



BUSINESS PAPER

GENERAL MEETING

**Wednesday 10 May 2023
at 6:30PM**



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SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

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 12 April, 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 GM17/23 COMMUNITY ENGAGEMENT PLAN HOUSEKEEPING AMENDMENTS****RECOMMENDATION**

THAT Council adopt the Housekeeping Amendments to the Community Engagement Plan attached to General Manager's Report No. GM17/23.

CORPORATE SUPPORT DIVISION**Page Number 5****Item 2 CS19/23 INVESTMENTS AND BORROWINGS FOR 2022/2023 - STATUS FOR PERIOD ENDING 31 MARCH 2023**

RECOMMENDATION

THAT the contents of Director's Report No. CS19/23 be received and noted.

Page Number 8**Item 3 CS21/23 2022/23 BUDGET - MARCH 2023 QUARTER REVIEW****RECOMMENDATION**

THAT the March 2023 Quarter Review of the Operational Plan (Budget) for 2022/23 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION**Page Number 17****Item 4 PC6/23 REPORT ON SUBMISSIONS - HOUSEKEEPING DEVELOPMENT CONTROL PLAN AMENDMENTS****RECOMMENDATION**

THAT:

1. Council approve the draft amendments to the Hornsby Development Control Plan 2013, as attached to Director's Report No. PC6/23.
2. Notification of the approval of the amendments be published on Council's website.
3. The submitter be advised of Council's decision.

Page Number 22**Item 5 PC8/23 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS****RECOMMENDATION**

THAT the contents of Director's Report No. PC8/23 be received and noted.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

CONFIDENTIAL ITEMS

Item 6 CS18/23 PROPOSED LEASE FOR TELECOMMUNICATION FACILITIES AT CHERRYBROOK

This report should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

Item 7 CS20/23 EXTENSION OF TENURE - EXISTING TELECOMMUNICATION FACILITY

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

Item 8 PC10/23 POTENTIAL LEGAL PROCEEDINGS

This report should be dealt with in confidential session, under Section 10A (2) (g) of the Local Government Act, 1993. This report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS WITH NOTICE****MAYOR'S NOTES**

Page Number 25

Item 9 MN6/23 MAYOR'S NOTES 01 APRIL 2023 TO 30 APRIL 2023**NOTICES OF MOTION**

Page Number 27

Item 10 NOM4/23 UPGRADE OF NEW LINE ROAD

COUNCILLOR TILBURY TO MOVE:

THAT:

1. Council write to the NSW Minister for Roads, John Graham, and NSW Transport Minister Jo Haylem, to request they honour the previous NSW Government's \$70 million commitment

regarding the widening of New Line Road, to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge.

2. Council write to local State MPs to request they actively advocate for the current NSW Government to honour the previous NSW Government's commitment to the widening of New Line Road, to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge.
3. A further commitment be sought from the NSW State Government to safety improvements at the County Drive, shepherds Drive New Line Road intersection particularly targeting pedestrian access and safety.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 COMMUNITY ENGAGEMENT PLAN HOUSEKEEPING AMENDMENTS

EXECUTIVE SUMMARY

- On 14 July 2021, Council adopted its Community Engagement Policy and Community Engagement Plan (incorporating the Community Participation Plan) and resolved, with an amendment (recommendation 5), to refer the documents to the new Council for consideration of further inclusions.
- An overview of the Community Engagement Policy and Plan was provided to the newly elected Council at an informal workshop on 16 February 2022.
- The Community Engagement Plan was reviewed in response to the resolution noted above and, additionally, to address new requirements set out in the NSW Office of Local Government Integrated Planning & Reporting (IP&R) Guidelines released in September 2021.
- The housekeeping amendments to the draft Community Engagement Plan include the addition of:
 - Minimum mandatory exhibition periods for the IP&R suite of reports.
 - Minimum and recommended exhibition periods for Council documents including major projects, strategies, and plans.
 - Key stakeholder groups within the Hornsby Shire community.
 - Minor text edits.
- Following the review, the Community Engagement Plan and associated housekeeping amendments was endorsed for exhibition at the meeting on 14 December 2022 and was then placed on public exhibition from 16 February to 16 March 2023. No submissions were received. Two further amendments have been made to the Community Engagement Plan following the public exhibition period above regarding:
 - Public exhibitions over the Christmas/New Year period.
 - Managing potential conflicts of interest in line with Council's 'Conflict of Interest Policy for Proposed Council Development and Applications Involving Council Staff or Councillors'.

RECOMMENDATION

THAT Council adopt the Housekeeping Amendments to the Community Engagement Plan attached to General Manager's Report No. GM17/23.

PURPOSE

The purpose of this Report is to provide Council with the outcomes of the public exhibition of the draft housekeeping amendments to the Community Engagement Plan and to seek Council's endorsement to adopt the amended document.

BACKGROUND

Council's Community Engagement Plan supports Council's Community Engagement Policy and provides a guide for staff and consultants in the delivery of best-practice community and stakeholder engagement for Hornsby Shire Council. It incorporates Council's Community Participation Plan (CPP), which prescribes consultation requirements and processes for planning matters.

Drafts of the Community Engagement Policy (the Policy) and Community Engagement Plan (the Plan) were adopted at the 14 July 2021 Council Meeting, including the following amendment to the resolution:

The Engagement Policy and Plan be referred to the new Council for consideration to ensure that our policies publicly state our exhibition, engagement and consultation mechanisms and minimum standards not just in regard to planning matters, but for all matters that affect our community such as major projects, strategies, and plans.

An overview of the Policy and Plan was provided to the newly elected Council at an informal workshop on 16 February 2022. Councillors were notified at this workshop that the Community Engagement Plan would be reviewed, and the resolution amendment addressed.

