the NSWEC, any problems and issues would be handled by them, with back up able to be provided readily by their head office if required.
- The NSWEC have effectively adopted an "all or nothing" approach. In other words, if councils choose not to engage the NSWEC, the NSWEC is not responsible for providing any advice, assistance or materials whatsoever in relation to the election. The only thing provided through the NSWEC is the electoral roll, which is a legislative requirement.
- Should Council choose to run its own election it would be vital to engage an experienced and reliable returning officer as well as senior election personnel, either independently or through another election services provider. Such personnel are in limited supply and can be difficult to identify and locate, and there may be no assurances of their capability. Even if the personnel were able to be resourced, there would still need to be considerable involvement of Council staff, none of whom are experienced in the detailed process of actually running an election.
- Involvement of Council staff would continue beyond the finalisation of the election as it would be necessary to prepare a detailed report about the election for submission to the Minister for Local Government.
- Based on the cost estimate received for the 2024 election, there does not appear to be significant savings that Council could achieve by choosing to conduct its own election in 2024.

Cost Estimate and Timing

As previously noted, in usual circumstances, and in accordance with Section 296AA of the Act, a decision about who is to conduct Council's 14 September 2024 election is required to be made at least 18 months prior to the election i.e. by 13 March 2023.

In order that councils could make an informed decision in respect of the above requirement, the NSWEC has provided cost estimates for each council, Council received this estimate on 30 January 2023.

Section 296 (3) of the Act relevantly provides:

- (3) *An election arrangement for the Electoral Commissioner to administer all elections of a council can be entered into if:*
 - (a) *the council resolves at least 18 months before the next ordinary election of councillors that such an arrangement is to be entered into, and*

- (b) *the arrangement is entered into no later than 15 months before the next ordinary election of councillors.*

Having regard to the above, it is proposed that Council resolve to enter into an election arrangement with the NSWEC, and the General Manager be granted delegation to enter into the arrangement based on the cost estimate received.

If Council is supportive of the staff's view that it is appropriate to engage the NSWEC to administer Council's 2024 election (and other associated by-elections and referendums which may be necessary), the NSWEC has provided a model resolution. The recommendation to this Report is consistent with the model resolution provided by the NSWEC.

Council's Ward Boundaries

In line with the requirements of the Local Government Act, Council is required to keep its ward boundaries under review to ensure that there is not more than a 10% variation in the number of electors per ward. The latest elector numbers as at 22 December 2022 for A, B and C Wards are shown below:

A Ward	34,305 electors
B Ward	34,368 electors
C Ward	32,370 electors
Total	101,043 electors

As there are currently variations of less than 10% between the number of electors in each Ward, no action is required by Council as the Ward boundaries are still appropriate.

BUDGET

An official estimate of costs has been received from the NSWEC; the overall cost is estimated at approximately \$1,038,547 (exclusive of GST) for the 2024 elections. This amount falls within the provisions of Council's Long Term Financial Plan for the 2024/25 financial year.

It should also be noted that for both the 2012 and 2017 elections, the actual costs incurred have been less than the estimate provided by the NSWEC.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Having regard to the information contained in this Report, staff believe it is appropriate that the NSWEC be engaged to administer Council's 2024 election. The main reasons for such a recommendation are that the NSWEC has successfully administered Council's 2012, 2017 and 2021 elections under a contract with Council; it will allow Council to remain at arms' length from the election process; it will ensure that the NSWEC will be responsible for all risks associated with the management of the election; it will avoid resourcing issues which would otherwise be associated with conducting the election; and based on previous election costs, comparisons and estimates received, there would not appear to be significant savings that Council could achieve by choosing to conduct its own election in 2024.

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

ITEM 2

Attachments:

1. 2024 Local Government Election - Cost Estimate

File Reference: F2023/00011

Document Number: D08563276

3 INVESTMENTS AND BORROWINGS FOR 2022/23 - STATUS FOR PERIOD ENDING 31 JANUARY 2023

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 January 2023 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 January 2023 of 5.28% which includes a yield of 34.8% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 3.06% which includes a yield of 8.09% from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS10/23 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 January 2023 is detailed in the attached document. In summary, the portfolio achieved an annualised return for January 2023 of 5.28%. On a financial year to date basis the portfolio achieved an annualised return of 3.06% which includes a yield of 8.09% 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 January 2023 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 January was \$1,325,576, which includes an unrealised gain of \$551,462 from TCorp Managed Funds.

Budgeted investment income year to date at 31 January 2023 was \$2,793,246. Total investment income year to date at 31 January 2023 was \$5,442,822 which includes a year-to-date unrealised net gain of \$986,079 from TCorp Managed Funds.

Approximately 51.51% 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 external economic conditions caused by the recovery from the COVID-19 Pandemic. It is noted that this product has a 7-year investment horizon and will, therefore, reflect marked to market valuations monthly. Advice provided by Council's independent investment advisor, Prudential Investment Services, is to hold this investment for the 7-year timeframe originally planned. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

CONCLUSION

The investment of Council funds and the extent of its borrowings as of 31 January 2023 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.

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

ITEM 3

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

1. HSC Investments Summary Report January 2023
2. HSC Borrowings Schedule January 2023

File Reference: F2004/06987-02
Document Number: D08581553

4 REPORT ON SUBMISSIONS - HIGH STREET AND ASHLEY STREET PLANNING PROPOSAL

EXECUTIVE SUMMARY

- At its meeting on 13 July 2022, Council resolved to endorse progression of the High and Ashley Street Hornsby Planning Proposal and associated amendments to the Hornsby Development Control Plan 2013 (HDCCP).
- The Planning Proposal seeks to increase the maximum building height for No. 2 and No. 4 High Street, Hornsby to 12 storeys (38.5 metres), and for RSL owned land in Ashley Street and Webb Avenue, Hornsby to 6 storeys (20.5 metres) for seniors housing only.
- The Planning Proposal was submitted to the Department of Planning and Environment (DPE) for a Gateway Determination. The Determination was issued on 22 August 2022 authorising Council to proceed to public exhibition, subject to conditions, including further design analysis.
- The Planning Proposal was amended to address the Gateway conditions and exhibited with associated draft amendments to the HDCCP from 1 December 2022 to 31 January 2023.
- A total of 43 submissions were received. Approximately half the submissions support the proposal and 17 submissions raise concerns. Key issues raised include character, carparking, traffic, overshadowing, road infrastructure and residential amenity. No objections from public authorities were received.
- Matters raised in submissions are addressed in this report and no changes are proposed to the Planning Proposal in response to submissions. It is recommended that Council endorse the Planning Proposal attached to this report and approve the attached HDCCP amendments.

RECOMMENDATION

THAT:

1. Council endorse the High and Ashley Street Planning Proposal as exhibited (attached to Director's Report No. PC4/23) and submit it to the Department of Planning and Environment for finalisation.
2. Council endorse the Hornsby Development Control Plan 2013 amendments (attached to Director's Report No. PC4/23) to come into force upon finalisation of the Planning Proposal.
3. Submitters be advised of Council's decision.

PURPOSE

The purpose of this Report is to address matters raised in submissions received during the exhibition of the High Street and Ashley Street, Hornsby Planning Proposal (Planning Proposal) and associated amendments to the Hornsby Development Control Plan 2013 (HDCP) and to seek Council's endorsement to finalise the Planning Proposal and HDCP amendments.

BACKGROUND

The High and Ashley Street Planning Proposal relates to two sites in the Hornsby Town Centre:

- Site 01: Property No. 2 High Street (Lot 1 DP 585721) Hornsby – the Hornsby War Memorial Hall and Property No. 4 High Street, Hornsby (Lot 2 DP 817649) – the Hornsby RSL Club; and
- Site 02: Property Nos. 7, 9, 11, 15, 17 and 19 Ashley Street, Hornsby (Lots 1, 2, 3, 4, 5, 6 DP 222907) and Property Nos. 2 and 4 Webb Avenue, Hornsby (Lots 7 and 8 DP 222907).

The Planning Proposal would amend the Hornsby Local Environmental Plan 2013 (HLEP) as follows:

- Site 01: Increase the maximum building height from 26.5m to 38.5m (12 storeys).
- Site 02: Increase the maximum building height from 10.5m to 20.5m (6 storeys) for the purpose of seniors housing only.

No changes to land use zones or permissible land uses are proposed.

The HLEP amendments are proposed to facilitate the mix of land uses, urban densities, dwelling supply and job creation opportunities identified for the sites in the draft Hornsby Town Centre (HTC) Masterplan. These land uses are reflected in development concept plans prepared on behalf of the RSL Club. Anticipated land uses include hotel/serviced apartments, shop-top housing, expanded club and commercial uses on Site 01 and a seniors housing development on Site 02.

