



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 14 June 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**

Father Stephen Wayoyi, of Saint Agathas Catholic Church, Pennant Hills will open the meeting in prayer.

### **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*

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*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 10 May, 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 GM22/23 1 & 3 JOHNSON ROAD, GALSTON - DEVELOPMENT FEASIBILITY ANALYSIS**

## **RECOMMENDATION**

THAT:

1. Council receive and note the outcome of the feasibility analysis for 1 & 3 Johnson Road, Galston.
2. Council prepare a Planning Proposal to rezone its land at 1 & 3 Johnson Road, Galston to E4 General Industrial Zone.
3. Prior to lodgement, the draft Planning Proposal be circulated to Councillors and be the subject of a Councillor Briefing.

**Page Number 8****Item 2 GM24/23 WESTLEIGH PARK - OUTCOMES REPORT REVISED DRAFT MASTER PLAN AND DRAFT PLAN OF MANAGEMENT / RESULTS OF PUBLIC EXHIBITION****RECOMMENDATION**

THAT Council:

1. Adopt the draft Westleigh Park Master Plan included at Attachment 1 to General Manager's Report No. GM24/23.
2. Adopt the draft Westleigh Park Plan of Management included at Attachment 2 to General Manager's Report No. GM24/23.
3. Note work to prepare a development application for Westleigh Park continues to progress with an anticipated lodgement prior to the end of 2023.
4. Write to the Office of Local Government to inform of the adoption of the Master Plan and Plan of Management.

**CORPORATE SUPPORT DIVISION****Page Number 43****Item 3 CS26/23 INVESTMENTS AND BORROWINGS FOR 2022/23 - STATUS FOR PERIOD ENDING 30 APRIL 2023****RECOMMENDATION**

THAT the contents of Director's Report No. CS26/23 be received and noted.

**Page Number 46****Item 4 CS30/23 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2023 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2023/24 FINANCIAL YEAR****RECOMMENDATION**

THAT:

1. As a consequence of the 2023 Report and Determination of the Local Government Remuneration Tribunal, Council note that it remains in the Metropolitan Medium Category of NSW councils for the period 1 July 2023 to 30 June 2024.
2. In accordance with Sections 248 and 249 of the Local Government Act and having considered the 2023 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$27,650 be paid to each Councillor and an additional annual fee of \$73,440 be paid to the Mayor for the period 1 July 2023 to 30 June 2024.

**Page Number 51****Item 5 CS33/23 DEBTS TO BE WRITTEN OFF - 2022/23 FINANCIAL YEAR****RECOMMENDATION**

THAT for 2022/23, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$27,408 (as detailed in Schedule A attached to Director's Report No. CS40/22).
2. Note debts considered bad totalling \$4,708 written off under the General Manager's delegated authority (as detailed in Schedule B attached to Director's Report No. CS40/22).

**COMMUNITY AND ENVIRONMENT DIVISION****Page Number 54****Item 6 CE2/23 NSROC - NORTHERN SYDNEY REGIONAL WASTE STRATEGY****RECOMMENDATION**

THAT Council receive and note the Northern Sydney Regional Waste Strategy 2022 included at Attachment 1 to Director's Report No. CE2/23.

**Page Number 59****Item 7 CE3/23 BEECROFT VILLAGE GREEN MASTER PLAN****RECOMMENDATION**

THAT:

- 1 Council adopt the Beecroft Village Green Master Plan included as Attachment 2 to Director's Report No. CE3/23.
- 2 Submitters be advised of Council's decision.



**PLANNING AND COMPLIANCE DIVISION**

**Page Number 64**

**Item 8 PC11/23 ABORIGINAL HERITAGE STUDY**

**RECOMMENDATION**

THAT:

1. The draft Aboriginal Heritage Study attached to Director's Report No. PC11/23 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

**Page Number 77**

**Item 9 PC12/23 HERITAGE INTERPRETATION STRATEGY AND ACTION PLAN**

**RECOMMENDATION**

THAT:

1. The draft Heritage Interpretation Strategy and Action Plan attached to Director's Report No. PC12/23 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

**Page Number 87**

**Item 10 PC13/23 DRAFT AGRITOURISM DEVELOPMENT CONTROL PLAN AMENDMENTS**

**RECOMMENDATION**

THAT:

1. Amendments to the Hornsby Development Control Plan 2013 attached to Director's Report No. PC13/23 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for consideration.

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**

Nil

**PUBLIC FORUM – NON AGENDA ITEMS**

**QUESTIONS WITH NOTICE**

**MAYOR'S NOTES**

**Page Number 95**

**Item 11 MN7/23 MAYOR'S NOTES 01 MAY 2023 TO 31 MAY 2023**

**NOTICES OF MOTION**

**Page Number 97**

**Item 12 NOM5/23 COMMUNITY INPUT INTO COUNCIL DECISION MAKING**

COUNCILLOR HEYDE TO MOVE:

THAT Council Note:

1. Every resident has a right to have a say in decisions which impact them, and that resident feedback and input informs and guides the decision-making of Council.
2. Hornsby Shire Council has a proud record of encouraging and acting on feedback and contributions from its residents on its policies, plans and projects.
3. Residents are encouraged to have their say on the business of Council including via emails, letters, petitions, phone calls, submissions, responses to surveys and in-person attendance and speeches at meetings.
4. Attendance at Council meetings by residents is welcomed, and that residents speaking on Agenda and non-Agenda items can choose whether to make a speech available to staff and councillors prior to the meeting.

**SUPPLEMENTARY AGENDA**

**MATTERS OF URGENCY**

**1 1 & 3 JOHNSON ROAD, GALSTON - DEVELOPMENT FEASIBILITY ANALYSIS**

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**EXECUTIVE SUMMARY**

- Council is the owner of land at 1 & 3 Johnson Road, Galston. 1 Johnson Road is currently used as a materials storage depot for Council purposes and includes the Galston RFS. 3 Johnson Road was previously used by the Arcadia Pony Club however has been vacant since the Club relocated to the Galston Equestrian Facility when it was built in about 2009.
- Council resolved in July 2022 that a project cost/benefit analysis be undertaken for a light industrial use on Council's land at 1 and 3 Johnson Road, Galston.
- Council's valuer has undertaken a development feasibility based on a proposed light industrial use to identify the costs associated and benefits that could be achieved from developing Councils land for this purpose.
- A change in use of the land would increase the value of an underutilised asset and following completion of the proposed development would create ongoing revenue streams to Council to assist with long term financial sustainability.
- Based on the outcome of the development feasibility, if Council were in support of the proposed use of the land, a Planning Proposal to rezone the land to E4 General Industrial would need to be prepared and lodged to commence the process.

**RECOMMENDATION**

THAT:

1. Council receive and note the outcome of the feasibility analysis for 1 & 3 Johnson Road, Galston.
2. Council prepare a Planning Proposal to rezone its land at 1 & 3 Johnson Road, Galston to E4 General Industrial Zone.
3. Prior to lodgement, the draft Planning Proposal be circulated to Councillors and be the subject of a Councillor Briefing.

## PURPOSE

The purpose of this Report is to respond to a Council resolution requesting a cost benefit analysis be undertaken for a light industrial use of Council's properties at 1 & 3 Johnson Road, Galston. This report provides information concerning a development feasibility study which identifies the costs and income associated with a proposed development of Council's land for a light industrial use.

## BACKGROUND

At the 13 July 2023 Ordinary Meeting, Council considered a Notice of Motion and resolved that:

1. A project cost benefit analysis be undertaken in respect of the potential future use as a light industrial factory unit complex of the Council Depot and adjacent former Pony Club site in Johnston Road, Galston, and once completed, submitted for consideration at a Councillor Briefing.
2. Prior to the appointment of a suitable consultant, a draft consultant brief be circulated to Councillors and be the subject of a Councillor Briefing.

At an informal workshop in February 2023 the brief for a valuer to undertake a development feasibility study was discussed with Councillors.

## THE SITE

Council is the owner of land at 1 & 3 Johnson Road, Galston. Both land parcels are classified as Operational Land under the Local Government Act 1993. The total area of the site is approx. 28,500m<sup>2</sup> and its zoning is RU4 – Primary Production Small Lots.

Council acquired the land in 1950, with the original purpose being to create Mid Dural Road, linking Mid Dural to Galston by roadway. Around 1970 Council sold the western portion of its land (now 36 Mid-Dural Road) to the Department of Interior for their use as a mail distribution centre.

1 Johnson Road is currently used as a depot for the storage of materials relating to road, footpath and stormwater infrastructure with various storage containers also located on the site. It has been used for this purpose since around 1960. The site also contains the Galston Rural Fire Service which is located in the south east corner of the site, adjacent to the vehicular entrance to the depot.

3 Johnson Road was previously used by the Arcadia Pony Club however has been vacant since the Club relocated to the Galston Equestrian Facility when it was built in about 2009. Rotary currently occupy a former amenities building on the site and use it for storage purposes on a short term licence.

The sites are heavily constrained from a development perspective by high voltage electricity easements, high value remnants of bushland, with areas over each property considered to be bush fire prone.

The most notable of the natural resources on Council's properties is the existence of two (2) endangered ecological communities. The critically endangered Sydney Turpentine Ironbark Forest & endangered Narrow Leaved Scribbly Gum Woodland, which are located around the north, east and southern boundaries of Council's properties.