In September 2021, the Office of Local Government issued updates to the Integrated Planning & Reporting (IP&R) Guidelines for Local Government in NSW. All councils in NSW use the IP&R framework to guide their planning and reporting activities. The requirements for IP&R are set out in the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

The updated IP&R Guidelines stipulate that:

- A Community Engagement Strategy must be prepared, adopted and implemented, based on social justice principles, for engagement with the local community to support council in developing its plans and determining key activities. This includes development of the Community Strategic Plan, and all relevant council plans, policies and programs.
- There be a minimum mandatory exhibition period for 'at least 28 days' for the IP&R suite of reports (e.g., Community Strategic Plan, Long Term Financial Plan, Delivery Program and Operational Plan).
- As a minimum, the Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods that will be used to engage each group.
- The Strategy must be reviewed by 31 December in the year of the local government election, as part of the broader review of the Community Strategic Plan. Note: the timeframe was extended by 12 months due to the delay of the Local Government Elections from September 2021 to December 2021.

These IP&R requirements and minor revisions for clarity were made to the Community Engagement Plan.

In addition to this, to address the amendment to the resolution, exhibition periods for prominent Council projects were included to the document as tables.

Wording has also been included regarding managing potential conflicts of interest in line with Council's 'Conflict of Interest Policy for Proposed Council Development and Applications Involving Council Staff or Councillors'. This Policy was endorsed for exhibition at Council's 8 February 2023 General Meeting (Director's Report No.PC1/23), exhibited for 28 days from 10 February to 12 March and subsequently finalised in April under delegation of the General Manager as no significant amendments were made.

DISCUSSION

During the exhibition period there were no submissions received on the housekeeping amendments to the Community Engagement Plan and therefore, no changes were made to the document due to community feedback.

The following two amendments have been made to the Community Engagement Plan following the public exhibition period.

- Text has been added to page 13 in relation to minimum exhibition periods over the Christmas/New Year period.

We'll extend minimum exhibition periods when they cross over the Christmas/New Year period. Days between 20 December and 10 January aren't included in minimum exhibition periods.

- A new subheading and text have been added on page 26 regarding managing potential conflicts of interest.

Where a development is proposed by Council, Councillor or a staff member (or a relative of these), a management statement must be prepared and exhibited with the development application, which details any potential conflict and the way it is proposed to be managed.

CONSULTATION

In the preparation of this Report, the updated Community Engagement Plan was publicly exhibited from 16 February to 16 March 2023 through the following channels:

- Your Say Hornsby project page with an embedded submission form
- An item in each weekly Community Engagement eNewsletter during the exhibition
- Council's eNews – March edition
- Social Media (Facebook)
- Advertising and Mayor's Message – Bush Telegraph, Galston & Glenorie News, Dural Roundup, The Post and Living Heritage

BUDGET

There are no budgetary implications associated with this Report.

POLICY

The Community Engagement Policy acts as a guide for Council staff and representatives who engage in public consultation with the Hornsby Shire community. The Community Engagement Plan supports Council's Community Engagement Policy and provides a guide for staff and consultants in the deliverance of best-practice community and stakeholder engagement with high-quality outcomes.

CONCLUSION

The Community Engagement Plan serves as the foundation for building on Council's current practices to continuously improve how we engage with our community and involve them in decisions that affect them. The revisions to the Plan provide additional detail on our commitment to minimum exhibition periods and identify the key stakeholder groups with whom Council may engage on matters of importance to the community.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Communications and Engagement Manager – Tracy Bass – who can be contacted on 9847 6790.

JULIE RYLAND

Strategy Manager - Strategy and Place
Office of the General Manager

STEVEN HEAD

General Manager
Office of the General Manager

Attachments:

1.  HSC5963 Community Engagement Plan FINAL DRAFT April 2023

File Reference: F2018/00308

Document Number: D08631765

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

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 March 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 March 2023 of 4.83% which includes a positive yield of 17.63% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 3.21% which includes a yield of 7.14% from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS19/23 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 March 2023 is detailed in the attached document. In summary, the portfolio achieved an annualised return for March 2023 of 4.83%. On a financial year to date basis the portfolio achieved an annualised return of 3.21% which includes a yield of 7.14% 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 March 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 March was \$1,179,563, which includes an unrealised gain of \$303,338 from TCorp Managed Funds.

Budgeted investment income year to date at 31 March 2023 was \$3,591,316. Total investment income year to date at 31 March 2023 was \$7,314,048 which includes a year-to-date unrealised net gain of \$1,118,045 from TCorp Managed Funds.

Approximately 49.92% 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 March 2023 is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments.



RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

SHARON BOWMAN
Acting Director – Corporate Support
Corporate Support Division

Attachments:

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

File Reference: F2004/06987-02
Document Number: D08626472

3 2022/23 BUDGET - MARCH 2023 QUARTER REVIEW

EXECUTIVE SUMMARY

- Accountable organisations like Council review their budget and operational performance at least each quarter. In this regard, the March 2023 Quarter Review of the 2022/23 Operational Plan and Budget is attached.
- The 2022/23 Original Budget forecast a surplus at 30 June 2023 of \$2.908 million. The September 2022 Review reduced the surplus by \$560K to \$2.348 million and the December 2022 Review included changes that reduced the surplus by \$316K to \$2.032 million. This March 2023 Review recommends no budget changes. The remaining surplus is required to provide capacity to respond to further unforeseen cost increases that can occur throughout the year having regard to ongoing challenges in the external environment affecting capital projects including inflationary price increases, supply side shortages for materials and labour, and severe weather events.
- This Report also provides Council with an update about the latest status of major projects that are of significant dollar value or of high community interest.