On 13 July 2022, Council considered Director's Report No. PC17/22 regarding the Planning Proposal and associated HDCP amendments and resolved that:

1. *Council endorse the progression of the High Street and Ashley Street Planning Proposal attached to Director's Report No. PC17/22 for submission to the Department of Planning and Environment for a Gateway Determination.*
2. *Subject to receipt of a Gateway Determination, the Planning Proposal be publicly exhibited in accordance with the consultation strategy identified in this Report.*
3. *Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC17/22 for exhibition concurrently with the Planning Proposal.*
4. *Following exhibition, a report on submissions be presented to Council for its consideration.*

In accordance with Council's resolution:

- The Planning Proposal was submitted to the Department of Planning and Environment (DPE) for a Gateway Determination on 20 July 2022.
- DPE issued a Gateway Determination on 22 August 2022, permitting Council to progress community consultation subject to conditions (Attachment 1).
- The Planning Proposal was amended and, along with draft HDCP amendments, was exhibited from 1 December 2022 to 31 January 2023 (Attachment 2 and 3).

This Council report has been prepared to address submissions received during the exhibition.

DISCUSSION

The Gateway Determination authorised Council to proceed with the Planning Proposal subject to conditions and authorised Council as the local plan-making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In summary, the Gateway Determination conditions included:

- Clarification of land use mix, further objectives to describe the intended development, updating references and consideration of State planning controls related to seniors housing.
- Updating supporting studies, including design and heritage documentation.
- Shadow diagrams addressing solar access and overshadowing to demonstrate compliance with Apartment Design Guide standards.
- Identifying the maximum number of car spaces needed to support the proposed seniors housing and incorporating a cap on car parking.
- Providing an estimated timetable for the delivery of transport and infrastructure improvements relating to this proposal.

The Planning Proposal, draft HDCP amendments and supporting studies were updated as required by the Gateway Determination conditions prior to exhibition. Updated studies include amended Design Concepts, a Design Statement, a Heritage Impact Statement and a Shadow and Solar Access Assessment.

Exhibition

The Planning Proposal was exhibited between 1 December 2022 and 31 January 2023.

During the exhibition, 43 submissions were received, comprising:

- 19 submissions supporting the Planning Proposal.
- 17 submissions objecting to the Planning Proposal.
- 2 submissions neutral to the Planning Proposal.
- 5 submissions from government agencies and infrastructure providers, none of which object to the Planning Proposal.

Submissions in support of the Planning Proposal note that it would:

- Add value to Hornsby and support development of the HTC west side.
- Accommodate seniors in a convenient location close to services.
- Facilitate provision of a high-quality hotel and conference facility that would improve accommodation and tourism options.
- Assist to meet housing demand and affordability
- Benefit the community and local area through employment generation and additional services.

Submissions objecting to the Planning Proposal raise the following issues:

- Built form and character of the Hornsby west side.

- Heritage.
- Traffic and car parking.
- Overshadowing.
- Residential amenity.
- Housing diversity.
- Alternative design outcomes.
- Public consultation processes.

In addition, some submissions raise concerns related to elements of the previously exhibited draft HTC Masterplan and draft Floodplain Risk Management Study and Plan (currently on exhibition). Concerns largely relate to the potential impacts of densification, accuracy and implications of flood maps and need for less technical language to explain impacts. These submissions have been provided to the relevant Council Sections for consideration and analysis and will be reported to Council separately.

No submission provided specific comment on the draft HDCP amendments. The key issues in submissions objecting to the proposal are discussed below.

Built form and character

Some submissions raise concerns about increased building height impacts on the existing character of Hornsby west side and that the proposed new building heights for the existing RSL site, the Hornsby War Memorial Hall and the proposed seniors housing site are not an appropriate transition zone between the HTC and existing low and medium density residential areas.

Comment

The Planning Proposal seeks to increase the maximum building height of the RSL Club and Hornsby War Memorial Hall from 26.5 metres to 38.5 metres. The increase in the maximum building height over the proposed seniors housing site from 10.5 metres to 20.5 metres would only be applicable if a future development application (DA) for the site is for the purpose of seniors housing.

Properties immediately to the north of the RSL Club and the Hornsby War Memorial Hall currently have maximum building heights ranging from 38.5 metres at the interface with adjoining lower density residential areas up to 77.5 metres along Peats Ferry Road.

The proposed building heights reflect the design principle of stepping building heights to create a transition to surrounding lower density areas. The proposed heights align with the draft HTC Masterplan which considers the Western heritage mixed-use development precinct. This precinct would conserve and enhance the heritage character of the Hornsby west side while supporting increased densities.

New building setback, heritage and podium height control amendments to the HDCP are proposed to support the Planning Proposal. For example, a 9 metre minimum upper floor setback is proposed for the western boundary of the RSL site with the intent to manage the visual, shadowing and privacy impacts of future multistorey development on adjoining residential properties.

Recommendation

That no changes are made to the Planning Proposal in response to submissions commenting on built form and character.

Heritage

Some submissions comment that the proposal could affect the significance of the Hornsby War Memorial Hall at No. 2 High Street.

Comment

In accordance with the Gateway Determination, a new Heritage Impact Assessment (HIA) has been prepared for the Planning Proposal. The HIA evaluates the potential impact of the existing and proposed maximum building height on the Hornsby War Memorial Hall.

It recognises that the War Memorial Hall is a “*prominent building within the Hornsby Town Centre of historical, aesthetic, and social heritage significance. Its heritage value is in its association with the Cenotaph on Peats Ferry Road and the adjacent RSL Club*”.

The HIA concludes that neither the existing or proposed maximum building heights would have direct adverse impact on the War Memorial Hall and would not compromise its fabric, form, or use.

Potential heritage impacts related to the proposed building height of 12 storeys at Nos. 2 and 4 High Street are to be managed through amendments to the heritage, building setback and height controls in the HDCP and the existing heritage provisions of the HLEP and Part 9 – Heritage of the HDCP. Proposed new HDCP controls require that new development on Nos. 2 and 4 High Street:

- Retains the significant fabric and setting of the Hornsby War Memorial Hall.
- Adopts a high quality and respectful contextual design approach that is sympathetic to and complements the War Memorial Hall’s significant fabric, form, setback, detail and landscaping.
- Is designed to provide for an integrated and holistic development outcome.

Notwithstanding the need to preserve the heritage significance of the War Memorial Hall, the proposed new HDCP controls in conjunction with existing HLEP and HDCP heritage provisions would not prohibit opportunities for sympathetic redevelopment of the War Memorial Hall.

Recommendation

That no changes are made to the Planning Proposal in response to submissions commenting on heritage impacts.

Transport and traffic

A number of submissions raise concern that the Planning Proposal does not address anticipated traffic and carparking issues, no major direct upgrades to existing public utilities and infrastructure were identified, and that the proposal would exacerbate streets crowded by resident and commuter parking.

Comment

The draft HTC Masterplan Transport Plan recommends a series of transport and infrastructure improvements to support the envisioned density and vehicle trip increases across the HTC at full development. The Transport Plan assumes a level of development on the RSL Club, War Memorial Hall and proposed seniors housing sites that aligns with the Planning Proposal.

In response to the Gateway Determination, the draft HDCP amendments exhibited with the Planning Proposal have been amended to cap on-site car parking rates to manage traffic impacts. The proposed seniors housing site would be capped to 124 carparking spaces (108 resident, 15

staff/visitor and 1 emergency vehicle). This is a reduction from 137 car parking spaces identified in the Design Concept, intended to limit traffic impacts to surrounding residential areas.

Other than the above, no further direct traffic management improvements are required outside the wider draft HTC Transport Plan. Traffic generated by a hotel, registered club and seniors housing uses would be distributed throughout the day, rather than adding substantially to AM and PM peak periods. Further the sites are located in close proximity to the Hornsby transport interchange, the HTC and existing services, reducing car reliance and use.

Any subsequent DAs would be required to demonstrate that they provide parking spaces consistent with Council controls and the HTC Transport Plan.

Recommendation

That no changes are made to the Planning Proposal in response to submissions commenting on transport and traffic impacts.

Overshadowing and solar access

Some submissions comment that the Planning Proposal's Shadow Analysis illustrates buildings not currently existing, does not compare shadows between existing and proposed maximum building heights and that the built form models depicted are inconsistent. Concerns were also raised that surrounding residences including the proposed seniors housing complex would be overshadowed by the RSL Club.

Comment

The Shadow and Solar Access Assessment illustrates the extent of shadows to be cast by indicative building envelopes equivalent to a 12 storey building on the RSL Club and War Memorial Hall site and a 6 storey building on the proposed seniors housing site. The Assessment has been undertaken in the context of the existing Hornsby height controls at full development and the recommended draft HTC Masterplan building heights across the HTC at full development. The assessment demonstrates that, if constructed in accordance with the design concepts as depicted, development would result in some overshadowing of surrounding properties in Forbes Street, Ashley Street and Webb Avenue during the day at the winter solstice. This would be required to be addressed in the design stages of any future DA to ensure that there is adequate solar access to adjacent development.

Approximately 60% of the proposed seniors housing would receive at least two hours of direct sunlight during the winter solstice. This does not comply with the requirements of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) requirements that at least 70% of seniors living dwellings receive at least two hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces. This reflects that the Design Concept was prepared when *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* was in force, which had a less restrictive requirement for solar access.

The indicative building envelopes used in the Shadow Analysis illustrate what could be achieved within the proposed maximum building heights. They do not illustrate the final design or form of a specific proposed building or its actual overshadowing, which is identified at the DA stage. The Shadow Analysis identifies several design opportunities at later design stages to improve the solar access of the seniors housing complex. They include reorienting buildings and reducing the number of apartments below the ground level of Ashley Street.