## Adjoining Land Uses

Council's depot is essentially used for industrial purposes. It occupies the southern portion of Council's land on Johnson Road and has done for over half a century.

The land adjoining Council's property along the entire western boundary is currently used for industrial purposes as a self-storage business with vehicle and boat storage but has the same zoning

as Council's land. This use is operating under existing use rights from the former land use when it was used as a Post Master General's Depot.

A further industrial use adjoins Council's land and that is located on the southern boundary on the western side. Around 2017 Sydney Water acquired a portion of Council's depot land for the purposes of constructing and operating a sewer pumping station. While this use is industrial by nature it operates on land zoned the same as Council's adjoining land.

While Council's land is bound by low density residential use on its eastern and northern boundaries, the land is already adjoined by industrial uses on its western and southern boundaries.

### **DEVELOPMENT FEASIBILITY ANALYSIS**

Consistent with Council's resolution, the feasibility study assumed a development for light industrial purposes on Council's land which is not a permissible use in the current zoning.

The feasibility model estimates costs of construction for the proposed use (to construct the buildings, landscaping and roadways for the development and includes a contingency of 10%) and adds other typical costs associated with a development including professional and statutory fees, land holding and financial costs and interest expenses (on a hypothetical loan). It then deducts all the development costs including the allowance for developer profit and risk and the cost of money (based on an interest rate) over the project duration from the gross realisation (or total sales) of the developed land.

Using the buildable land area and market rates from recent sales of similar sized industrial units in comparable areas, it calculates a gross realisation or total sales amount, after deducting selling costs of the completed development (i.e., agents fees and marketing costs). Once the costs of development are included the model provides the project outputs. Most importantly, a residual land value, a net profit from the proposed development and projected internal rate of return (IRR) or return on investment.

Should this proposed use be supported by Council and the matter progress for further investigation, the engagement of an architect to prepare a concept design would enable a more detailed analysis and financial feasibility for the proposed industrial use.

### **Feasibility Model Inputs and Outcomes**

The development feasibility model requires a number of inputs and assumptions to provide the outcome. Below are some of the critical inputs and how they were determined.

#### ***Developable Area***

A critical input to the feasibility model is developable area. In the case of Council's properties at Johnson Road, Galston the land is heavily constrained.

To calculate the developable area the impacts on the combined properties from the electricity easements that burden the length of the entire western boundary were mapped, along with the endangered ecological communities that exist at the properties.

It is important to note that all bushland areas on the site have been excluded from the land area to produce the developable area.

Attached to this report (Attachment A) is an aerial map of 1 & 3 Johnson Road, Galston that was produced with the assistance of Council's Natural Resources, Surveying and GIS teams. The map identifies the site constraints (shaded areas) and provides what is described as a 'residue area' on the plan, or developable area. The developable area was determined to be approx. 8,910m<sup>2</sup> once the site constraints and RFS building were excluded.

Council's valuer made an allowance (of 20%) for internal roads and parking within the developable area which resulted in a buildable area. The buildable area, which was calculated to be 7,100m<sup>2</sup>, was used by the valuer for their high level development feasibility analysis and calculation of the gross realisation amount, or total sales.

Discussion about the financial outcomes from the feasibility study is provided within 'Confidential' Attachment B to this report.

A summary of the feasibility analysis is provided within 'Confidential' Attachment C to this report.

The model makes certain necessary assumptions, including the sale of all developed property to complete the financial calculations and provide a residual land value. It should be noted that the model indicates a value based on all property being sold to calculate the outcomes for the feasibility study, rather than being the approach that Council may wish to take for this project.

The overall intention for undertaking this project should be to increase the capital value of the asset and create recurrent income streams for Council.

### **Previous Valuations**

Two valuations have recently been undertaken for Council's Properties at Johnson Road, Galston. Scott Fullarton Valuations provided a valuation of \$2.73mil for Fair Value purposes, as at 30 June 2022. For Statutory Land Values the NSW Valuers Generals Department provided a valuation of \$3.85mil, as at 1 July 2022. It should be noted that both valuations were prepared based on the existing zoning of the land, RU4 – Primary Production Small Lots.

### **REZONING**

The current zoning of the land does not permit light industrial uses. If Council was in support of using its land on Johnson Road, Galston for light industrial purposes, then the applicable land zoning would need to be amended.

A Planning Proposal to rezone the land to a zoning that permits the intended use for light industrial, such as E4 General Industrial Zone, would be required.

The process to prepare and submit a Planning Proposal to rezone land is both lengthy and costly. It is estimated that the process, assuming it is successful for which there is no guarantee, would take approximately two years and cost in excess of \$200,000. The estimated amount includes the cost of engaging a planning consultant to prepare the application and act as lead consultant while engaging other necessary supporting consultants to provide technical studies to submit with the application, along with Council's own fees to lodge a Planning Proposal.

A Planning Proposal will consider the potential environmental, social and infrastructure impacts associated with the proposal to rezone the land and assess the strategic merit.

As part of the preparation of the Planning Proposal specific regard will be given to the preservation of remnant bushland on the site.

Items contained within Councils Rural Lands Study and Employment Lands Study would provide strategic support for the proposed new land use as part of the Planning Proposal process.

### **STRATEGIC CONNECTIONS**

Within the community's vision concerning sustainable planning for the long term, it identified within 'Your Vision, Your Future' the need to:

(G8.1) “Ensure the financial sustainability of Council through strategic management of assets and short, medium and long term financial planning”.

Within the four (4) year Delivery Plan (2022-26) there are two items that relate to investigating Councils properties:

8A.K12 “Evaluate strategic property holdings for highest and best use”.

8A.K37 “Progress priority actions of the Property Strategy”.

By reviewing its underutilised and underperforming land on Johnson Road, Galston, Council is focusing on actively managing and improving the value of its property assets. Should Council decide to support rezoning of its land for industrial purposes, it will be aiming to achieve the highest and best use for the land and optimise its value for the benefit of the community and Council.

Undertaking the proposed project would meet four of the seven objectives of the draft Property Strategy which is currently on public exhibition. Those are:

- To optimise the value of the Property Portfolio for the benefit of the community and Council.
- To assist with achieving Councils Long Term Financial Plan goals and objectives by investing proceeds from property divestment and creating new opportunities for additional recurring income streams.
- To achieve highest and best use from the existing Property Portfolio to maximise return and minimise all related costs to Council.
- To identify underutilised/underperforming property assets within the existing Property Portfolio and consider them for potential divestment or further investment opportunities.

To achieve the objectives of the Property Strategy and enjoy the financial benefits that a developed project on Councils land could bring, the land must first be rezoned to a land use that supports light industrial use.

### **NEXT STEPS**

The next step to pursue the proposed use of the land is to prepare a Planning Proposal for rezoning. Once the Planning Proposal has been prepared it is to be circulated to Councillors for consideration and discussion at a Councillor briefing.

### **CONSULTATION**

If Council were to support the proposed use as light industrial and proceed to lodge a Planning Proposal for rezoning the land it is proposed that Council as land owner undertake preliminary consultation of the proposal with the community, including adjoining residents, prior to lodging the planning proposal. By doing this Council would be informing adjoining residents of its intention prior to them being formally notified as part of the Planning Proposal process giving them an opportunity to express their support or concern for the proposal at an early stage. Undertaking early engagement will ensure that consideration can be given within the Planning Proposal to concerns and benefits that the community may have with the proposed land use. It should be noted that there are two subsequent consultation periods included within the Planning Proposal process for the community to provide their comment.

### **BUDGET**

Funds are available for this project within the Operating Plan for 2022/23 and 2023/24. The existing funds allocated will cover the initial engagement of a lead planning consultant and potentially some of

the supporting technical studies and investigations required for the preparation of the Planning Proposal. As the Planning Proposal process is likely to take two years it is expected that additional funds will be required at a later stage. The amount required will be better understood once a lead consultant is engaged and the extent of supporting studies required is understood.

#### **POLICY**

There are no policy implications associated with this Report.

#### **CONCLUSION**

Council requested financial analysis be undertaken for a proposed industrial use of its land on Johnson Road, Galston. The feasibility study outcomes were positive.

Undertaking a development of Council's land for light industrial purposes would meet objectives of the Property Strategy, including that it would optimise the value, improve utilisation, achieve the highest and best use of Council's land and create new opportunities for recurrent income streams to assist with long term financial sustainability.

To undertake a light industrial use of Council's land it must first be rezoned to E4 General Industrial Zone by lodging a Planning Proposal.

#### **RESPONSIBLE OFFICER**


The officer responsible for the preparation of this Report is the Property Asset Manager (Strategy) – Kent Walton - who can be contacted on 9847-6234.