RECOMMENDATION

THAT the March 2023 Quarter Review of the Operational Plan (Budget) for 2022/23 be received and noted.

PURPOSE

The purpose of this Report is to present for Council's consideration the March 2023 Quarter Review of the 2022/23 Operational Plan.

BACKGROUND

On 29 June 2022, Council adopted its Delivery Program 2022-26 which includes the Operational Plan for 2022/23. The Fees and Charges for 2022/23 were also adopted by Council on 29 June 2022. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance.

In line with Office of Local Government requirements, a Quarterly Budget Review Statement (QBRs) must be submitted for Council's consideration at the end of each quarter. The Statement must be based on key financial indicators and the estimate of income and expenditure set out in Council's Operational Plan for the relevant year.

DISCUSSION

This Review includes the third quarter results for 2022/23, comparing actual expenditure, income and funding sources for the first quarter against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$2.79 million or approximately 1% of the consolidated year to date budget. This positive variance is largely the result of timing differences associated with project related works that are expected to be expended by 30 June 2023.

The 2022/23 Original Budget forecast a surplus at 30 June 2023 of \$2.908 million. The September 2022 Review reduced the surplus by \$560K to \$2.348 million and the December 2022 Review included changes that reduced the surplus by \$316K to \$2.032 million.

This March 2023 Review recommends no budget changes. The remaining surplus is required to provide capacity to respond to further unforeseen cost increases that can occur throughout the year. In this regard it is noted that the external environment continues to create greater risk, uncertainty and cost escalations for capital works projects managed by Council. These external factors have included significant delays and shortages in the supply chain of materials and labour following the COVID-19 pandemic, three declared natural disasters in the Local Government Area, and substantial inflationary cost pressures especially in respect to construction costs following the pandemic.

The above forementioned external factors, in particular supply side challenges for materials and labour, have also delayed the delivery of some capital projects within Council's ambitious capital works program. A detailed review of the workload capacity of external contractors is currently being undertaken and it is anticipated that the deferment of lower priority projects will be required before 30 June 2023. This may require some projects being deferred for greater than 12 months to allow supply chains and labour markets to settle down.

Remediation of Council Administration Centre

Whilst the removal of asbestos (to obtain a clearance certificate from an occupational hygienist) in relation to 296 Peats Ferry Road was being completed over the COVID period, the opportunity was undertaken to concurrently complete a review of options for the long-term location of Council's main administration building. Options that were reviewed in detail have included extension of the lease at the current temporary site in Thornleigh, construction of a new premises at an alternate site within Hornsby as part of a broader development of an existing Council property, demolition and reconstruction of the existing administration building, as well as a refurbishment of the existing building. Opportunities to seek alternate commercial uses of the existing building were also pursued.

Ultimately the option that is most effective and efficient for Council is to refurbish the existing site as a medium to long term location for Council's main offices.

The age of the building and lack of ongoing investment over an extended period into base services such as mechanical ventilation, fire, access, and other matters of building compliance have resulted in considerable works being required prior to the actual refurbishment of office space for Council teams. Significant portions of the existing fit out have been removed as a result of the asbestos contamination of the building, and remaining areas are not suitable for a contemporary and appealing work space for staff.

The notion of a contemporary workplace has also considerably changed over recent years, with hybrid working arrangements available to many staff, and consequently the needs of the work environment have also evolved, including a substantially increased reliance on technology. The organisation's total space needs are now less than previous, and a proposal has been developed that will create a modern working environment and potentially (subject to appropriate development consent) provide for significant access to community space that is not currently available to, but is required by, our community.

A concept plan to deliver a significant community space and to prepare the offices for staff habitation is well in development. The costs will be significant. A full cost estimate has not yet been identified but is expected to be known by the June 2023 Fourth Quarter Review after detailed design has been completed. Total costs will be staged across two years. Funding from Developer Contributions will likely offset part of the costs of establishing the community facility, the extent being dependent upon the scale of community access to the facility and the approved conditions with which it operates.

To assist with funding the project, this quarterly review has sought substantial savings from across the organisation. Each Division of Council has undertaken a review of operational budgets to identify savings and efficiencies to contribute towards the cost of the refurbishment. In this quarter, \$2 million in savings has been identified from a divisional review of budgets at 31 March 2023 and has been transferred to an internal restricted asset reserve for the refurbishment project.

As with other major projects of Council, reporting on this project to Council will occur via each Quarterly Review, in addition to briefing and discussion at Informal Workshops. A Project Steering Committee comprising of the Exco members is overseeing the project.

Damage to Council's Road Network

Director's Report CS92/22 – 2023 Budget – September 2022 Quarter Budget Review (considered at the 9 November 2022 General Meeting) noted that over the course of the last year the Hornsby LGA was impacted by several abnormal weather events including ongoing heavy rainfall and three declared natural disasters that caused significant damage to much of Council's Road Network. An initial desktop assessment by Council Officers, combined with customer relationship management (CRM) data, identified five high priority roads requiring urgent remediation. The five roads are:

- Bay Road, Arcadia
- Arcadia Road, Arcadia
- Myra Road/Ingram Ave, Wahroonga
- Alexandria Parade (Romsey Street to Park Road), Waitara
- Greyson Road, North Epping

The remediation of all five roads was completed earlier in the year, funded through the use of Council's current budget for road remediation, plus an additional allocation of \$400K that was provided in the December 2022 Quarterly Review.

Following numerous representations to the NSW Government seeking funding for flood and rain damage, including damage to local roads, the NSW Government recently announced a \$500M program for local councils to repair damage to road networks within their local government area. This has been in response to the heavy rainfall and floods experienced across NSW, which has impacted the condition of all roads.