Any future DA would be required to demonstrate consistency with relevant shadowing guidelines, such as those within the Apartment Design Guide (ADG) and the Housing SEPP, to minimise overshadowing of neighbouring properties during the winter solstice.

Recommendation

That no changes are made to the Planning Proposal in response to submissions commenting overshadowing and solar access impacts.

Residential amenity

Concerns are raised in some submissions regarding noise, vibration, privacy, air and water quality impacts to residents during construction and possible property damage, disruption to residents from the RSL Club and other commercial operations, the removal of trees in the current RSL Club carpark which is habitat for local fauna and a fire plan in case of bush or structural fire.

Comment

The impacts to residential amenity that may arise from future construction and operation and the need for an evacuation plan in case of fire are all matters for consideration during assessment of a future Development Application. The Planning Proposal does not grant consent to any physical works. Any proposal to erect buildings would require assessment as part of the DA process.

Recommendation

That no changes are made to the Planning Proposal in response to submissions on residential amenity.

Housing diversity

Some submissions raise concerns that a hotel does not constitute diverse or affordable housing and does not contribute to meeting housing demand.

Comment

The Design Concept identifies that future redevelopment of the RSL Club and War Memorial Hall site would include 30 new apartments and the proposed seniors housing site would include 106 dwellings. This is in addition to 126 hotel/serviced apartments proposed.

The proposed dwellings would contribute to housing supply and diversity in the HTC. This is consistent with the priorities and actions of the Hornsby Local Housing Strategy 2020 (LHS) and the draft HTC Masterplan. Likewise, the mix of dwellings would be subject to housing diversity requirements in the HDCP, which require a mix of one, two and three bedroom dwellings.

Recommendation

That no changes are made to the Planning Proposal in response to submissions on housing diversity.

Alternative design outcomes

Concerns are raised that the Planning Proposal is an initiative to profit landowners without meaningful contributions to the community and that alternative development scenarios should be considered.

Comment

The Planning Proposal is a Council initiative, consistent with the building height and density recommendations of the draft HTC Masterplan and LHS. It incorporates indicative design concepts from a 2016 RSL Planning Proposal, which have been reviewed and evaluated in the preparation of the draft HTC Masterplan.

The Planning Proposal does not seek to rezone or introduce any additional land uses to the subject sites. The envisioned redevelopment of the RSL Club, War Memorial Hall and proposed seniors housing sites are all permitted land uses within the existing land use zones.

The Hornsby Seniors Housing Demand and Supply Review 2020 identifies that Hornsby Shire is expected to have a large increase in older people. The Planning Proposal would provide an incentive to satisfy a growing demand for appropriate housing to accommodate an ageing population in a well serviced consolidated site in proximity to the HTC.

The Planning Proposal would contribute to the renewal and revitalisation of the HTC. The redevelopment of the RSL Club and War Memorial Hall would have an attractor and multiplier benefit to the local economy because the HTC is not currently serviced with high quality accommodation, function centres and conference facilities. This is consistent with the aims of the draft HTC Masterplan and contributes to fulfilling the actions outlined in Council's Economic Development and Tourism Strategy 2021-2026.

The social impacts of any future development on the subject sites would be a matter for consideration during assessment of any future DA.

Recommendation

That no changes are made to the Planning Proposal in response to submissions on alternative design outcomes.

Future development opportunities

A submission from the Hornsby War Memorial Hall Committee Inc is generally supportive of the Planning Proposal but raises concerns about development opportunities and feasibility. The submission seeks a further height increase for the Hornsby War Memorial Hall site, further clarification about the heritage status of the site, clarification of permissible uses and raises concern about potential integration with the Hornsby RSL Club.

Comment

The proposed height limit under the Planning Proposal aligns with the building heights identified in the draft HTC Masterplan and follows a design principle of stepping building heights to create a transition to surrounding lower density areas. Any further increase in height would be inconsistent with the draft Masterplan.

In regard to heritage, the listing for the Hornsby War Memorial Hall site applies to the entire property. Heritage information has been prepared as part of the Planning Proposal which identifies the need to retain the significant fabric and setting of the Hornsby War Memorial Hall. A detailed heritage assessment would be required to accompany any future DA, providing the opportunity to clarify, identify and grade the heritage significance of particular fabric components and potential impacts depending on the design and layout of any future development.

As discussed above under the heading Alternative Design Outcomes, the Planning Proposal does not seek to change the current zoning or permissible uses of the site and the proposal does not propose amalgamation of the War Memorial Hall site with the RSL site. The Proposal includes the War Memorial Hall so that the height uplift is consistent. Any property or development negotiations are not the role of Council. However, it is assumed that an integrated and holistic development with an adjoining or adjacent site would be a better outcome given the size of the War Memorial Hall site. Any future development application for the RSL or War memorial site would be required to address the site isolation requirements of the Hornsby DCP.

Recommendation

That no changes are made to the Planning Proposal in response to submissions received from the Hornsby War Memorial Hall Committee.

Public consultation

Concerns were raised regarding the timing and duration of exhibition of the Planning Proposal over the summer holidays.

Comment

The Planning Proposal was publicly exhibited for a two month period between 1 December 2022 and 31 January 2023. This was required to meet the requirements of the Gateway Determination and Council's obligations under the *NSW Public Spaces Legacy Program (PSLP)* to commence public exhibition prior to the end of the 2022 calendar year.

The period of the exhibition exceeds the requirements of the Gateway Determination (25 days) and Council's Community Engagement Plan 2021 (28 days). An extended exhibition period was provided to maximise submission opportunities for the community over the Christmas/New Year and summer holiday period. Late submissions were considered up until the time of writing of this report.

Recommendation

That no changes are made to the Planning Proposal in response to submissions commenting on the timing of the exhibition.

CONSULTATION

The Planning Proposal was exhibited between 1 December 2022 and 31 January 2023 in accordance with the *Hornsby Shire Community Engagement Plan 2021*, the public exhibition requirements of the *Local Environmental Plan Making Guidelines 2021* and the Gateway Determination. It included:

- Advertisement in the Hornsby Ku-ring-gai Post.
- Advertisement on Council's 'Your Say Hornsby' website.
- Advertisement in Council's electronic newsletter.
- Letters to affected landowners who own, adjoin or are in proximity to the subject sites.
- Displays at the Council Administration Building and Hornsby local library.
- Consultation with public authorities including Transport for NSW, Sydney Trains, NSW Police, Sydney Water, Endeavour Energy and the NSW Rural Fire Service.

Notification letters were sent to Transport for NSW, Sydney Trains, NSW Police, Sydney Water, Endeavour Energy and the NSW Rural Fire Service. Responses were received from Sydney Water, Endeavour Energy, Transport for NSW, Sydney Trains and the Transport Asset Holding Entity. No objections were raised to the Planning Proposal.

BUDGET

The matter has no direct financial impact upon Council's adopted budget or Long Term Financial Plan.

POLICY

The Gateway Determination has authorised Council as planning proposal authority to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act. Council has authorisation to exercise its delegation of plan-making powers for this Planning Proposal, including the power to finalise or not proceed with the proposal.

Once endorsed, the DCP amendments attached to this report would come into effect on the making of the Planning Proposal.

CONCLUSION

The High Street and Ashley Street Planning Proposal and supporting draft amendments to the HDCP were publicly exhibited from 1 December 2022 to 31 January 2023. A total of 43 submissions were received.

Approximately half of submissions received were in support of the proposal and half raised objections. Key concerns include built form and character, heritage, carparking and traffic, overshadowing, residential amenity, alternative development scenarios and consultation processes.

The matters raised have been addressed in this report and no changes the Planning Proposal are recommended.

It is recommended that Council endorse the High Street and Ashley Street Hornsby Planning Proposal for finalisation and adopt the amendments to the HDCP attached to Director's Report No. PC4/23.

RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
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Attachments:

1. Attachment 1 - Gateway Determination
2. Attachment 2 - High Street and Ashling Proposal
3. Attachment 3 - Draft Amendments to the Hornsby Development Control Plan 2013

File Reference: PP/3/2022
Document Number: D08586305

5 WESTLEIGH PARK - MASTER PLAN AND PLAN OF MANAGEMENT

EXECUTIVE SUMMARY

- Responses to the public exhibition of the Westleigh Concept Master Plan in 2021 showed a high level of support (about 81%) for the balance of “active” and “passive” recreation activities and for a balance between restoring and protecting the natural environment while also providing a diverse range of recreational activities.
- Whilst there was a high level of support for Council’s proposal, having regard to concerns amongst sections of the community regarding mountain bike trails and a link road connecting Westleigh Park with the existing Sefton Road, Council deferred consideration of the draft Masterplan to enable further community consultation to take place.
- Council requested that staff further engage with stakeholder groups to identify solutions that might allay concerns about mountain bike trails and the link road, and then report back to Council. Initiation of the community engagement activities was delayed during 2021 by various COVID-19 restrictions and took place throughout 2022.
- A codesign process with environmental and mountain trail bike (MTB) representatives was used to help work through the issues of the mountain bike tracks supported by expert ecologists and track designers. A new trail alignment has been proposed that seeks to reduce the trails in critically and endangered ecological communities; make use of existing trails and only create new trails to ensure the network flows.
- Whilst the overall extent of trails was reduced and a number of trails relocated to minimise impact on endangered ecological communities, a consensus was not reached regarding the trail design nor was there agreement between stakeholder groups on many key principles relating to mountain bike trails at Westleigh Park.
- The Sefton Road public sessions, among other matters, proposed the link road through the Sydney Water site be gated to ensure:
 - The road is not used as a rat-run.
 - The road could be used as an emergency access under the control of the Police/RFS.
 - It forms part of a suitable traffic and event management strategy for the conduct of sporting activities as the site is progressively developed.
- The draft Master Plan (Attachment 1) has been revised to include the outcome of both matters, updated maps and other contemporaneous information.