STEVEN HEAD

General Manager

Office of the General Manager

#### **Attachments:**

1. Attachment A - Johnson Road, Galston - Plan of Developable Area  

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



File Reference: F2022/00307  
Document Number: D08651728

**ITEM 1**

## **2 WESTLEIGH PARK - OUTCOMES REPORT REVISED DRAFT MASTER PLAN AND DRAFT PLAN OF MANAGEMENT / RESULTS OF PUBLIC EXHIBITION**

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### **EXECUTIVE SUMMARY**

- In March 2023 Council endorsed a draft Westleigh Park Master Plan (draft MP) and draft Westleigh Park Plan of Management (draft PoM) for the purposes of public exhibition.
- The draft MP was exhibited between 13 March to 11 April 2023 inclusive, and the draft PoM exhibition occurred from 13 March to 23 April 2023 with a Public Hearing held on 4 April 2023.
- Strong community interest regarding Westleigh Park was apparent with a total of 685 submissions received for the draft MP. Overall, the majority of responses received expressed support for the draft MP.
- Supportive responses were generally grouped into the following categories: community need for sports facilities; support for mountain biking; achieving a balance between recreation and environmental protection; and general support for more recreational space and facilities across Hornsby Shire.
- Submissions concerned about the draft MP were generally centred on impacts on the environment; traffic generation; and opposition to mountain biking (with significant opposition to the proposed retention of mountain bike trails in the Sydney Turpentine Ironbark Forest and Duffy's Forest vegetation communities).
- Minor staff identified amendments to the draft MP are recommended to:
  - Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail.
  - Consistently reference synthetic or natural turf discussing the surface of the middle sports platform.
- Strong community interest in the draft PoM was also apparent with a total of 441 submissions received. Submissions fell into similar topics and themes and there was significant overlap with submissions made on the draft MP.
- Very few of the submissions addressed the proposed categorisation of land at Westleigh being Sportsground, General Community Use and Natural Area (Bushland) with more submissions reflecting on various aspects of the action plans contained in the draft PoM.
- Whilst no changes are recommended to the proposed land categorisations at Westleigh Park, minor amendments not requiring re-exhibition are proposed to the action plans to further clarify Council's future management of Westleigh Park.
- It is recommended that Council adopt the draft Westleigh Park Master Plan included at Attachment 1 to General Manager's Report No. GM24/23.

- It is also recommended that Council adopt the draft Westleigh Park Plan of Management included at Attachment 2 to General Manager's Report No. GM24/23.

**RECOMMENDATION**

THAT Council:

1. Adopt the draft Westleigh Park Master Plan included at Attachment 1 to General Manager's Report No. GM24/23.
2. Adopt the draft Westleigh Park Plan of Management included at Attachment 2 to General Manager's Report No. GM24/23.
3. Note work to prepare a development application for Westleigh Park continues to progress with an anticipated lodgement prior to the end of 2023.
4. Write to the Office of Local Government to inform of the adoption of the Master Plan and Plan of Management.

**ITEM 2**

## PURPOSE

This report is prepared to present the results of the public exhibition on the draft Westleigh Master Plan and draft Westleigh Plan of Management, and to seek Council's endorsement for both documents.

## BACKGROUND

Westleigh Park is a 36-hectare parcel of land at 62 Quarter Sessions Road, Westleigh that was purchased by Council in 2016 to assist in addressing the increasing demands for active recreation within the Shire arising from an increase in population, a general increase in participation of outdoor recreation, an increase in female participation in sports, and changing trends for both team sports and individual recreational pursuits.

The land includes cleared open space (approximately 10 hectares) and bushland (approximately 26 hectares). Historically the land has been used for a wide variety of commercial and recreational purposes; as a dump for surplus landfill from other sites, for night soil disposal and tarring of night soil pots, as a quarry, a dog pound, by NSW Rural Fire Service as a training facility and by dog walkers and the local mountain biking community as recreation space.

Community built and maintained mountain bike trails have been present within bushland at the site for more than 20 years. These trails are widely utilised, with the community reporting that they most highly value the beginner and intermediate aspects of the trail as they enable families, younger children, and older riders to participate in this recreational pursuit.

A summary table outlining the site's history is provided below.

|                |  |
|----------------|--|
| Early 2000's   | Council recognised the need for additional sports fields and began the process of identifying potential sites which included the 'surplus to needs' Sydney Water owned land at Westleigh.  |
| 2014 - 2015    | Council adopted its then Section 94 Developer Contributions Plan, which included \$20M for the purchase of the Westleigh Park site from Sydney Water to address active recreation needs for the Shire.   |
| Jun 2016       | Acquisition of Sydney Water land completed.  |
| Oct 2018       | Council adopts Hornsby Sportsground Strategy, supporting the need to develop sportsgrounds at Westleigh Park.  |
| 2019           | NSW Government announces \$40M funding for Westleigh Park Development including funding for mountain bike trails.  |
| Apr – Jun 2021 | Public exhibition of draft Westleigh Park Concept Master Plan.   |
| July 2021      | <p>Council considered a report outlining the results of the public exhibition of the draft Westleigh Park Concept Master Plan. Responses to the public exhibition 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.</p> <p>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 Master Plan to enable further community</p> |

|                      |  |
|----------------------|--|
|                      | consultation to take place.<br><br>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. |
| Mar – Jun 2022       | Council facilitated a series of co-design workshops with stakeholders from the mountain biking and environmental communities to seek to resolve an approach to mountain biking at Westleigh Park. The co-design process concluded without a consensus being reached from participants.   |
| May and October 2022 | Council held stakeholder workshops with the local community regarding Sefton Road traffic concerns.  |

## DISCUSSION

### Strategic Context

In 2016 Council adopted its Active Living Hornsby Strategy which noted in part:

- Outdoor sports facilities continue to receive greater demand than the available resource can deliver.
- Unstructured recreation across the Shire matches the diversity of landscape types and the available facilities, with cycling (road, MTB and BMX), fishing, boating and bushwalking all being popular.
- Opportunities to increase the quantum of outdoor settings in the Shire to meet growing demand is limited by geography.
- A need to address improved facilities and opportunities for walking (especially local walks connecting urban areas and bushland) and cycling as well as local open space upgrades and more adaptable sports facilities to address a growing demand.

The Active Living Hornsby Strategy provides a strategic framework and identified a suite of action and critical plans to be developed that would be key to delivering the Active Living Hornsby Strategy. These include a Sports Plan, Play Plan and Walking and Cycling Plan.

Council's 2018 Sportsground Strategy was developed as an outcome to the Active Living Hornsby Strategy and found that:

- Council provides around 43 sportsgrounds with a total playing surface area of 59Ha
- In the winter season, 76% of Council's fields are allocated close to or over their combined capacity
- On a cumulative basis, winter use is more than 15% above the practical capacity
- Fields that are over allocated are, on average, almost 26% over their combined capacity. As a proportion of the total supply capacity, this is approximately 14.7%.
- The current (2018) shortfall of playing surface area is 12.6Ha.
- A gap analysis indicates that with no change to the current supply, by 2026 there would be a shortfall of sportsground playing surface within the Hornsby LGA of approximately 19.9Ha. In

addition to the actual playing area, an allowance for ancillary space needs to be made (estimated at 70%) which results in a total area required of approximately 33.8Ha.

- A range of approaches to addressing the identified shortfall was identified including relevantly, progressing with the development of Westleigh Park for sports fields and supporting infrastructure, and the use of synthetic surfaces to boost capacity.

The Australian Sports Commission's AusPlay 2022 Participation Data (<https://www.clearinghouseforsport.gov.au/research/ausplay/results>) identified the following recreational pursuits within the top 20 in terms of participation that would be catered for at Westleigh Park:

- Recreational Walking (1st); Running/Athletics (4th); Cycling (5th); Football/Soccer (6th); Bush Walking (7th); Australian Football (12th); Cricket (14th); and Touch Football (19th).

Council's Sportsground Strategy (2018) identified approximately 20,000 Hornsby based sports participants with the following proportion of participants, Football (soccer) 47%, Netball 10%, Cricket 9%, Touch/Oztag 7%, Baseball 6%, Hockey 5%, Athletics 4%, Rugby Union 4%, Softball 3%, AFL 3%, Rugby League 2%.

Noting the interest in Mountain Biking at Westleigh Park, for context the Australian Sports Commission data indicates that since 2018, national yearly participation has risen from 202,754 to 453,228. The upward participation trend was most notable during the COVID lockdown period. Since the relaxation of COVID movement restrictions, participation has declined slightly.

As noted in the background section of this Report, in 2021 Council developed and exhibited a draft Concept Master Plan for the site that responded to the identified active recreation needs of the Shire. This included provision of three sports platforms with supporting infrastructure such as amenities, roads and parking, a playground and formalisation of mountain bike trails in the natural areas of the site.

Responses to the public exhibition 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. Notwithstanding Council resolved to defer further consideration of the draft Concept Master Plan and:

- Engage with the local community regarding a suitable mountain bike trail alignment at Westleigh Park that delivers the advanced, intermediate and beginner trail experience that is provided by the unsanctioned trails, noting that there is a need to protect high value biodiversity on the site.
- Continue negotiations with Sydney Water on a suitable road alignment through its Thornleigh Reservoir site.
- Note the majority (85%) of on-line surveys supported the proposal to extend Sefton Road to Quarter Sessions Road however that residents of Sefton Road and Sanctuary Gardens have raised concerns regarding the proposed extension to Sefton Road, and that Council engage with residents regarding their concerns.

#### 2022 Community Engagement

In response, throughout 2022 Council engaged with stakeholders to deliver a comprehensive program of activities to better understand their perspectives. Included in this program was a two-stage

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.