During the quarter, Council has received notification from Transport for NSW (TfNSW) that a grant allocation of \$6.5 million has been approved. It is anticipated that this amount will be sufficient to repair the damage to the road network caused by these flood events and a program of works is currently being prepared by Council Officers.

BUDGET – MAJOR PROJECTS

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

As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the financial capacity of Council to manage the operational, maintenance and renewal costs of facilities established for Hornsby Park and Westleigh Park, based on the full scope of works identified in the draft master plans, would not be feasible within Council's current financial capacity.

Due to current financial constraints, Council resolved to progress the development of Hornsby Park, with minimal development at Westleigh Park until a budget for recurrent costs can be identified for Westleigh Park. In this regard it is noted that Council is progressing a Special Rate Variation application to the Independent Pricing and Regulatory Tribunal (IPART), that if successful will provide the required level of recurrent funding for the ongoing renewal and maintenance of both projects. A determination by the IPART most likely will be known in May 2023.

- **Hornsby Park – from Quarry to Park** – This project involves the redevelopment of the abandoned Hornsby Quarry and surrounding lands into open space for a broad range of recreation purposes. The tender awarded to Ditchfield Contracting Pty Ltd for the bulk earthworks and site rehabilitation, for which a budget of \$30 million has been allocated, has been continuing. These works will create the final landform for the site and address site wide stability issues. \$5 million of the project budget has also been allocated for the regeneration of the vegetation communities on the site. Master planning for the final park embellishments has been completed with a master plan adopted following community engagement at the July 2021 General Meeting of Council. Design of the park embellishments in accordance with the adopted master plan is well progressed.

The total life to date expenditure on the project to 31 March 2023, including vegetation communities is \$27.593 million. Year to date expenditure to 31 March 2023 is \$10.390 million compared to a year-to-date budget of \$17.512 million. The variance is due to the contractor for the bulk earthworks continuing to have wet weather and supply chain delays. Currently, \$50 million of funding is available from the NSW Government's Stronger Communities Fund provided in June 2018, and at this point about 87% of the grant has been spent or committed by way of tender. Further funding of \$28 million is available from development contributions,

subject to the priority allocated to projects in accordance with development contributions on hand.

As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the total estimated cost of the facilities canvassed in the Master Plan for the park is significantly above the total level of funding available. Therefore, a reduction in scope compared to the Master Plan or staging the project over an extended period will be required unless additional funding can be identified, including additional funding for recurrent maintenance costs.

At the 8 March 2023 General Meeting (in Deputy General Manager's Report No. IM2/23 – Hornsby Park), Council resolved to identify a preference to prioritise the delivery of the canopy skywalk ahead of other embellishment components of the Park, subject to available funds. Dependent upon the bulk earthworks and site rehabilitation being completed within the budget allocated for this component, there is a total remaining budget of \$27.9 million for embellishment projects.

The redevelopment of the site is Council's largest project and creates a significant financial risk because of its size compared to Council's overall budget. The Long-Term Financial Plan and SRV (if approved by IPART) do not provide any further capital funding for the project over the next 10 years, therefore expenditure must be contained within the amount of external funding available.

To protect Council from cost escalations it will be financially prudent to follow a number of mitigation strategies as the redevelopment of the site progresses:

- The allocation of a 30% contingency for all components of the project, noting ongoing challenges in the external environment, including inflationary price increases, and supply side shortages for materials and labour, as well as recent severe weather events and natural disasters in the Hornsby LGA.
- Staging the scope of works over time is recommended, by splitting the project into components with separate budgets. Some components would start only after others have been completed, with the budget available for later components being adjusted based on remaining budget available at the time, with appropriate contingency provisions.
- Contracts to include suitable termination clauses to provide the option of ceasing work if costs escalate.
- The establishment of a project governance committee to oversee the project and approve when work on components can commence.

It is also noted that the recurrent budget required to operate and maintain the site is dependent upon Council's application to IPART for a Special Rate Variation being successful, for which an outcome is expected to be known in May 2023 prior to awarding contracts for the construction of the canopy skywalk, the cable bridge and lookouts and other works.

- **Westleigh Park Development** – A draft conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. Community engagement was undertaken on the conceptual master plan from April to June 2021. Council resolved at its July 2021 Council meeting to undertake further engagement on a range of matters prior to further considering the draft conceptual master plan. This engagement commenced in 2022

and is nearing completion. The total life to date expenditure to 31 March 2023 on this project (excluding the acquisition costs of \$21 million funded by development contributions) is \$2.760 million. Financial year to date expenditure at 31 March 2023 is \$535K compared to a year to date budget of \$852K. The variance is due to the impact associated with deferral of the planning process to allow for seasonal environmental reviews to be performed in early 2023.

A revised Master Plan and Plan of Management was placed on public exhibition at the 8 March 2023 General Meeting. A Development Application is expected to be lodged in the second half of 2023.

Currently, \$40 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund and expenditure to date (spent or committed via contract) approximates 15% of the grant. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand. As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the total estimated cost of the facilities canvassed in the Master Plan for the park is \$80 million. Therefore, a reduction in scope compared to the Master Plan or staging the project over an extended period will be required unless additional funding can be identified, including identifying a budget for recurrent operating, maintenance and renewal costs. Council's current position prioritises the delivery of Hornsby Park over Westleigh Park.

- **Public Domain** - Council identified two priority areas to improve streetscape amenity. They are:
 - Peats Ferry Road, Asquith between Hookhams Corner and Wattle Street.
 - The Pacific Highway corridor between Asquith and Mt Colah.

A budget of \$9.3M was set aside for these works, funded from development contributions.