- A Plan of Management (PoM) (Attachment 2) has also been prepared to reflect the updated draft Master Plan including provision of sports facilities, park, natural area and community use areas.
- It is recommended Council:
 - Endorse the draft PoM for Westleigh Park for the purposes of public exhibition for a minimum of 28 days.
 - Endorse the updated draft Master Plan which will be published in conjunction with the exhibition of the draft Plan of Management.

RECOMMENDATION

THAT:

1. Council note the content of Deputy General Manager's Report No. IM1/23.
2. Council endorse the exhibition of the draft Plan of Management for Westleigh for a minimum period of 28 days.
3. Council endorse the publication of the updated draft Master Plan in conjunction with the exhibition of the draft Plan of Management.
4. A further report be presented to Council following the conclusion of the exhibition, public hearing and submission period.

PURPOSE

The purpose of this Report is to update councillors on further work conducted throughout 2022 to address the provision of:

1. Mountain bike trails and walking trails within the natural areas of the site (including some sections that are proposed to be retained within critically endangered and endangered ecological communities)
2. A link road connecting Westleigh Park with the existing Sefton Road.

The results of the above engagements are reflected in an updated draft Master Plan along with some other contemporaneous matters. Commentary is also provided on the content of a draft Plan of Management that is required to support the progression of the uses outlined in the draft Master Plan.

INTRODUCTION

The Westleigh Park land was formerly owned by Sydney Water and adjoins the Sydney Water Thornleigh Reservoir to the south and is bordered by bushland to the north. Quarter Sessions Road runs along the western frontage of the park with some adjoining residential properties backing on to the site from Koorungal Avenue to the east.

The site area is 36 hectares comprised of both cleared open space (about 10 hectares) and bushland areas, including over 10km of unsanctioned mountain bike trails within the bushland areas of the site. The mountain bike trails have existed for many years and were originally built by the mountain biking community while the land was in Sydney Water's ownership.

The aim for Westleigh Park is to cater for sport activities and a choice of unstructured recreation experiences which range from mountain biking, walking and cycling to play spaces, in addition to conserving important bushland areas.

The primary objective for Council's purchase of the site in 2016 was to develop the land for sportsgrounds catering for structured sports use to meet the current shortfall and future demands that are generated through increased population, growing female participation in sports such as cricket, football and AFL and changing trends. The draft Master Plan and PoM when implemented will assist to cater for these known demands.

BACKGROUND

At the July 2021 General Meeting, Council considered Deputy General Managers Report IM 9/21 and resolved to:

1. Note the contents of Deputy General Managers Report IM 9/21.
2. Defer the further consideration of the Westleigh Park Master Plan and note that Council officers will continue to engage with stakeholder groups to identify solutions to the matters raised in Deputy General Managers Report IM 9/21.
3. Request a report on the results of the consultation with interest groups to be reported to Council by December 2021.
4. Progress investigations and approvals for the decontamination of the site.
5. Continue negotiations with Sydney Water on a suitable road alignment through its Thornleigh Reservoir site.
6. Notify submitters and the various stakeholders involved in the public exhibition of Council's decision to defer the adoption of the Westleigh Master Plan.

The issues raised for further consideration were:

Mountain Bike Trails

Concern was expressed by some stakeholder groups during the public exhibition of the draft Master Plan about the extent of mountain bike and other trails proposed within endangered ecological communities. This was seen as being inconsistent with legislation and policies regarding the protection of these vegetation communities. Some argued that mountain biking should be excluded from the endangered ecological communities altogether.

Road extension and new intersection for Sefton and Quarter Sessions Roads

Traffic impacts and concerns stemming from road changes were also very prominent throughout the 2021 community engagement process. The majority of these were concerned with the proposal's impact on traffic congestion and volume of traffic that would be generated. These concerns included:

- Safety concerns (the bend at Sanctuary Gardens, it's camber, the point where it narrows near the roundabout and the right of way not being clear).
- Parking (overflow on surrounding streets).
- Rat run - would only like the access road open during emergency, otherwise closed to through traffic to Quarter Sessions Road.

A smaller number of residents supported the proposed road extension and roundabout citing the need for a second exit. In 2021, the Westleigh Progress Association and the Westleigh Waterboard Alliance supported a connection to Sefton Road for access during an emergency only.

A majority (85%) of online surveys supported a proposal to extend Sefton Road to Quarter Sessions Road and indicated that they would use this connection (57%).

DISCUSSION

Mountain Bike Trails

During the exhibition of the Westleigh Park Master Plan in 2021, Council undertook consultation with the community which identified significant competing interests between key stakeholders of the park, the local mountain biking community, and environmental groups.

In response, throughout 2022 Council engaged with the stakeholders, through Captivate Consulting to deliver a comprehensive program of activities to better understand their perspectives. Included in this program was a codesign process which sought to determine if stakeholders with competing interests could reach a consensus on a formalised mountain bike trail network at Westleigh Park.

To give all stakeholders opportunity to be heard on the engagement process, a two-stage approach was adopted. The first stage included broad engagement activities which included:

- One on one phone calls.
- Four evening workshops.
- A webinar (with expert ecological advice from Professor Catherine Pickering, presentation from mountain bike representative and a Council update).
- Project website.

Significant feedback was provided through this first stage which was received from the formal engagement activities, as well as unsolicited submissions from individuals and stakeholder groups.

Stage two of the engagement process was deliberately targeted to provide a select group of representative stakeholders an opportunity to discuss the mountain bike trail network in greater detail. An Expression of Interest (EOI) process was held with the objective of bringing together a group of people to represent the various positions that were put forward in the first stage of engagement.

Once selected, a final panel with equal representation from environmental and mountain biking stakeholders was established. The panel provided significant input during the three codesign workshops which were completed throughout June 2022.

The codesign participants did not come to a consensus regarding the trail design and did not reach agreement (and in some cases had strong opposition) on many key principles relating to mountain bike trails at Westleigh Park.

The outcomes of the codesign workshop were relayed to Council's ecological consultants and trail designers who then sought to develop a proposed mountain bike trail network that aimed to avoid, minimise, and mitigate environmental impacts to the bushland areas while finding a way to facilitate a rider experience similar to what is currently available. This proposed trail network has been incorporated into the draft Master Plan for the site.

Proposed link road through the Sydney Water Board site

Two workshops were conducted where 18 individuals, representative of the issues raised and the local community, were invited. After some late COVID and other withdrawals, seven individuals / local community group members along with the three B Ward Councillors attended the first workshop held on 7 May 2022. Eleven individuals along with the three B Ward Councillors attended the second workshop, held on 14 October 2022.

Issues arising from the workshops were documented and included in an action register which was tracked. Minutes and material were shared with all invitees with confirmation that these could be shared.

A copy of the latest update of the action register is provided as Attachment 3.

Actions arising from the workshops led to parallel activities such as:

- Reviews of the upgrades to other junctions (Duffy / Chilvers / The Esplanade and Sefton / Chilvers) that have been proposed but not driven by the park use.
- Vegetation clearing to improve site lines at the Koorringal Avenue roundabout.
- Review of the associated operations of the Thornleigh Community Recycling Centre on Sefton Road.
- Review of parking alignments on Sefton Road.
- Review of street lighting on Sefton Road.
- Review of bus service for the Men's Shed.

At the second workshop, a traffic model developed by Bitzios Consulting (Attachment 4) was presented. The outcome of the model can be summarised as follows.

- The Duffy / Chilvers / The Esplanade intersection will see increased delays and should be upgraded - a suitable upgrade was identified.
- The Sefton Road Link (extension) is not essential to reduce other network congestion for construction of one sportsground (Stage 1).

- The Sefton Road Link (extension) is required to provide an additional local alternative east-west traffic route to address traffic congestion, particularly during the weekends to accommodate a second sportsground and athletics track.
- The Sefton Road Link could carry about 1,500 vehicles per day or about 150 vehicles per hour when the full development occurs.

It is worth noting that traffic impacts associated with the sportsground uses occur on the weekend (currently Saturday) and possibly during night training activities (currently 5-9pm Monday, Wednesday and Thursday). Outside these times and during Stage 1 the link road is not required.

To this end, it is proposed that the link road through the Sydney Water site be gated to ensure:

- The road is not used as a rat-run.
- Can be used as an emergency access under the control of the Police/RFS.
- Forms part of a suitable traffic and event management strategy for the conduct of sporting activities as the site is progressively developed beyond Stage 1.

Updated Master Plan

The draft Master Plan is a schematic document, framing the project proposal generally with further detailed design consideration and approvals needed. The location and design considerations of the various elements that make up the draft Master Plan are generally indicative and subject to further consideration/approval factors such as site survey, social, environmental and heritage conditions.