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 was incorporated into the draft Master Plan and draft Plan of Management for the site.

Two workshops were also conducted in May and October 2022 regarding traffic concerns and the proposed extension to Sefton Road. At the conclusion of the workshops, it was noted 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 would not be required.

As such it was 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.

The outcomes of the consultations were incorporated into the draft Master Plan and draft Plan of Management for the site.

#### Public Exhibition of the draft Master Plan and draft Plan of Management

In March 2023 Council endorsed the draft Westleigh Park Master Plan and draft Westleigh Park Plan of Management for the purposes of public exhibition.

The following activities have occurred in relation to the exhibition, public hearing, and submission period for the Westleigh Park Development:

- Public exhibition of the revised draft Westleigh Park Master Plan occurred between 13 March to 11 April 2023.
- Public exhibition of the draft Westleigh Park Plan of Management occurred between 13 March to 11 April 2023.
- A Public Hearing for the draft Plan of Management occurred on 4 April 2023.

Submissions for the draft Plan of Management were accepted for an additional period of two weeks until 23 April 2023, to comply with legislative requirements of the Local Government Act 1993.

Notifications of exhibition and the public hearing were provided through the following publications and digital communication channels:

- Hornsby Shire Council's website *Your Say Hornsby*.
- Council's April eNews.
- Weekly Community Engagement newsletters.

- April newspapers “Have Your Say” - Bush telegraphy, the Post, Galston Glenorie News, Dooral Roundup magazine.
- Facebook post on 15 March 2023.

Submissions were received via Council’s [Your Say Hornsby](#) website, via email and via written letter. The majority of submissions were written by individuals however some submissions were lodged on behalf of organisations and groups.

Council commissioned Urbis Pty Ltd (Urbis) to prepare submissions analysis reports to collate, analyse and report on submissions received throughout the public exhibition period for the Westleigh Park revised draft Master Plan and draft Plan of Management. Urbis were also engaged to facilitate a public hearing, along with preparing an outcomes report of the hearing as required by the Local Government Act (Section 47G).

A summary of the high-level themes that emerged as a result of this public exhibition and hearing and documented in each of the Urbis submissions analysis reports is provided below.

Table 1: Summary of Themes identified in Submissions Analysis Reports

|   | Updated draft Master Plan | Draft Plan of Management |
|---|---------------------------|--------------------------|
| Mountain Biking / Mountain Bike Trails                              | ✓                         | ✓                        |
| Bushwalking   |                           | ✓                        |
| Environmental Sustainability / Bushland and Biodiversity Protection | ✓                         | ✓                        |
| Sports platforms  | ✓                         | ✓                        |
| Traffic Management and Parking                                      | ✓                         | ✓                        |
| Other Recreation  | ✓                         |                          |

Generally, it is noted that Urbis prepared the submissions analysis reports to reflect the diversity of topics and themes that emerged, rather than the ‘popularity’ or otherwise of any particular issue. This approach was adopted to provide guidance in progressing the next steps of the draft Master Plan and draft Plan of Management.

Urbis advised caution against drawing general conclusions from the themes in these reports regarding the sentiments held by the wider community (noting over 151,000 residents in the Hornsby Shire LGA) as submissions were sought and made voluntarily by community members on an ‘opt-in’ basis and that submissions are not a statistically representative sample of the wider community. Responses and themes therefore do not constitute a poll or plebiscite regarding the future uses of Westleigh Park.

The following documents prepared by Urbis are separately reviewed:

- Westleigh Park Draft Master Plan Submissions Analysis Outcomes Report, Urbis, May 2023, Draft. (Attachment 3)



- Westleigh Park Plan of Management Submissions Analysis Outcomes Report, Urbis, May 2023, Draft. (Attachment 4)

The primary themes identified in the reports are acknowledged with:

- A description of community concerns or issues identified in the submissions.
- Officer response to these concerns or issues.
- If appropriate, describe measures that Council has taken or will take to alleviate or mitigate these concerns or issues.
- If required, identify specific non-substantive changes that will be made in response to submissions.

### REVISED DRAFT MASTER PLAN

Urbis have prepared a submissions analysis report to collate, analyse and report on submissions received throughout the public exhibition period for the Westleigh Park revised draft Master Plan.

Whilst the public exhibition in 2021 was broad ranging and an attempt to understand community interests, to better inform the development of a draft Master Plan, the public exhibition in 2023 was more targeted, focussing on the changes to the revised draft Master Plan and is the subject of this report.

685 submissions were received during the engagement process for the Westleigh Park revised draft Master Plan, by letter, via email and directly through Council's Your Say website. The majority of submissions were written by individuals however some submissions were lodged on behalf of organisations and groups.

Of these, six submissions were duplicates, lodged through the Your Say Hornsby website and email/letter and 86 submissions came in the form of a pro forma.

*Table 2 – Submissions Received*

| Submission via                       | Submissions received |
|--------------------------------------|----------------------|
| Your Say Hornsby website             | 546                  |
| Email / Letter (including pro-forma) | 139                  |

Overall, a majority of the 1,801 topics that were recorded across the 685 submissions expressed support for the draft Master Plan.

#### Your Say Hornsby website self-selection themes

Of the 546 submissions that were lodged via Council's Your Say website, submitters were asked to answer the following question: I would like to provide feedback on the following section(s) of the draft Master Plan (required). They are listed in the Table 1 below, in the order of number of responses received.

Table 3 – Topics selected, and postcodes identified

| Themes                            | Topic Percent** | Postcode by Local Government Area |                  |            |
|-----------------------------------|-----------------|-----------------------------------|------------------|------------|
|                                   |                 | Hornsby***                        | Neighbouring**** | Other      |
| Mountain Bike (MTB) Trails        | 76.92%          | 59%                               | 22%              | 20%        |
| Sportsfields                      | 32.42%          | 86%                               | 10%              | 3%         |
| Environmental sustainability      | 10.44%          | 65%                               | 14%              | 21%        |
| Traffic management                | 10.07%          | 95%                               | 2%               | 4%         |
| Other recreation                  | 9.30%           | 86%                               | 6%               | 8%         |
| Access                            | 6.96%           | 82%                               | 5%               | 13%        |
| Implementation of the Master Plan | 6.23%           | 76%                               | 12%              | 12%        |
| Connecting with Country           | 2.38%           | 77%                               | 0%               | 23%        |
| Other                             | 2.38%           | 69%                               | 15%              | 15%        |
| Landfill management               | 2.20%           | 83%                               | 8%               | 8%         |
| <b>TOTAL</b>                      |                 | <b>*****64%</b>                   | <b>19%</b>       | <b>16%</b> |

Interpreting Table 3

**Other recreation** topics include bushwalking, separate trails.

**Other** topics include inadequate studies, surveys and assessments, bushland to be rezoned C2 Environmental Conservation and sports complex rezoned RE1 Public Recreation, closed criterium cycling track (noting others recently closed Beaumont Road, HART at St Ives).

A number of factors need to be considered when interpreting the statistics in the table above.

\* Respondents could select multiple topics. This resulted in the 546 submissions covering 870 topics.

\*\* Percentages were calculated on 546 submissions. E.g., 77% of respondents selected Mountain Bike Trails.

\*\*\* Correlates the postcodes to topics. E.g., 59% of respondents that selected Mountain Biking nominated a Hornsby Local Government Area (LGA) postcode.

\*\*\*\* Neighbouring LGA shares a boarder with Hornsby LGA and include Parramatta, The Hills and Ku-ring-gai.

\*\*\*\*\* Indicates that of the 546 submissions 64% (352) nominated the Hornsby LGA.

Urbis undertook a thematic analysis that identified, and recorded topic(s) covered in each submission. This standard practice allows unique topics that are mentioned in a single submission to be analysed and recorded.

This also reflects the process that was carried out for those who lodged a submission through the Your Say Hornsby website, where submitters self-identified the topic(s) their submission related to.

The process of analysing submissions followed these steps:

- Submissions were read to identify unique topics.
- Topics were recorded once per submission. This resulted in 1801 'coded' topics.
- Topics were grouped into themes.

- Themes were then aligned to the relevant sections of the draft Master Plan.

Six submissions were duplicates, lodged through the Your Say Hornsby website and email/letter. The topics mentioned in submissions were counted once and are included in the 1801 'coded' topics.

86 submissions came in the form of a proforma. That is, each submission contained identical pre-filled content, with space for additional individualised content. This number is included in the 685 submissions.

The following process was adopted by Urbis to code these pro forma submissions:

- Identical (pre-filled) content – coded according to topics. Each topic was counted once and recorded once.
- Additional content – any new information outside of the recorded topics from the pro forma was included as a new topic and counted.

These proformas are included in the 1801 'coded' topics.

Included below is a detailed discussion on each of the themes identified through submissions.

### **GENERALLY**

#### **Support**

Overall, the majority of the 1,801 responses that were recorded in the 685 submissions expressed support for the draft Master Plan. This support was grouped into the following categories: Community need for sports facilities; Support for mountain biking; Achieving a balance between recreation and environmental protection; and General support for more recreational space and facilities across Hornsby Shire.

These categories are explored in greater detail below.