Upgrade works on Peats Ferry Road, Asquith commenced early in 2021. The works include the installation of a shared path connecting walkers and cyclists to the Hornsby Town Centre, as well as a wider footpath on the south side of the road to better accommodate Asquith Boys High School and the nearby medium-density housing. Installation of rain gardens, new street tree plantings and associated gardens, which will bring improved shade and scale to the medium density housing are also included. The safety of pedestrians has been addressed with the relocation of pedestrian crossings and bus shelters to improve sightlines for drivers.

The initial contractor engaged to undertake the Peats Ferry Road Asquith works has ceased operating, and a new contractor has been engaged to complete the project. Works have been completed on the shared path construction, central landscaped median strip and some pavement works. Remaining works within the project scope are continuing.

Design works are underway for the Asquith to Mt Colah corridor to provide improvements including wider footpaths and landscaping along the Pacific Highway and the construction of pedestrian refuges at selected locations, with the agreement of TfNSW.

The total life to date expenditure to 31 March 2023 on this project is \$4.456 million out of a budget of \$9.3 million. Year to date expenditure at 31 March 2023 is \$1.156 million compared to a year to date budget of \$2.025 million. The variance is due to delays securing approvals to improve street lighting and decommissioning of a water main between Asquith Bowling Club and Hookhams corner.

- **Galston Aquatic Centre Refurbishment** – A tender for the refurbishment of the Galston Aquatic Centre was advertised in June 2021 and works commenced in November 2021.

Tendered costs for the refurbishment of this facility increased from pre-tender estimates due to the impact of COVID-19 lockdown measures and cost increases largely arising from associated supply chain issues. Progressing with the original scope of work required an additional allocation to increase the budget. An informal briefing in October 2021 was provided to Councillors in respect to budget increases following the tender results. This included a range of options from project deferral, staging of works, and funding the original scope of work, and considered the associated impact on Council's budget. Councillors supported the original scope planned for this project, with funding sources identified. Concurrently, the September 2021/22 Quarterly Review included budget changes to increase the project cost by \$1.5 million from \$5.6 million to \$7.1 million. This required the use of internally restricted assets, deferment of maintenance, reallocation of grants funds and the partial use of the Original 2021/22 Budget surplus to fund increased capital costs. Council was also successful in obtaining a grant from the NSW State Government to cover part of the increased cost.

The December 2022/23 Quarterly Review included a further increase to the budget of \$0.5 million from \$7.1 million to \$7.6 million to provide for ongoing supply chain challenges and an increased cost in materials and labour caused by recovery following the COVID-19 pandemic and the war in Ukraine.

Council Officers are currently engaged with the contractor to revise the forecast completion date due to wet weather conditions and the forementioned supply chain challenges.

The total life to date expenditure to 31 March 2023 on this project is \$3.449 million out of a budget of \$7.6 million. Year to date expenditure at 31 March 2023 is \$1.742 million compared to a year to date budget of \$4.045 million. The variance is due to wet weather and procurement challenges.

- **Wisemans Ferry** – Construction is being managed by Council and includes a new three-lane boat ramp and 150 spaces for trailer and vehicle parking, as well as intersection upgrades and other ancillary works. The original budget for the project was \$3.85 million and was to be funded from a contribution from The Hills Shire Council and an external grant from the NSW State Government.

The project was impacted by the flooding of the Hawkesbury River in March 2021 and the September 2021/22 Quarterly Review included budget changes to increase the budget by \$3.75 million from \$3.85 million to \$7.6 million. Council Officers sought funding from NSW Public Works Advisory, the Environmental Protection Authority and other government agencies to cover the cost increase and the outcome of these applications are currently pending.

The December 2021/22 Quarterly Review noted that at least a further \$1.7 million in funding was required to complete the project following a claim from the contractor for additional money under the NSW Building and Construction Security of Payment Act, 2021. The Review identified a risk to the total project budget that would be confirmed by a revised cost estimate being calculated at the time.

During the quarter ended 31 March 2022 the project was impacted by a second flood event that caused further damage to the site and some of the works undertaken to date. A further

flood in July 2022 also affected the site. Council Officers estimated that to complete the project a further budget change of \$3.65 million was required that resulted in a further increase to the budget from \$7.6 million to \$11.25 million. The life to date expenditure incurred to 31 March 2023 is \$10.730 million.

It is noted that the General Manager has directed that an external review be undertaken for this project examining the construction and financial challenges that have occurred following the flooding of the Hawkesbury.

The works associated with the facility (including a toilet block) were completed in November 2022. Discussions are continuing with NSW Fisheries about the best way to protect the adjacent mangroves.

Works associated with paid parking at the site are the subject of a separate tender and are separately funded with an available budget of \$475K.-

BUDGET

This Report provides the March 2023 Quarter Review of the 2022/23 Operational Plan (Budget), which, if adopted, will achieve a forecast surplus at 30 June 2023 of \$2.032 million. The predicted Budget result at 30 June 2023 is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report ensures that relevant statutory requirements have been met. The March 2023 Quarter Review demonstrates that Council remains in a stable position to deliver local services and facilities in a financially responsible manner at 31 March 2023. However, financial capacity is forecast to fall below acceptable levels during the next 10 years unless recommendations to improve future financial direction included within Council's LTFP are addressed.

The redevelopment of Hornsby Park creates a significant financial risk and, as outlined in this report a number of mitigation strategies should be followed to protect Council from cost escalations.



RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

SHARON BOWMAN
Acting Director - Corporate Support
Corporate Support Division

Attachments:

1.  Consolidated Budget Result
2.  Quarterly Budget Review Statement

File Reference: F2022/00059

Document Number: D08631074

ITEM 3

4 REPORT ON SUBMISSIONS - HOUSEKEEPING DEVELOPMENT CONTROL PLAN AMENDMENTS

EXECUTIVE SUMMARY

- The Hornsby Development Control Plan undergoes routine review, resulting in housekeeping amendments to improve clarity and respond to changes in policy.
- At its meeting on 9 November 2023, Council resolved to exhibit draft housekeeping amendments to the Hornsby Development Control Plan for a period of 28 days.
- The housekeeping amendments involve implementing Hornsby Employment Land Study recommendations, clarifying the intent of minimum lot widths for battle-axe subdivision controls, correction of rear setback requirements for residential subdivisions and aligning rural secondary dwelling controls with the Hornsby Local Environmental Plan 2013.
- The amendments were exhibited from 1 December 2022 to 31 January 2023, extended over the holiday period.
- One community submission was received. No changes to the exhibited housekeeping amendments are recommended in response to the submission.
- Following exhibition, minor post-exhibition amendments have been identified that would improve the interpretation of development controls and correct referencing of environmental planning instruments. These amendments are administrative in nature and do not require re-exhibition.
- It is recommended that Council approve the draft amendments to the Hornsby Development Control Plan as amended after exhibition and publish the amended DCP on Council's website.

RECOMMENDATION

THAT:

1. Council approve the draft amendments to the Hornsby Development Control Plan 2013, as attached to Director's Report No. PC6/23.
2. Notification of the approval of the amendments be published on Council's website.
3. The submitter be advised of Council's decision.

PURPOSE

The purpose of this Report is to address matters raised in the submission received during the exhibition of the draft Hornsby Development Control Plan 2013 (Hornsby DCP) housekeeping amendments and to outline additional post-exhibition administrative amendments recommended for inclusion in the DCP.

BACKGROUND

The Hornsby Development Control Plan undergoes routine review, resulting in housekeeping amendments to improve clarity and respond to changes in policy.

On 9 November 2022, Council considered Director's Report No. PC22/22 seeking endorsement to exhibit draft housekeeping amendments to the Hornsby DCP that would, in summary:

- Implement recommendations of the Hornsby Employment Land Study and State Government Employment Zone Reform.
- Clarify the minimum lot width requirement for residential battle-axe allotments.
- Clarify the rear boundary setback requirement for building envelopes.
- Correct the floor area control for secondary dwellings in rural areas.

Council resolved that:

1. *The draft housekeeping amendments to the Hornsby Development Control Plan 2013 attached to Director's Report No. PC22/22 be placed on public exhibition for a period of 28 days.*
2. *Following exhibition, a Councillor Briefing be conducted to discuss the implications of progressing the draft amendments and outline issues raised in any submissions.*
3. *A report on submissions be presented to Council for consideration after the Briefing with Councillors.*

In accordance with Council's resolution, the draft DCP amendments were exhibited from 1 December 2022 to 31 January 2023. This Council report addresses the submission received during the public exhibition.

DISCUSSION

The draft DCP amendments were exhibited from 1 December 2022 to 31 January 2023 via Council's 'Your Say Hornsby' website. One submission was received from the Beecroft Cheltenham Civic Trust (BCCT). This report addresses the submission received and outlines post-exhibition minor amendments.

1. Submission

The submission from the BCCT supports the need to correct ambiguity and consistency of development controls. The submission questions the adequacy of the current 3 metre setback for low-density residential development. The submission comments that new dwellings can be perceived as oversized and bulky, particularly on battle-axe allotments. The Trust asks whether a 5 metre setback should be considered.

Comment

The purpose of the proposed DCP amendment to correct Table 6.2(c) 'Minimum Boundary Setbacks' is to align it with Figure 6.2(c) and Table 3.1.2(a), which have consistently prescribed a 3 metre

minimum rear boundary setback for single storey dwellings since adoption in 2012. This control aligns with complying development requirements.

The Hornsby DCP includes controls that manage the bulk and scale of proposed dwelling houses, which operate in conjunction with setback controls. These include controls for building height, floor area, site coverage, landscaping and privacy which all influence the design of a dwelling house and must be considered by an applicant and Council.

Of note, Council's existing controls require that only a single storey building element can be built to a 3 metre setback from the rear boundary. Two storey building elements require an 8 metre setback.

Changing the Hornsby DCP rear setback would only apply to development applications, potentially making complying development a more desirable pathway for development within the low-density residential zone. This may result in Council having less regulatory control over future residential development in Hornsby Shire.

Overall, the supporting controls of Part 3 'Residential' of the Hornsby DCP provide the outcomes recommended by the submission, without encouraging residents to pursue complying development pathways.

Recommendation

That no changes be made to the exhibited draft Hornsby DCP housekeeping amendments in response to the submission questioning rear setbacks for dwelling houses.

2. Post-Exhibition Amendments

Additional amendments to a diagram in the subdivision section and references to State Environmental Planning Policies throughout the Hornsby DCP have been identified and it is recommended that these be endorsed as part of the subject housekeeping amendments. The amendments are summarised below and are further detailed in the attachment to this report.

Setbacks on battle-axe lots

Figure 6.2(d) 'Setbacks on battle-axe lots' of the DCP is intended to illustrate the boundary setback requirements for a battle-axe allotment. The placement of the 'side boundary' label on the allotment facing the street has the potential to result in confusion.

It is recommended that the Figure be amended by moving the 'side boundary' label to within the boundaries of the battle-axe allotment. This would clarify the intent of the corresponding prescriptive measure 6.2.1(i) which states that "*for a site that is a battle-axe lot, the setback on the opposite side of the lot to the rear setback, is taken to be a side setback (refer to Figure 6.2(d))*".

Figure 6.2(d) is repeated as Figure 3.1(d) of the DCP and therefore should also be changed. The amendment to the labels clarifies the application of Council's current controls and therefore, does not require re-exhibition.