The draft Master Plan sets out the types of suitable uses and activities that Hornsby Shire Council (Council) proposes to deliver within the park.

The previously exhibited draft Master Plan responded in large part to Council's Sportsground Strategy (2018), which identifies the need for additional sporting facilities to meet current and future needs within the local government area. Opportunities to provide passive recreation and other non-structured recreation activities were included in the draft Master Plan, along with a new road that links Quarter Sessions and Sefton Roads. The uses in the previously publicly exhibited draft Master Plan for Westleigh Park included:

- Multi-use sporting fields (night lit and irrigated) for various organised sports including a synthetic grass sportsground, athletics track, amenities buildings, grandstands and maintenance sheds.
- Bushland restoration – conservation and rehabilitation of the park's bushland to enhance ecological values – including reducing the extent of mountain bike tracks in the existing environmentally sensitive bushland areas.
- Play facilities and provision for active and passive recreation, bushwalking trails, and potentially formalised mountain bike tracks.
- Pedestrian and cycle share ways with links to nearby Ruddock Park.
- Parking areas to service the park and all recreation facilities; roads for access and circulation.

The following revisions have been made to the draft Master Plan exhibited in 2021 to reflect the outcome of the community engagements conducted in line with Council's decision of 21 July 2021.

With respect to bushland areas, and in response to the community's concern and Council's adopted position, Council undertook further engagement activities (as described earlier in this report) and site

investigations to refine the Master Plan as drafted in 2021. Council liaised with both a trail designer (Dirt Art) and ecological consultant (Eco Logical Australia) to develop a trail concept plan. This plan evolved over several iterations and is informed by stakeholder feedback, best practice design principles and on-site investigations, which included:

- Validating the onsite vegetation community composition and mapping.
- Undertaking seasonal flora and fauna surveys.
- Maintaining a focus on providing easy to immediate trails.
- Avoidance and reduction of tracks in areas of high value biodiversity.
- Creation of additional trails in less sensitive areas.
- Reusing and upgrading existing tracks to avoid creating new trails and impacts where possible.
- Establishment of a primary track head that includes wayfinding and auxiliary facilities (e.g. wash bays) at selected sites.
- Creation of zones and hubs to improve rider experience and environmental sustainability.
- Ground truthing to ensure constructability.

The draft Master Plan also identifies potential connections between Westleigh Park and Hornsby Park. These connections link to established fire trails and roadways to enable connection to the Hornsby Mountain Bike Park.

In respect to the traffic matters, particularly on Sefton Road, the updated draft Master Plan refers to the Bitzios report and briefly summarises the matters outlined above.

In addition to the above, the updated draft Master Plan:

- Reaffirms Council's intention to develop an environmentally and culturally sustainable framework for the development of recreational uses that:
 - Protects biodiversity at every stage.
 - Poses no adverse impacts to the local creek system and applies Water Sensitive Urban Design (WUSD.)
 - Supports sustainable energy.
 - Designs for bushfires.
 - Provides active transport.
 - Connects with Country.

Additional and updated mapping has been included that:

- Shows the extent of contamination.
- Shows updated (validated by Eco Logical Australia) vegetation communities.
- Provides greater detail on the expected staging of the development..

Additionally, the draft Master Plan:

- Addresses the approach to landfill.

- Provides more detail and updated information on remediation, specifically in environmental areas.
- Includes stormwater management and Water Sensitive Urban Design information.
- Includes information on Indigenous Heritage.

Westleigh Park draft Plan of Management

A Plan of Management (PoM) is a document that provides a means to control the future use, development and maintenance of Community Land under Council's care, control and management.

This draft PoM identifies issues relevant to the future management of Westleigh Park, including the accommodation of various proposed and existing features of the site. The draft PoM establishes Council's goals, strategies and desired outcomes that guide the timing, shape and nature of developments.

The draft PoM is presented in two parts to allow review of individual parts as required:

- Part 1 includes core objectives for the community land categories as determined by the Local Government Act, 1993 (LG Act), and Council's management goals. This part looks at issues relevant to Westleigh Park to determine broad objectives for management.
- Part 2 is an Action Plan, which outlines strategies for how the objectives will be achieved and actions necessary to fulfil the strategies. This part of the draft PoM also outlines the standards for Council's levels of service and identifies the way Council will assess its performance in relation to achieving goals.

The Action Plan is the working section of the document and will require amendment as actions are completed. The Action Plan is proposed to be relevant for a period of five to ten years. From time to time, the Action Plan may be revised in response to changing community needs and aspirations,

Community Land must be categorised in accordance with the LG Act. The category reflects the physical character and use of the lands. Each category is supported by Guidelines for Categorisation in the LG Act. The categories include:

- General Community Use.
- Park.
- Sportsground.
- Area of Cultural Significance.
- Natural Area, which has sub-categories as below:
 - Bushland.
 - Wetland.
 - Watercourse.
 - Foreshore.
 - Escarpment.

The LG Act also establishes core objectives for all categories of community land. The significance of the prescribed core objectives is to ensure that any activities or uses of the land are consistent with the core objectives for the prescribed land categorisation.

Community land within Westleigh Park is proposed to be categorised as Sportsground, Natural Area (Bushland) and General Community Use. Categorisation has been determined in accordance with the LG Act, Division 2, Section 36. The Categorisation Mapping (and the Westleigh Park draft Master Plan it relates to) reflects the optimum relationship of uses and facilities to the park's physical characteristics and for access to those facilities by the community.

CONSULTATION

A broad reaching and extensive eight-week community engagement program was undertaken as part of the first draft Master Plan exhibition between April and June 2021. The exhibition was advertised via Council's website, included in the rates notice to approximately 42,000 ratepayers and through Council's core communications channels including social media, advertising in local publications and monthly eNews.

During this time, we heard from a total of 1,147 people via submissions, stakeholder meetings and 'swing bys'. There were also two surveys prepared as part of the community consultation. A total of 1,878 responses were received from the opt-in, online survey hosted by Elton Consulting and promoted by Council and a representative, two-stage phone/online survey by Micromex to residents Shire-wide was completed by over 300 participants.

The results of the phone/online survey showed a high level of community support for the balance of 'active' and 'passive' recreation activities and there was also support for a balance between restoring and protecting the natural environment while also providing a diverse range of recreation activities.

At the Council Meeting on 14 July 2021, Council resolved to defer further consideration of the draft Master Plan until further consultation was carried out to resolve or clarify issues raised during the consultation period regarding the mountain bike trails at Westleigh Park and the proposed Sefton Road link.

Several workshops were held with key stakeholder groups during 2022, as detailed above in this Business Paper to inform the updated Master Plan and preparation of the Plan of Management.

Subject to the endorsement of Council, the updated draft Master Plan will be published in conjunction with the exhibition of the draft Plan of Management, with comments on the draft Master Plan open for 28 days.

In accordance with Section 38 of the Local Government (LG) Act, the Plan of Management will be placed on public display for a minimum period of 28 days. A minimum period of 42 days after the draft is placed on exhibition is allowed for written submissions to be made to Council.

A public hearing will be held in accordance with Section 40A of the LG Act, as the proposed Plan of Management would have the effect of categorising community land.

In addition, Council will advertise the exhibition through the following channels:

- Your Say Hornsby webpage, with feedback forms.
- Print advertisements in local publications, including the Mayor's Message.
- Monthly e News.
- Weekly Community Engagement newsletter.
- Social media.
- Hard copies provided in Libraries and Customer Service.

- Email notification to the project database.
- Signs on site.

A comparison report between the draft Master Plan exhibited in 2021 and the updated draft Master Plan attached to this report is on Council's website at www.hornsby.nsw.gov.au/westleighpark.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

For Community Land, Council is required to develop a Plan of Management. The draft PoM and updated draft Master Plan attached to this report are consistent with the LG Act that provides a means to control the future use, development and maintenance of Community Land under Council's care, control and management.

CONCLUSION

The consultation process conducted in 2021 identified broad support for the use of Westleigh Park for active and unstructured recreation activities. In response to Council's resolution of July 2021, specific aspects have been further examined in consultation with some of the community and the draft Master Plan amended to reflect these and other contemporaneous matters. A draft Plan of Management further builds on the content of the draft Master Plan and incorporates further detail as to how the site is proposed to be managed.

Both documents will be published, and a report provided to Council on the results of the public exhibition and Public Hearing conducted as part of the Plan of Management process.