#### **Opposition**

Although in the minority, a number of the 1,801 recorded responses expressed opposition, voiced concern, or were critical of the draft Master Plan, or elements contained within it. Several factors were referenced. These can be grouped into the following broad categories - impacts on the environment, traffic generation and opposition to mountain biking (especially in STIF and Duffy's Forest). Some submissions also cited inadequate or inaccurate information and called for the draft Master Plan to be updated and re-exhibited.

These categories are also explored in greater detail below.

### **MOUNTAIN BIKE (MTB) TRAILS**

#### **Support**

The largest number of responses were related to mountain bike trails. The majority of these supported formalising the trails, as it was argued this would mitigate the risk of unsanctioned trails and minimise the impact on the environment. These submissions also outlined other benefits such as connecting with nature, the variety of experiences the trails provide riders and the health and wellbeing benefits to individuals and families.

Many submissions noted the importance of the trail network design in providing a variety of experiences for riders of all abilities.

A recurring theme was the personal benefit that mountain biking has had on individuals and families in the area, especially in relation to family health and wellbeing. Examples included the benefits of

bringing families together for sport and fitness and reducing the time children spent on personal electronic devices.

## **Opposition**

### ***Mountain biking and STIF, CEEC, EEC and Duffy's forest***

Significant opposition to mountain bike trails in the Sydney Turpentine Ironbark Forest, (STIF) Critically Endangered Ecological Communities (CEEC), and Duffy's Forest Endangered Ecological Communities (EEC) emerged. Some respondents suggested that all mountain biking trails should be removed from high conservation areas as they are unsuitable for the site and unsustainable. A small number argued that passive recreation such as bushwalking would be acceptable in these areas, and that mountain biking is not a passive recreation. Others argued there should be no human activity in these areas at all. The introduction of pathogens through mountain biking and the effects mountain biking on mycelium networks in STIF and Duffy's Forest was also a recurring topic.

It is worth noting that a small number of these respondents also explicitly stated opposition to formalising the trails across the whole site and wrote that Council should not facilitate the continuation of mountain biking at Westleigh due to their unsanctioned beginnings.

### **Officer Comment**

The proposed trail network within Westleigh Park Master Plan is a response to the community's expressed desire and Council resolution for a mountain bike network to be formalised within the natural areas which will accommodate a range of rider abilities and provide a suitable mountain bike experience. The proposed network has been developed with consideration given to the vegetation communities present and their associated sensitive ecological processes and value.

In doing so, Council has undertaken formal studies, consulted with ecological and trail building experts, and facilitated co-design workshops with key stakeholders to design the proposed network which seeks to avoid, minimise and mitigate potential impacts on the natural environment. In taking this approach, the existing informal trail length has been reduced by approximately 2.2km. For Sydney Turpentine Forest and Duffy's Forest, trail length in the proposal is reduced by 61% and 20% respectively when compared to the existing informal trail length.

Further, to balance the competing priorities, the concept design concentrates on removing or reusing existing trails where appropriate and consolidation of the network to preserve core bushland areas and connectivity. By reducing the number of trails and by reutilising and restoring existing trails to sustainable standards developed by the International Mountain Bicycling Association (IMBA), the potential direct and indirect impacts to the environment would be minimised.

The draft Master Plan and has been prepared in response to the recreational needs of the community and conservation of natural areas.

Future detailed design for the implementation of proposed activities on the site will require further consideration and assessment against relevant policy and legislation. In doing so further refinement of the trail network will be incorporated in response to these considerations. The development assessment process will ensure that all activities are permissible and accountable under relevant policy and legislation.

## **SPORTS PLATFORMS**

## Support

A large number of responses were received related to the proposed sports platforms. From the coding process, a consensus supporting the sports platforms emerged and the vast majority of respondents referenced the shortage of safe, accessible and all abilities facilities that cater to multiple sporting codes. Unlike other topics, there was little variation among coded themes.

A number of submissions also referred to specific sports or codes. As such, many of them called on Council to prioritise or dedicate access. The codes and sports that were mentioned included:

- Soccer
- Basketball
- Netball
- Women's sport
- Cricket
- Sports that cater to all ages
- Local club priority

The need for a dedicated, all-weather athletics track also emerged as a topic amongst submissions. A lack of facilities across Hornsby Shire and Sydney's North West was cited in these submissions.

Support for synthetic fields on at least one of the sports platforms was expressed across a number of responses. It must be noted that under the synthetic fields reporting code, other descriptive names were also used, including astroturf, artificial or all-weather access. Often when support for synthetic surface was detailed, it related to a specific sport. The increased usage synthetic coverage would provide for participation was the primary factor provided in submissions that expressed support.

## Opposition

Opposition to synthetic fields also emerged as a topic during analysis. Of the responses that outlined opposition to synthetic fields, the reasons provided referred to the perceived health and detrimental environmental impacts.

## Officer Comment

Council's Sportsground Strategy (2018) identified the need for additional sporting facilities to meet current and future needs within the Local Government area. Westleigh Park was purchased by Council to help address this need.

Noting the extremely limited opportunities to develop new sportsgrounds within existing residential areas, the proposal deploys a synthetic sports surface to the middle platform. These surfaces have been used extensively both internationally and in Australia, as they are able to handle a longer duration of seasonal use as compared with natural grass. Examples of uses of synthetic surfaces include tennis courts, hockey fields, sportsgrounds (rugby, football, and AFL), schools and childcare centres.

Council's Sportsground Strategy identified Westleigh as a suitable candidate for a synthetic surface. Notwithstanding the draft Master Plan and draft Plan of Management note the middle platform surface as natural turf or synthetic. Council would need to make a decision in respect of surface type prior to lodging a Development Application for the middle platform. Any surface would be specified to current

best practice and incorporate recommendations from the Chief Scientist & Engineers review into Synthetic Surfaces in Public Places when released.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Opposition**

When opposition to the draft Master Plan was expressed, it was most often on the grounds of needing to protect the site's natural environment. The vast majority of these opposing responses referred to the mountain bike trails, but a small number also mentioned the sports platforms and other uses. Several respondents canvassed concern about the vulnerable state of the environment, biodiversity loss, and the impact that increased activity on-site will have on wildlife such as the Powerful Owl. Others specifically called upon Council to act as a protector of the natural environment and requested that there be a stronger focus on rehabilitation. Topics that emerged during coding that related to environmental sustainability included:

- The impact on fauna, particularly bird species was also of notable concern in some.
- The impact of artificial lighting from the sports platforms on the flora and fauna located within the site's bushland areas.
- A view that Council was contravening a number of their own policies in addition to State and Federal legislation. The NSW Biodiversity Conservation Act 2016, as well as other Council strategies like the Biodiversity Conservation Strategy and the Urban Forest Strategy, were among the most commonly referenced policies or legislative instruments.

### **Officer Comment**

Any proposals in the revised draft Master Plan are to adhere to the Objectives and Performance Targets outlined in the draft Plan of Management 4.2. That is, to protect and enhance the bushland and habitat including threatened species, restricting access in specific areas, and managing any approved trail network in a sustainable manner to ensure conservation of the site's ecological integrity. Further, any proposals for Westleigh Park will require a Development Application that would be considered and approved by an independent planning panel having regard to relevant legislation and policies. Where the proposal had some impact on matters covered by Federal Legislation, Council would also pro-actively refer the proposal to the relevant Federal Agency.

Lighting for the sports platforms is only proposed until 10pm and the carpark, road network until 10:30pm. All lighting will meet the relevant Australian Standards for sports use and light spill. LED technology provides excellent directional lighting which prevents light spill into any natural areas. Where appropriate, clarifications have been included within the draft Master Plan and Plan of Management to give effect to the above.

## **TRAFFIC MANAGEMENT**

### **Opposition**

A small number of responses mentioned traffic, however the majority of those expressed concern that the draft Master Plan would result in unacceptable traffic generation. Questions about the validity of the traffic analysis that had been used to inform the draft Master Plan emerged several times throughout the coding process undertaken by Urbis. It was expressed that no data about traffic during the winter sports season had been used to determine traffic impacts.

### ***Sefton Road extension***

In addition to concerns raised regarding traffic generation, a small number of respondents expressed concern about the proposal to extend Sefton Road. Traffic generation, the narrow design of the road, its potential as a 'rat run', and the lack of perceived need in stage one, were amongst the concerns raised. Some challenged the need for a bushfire-related exit for the surrounding community, while others said emergency access is needed, but via a different alignment due to the impact on the STIF and Thornleigh Reservoir.

Other submissions expressed that its cost meant it would be more appropriate to be constructed as part of stage two (when more sports platforms will be in use). Some responses also raised the in-principal agreement between Hornsby Shire Council and Sydney Water. Some questioned the validity of the proposed road in light of questions around the legitimacy of this agreement and suggested that it should not go ahead.

#### Officer Comment

Following Councils decision to defer consideration of the Master Plan to allow, in part further consultation and refinement of the design for road access to the site, staff and consultants have undertaken further work and engaged with affected community members.

The following observations are provided.