References to Environmental Planning Instruments

The amendments placed on public exhibition include minor reference updates relating to legislation that has changed during the life of the Hornsby DCP. Further minor updates and corrections relating to the *State Environmental Planning Policy (Transport and Infrastructure) 2021* have been identified during the public exhibition process. Updates to the references are administrative and informational in nature and do not require re-exhibition.

CONSULTATION

In accordance with the consultation strategy outlined in Director's Report No. PC22/22, the draft DCP amendments were exhibited from 1 December 2022 to 31 January 2023 through advertisement on Council's 'Your Say Hornsby' website. One community submission was received and is addressed in this report.

The City of Parramatta was notified of the draft amendments prior to, and at commencement of, the exhibition and acknowledged was received that the draft amendments only apply to the Hornsby LGA and do not have policy implications to land within the Parramatta LGA.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

The proposed housekeeping amendments to the Hornsby DCP aim to implement recommendations of the Hornsby Employment Land Study and State Government Employment Zone Reform, to clarify the intent of urban subdivision controls and to achieve consistency with the Hornsby LEP.

Further administrative changes have been made to the exhibited version of the DCP amendments. The amendments are minor in nature and do not warrant further exhibition in accordance with Section 14(1)(b) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg) which states that Council, after exhibition and reviewing submissions, may approve a plan with such alterations as it considers appropriate.

Subject to Council's endorsement, the draft amendments would be incorporated into the Hornsby DCP and come into force once published on Council's website.

CONCLUSION

Amendments to the Hornsby DCP were exhibited between 1 December 2022 and 31 January 2023 to implement some of the recommendations within the Hornsby Employment Land Study, to clarify the intent of urban subdivision controls and to achieve consistency with the Hornsby LEP. Following exhibition, administrative post-exhibition amendments have been made to improve the interpretation of development controls and to correct referencing issues.

It is recommended that Council approve the draft DCP amendments as attached to this report.


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.

JAMES FARRINGTON

Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  HDCP Housekeeping Amendments for Finalisation May 2023

File Reference: F2013/00498

Document Number: D08611283

ITEM 4

5 REPORTING VARIATIONS TO DEVELOPMENT STANDARDS

EXECUTIVE SUMMARY

- In accordance with the Department of Planning and Environment's *Planning Circular PS 20-002*, Council is required to report variations to development standards for development applications approved under delegated authority, which relied upon Clause 4.6 (Exceptions to development standards) of the *Hornsby Local Environmental Plan 2013 (HLEP)*.
- Council's consideration of this report ensures Council's obligation to monitor variations to development standards is complied with.

RECOMMENDATION

THAT the contents of Director's Report No. PC8/23 be received and noted.

PURPOSE

The purpose of this report is to advise Council of determined development applications under delegated authority involving a Clause 4.6 variation to a development standard for the period 1 January to 31 March 2023.

DISCUSSION

Clause 4.6 (variation to development standards) of the Hornsby Local Environmental Plan 2013 provides flexibility in the application of planning controls by allowing council to approve development applications that may not strictly meet the requirements of the subject development standard but are consistent with the objectives of the development standard and the objectives of the zone.

In these instances, varying a development standard may be allowed by Council when there are sufficient environmental planning grounds to justify contravening the standard. The concurrence of the Secretary of the Department of Planning and Environment must be obtained before consent for development that contravenes a development standard is granted. However, in many cases this concurrence may be assumed by Council.

In 2008, the Department published Planning Circular PS08-014 Reporting variations to development standards. The Circular outlined the procedural and reporting requirements councils must implement with respect to their use of the Secretary's assumed concurrence. The requirements include measures to increase the transparency and accountability in Clause 4.6 decisions, including reporting of decisions, online information on the councils' use of the Secretary's assumed concurrence and quarterly reporting of clause 4.6 variations to the Department.

Monitoring of variations to development standards is important to provide the Department and councils with an overview of the manner in which established development standards are being varied and whether the assumed concurrence is being used as intended. This enables Council and the Department to determine whether development standards are appropriate, or whether changes are required.

Planning Circular PS 20-002 Variations to Development Standards was published by the Department in May 2020 and is the current applicable planning Circular. The Circular retained all the same procedural and reporting requirements as the previous Circular, and further included the requirement for all council reports to be submitted to the Department through the Planning Portal.

The *Circular* provides that councils are required to report on a quarterly basis and adopt the following measures:

1. Establish a register of development applications determined with variations in standards under Clause 4.6.
2. Require all development applications where there has been a variation greater than 10% in standards to be determined by the Hornsby Local Planning Panel.
3. Provide a report to Council on the development applications determined where there had been a variation in standards under Clause 4.6.
4. Make the register of the development applications determined with variations in standards under Clause 4.6 available to the public on Council's website.

In accordance with Point 3 of the Department Circular, attached is a list of development applications determined between 1 January to 31 March 2023.

A copy of the attachment to this report is also reproduced on Council's website.

BUDGET

There are no budget implications.

POLICY

This report addresses Council's reporting obligations for development applications determined where there has been a variation in standards under Clause 4.6.

CONCLUSION

Council is required to monitor the manner in which development standards are being varied. This assists in determining whether changes are required to relevant standards. This report provides advice to Council on standards varied under delegated authority which relied upon Clause 4.6 of the HLEP during the reporting period from 1 January to 31 March 2023.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Director of Planning and Compliance Division – James Farrington, who can be contacted on 9847 6750.

JAMES FARRINGTON

Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Clause 4.6 Return - Jan to Mar 2023

File Reference: F2022/00271

Document Number: D08626295

9 MAYOR'S NOTES 01 APRIL 2023 TO 30 APRIL 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.

Saturday 1st April 2023 – The Mayor attended the Junior and Senior Presentation for Glenorie District Cricket Club at Glenorie RSL Club.