RESPONSIBLE OFFICER

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

ROBERT STEPHENS

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

Attachments:

1. Westleigh Park Draft Master Plan
2. Westleigh Park Draft Plan of Management
3. Sefton Road Engagement - Action Register - 27-Feb-23
4. Westleigh Park Traffic Impact and Access Study

File Reference: F2016/00295-003
Document Number: D08589195

ITEM 5

6 HORNSBY PARK

EXECUTIVE SUMMARY

- The community and Council have expressed a desire to be able to visit and enjoy the site as quickly as possible.
- This report presents initial development options for construction in the short (complete by mid-2024) to mid-term (complete by 2026 at the earliest) based on the available funding.
- These options focus on a Base Case (delivery of which is in keeping with the adopted Master Plan) and two additional options that Council may also wish to progress. The Base Case involves development south and west of the quarry void (Attachment 3). Other options (summarised in Attachments 4 and 6 and detailed in Attachments 5 and 7) are provided, and include:
 - Option 1 – A play space on the northern development edge of Old Mans Valley, or
 - Option 2 – A canopy skywalk and cable bridge that links the Hornsby Town Centre to the Crusher Plant.
- Each of these options (other than the Base Case) have been evaluated against the objectives set in the Master Plan, which was adopted by Council in July 2021. This evaluation is presented for Council's consideration in Attachment 8.
- It is a decision for Council to determine which project (play space in Old Mans Valley or canopy skywalk and cable bridge linking Hornsby Town Centre to the Crusher Plant) is likely to satisfy community expectations and whether to progress either.
- Following an understanding of Council's development preference(s), the preparation of a Review of Environmental Factors and tender(s) will commence.

RECOMMENDATION

THAT COUNCIL:

1. Endorse the development and delivery of the Base Case (Crusher Plant, tracks and trails and lookouts to the south and west of the quarry void) in the short term (mid-2024).
2. Identify its preference for either Option 1 – Old Mans Valley play space (end of 2025 at the earliest) **OR** Option 2 – the canopy skywalk and cable bridge that links Hornsby Town Centre to the Crusher Plant (mid-2024).

PURPOSE

The purpose of this Report is to present information to allow Council to determine suitable early embellishment works for Hornsby Park.

INTRODUCTION

Hornsby Park comprises approximately 60 hectares of bushland and open space surrounding Hornsby Quarry, which is located approximately 1km west of the town centre. In addition to the quarry void, the site is home to several features of historical and community interest, including early settler relics, the State Heritage listed Old Mans Valley Cemetery (Higgins Family Cemetery), remnant buildings of the quarry crusher plant and the existing upper Hornsby Park and Hornsby Aquatic and Leisure Centre.

The Quarry itself has been closed for safety reasons since the late 1990s. Very few people have had the opportunity to appreciate its astonishing beauty and the natural bushland surrounding it. Transforming the site into a major recreational destination with the uses proposed in the adopted Master Plan will allow residents and visitors to enjoy the stunning landscape, ecological communities and history that make this location so special.

The aim for Hornsby Park is to cater for, and balance, the diverse needs of the community to provide a choice of experiences which range from active and passive recreation, adventure and social places to quiet areas to reflect in a natural setting.

At the July 2021 General Meeting, Council considered Deputy General Manager's Report IM10/21 and adopted the Hornsby Park Master Plan.

In adopting the Master Plan, Council recognised that a financially responsible approach was required that recognised the project would need to be staged commensurate with available funding. The Master Plan can be seen at Attachment 1.

The Master Plan sets out the desired uses of Hornsby Park including:

- Old Mans Valley – creation of a major arrival hub for the whole park (including car and coach parking, as well as a potential shuttle connection to the quarry) and a venue for active and passive recreation facilities with a strong focus on meeting local community needs (a sportsfield and night training, a space to support events, café, picnic area and play space, including water play).
- The Quarry Void – establishment of a major parkland oriented to the eastern diatreme wall and including a sweeping all-access path leading to a large event lawn, a major informal recreation lawn fronting a freshwater lake, a wetlands cascade on the southern perimeter and a lakeside amenity building. A major lift on the quarry's north wall provides a shorter accessible route to the quarry floor.
- The Crusher Plant – adaptive recreational/cultural re-use of the building and the development of adventure recreation and associated outdoor spaces.
- Southwest Platform – long term potential for a more secluded facility close to the National Park with options for an educational and/or eco sensitive accommodation focus.
- The Higgins Family Cemetery – restoration of the cemetery with an informal lawn space adjoining and connecting paths to the Quarry Void and the Crusher Plant.

- Vehicle access and circulation – private vehicle and coach access to Old Mans Valley from Peats Ferry Road (via Bridge Road) with shuttle bus or similar access from Old Mans Valley to the Quarry Void. Quarry Road would provide vehicle access to the Crusher Plant.
- Pedestrian and cycle access – path and stair access from the existing upper Hornsby Park to Old Mans Valley (incorporating the Higgins Family and Depression era Heritage Steps) linking to a network of trails connecting to the Quarry Void and the Berowra Valley National Park.
- Canopy skywalk and cable bridge – the potential for an all-access canopy walk entry from Coronation Street along the southern face of the Hornsby Aquatic and Leisure Centre to Old Mans Valley was proposed to create a dramatic arrival experience in the long term and provide a springboard for accessible access throughout the entire site. In response to community feedback and to reduce environmental impacts, the design has been refined to launch from the north of the Hornsby Aquatic and Leisure Centre and includes the provision of a 2.4m wide canopy skywalk and cable bridge that connects Hornsby Town Centre to the Crusher Plant precinct on a fully accessible pathway, while immersing visitors into the bush.
- Bushland Restoration – conservation and comprehensive rehabilitation of the park’s bushland to enhance ecological values – including connecting fragmented islands of the rare Blue Gum Diatreme Forest.

Hornsby Park represents a once-in a generation opportunity to create a parkland that will be genuinely city shaping for Hornsby Shire. The park offers every opportunity to be an attraction not only for the people of Hornsby, but the wider community.

The community and Council have expressed a desire to be able to visit and enjoy the site as quickly as possible. Further, the community has expressed a desire for Council to investigate commercial opportunities and alternate funding sources to be able to deliver on projects such as Hornsby Park. To this end, first stage development options have been formulated for Council’s consideration utilising the existing funds set aside for the project.

BACKGROUND

The following matters are relevant to consideration of initial development options for Hornsby Park.

Brief History

The following provides a snapshot of the history of the Quarry void and adjoining lands relevant to this report.

Council was required to compulsorily acquire the Hornsby Quarry site (excluding lands to the east of the quarry void and commonly referred to as Old Mans Valley) in 2002 and a levy was imposed on residents to cover the acquisition cost of about \$26 million. The site was valued by the Valuer General’s Office on the premise that the site would be developed for residential purposes.

Council examined several development proposals during the period 2004–2008 to recoup the cost of acquisition, but these were ultimately not supported. In 2008, Council resolved to retain the open space zoning and develop Hornsby Quarry and adjoining sites for recreational purposes. This approach has been confirmed by successive Councils.

There was an initial view that the best way to rehabilitate the quarry and address stability concerns was to fill the void to its rim – about 4 million cubic metres. This was ultimately dismissed as a solution in 2013 due to significant environmental impacts including the practicality of attracting the required fill volumes, noise impacts and traffic congestion.

The preferred option involved a partial filling of the quarry void with up to 2 million cubic metres of clean spoil material and rectification of localised stability issues on the faces of the Quarry Void. Clean fill was ultimately sourced from the NorthConnex Tunnel project and was completed in 2019.

A Master Plan for the site was developed and ultimately adopted in July 2021.

Current earthworks

Initial construction of the park commenced in late 2021 following the determination, by the Sydney North Planning Panel, of the development application for works currently being undertaken by Council's contractor, Ditchfield. Ditchfield is currently focusing on the creation of the final landform (including the platforms for Old Mans Valley and the required levels and lake in the Quarry Void), stabilisation of some areas (notably the northern slope and some areas of the void), construction of retaining walls and some roadways to accommodate the embellishments envisaged in the adopted Master Plan. The contractor occupies the Quarry Void, Old Mans Valley and other parts of the site shown in Attachment 2.

Following an extensive period of wet weather, the current view is that Ditchfield will not complete its work until the end of 2024. There are substantial areas of land outside of the Ditchfield contract which include the Crusher Plant site, parts of the western edge of the Quarry Void and the areas to the west of the site of the Hornsby Aquatic and Leisure Centre, north of Quarry Road.

Renewable Energy Project

There is interest in building a renewable energy project within Hornsby Shire utilising part of Hornsby Park, which is the subject of General Managers Report GM 8/2023 included in this business paper. This is likely to take some time to reach resolution but is an important opportunity for Council to fully explore.

DISCUSSION

The construction of initial embellishments on the site will be influenced by three key factors:

- Timing of when parts of the site become available.
- Available budget.
- Desire to provide something early for the broad community.

In respect of the first matter, it is apparent that there are parts of Hornsby Park that are available for improvements now. These include the areas to the south of the Ditchfield construction area and to the west of the Quarry Void.

Old Mans Valley is unlikely to become available for construction until January 2025. However, for the purposes of this report it is assumed that it may be possible to develop part of the site from January 2025.

Secondly, Council has identified a budget of \$27.9M being available for the first stage of works in Hornsby Park. This budget is insufficient to provide everything proposed for Hornsby Park.

It has been assumed that early works are those able to be built prior to mid-2024. Other works possible under the next term of Council are also examined.

Development Options for Stage 1 of the Hornsby Park Master Plan

A broad break down of the above options are outlined below.

Base Case

This option centres around the Crusher Plant and is outlined in Attachment 3 and referenced in Attachments 4 and 6. It involves the following:

- Lookouts that provide views across the site and more particularly within the Quarry Void.
- Bushwalking trails and tracks.
- Car park, toilet facilities, services, lawn area and space for a coffee cart. A possibility for a small playground is also an option.