- Sefton Road extension (SRE) has for many years been scheduled to occur at some point in time and there are few, if any other opportunities to achieve a secondary egress from the Westleigh peninsular in times of emergency. Access and egress along the SRE for regular and emergency vehicles will be invaluable in times of bushfire as it provides an alternative route to Quarter Sessions Road. While negotiations with RFS cannot occur until a Development Application is lodged, preliminary advice suggests that RFS will require this road as a third point of access and egress prior to operation of Stage 2.
- SRE is narrow due to constraints either side – Sydney Water assets to the reservoir side and STIF to the east, down to the eastern boundary of this parcel of land but will be of sufficient width to service the needs that are envisaged.
- SRE is required for peak park usage periods prior to opening Stage 2, as predicted by thorough modelling of current and future traffic volumes, taking into account NorthConnex and post COVID traffic
- Careful road design will ensure the opportunity for the road to be used as a “rat run” is minimised, including the use of road barriers to prevent vehicular access except during peak park usage times such as opening on Saturday for weekly sports fixtures.
- While the cost is significant, the road is required prior to opening of Stage 2 and in consideration of the extensive and valuable negotiations with Sydney Water to date and summarised in the next steps detailed below, Council recognises the value in commencing this process as soon as possible.
- The process for next steps with Sydney Water is multifaceted and complex - Council has a requirement to:
  - Obtain owners consent to lodge DA with proposed work on Sydney Water land.

- Council to assemble and engage a large design team of specialist engineers who are accredited with Sydney Water to undertake design and peer review work at a specific level, including:
  - Design – civil, structural, geotechnical
  - Peer Review – civil, structural, geotechnical
  - Dam Verification – independent verifier to ensure final solution does not interfere with Thornleigh Reservoir (classified as extreme risk dam)
- Following approval by Sydney Water, submit an application to Build Over Assets (BOA) – a technically detailed process that takes many months to complete.
- Undertake a carefully managed period of design development to meet all Sydney Water engineering requirements.
- Eventually, negotiate the terms of ongoing access, whether that be via a purchase of the land, creation of an easement or other mechanism.
- Sydney Water require continuous access to their assets at all times and with specific focus on access in case of dam emergency
- Councils most recent discussions with Sydney Water have been extremely positive, both in terms of receiving owners consent to lodge a development application that will include SRE and also to the process to undertake the BOA.

Whilst the community is understandably concerned about the impact of traffic on the surrounding road network the studies undertaken to date do not indicate this to be a significant issue. As outlined above access to the SRE will not be required until well past the initial stage of a single sports platform and even when required for future stages, will only be required for periods of peak demand. Relatively minor upgrades have been identified for two intersections and these will be dealt with through the Development Application process, should the Master Plan be adopted.

### ***Parking***

Parking also emerged as a theme from a small number of responses. Concern was expressed that the draft Master Plan had not provided adequate car spaces.

### **Officer Comment**

Council's assessment is that approximately 100 car spaces will comfortably service the southern platform to be constructed as a part of Stage 1.

Stage 1 contains two rectangular sportsgrounds that can cater for different sports code configurations. For Council's other sportsground venues, there are on average 35 car spaces provided for each rectangular sportsground. Therefore, this Stage 1 will include 30% additional car spaces than provided at other Council sports venues.

The vehicle generation from use of the mountain bike trails is relatively low compared with organised team sports.

### **OTHER RECREATION**



## **Opposition**

### ***Lack of bush walking tracks***

Concern that the draft Master Plan did not adequately cater for the needs of bushwalkers, botanists, birdwatchers or citizen scientists, instead prioritising mountain bike trails, was found among a small but significant number of responses. In addition, it was argued that separate trails are needed for both mountain biking and bushwalking as they cannot co-exist safely on the one trail. Several submissions also referred to the existing mountain biking network in Old Mans Valley and Hornsby Quarry, stating that a broader cross section of the community would benefit from the inclusion of dedicated bush walking tracks.

### Council Response

The desire for more bushwalking opportunities and authorised bushwalking tracks within its Local Government Area (LGA) is noted. Currently within the LGA there are over 100km of walking trails. Bushwalkers at Westleigh Park will have connection beyond the site to this trail network, including the Westleigh to Hornsby connection through Dog Pound Creek and the Great North Walk.

## **ACCESS**

### **Support**

The proposed link between Westleigh and Hornsby Parks was again another polarising topic. A majority of responses supported the link.

### **Opposition**

Opposition was also expressed to the proposed link, due to its alignment and concerns regarding environmental impacts. Some responses also pointed out that the linkage would not be permissible as per the Biobanking Agreement for the Dog Pound Creek site.

### Officer Comment

The Hornsby to Westleigh link is designed to offer another experience to visitors of either park that can be enjoyed by those moving through the Shire on foot or bike. Much of the link between the two parks already exists in the form of maintenance trails (e.g., fire trails) upon which mountain biking is permissible. To complete the link works involved in creating the connection will focus on the entry and exist to the Parks and providing a safe creek crossing above a sewer easement.

## **OTHER**

### ***Road cycling***

An argument was put forward in tallied responses that a 1.8km closed-road cycling criterium track is desperately needed in the Northern Sydney region and should be included in the draft Master Plan.

### Officer Comment

A road criterium track was raised in the 2021 consultation process and was not progressed due to the lack of space and conflict between road cyclists and users accessing the sportsgrounds and mountain bike trails. For this reason, a regional criterium track facility is not proposed or supported.

## **IMPLEMENTATION OF THE MASTER PLAN**

### **Support**

The view that the draft Master Plan will bring economic benefits to Westleigh and wider Hornsby Shire was also a theme that emerged in a small number of responses. Many of these were linked to the

benefits of the mountain biking trails, but others discussed wider aspects, such as the sports platforms and athletics track.

## **Opposition**

### ***Scale of the proposal***

The scale of the draft Master Plan also emerged as a theme throughout the coding process. A small number of respondents argued the proposal is out of proportion to the surrounding suburban environment. The impact on the bush, the impact on local character and amenity, and generation of traffic were of particular concern.

#### Officer Comment

Impact on the bushland and generation of traffic have been responded to under separate headings.

Regarding the impact on local character and amenity, these facilities are proposed to cater for Hornsby based sports clubs and competitions, and recreation spaces. The majority of Council's sports and recreation facilities are located with residential precincts such as Westleigh Park.

### ***Economic Impacts***

Concern was found in some responses about the financial implications the Master Plan would have. Comments about the operational cost of the proposed site, other ongoing projects in Hornsby Shire and the materials that will be used (particularly gabion) were embedded throughout some responses. There were also requests for greater transparency around how funds will be spent throughout all stages of the project.

#### Officer Comment

Under current planning scenarios there are sufficient funds available to complete Stage 1 through an existing grant allocated by the Office of Local Government. Council's long term financial plan has also identified ongoing operational and maintenance funding for the site, noting that final decisions on implementation will only be proposed where the long term consequences or financial impacts are well understood by Council and addressed within the long term financial plan.

## **CONNECTING WITH COUNTRY**

### **Support & Opposition**

Across the small number of responses that referred to the relocation of the scar tree on site, support and opposition was found in an approximately equal number.

#### Officer Comment

Council has undertaken due diligence assessment of the site with regards to Aboriginal cultural heritage. This due diligence process has identified Aboriginal cultural heritage values on the site, including the scarred tree. Consultation with Aboriginal registered parties, archaeologists and other stakeholders have helped inform the broad design of the draft Master Plan.

A collaborative consultation process between Council, registered Aboriginal parties and other relevant stakeholders is on-going and will inform the future management of all Aboriginal cultural heritage on the site. Any future management actions that may impact on Aboriginal cultural heritage items will be guided by this consultation process and assessed through the development assessment process.

## **LANDFILL MANAGEMENT**

## **Opposition**

Contamination also emerged as a theme in a small number of responses. This included concern about the contamination on site and how it will be safely handled. Many expressed the view that capping on site was not the safest method for Council to implement. Concern about handling asbestos was especially prevalent. Furthermore, requests for a Remedial Action Plan to be exhibited as part of the Draft Master Plan was also included in a handful of responses.

### Officer Comment

The site has been subject to historical contaminating land uses. As such, site remediation works are also proposed to facilitate the delivery of Westleigh Park.

Council has engaged a qualified and highly experienced consultant to prepare a Remedial Action Plan (RAP) in accordance with NSW EPA Guidelines to address the residual contamination across the site, in preparation, to ensure safe remediation of the site including consideration during design, construction and operation.

The RAP is a document that is prepared in the context of and to support a future Development Application for the site and would be made available at that time.

## **OTHER**

### **Opposition**

#### ***Publicly available information***

A small number of responses argued Council had not provided adequate studies, surveys and assessments to support the draft Master Plan's objectives. It was also contended that it was difficult to provide feedback on the draft Master Plan without access to this information. A publicly available flora and fauna survey, tree assessments, and a Report on Environmental Factors were among the most referenced.

### Officer Comment

The revised draft Master Plan is a high-level visionary document that details how Council has sought to develop an environmentally and culturally sustainable framework for the development of the recreational site.

Many studies, surveys and assessments are required as a part of documentation required for a future Development Application (DA) for the site. The work necessary to prepare these documents occurs over a prolonged design period in the lead-up to lodgement of the DA. Until such time, reports are draft and subject to change as the design development process unfolds and project risks and requirements are addressed. Once lodged, all documentation that supports the DA would be publicly available.