Wednesday 5th April 2023 - The Mayor, hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Sunday 9th April 2023 - The Mayor attended a Nepali Community Gathering at James Park, Hornsby.

Wednesday 19th April 2023 - The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Thursday 20th April 2023 – The Mayor and Councillor Pillamarri attended ANZAC celebrations at RSL Lifecare, Lakes of Cherrybrook at Kenburn Avenue, Cherrybrook.

Friday 21st April 2023 – The Mayor attended the Opening Ceremony of the Innovation Hub Oakhill College, 423-513 Old Northern Road, Castle Hill.

Sunday 23rd April 2023 – The Mayor, Councillor Tilbury and Councillor Pillamarri attended Commemoration of ANZAC Day Sunday March RSL Hornsby Sub-branch.

Sunday 23rd April 2023 – On behalf of the Mayor, Councillor McClelland attended Gala Day at Kim Warwick Tennis Academy (KWTa) at 22 Waitara Avenue, Waitara.

Sunday 23rd April 2023 – The Mayor, Councillor Waddell and Councillor Tilbury attended the Hills District ANZAC Sunday Commemoration Service at Galston Memorial Club, Arcade Road, Galston.

Sunday 23rd April 2023 – On behalf of the Mayor, Councillor Pillamarri attended Hindi Council of Australia Commemoration - ANZAC day Service at ANZAC Jawan Cenotaph, Opposite Carlie Swimming, Shepherds Lane Cherrybrook.

Monday 24th April 2023 – The Mayor attended the Queen's Guide Award – Pennant Hills Senior Guides at the Leisure and Learning Centre, 8 Warne Street, Pennant Hills.

Tuesday 25th April 2023 – The Mayor, Councillor Tilbury and Councillor Pillamarri attended RSL Hornsby Sub-branch ANZAC Dawn Service.

Tuesday 25th April 2023 – The Mayor and Councillor Tilbury attended Berowra RSL Sub-branch ANZAC day Ceremony and Breakfast at Club Berowra.

followed by Breakfast at Club Berowra. March to commence alongside Berowra Rural Fire Service Station and conclude at the front of Berowra War Memorial Parade Ground.

Tuesday 25th April 2023 – The Mayor attended a Solemn Mass to mark ANZAC Day 2023 at Hornsby Cathedral Parish, 23 Yardley Avenue, Waitara.

Tuesday 25th April 2023 – On behalf of the Mayor, Councillor Greenwood attended ANZAC Day Service, Rotary Club Beecroft in association with Past Members of the Lions Club, at the Cenotaph, Wongala Crescent, Beecroft.

Tuesday 25th April 2023 – The Mayor and Deputy Mayor, Councillor Waddell attended ANZAC Day Service Glenorie RSL at Glenore RSL Club, 3 Post Office Road, Glenorie.

Wednesday 26th April 2023 – The Mayor attended Barker College ANZAC Observance at Barker College, Rosewood Centre, 91 Pacific Highway, Hornsby.

Friday 28th April 2023 – Deputy Mayor Councillor Waddell attended on behalf of the Mayor ANZAC Day Ceremony at Galston High School, Waddell Learning Centre, 403 Galston Road, Galston.

Sunday 30th April 2023 – The Mayor attended the Beecroft Youth Awards, at the Beecroft Community Centre, 111 Beecroft Road, Beecroft.

Sunday 30th April 2023 – The Mayor attended the Epping Scout Group's Annual Report Presentation, at North Epping Scout Hall, 130 Boundary Road, North Epping.

File Reference: F2004/07053

Document Number: D08632066

10 UPGRADE OF NEW LINE ROAD

COUNCILLOR TILBURY TO MOVE:

THAT:

1. Council write to the NSW Minister for Roads, John Graham, and NSW Transport Minister Jo Haylem, to request they honour the previous NSW Government's \$70 million commitment regarding the widening of New Line Road, to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge.
2. Council write to local State MPs to request they actively advocate for the current NSW Government to honour the previous NSW Government's commitment to the widening of New Line Road, to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge.
3. A further commitment be sought from the NSW State Government to safety improvements at the County Drive, shepherds Drive New Line Road intersection particularly targeting pedestrian access and safety.

Note from Councillor

New Line Road services Cherrybrook, Dural and the northern part of the Hornsby Shire Council LGA. The growing populations of new developments, outside the Hornsby LGA, such as the suburbs of Box Hill and Nelson, also frequently use New Line Road to access Pennant Hills Road and onto the rest of the city.

Serious traffic snarls all along New Line Road have been terrible for many years and continue to worsen.

New Line Road, between Hastings Road and Purchase Road, includes steep grades, constant merging of traffic lanes from one lane into two lanes, and vice versa, along with a considerable amount of heavy vehicle usage. All of this contributes to considerable queuing and congestion, particularly during peak periods and the road does not provide safe opportunities for pedestrians to cross the road, active transport or support for public transport.

Hornsby residents, other motorists that use New Line Road and Council have been calling for improvements for decades and they were all very relieved when the previous NSW Government made the financial commitment of \$70 million in the formal estimates, to upgrade it in the worse section, between Hastings Road and Purchase Road, Cherrybrook. This commitment will make an enormous difference to the lives of residents who live in that part of our Shire, as it is crucial to improving travel times, reduce congestion and make our community safer.

In September 2020, \$10 million was made available by the Federal Government to investigate

improvements to New Line Road and commence the planning process. This investment resulted in a commitment made by the previous NSW Government, in mid-2022, to the first stage of funding for the New Line Road upgrade.

Attachments:

There are no attachments for this report.

File Reference: F2004/09982

Document Number: D08639798

ITEM 10