The Base Case works associated with the Crusher Plant are seen as a suitable short-term option, irrespective of consideration of the other possibilities – play space in Old Mans Valley or the canopy skywalk and cable bridge.

Option 1 – Old Mans Valley Play – This option involves the creation of a ‘regional’ play space in Old Mans Valley catering for toddlers to teenagers, including dedicated water play.

Option 2 – Canopy Skywalk and Cable Bridge – This option involves the construction of a section of the canopy skywalk and the full cable bridge linking Hornsby Town Centre to the Crusher Plant site.

Description of the Base Case

This option (outlined in Attachment 3 and referenced in Attachments 4 and 6) activates the Crusher Plant precinct by delivering approximately 40 car parking spaces, a lawn area for picnics, toilets, space for a coffee cart and an accessible lookout that provides views of the Quarry Void and revegetation/regeneration areas. There is also the option to build a small play space. The option preserves the development of potential commercial and cultural opportunities, including those associated with the existing Crusher Plant building and adventure play activities, in the future.

Additional lookouts and trails are also provided to the west and north-west of the Quarry Void. These lookouts will be accessed by the construction of trails and tracks from Rosemead Road. The tracks and trails are anticipated to be Grade 3/4 quality requiring some bushwalking experience. The north-western track/trail is likely to be rough and steep. The tracks and trails will not be accessible to all members of the public.

The Heritage Steps’ missing links are also included, which will complete the link from the Hornsby Aquatic and Leisure Centre to the Great North Walk.

Interpretive signage will be incorporated into the design to reflect the history of the site (Aboriginal and Non-Aboriginal). The evolution of the project and key environmental initiatives such as the creation of soils on site for the revegetation of the area with Blue Gum High Forest and other communities would also be included. This approach would also apply to the other options described below.

The expectation is that construction of these works could commence in July 2023 and be completed by July 2024.

Description of Option 1 – Old Mans Valley Play

A bespoke ‘regional’ play space in the northern part of Old Mans Valley, meeting Council’s identified Play Plan priorities, designed with connection to Country themes specific to the parklands, is included. It incorporates water play, slides, swinging, spinning, bouncing, balancing, rocking and climbing activities. The design ensures accessibility and provides options for toddlers to adolescents/teenagers. The focus of the play space is water play, incorporating a large splash bucket, dribbling water rock and a water cannon. The water play area would be available during the warmer months. Associated facilities include toilets, maintenance/equipment buildings, shade structures (including above a possible future café space), bubblers, picnic tables, BBQs, and formal car parking

for approximately 75 vehicles. There may be a possibility of providing basic turfing of the proposed sportsfield area south of the play space for casual use.

Old Mans Valley elements cannot be delivered until existing civil works (being undertaken by Ditchfield) are completed and represents a mid-term solution with physical works commencing in January 2025 at the earliest.

Images of the scheme can be found in Attachment 5.

Description of Option 2 – A canopy skywalk and cable bridge that links Hornsby Town Centre to the Crusher Plant

This option includes the provision of a 2.4m wide canopy skywalk and cable bridge that connects Hornsby Town Centre to the Crusher Plant precinct on a fully accessible pathway immersing visitors into the bush. The canopy skywalk and cable bridge sit about 25-30 metres above the ground and would cover a total distance of approximately 400m (one way). Views of the bush, mountain bike trails and the Heritage Steps will be available from these works.

Lift and stairs preserve the opportunity to connect to Old Mans Valley and the first stage link allows future northern and southern extensions of the canopy skywalk into other parts of the bush.

The above elements can be delivered in the near-term (construction contract commencing in July 2023) as they are all outside of the existing civil works occurring onsite.

Images of the scheme can be found in Attachment 7.

Other matters

In addition to the above development options, bush regeneration works will continue. The current focus is on the western and southwestern area of the site where it is targeting privet removal and the targeted treatment of high-risk weeds in areas of high resilience and within medium/good bush edges. Revegetation has focused on riparian corridors, but work will shortly commence on the revegetation of the northern slopes of the site using local seed collection and propagation.

Local plant species is being planted to enhance and/or create connectivity. To date, some 3,500 trees have been planted with many more to come.

Bushcare volunteers are active in the lands surrounding Hornsby Park. Further opportunities will be provided for the community in bushcare activities, where appropriate.

There are also opportunities for citizen science. Hornsby Park is excellent for bird watching due to the large areas of remnant bushland adjacent to the urban environment. Community bird surveys are currently undertaken in September/October around the Rosemead Road entrance to Hornsby Park. Other citizen science activities include Council's iNaturalist project. This would allow visitors to identify species observations and identifications for both flora and fauna.

Evaluation of Initial Options

An evaluation of Options 1 and 2 against the objectives of the adopted Master Plan is set out in Attachment 8.

The objectives of the Hornsby Park Master Plan are:

Objective 1 Local Living – Hornsby's parkland hub meeting the needs of the current and future local community for recreation, connection to nature and cultural experiences in a bushland setting.

Objective 2 Environment and Heritage – Renewing Hornsby's natural systems and connecting community to Hornsby's unique bush character, rich heritage, and evolving story.

Objective 3 *Tourism and Economy – A centre for adventure tourism for the Northern Sydney region, driving local economic development and urban renewal.*

Objective 4 *Return on Investment – Leveraging commercial opportunities that enhance the leisure experience and deliver a financially sustainable community asset.*

Objective 5 *Demonstrating Sustainability – Developing robust and ‘smart’ systems that demonstrate ‘sustainability in action’ for management of the parkland. Examples may include autonomous electric vehicle transport and renewable energy systems*

Objective 6 *Inclusive Design/Access for All – Optimising access for all through inclusive design and site sensitive transport modes.*

There is arguably little to distinguish between consideration of both options. Both options have financial risks, although arguably the play space can be reduced in scale easier than the other option, but this may reduce the attraction of the facility.

The Old Mans Valley play space will be isolated with little passive surveillance available. This is lesser of a concern for the canopy skywalk and cable bridge. The experience of the play space may be detrimentally impacted by any works associated with a renewable energy project should one occur in the future.

The canopy skywalk and cable bridge are accessible to a broader population than a play space and it also provides an experience that isn’t available in the Shire.

Both options may facilitate commercial interest in the broad Hornsby Park site. A café and bike hire facility may be possible in Old Mans Valley. The canopy skywalk and cable bridge may be unique enough of an experience to begin to drive footfall and visitation to the site or at least become a generator for interest and curiosity to visit the Park. This may be particularly beneficial in creating market awareness of the unique opportunities that exist in Hornsby Park.

Maintenance costs for the canopy skywalk and cable bridge (approximately \$150,000 per annum) are significantly less than those for the Old Mans Valley play space (approximately \$350,000 per annum). Renewal costs are also significantly lower due to the expected lifespan of the canopy skywalk and cable bridge versus that of the Old Mans Valley play space. Annual provisions for the canopy skywalk and cable bridge would be expected to be in the order of \$250,000 while for the Old Mans Valley play space a sum of \$900,000 would be more appropriate. Both could be afforded if Council is successful with its proposed Special Rate Variation (SRV) application.

Both projects would satisfy a growing population in the vicinity of Hornsby Town Centre. The canopy skywalk and cable bridge could be provided sooner than the Old Mans Valley play space. All options could be completed within a 12-month period from the award of a contract(s).

The canopy skywalk and walking tracks specifically designed to minimise impact on the environment resonated with the community during the public exhibition of the Master Plan in 2021, as did passive recreation spaces including green open space and bushland areas. A canopy skywalk would connect people with nature.

The Old Mans Valley play space is consistent with Council’s adopted Play Plan 2021.

It is a decision for Council to determine which project is likely to satisfy the expectations each (community and Council) has for the site and what the community would celebrate.

Suffice to say, selection of one option would likely mean that the other option could not be provided for more than 10 years, given current budgetary constraints and adopted priorities.

Next Steps

Once Council has determined its preference, work will focus on the preparation of a Review of Environmental Factors (REF) followed by a tendering process. There may be more than one REF. This process may raise some issues that may preclude some works, particularly those works (lookouts and trails) to the west of the site where the risk of a fire and lack of alternative escape routes is highest.

The nature of the projects suggest that separable portions should be included in the tendering package to mitigate financial risks. This approach would allow certain elements of each project to be omitted should tendered prices exceed the available budget.

CONSULTATION

Consultation on the development of the Hornsby Park Vision and Master Plan has been undertaken with the community over the past five years. Previous engagements include:

- Outcomes Report – ‘Plan Your Parkland’ – June 2017.
- Outcomes Report – ‘Hornsby Park EIS Communication and Engagement’ – Nov 2018.
- Outcomes Report – ‘The Hornsby Quarry Rehabilitation Works Development Application – Response to Submissions and Revised Project Scope (RTS)’ – Dec 2019.
- Engagement Outcomes Report – Hornsby Park Draft Master Plan – July 2021.
- Hornsby and Westleigh Park Research – Micromex Survey Report – July 2021.

The results of these consultations have been taken into consideration when preparing suitable options for the early embellishment works at Hornsby Park.