#### ***Zoning of the proposed site***

Another theme that surfaced throughout the coding process was the need for Council to embark upon a process to rezone the site. Many stated that the bushland should be rezoned as C2 Environmental Conservation, and that the sportsgrounds should be rezoned as RE1 Public Recreation, in alignment with other sports fields in Hornsby Shire.

### Officer Comment

The proposed sportsgrounds and supporting facilities are permissible with development consent within the current zonings for the site. In this regard it is noted that work is underway to prepare a development application that is anticipated to be lodged prior to the end of 2023.

### **Cycling Criterium Facility**

An argument was put forward in tallied responses that a 1.8km closed-road cycling criterium track is desperately needed in the Northern Sydney region and should be included in the draft Master Plan.

#### Officer Comment

A road criterium track was raised in the 2021 consultation process and subsequently dismissed due to the lack of space and potential conflict between road cyclists and users accessing the sportsgrounds and mountain bike trails. For this reason, a regional criterium track facility is not proposed or supported.

### ***Excluded from narrative analysis***

A number of other topics and suggestions were of such a small number that a narrative analysis was not undertaken by Urbis. These included:

- The potential for anti-social behaviour to occur on-site
- Access to mountain biking trails during construction
- The need for a nature playground on-site
- Pedestrian safety

#### Officer Comment

As a part of detailed design for the Westleigh Park development, the design team will undertake mandatory Safety-In-Design workshops. These workshops will look at user and operational safety for the life of Westleigh Park, during construction and when operational.

Through this process, the project team will seek to minimise the potential for anti-social behaviour to occur on-site and will seek to maximise pedestrian safety, along with other important safety concerns.

When Westleigh Park is operational, the Plan of Management (when adopted) will implement procedures to minimise anti-social behaviour and maximise pedestrian safety.

Should development consent be granted, access to mountain biking trails during construction would largely be decided by the head contractor, as they will assume responsibility for managing the site during this time. While Council can request that sections of the trail will remain open during construction, this would be a part of negotiations to engage and later manage the head contractor.

Finally, playgrounds are expected to be a part of the final design solution, however the extent, exact type/s and age groups targeted will be resolved during the detailed design process, following determination of the development application.

### **DRAFT MASTER PLAN – SUMMARY OF CHANGES**

The following changes to the draft Plan of Management have been identified by officers to amend an updated trail alignment for the Westleigh Park/Hornsby Park connection. The proposed amendments are considered minor in nature and are considered not to require re-exhibition of the draft Master Plan.

| Section    | Page | Comment   |
|------------|------|---|
| Figure 4.3 | 16   | Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail and respond to commentary provided by Registered Aboriginal Parties |
| Figure 4.4 | 20   | Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail and respond to commentary provided by Registered Aboriginal Parties |
| Figure 4.5 | 21   | Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail and respond to commentary provided by Registered Aboriginal Parties |

### **DRAFT PLAN OF MANAGEMENT**

Council commissioned Urbis to prepare a submissions analysis report to collate, analyse and report on submissions received throughout the public exhibition period for the Westleigh Park draft Plan of Management.

441 submissions were received during the exhibition period for the Westleigh Park revised draft Master Plan, by letter, via email and directly through Council's Your Say website. The majority of submissions were written by individuals however some submissions were lodged on behalf of organisations and groups.

Of these, four submissions were duplicates, lodged through the Your Say Hornsby website and email/letter and 130 submissions came in the form of a pro forma.

Table 4 – Submissions Received

| Submission via                       | Submissions received |
|--------------------------------------|----------------------|
| Your Say Hornsby website             | 278                  |
| Email / Letter (including pro-forma) | 163                  |

#### Your Say Hornsby website self-selection themes

Of the 278 submissions that were lodged via Council's Your Say website, submitters were asked to answer the following question: I would like to provide feedback on the following section(s) of the draft Master Plan (required). They are listed in the Table 5 below, in the order of number of responses received. The vast majority of respondents identified as being Hornsby residents.

Table 5 – Topics Selected and postcodes identified

| PoM Section                 | Topic Percent** | Postcode by Local Government Area |                  |       |
|-----------------------------|-----------------|-----------------------------------|------------------|-------|
|                             |                 | Hornsby***                        | Neighbouring**** | Other |
| Other                       | 32%             | 52%                               | 18%              | 30%   |
| Action Plan – Natural Areas | 16%             | 81%                               | 14%              | 5%    |

|  |     |                 |            |            |
|--|-----|-----------------|------------|------------|
| Action Plan – Parks and Sportsgrounds          | 15% | 79%             | 14%        | 7%         |
| Action Plan – Areas of General Community Use   | 12% | 75%             | 15%        | 10%        |
| Action Plan – All categories of Community Land | 9%  | 74%             | 12%        | 14%        |
| Operational proposals                          | 8%  | 83%             | 8%         | 19%        |
| Land categorisation                            | 7%  | 88%             | 6%         | 6%         |
| <b>TOTAL</b>                                   |     | <b>**** 71%</b> | <b>14%</b> | <b>15%</b> |

### Interpreting Table 5

A number of factors need to be considered when interpreting the statistics in the table above.

- \*\* Shows the percentage of the 278 submissions that selected the section e.g., of the 278 submissions, 34 selected the "land categorisation" topic which is 7%.
- \*\*\* Shows the percentage of the submissions for the section that were from each geographic area e.g., of the 278 submissions that selected the "Action Plan Natural Areas" topic 81% were from within the Hornsby LGA.
- \*\*\*\* Neighbouring LGA shares a border with Hornsby LGA and include Parramatta, The Hills and Ku-ring-gai.
- \*\*\*\*\* Totals within the "Postcode recorded" columns are with reference to the 278 submissions i.e., of these 71% were received from within the Hornsby LGA.

Urbis undertook a thematic analysis that identified, and recorded topic(s) covered in each submission. This standard practice allows unique topics that are mentioned in a single submission to be analysed and recorded.

This also reflects the process that was carried out for those who lodged a submission through the Your Say Hornsby website, where submitters self-identified the topic(s) their submission related to.

The process of analysing submissions followed these steps:

- Submissions were read to identify unique topics.
- Topics were recorded once per submission. This resulted in 803 'coded' topics.
- Topics were grouped into themes.
- Themes were then aligned to the relevant sections of the draft Master Plan.

Four submissions were duplicates, lodged through the Your Say Hornsby website and email/letter. The topics mentioned in submissions were counted once and are included in the 803 'coded' topics.

130 submissions came in the form of a pro forma. That is, each submission contained identical pre-filled content, with space for additional individualised content. This number is included in the 441 submissions.

The following process was then adopted by Urbis to code these pro forma submissions:

- Identical (pre-filled) content – coded according to topics. Each topic was counted once and recorded once.

- Additional content – any new information outside of the recorded topics from the pro forma was included as a new topic and counted.

These pro forma are included in the 803 'coded' topics.

Included below is a detailed discussion on each of the themes identified through submissions.

### **GENERALLY**

Urbis found that a sentiment recorded in the 441 submissions was support (direct or implied) for particular aspects of the draft PoM. Explicit or implied opposition to the draft PoM was also recorded. Urbis noted that even in comments that explicitly referenced either support or opposition to the draft PoM, the reasons cited are closely aligned to the issues raised in the revised draft Master Plan feedback, rather than the land categorisation that is set out in the draft PoM.

The categories of support and opposition are discussed in further detail below.

### **ACTION PLAN – NATURAL AREAS**

#### **Mountain Bike Trails**

A number of themes relating to mountain biking emerged from Urbis' analysis. Responses in support and opposition were expressed, along with the ambition to balance both recreational needs and environmental considerations. However, there were divided views on how this could be achieved.

#### **Support**

Responses that expressed support for the proposed formalising and redesign of the trails mentioned the variety of trail experiences, and the health and well-being benefits of riding.

#### **Opposition**

Responses that expressed opposition to formalising the mountain bike trails included concerns that the existing tracks:

- Were created without permission from Council.
- Have an unsustainable impact on flora and fauna.
- Create an environment for potential conflict between bushwalkers and mountain bikers sharing the trails.

#### **Officer Comment**

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.3 Site History; 3.5 Overview of Current Use; 3.7.7 Environmental Conditions & Landscape; 4.2 Objectives and Performance Targets of the Plan under the heading "Natural Area (Bushland)"; Section 4.3.4 Pedestrian and Cycle Access; Figure 4.2: Pedestrian access and walking strategies; Figure 4.3: Cycle access strategies; 4.4.1.5 Shared pedestrian and cycle path; 4.4.4.17 Restoration of bushland; 10.1 Bushland and Biodiversity Protection; 10.6 Walking, Off-Road Cycling and Recreation.

It is also noted that the existing unsanctioned mountain bike trails have been in place for many years and were originally constructed when the land was under Sydney Water ownership. Council has been engaged with the community regarding the trails to arrive at an alignment that delivers a suitable mountain biking experience whilst having regard to the biodiversity on the site.

As part of this Council has undertaken formal studies, consulted with ecological and trail building experts, and facilitated co-design workshops with key stakeholders to design the proposed trail network which seeks to avoid, minimise and mitigate potential impacts on the natural environment. By reducing the number of trails and by re-utilising and restoring existing trails to sustainable standards developed by the International Mountain Bicycling Association (IMBA), the potential direct and indirect impacts to the environment would be minimised.