BUDGET

The Long-Term Financial Plan, s7.11 Plan, or SRV (if approved by IPART) do not provide any further capital funding over the next 10 years. Council only has an estimated \$27.9M available to deliver the planned embellishments for Hornsby Park. The \$27.9M budget is dependent on the current (Ditchfield) earthworks being completed within budget.

This is Council's largest project, therefore the greatest risk because of its size – staging the option chosen is critical to mitigate this risk. The option chosen will be broken down into components with work on components staged over time to mitigate risk. Some components will start only after others have been completed within budget. The budget available for later components depends on earlier components being completed within budget.

The Base Case can progress immediately however, progression of the selected option depends upon approval of the SRV application, as the recurrent budget required to operate and maintain the site is included in the application.

POLICY

A range of adopted strategies and policies have been considered in the preparation of suitable options for the early embellishment works at Hornsby Park. These include:

- Hornsby Park Master Plan 2021.
- Hornsby Play Plan 2021.
- Social Inclusion Hornsby (Disability Inclusion Action Plan) 2021-2025.

- Active Living Hornsby Strategy 2016.
- Unstructured Recreation Strategy 2008.
- Sportsground Strategy 2018.
- Sustainable Hornsby 2040 Strategy 2021.
- Biodiversity Conservation Strategy 2021.
- Urban Forest Strategy 2021.
- Economic Development and Tourism Strategy 2021-2026.

CONCLUSION

This report identifies options for Council's consideration that could be constructed prior to 2026 and would allow the community of Hornsby to access the site. Unfortunately, budgetary constraints mean each of the presented options would represent the first step of what will be a long journey. Council is being asked to select one of two options presented – a play space in Old Mans Valley **OR** a canopy skywalk and cable bridge linking Hornsby Town Centre to the Crusher Plant site. This option would be developed in conjunction with modest works on the Crusher Plant site. These works would include a lookout with views over the Quarry Void and beyond. The works at the Crusher Plant would be complemented with the construction of tracks and trails to two lookouts to the west and north west of the Quarry Void.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Deputy General Manager – Robert Stephens - who can be contacted on 9847 6665

ROBERT STEPHENS

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

Attachments:

1. Hornsby Park Master Plan Report
2. Hornsby Park Current Earthworks Site
3. Hornsby Park Base Case dated 23 February 2023
4. Hornsby Park Embellishment Stage 1 Concept - OMV North
5. Hornsby Park Old Mans Valley Play
6. Hornsby Park Embellishment Stage 1 Concept - Skywalk
7. Hornsby Park Canopy Skywalk and Cable Bridge
8. Evaluation of Hornsby Park Options

File Reference: F2021/00171
Document Number: D08589520

ITEM 6

7 MAYOR'S NOTES 01 FEBRUARY 2023 TO 28 FEBRUARY 2023

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.

Wednesday 1st February 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby

Wednesday 1st February 2023 – The Mayor, Councillors and General Manager attended the opening of the Mark Taylor Oval Indoor Cricket Centre, at Waitara Avenue, Waitara

Saturday 4th February 2023 – The Mayor and Councillors attended the Wisemans Ferry Boat Ramp and car park opening on Old Northern Road, Wisemans Ferry.

Saturday 4th February 2023 – On behalf of the Mayor, Councillor McClelland attended the 75th Anniversary of the Sri Lankan Independence Day at the Thornleigh Community Centre, Corner Phyllis and Central Avenue, Thornleigh.

Wednesday 8th February 2023 – The Mayor and Councillors attended photo shoot to mark the opening of the new viewing platform at Quarter Sessions Road, Westleigh.

Thursday 16th February 2023 – The Mayor attended the Official Opening of Indigenous Supported Playgroup at Waitara Family Centre, 29 Yardley Avenue, Waitara.

Friday 17th and 18th February 2023 – The Mayor and all interested Councillors attended “Taste of Seafood” at Mooney Mooney Club, 5 Kowan Street, Mooney Mooney.

Saturday 18th February 2023 – The Mayor attended the Inauguration of Strzelecki Year at Pennant Hills Community Centre, Function Hall.

Sunday 26th February 2023 – The Mayor attended Pennant Hills Golf Club Centenary Gala Launch Day which included a Flag Raising Ceremony, Book Launch, and Speed Relay Challenge at Pennant Hills Golf Club, Cnr Copeland and Burns Road South, Beecroft.

File Reference: F2004/07053
Document Number: D08588747

8 TROVE FUNDING**ITEM 8****COUNCILLOR MCINTOSH TO MOVE**

That Council:

1. Make representation to the local Federal Member, Julian Leeser MP, in relation to the need for a sustainable federal funding model for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
2. Write to the Federal Minister for the Arts, the Hon Tony Burke MP and the Shadow Minister for the Arts, the Hon Paul Fletcher MP calling for sustainable funding to ensure the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.
3. Endorse the actions of the NSW Public Libraries Association in lobbying for additional sustainable funds for the continuation of free access to the Trove national database and upgrade of the digital archive systems of Trove.

Note from Councillor

Trove is a national digital archive that is maintained and managed by the National Library of Australia. It is a significant national platform to record and access Australia's history and culture which was launched in December 2009. It is defined by its partnerships: "*Trove is brought to you by hundreds of Partners institutions across Australia that contribute collections and digital content.*" Many public libraries across Australia are Trove Partners and have actively and proudly contributed to the Trove archive. The partnership between public libraries and the National Library of Australia has enabled Trove to become a highly valued and comprehensive single national archive.

Since its establishment Trove has expanded and currently includes some 6 billion digital items including newspapers, magazines, photographs, web archives, parliamentary papers, reports, theses and more. It gives access to these items to people from all across Australia, including the residents of Hornsby Shire, either from their desktop, or from their local library. The content on Trove comes not only from the National Library's collection but from almost 1000 contributing organisations across Australia, including Hornsby Shire Library and Information Service along with other local agencies such Loreto, Normanhurst; Abbotsleigh Wahroonga, and Northern Sydney Local Health District, amongst many others. In many cases it allows those seeking specific items, not yet digitised, to quickly identify which libraries hold copies of these.

With more than 22 million visits a year Trove is in Australia's top 15 global internet domains.

Up until now, public libraries, run by local Councils across Australia, have been able to access and contribute to Trove without significant financial costs. However, the National Library of Australia is

now increasing Trove subscription fees for Council-run public libraries.

In 2022, Trove Collaborative Services (TCS) introduced a new pricing model which raised serious concerns regarding the affordability and ongoing viability of participation in resource sharing for New South Wales public libraries.

These subscription fees are set to increase year on year.

Hundreds of organisations, including libraries across NSW, contribute to Trove, to ensure it remains the single national database within Australia. The change in subscription model has seen approximately 13% of libraries across NSW withdraw their contributions due to the significant fee increases, resulting in implications for the integrity of Trove. Further funding cuts, due in July 2023, will magnify this situation.

In addition to the pricing increase, TCS has indicated that they will no longer support the national Document Delivery system (LADD) for resource sharing, raising concerns for library staff about the longer-term impact on inter-library loans (ILLs). ILLs are a vital and core service of public libraries, allowing open, democratic access to quality information for all community members, resulting in inclusive, informed and connected communities. Without additional funding the NLA will be unable to maintain Trove and therefore the people of NSW (and Australia) will no longer have access to Trove and the ability to search the 6 billion records on the national treasure trove of artefacts, curiosities, and stories from Australia's cultural, community and research institutions.

This is an example of Federal Government cost-shifting to Local Government. If Public Libraries cannot afford these increases, they will withdraw from being a Trove Partner. A stated, a survey by the NSW Public Libraries Association has shown that already approximately 13% of libraries in NSW have withdrawn from Trove and this trend is likely to continue. Public Libraries no longer being able to afford to contribute to Trove will have a significant impact on our national cultural and social history.

The National Library of Australia's plans to charge to use Trove is a sad and short-sighted example of cost-shifting, which overlooks the fact that public libraries are local community services with tight and finite budgets. Public libraries do not generate their own income. They are funded by Councils with some grant contributions State Government.

As Council's nominated delegate to the NSW Public Libraries Association, I have received representations from a number of Hornsby Shire residents in regard to the continuation of TROVE funding and most significantly from Hornsby Shire Council's former Executive Manager with responsibility for Libraries and Community Services, who stated in recent correspondence to me: *"Trove changed access to national information for people living in the remotest communities as well as those living in cities spread across our vast land. In addition, the clever encouragement of volunteers has added enormous value to digitised resources - the growth of Trove in just over a decade is a remarkable achievement."*

Australia cannot, must not, return to a national library service restricted by being housed in a building in Canberra, important as that collection is as the foundation of a record of our history, and as the basis for future digitised access to these resources. I urge you to represent the interests of the residents of Hornsby Shire and to do everything in your power to ensure that Trove survives, and can continue to grow in the future, and that the Australian Federal Government continues to be a significant financial partner in its continuation."

At a local level, Trove is well loved and used by local groups and individuals – by individual

researchers and by organisations such as the Hornsby Shire Family History Group, who have been urging local residents to support the petition to save Trove via their online platform. It is clear that Trove is a valuable source of information that has proven critical for residents, Council staff, consultants and organisations as they research our local history and heritage.

I urge your support for this motion.

ITEM 8**Attachments:**

There are no attachments for this report.

File Reference: F2012/00179

Document Number: D08595883