Council notes that use of walking tracks for mountain and other bike riding and horse riding is prohibited, unless specifically authorised and signposted. Council also notes the NSW Centre for Road Safety reports that when riding on a shared path, the road rules require bicycle riders to, amongst other things, give way to pedestrians at all times and to stop if necessary to avoid a collision.

### **Restricted Access to Mountain Bikes**

Some responses aligned to Section 4.2 Objectives and Performance Targets of the Plan, under Natural Area (Bushland), Performance Target 3, "Identify any specific areas of bushland to have restricted access." Comments suggested that mountain biking activities be either prohibited or restricted in areas of Critically Endangered Ecological Communities (CEEC) Sydney Turpentine Ironbark Forest (STIF) and Endangered Ecological Communities (EEC) Duffy's Forest. Some comments provided suggestions for alternative trail locations.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.3 Site History; Overview of Current Use; 3.7.7 Environmental Conditions & Landscape; 4.2 Objectives and Performance Targets of the Plan under the heading "Natural Area (Bushland)"; Section 4.3.4 Pedestrian and Cycle Access; 4.3.5 Environmental management; 4.4.1.6 Access points to adjoining natural areas; 4.4.4.16 Existing TEC bushland protection areas; 4.4.4.17 Restoration of bushland; 8.5 Protecting Fauna and Fauna Habitats; 10.1 Bushland and Biodiversity Protection; 10.6 Walking; Off-Road Cycling and Recreation.

It is also noted that Council has undertaken formal studies, consulted with ecological and trail building experts, and facilitated co-design workshops with key stakeholders to design the proposed network which seeks to avoid, minimise and mitigate potential impacts on the natural environment. In taking this approach, the trail length has been reduced by approximately 2.2km. Trails through Sydney Turpentine Ironbark Forest have been reduced by 61% and trails through Duffy's Forest have been reduced by 20%.

### **Formal Bushwalking Tracks**

It was claimed by a notable number of respondents that the draft PoM provided an inequitable distribution of walking tracks in comparison to mountain bike trails. Advocating for a balanced outcome between walking and mountain biking pursuits was also a view that was expressed by some respondents.

#### Officer Comment

It is considered that the suggestion that an inequitable distribution of walking tracks in comparison to mountain bike trails is more aligned to the master planning process, as it relates to the proposed project scope.

Due to its unique location, Hornsby Shire LGA provides residents with access to well over 100 kilometres of bush walking trails, in most cases within 5 minutes' walk of residential areas.



Walkers at Westleigh Park will have connection to this trail network, including the Westleigh to Hornsby connection through the Dog Pound Creek and the Great North Walk.

### **Bushland and Biodiversity Protection**

The importance of protecting the quality and quantity of bushland for ecological sustainability, promotion of biodiversity, and enhancing fauna habitat were also recurring themes in responses.

Some responses provided views on implementation of the PoM and priorities to mitigate the impact on the natural environment. Responses included suggestions for management of the bushland areas during the construction phase and later during operation, which included suggestions that environmental restoration works in the natural areas must avoid negative impacts on native fauna to enhance habitat and that restoration work alone is insufficient. There were also a handful of suggestions to support plant propagation from endemic species for bush regeneration work.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.3 Site History; 3.4 Environment under the heading "Vegetation"; 3.7.7 Environmental Conditions & Landscape; 4.2 Objectives and Performance Targets of the Plan under the heading "Natural Area (Bushland)"; 4.3.5 Environmental management; 4.4.4.16 Existing TEC bushland protection areas; 4.4.4.17 Restoration of bushland; 8.1A Environmental Sustainability; 8.5 Protecting Fauna and Fauna Habitats; 9.2D Gardens – Species Selection; 9.4J Tree Maintenance Standards, generally; 10.1 Bushland and Biodiversity Protection; notably 10.1H Revegetation and Landscaping Adjoining Bushland; 10.1I Rehabilitation of Adjoining Community Land – Species Selection; and 10.6 Walking, Off-Road Cycling and Recreation.

It is also noted that following development consent and during construction, the management responsibility for areas of bushland that are included in the area of construction works or impacted by the construction works will be the responsibility of the head contractor appointed to undertake that portion of the work. The head contractor and its subcontractors will be subject to strict statutory requirements to protect the environment, both in law and clearly embedded into their works contract. This requirement will be detailed in an environmental management plan developed as part of future DA documentation.

Any site revegetation will utilise stock sourced from the Council's Community Nursery to ensure local genetic provenance is maintained.

### **Waterflow**

Some responses outlined concern about the changes to overland flow of storm water as a result of the extensive civil works.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.4 Environment under the heading "Drainage"; Figure 3.6 Topography, drainage and estimated extent of landfill; 4.2 Objectives and Performance Targets of the Plan, under the headings "Sportsground" and "Natural Area (Bushland)"; 4.3.6 Stormwater management; 4.4.4.15 WSUD water quality rain gardens; 4.4.4.16 Existing TEC bushland protection areas; 8.1A Environmental Sustainability; 9.4L Irrigation system standards; 10.1B Restoration and Regeneration of Bushland, Escarpments, and Watercourses; 10.1C Total Catchment Management; and 10.8 Watercourses.

It is also noted that the draft PoM is a standalone document. Comments that outline concern about the changes to overland flow of storm water, may misinterpret the role of the draft PoM for the operational park. A development application is required to be prepared for the project along with the need to prepare a significant number of documents to support assessment of the DA. Changes to overland flow of storm water will be addressed in civil and stormwater drawings and reports, submitted with the DA as documents to support assessment.

### **Community Involvement and Awareness**

The inclusion of volunteers on site was also raised. Although not a frequent topic, it is worth noting as opinions were polarised. The contradictory views include suggestion that community involvement is important to engender a local sense of pride and conversely, that due to its sensitive nature only qualified and licensed professionals are permitted to complete rehabilitation and regeneration work.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.3 Site History; 3.7.1 Connecting with Country; 4.2 Objectives and Performance Targets of the Plan, under the headings “Natural Area (Bushland)” and “General Community Use”; 4.4.4.17 Restoration of bushland; 8.10 Volunteer Insurance; generally, 10.1 Bushland and Biodiversity Protection; generally, 10.2 Community Involvement and Awareness and notably 10.2A Bushcare Program.

Council also notes that volunteering is an important part of community and bushcare volunteers already contribute significantly to the management of remnant bushland areas of Hornsby Shire LGA that are unable to access maintenance support and normal funding streams through Council.

### **ACTION PLAN – PARKS AND SPORTSGROUNDS**

#### **General Support**

The majority of responses that specifically related to Parks and Sportsgrounds expressed significant support. This included the proposed sports platforms themselves, and wider recreational opportunities they would provide to the community.

#### **Synthetic Surfaces**

The potential use of synthetic surfaces was a divisive issue when it was mentioned in responses, with both support for its all-weather nature and opposition due to perceived environmental concerns.

#### Officer Comment

Council’s Sportsground Strategy (2018) identified the need for additional sporting facilities to meet current and future needs within the Local Government area. Westleigh Park was purchased by Council to help address this need.

Noting the extremely limited opportunities to develop new sportsgrounds within existing residential areas, the proposal deploys a synthetic sports surface to the middle platform. These surfaces have been used extensively both internationally and in Australia, as they are able to handle a longer duration of seasonal use as compared with natural grass. Examples of uses of synthetic surfaces include tennis courts, hockey fields, sportsgrounds (rugby, football, and AFL), schools and childcare centres.

Council’s Sportsground Strategy identified Westleigh as a suitable candidate for a synthetic surface. Notwithstanding the draft Master Plan and draft Plan of Management note the middle platform surface

as natural turf or synthetic. Council would need to make a decision in respect of surface type prior to lodging a Development Application for the middle platform. Any surface would be specified would be specified to current best practice and incorporate recommendations from the Chief Scientist & Engineers review into Synthetic Surfaces in Public Places when released.

### **Use of Pesticides**

Another topic expressed in some submissions was the potential use of pesticides. For example, it was noted that effective waste management practices will reduce the need for rodenticides.

#### Officer Comment

Council regulates the use of Pesticides through its Pesticides Notification Plan (PNP), not site-specific Plans of Management. The PNP specifically states that Council never uses second generation anticoagulant rodenticides.

## **ACTION PLAN – AREAS OF GENERAL COMMUNITY USE**

### **Standard Of Community Centres**

Support for facilities outlined in the draft PoM was also a topic that emerged through the data analysis. Some respondents went further, making suggestions about how use could be extended to include for example, a community hall, administration offices and meeting rooms for sporting groups, areas for gymnastics and indoors sports, retail outlets for bike supplies and services and for food and beverage offerings.

#### Officer Comment

It is considered that suggestions for extended facilities are more aligned to the master planning process, as it relates to the proposed project scope and available budget. The three proposed amenity buildings are sized to cater for the use of the sportsgrounds, including relatively modest club spaces. These club spaces will be provided in a manner that ensures multi-community use when not ancillary to the use of the sportsgrounds however these spaces are not designed for indoor sports use.

In this regard it is noted that the Brickpit Stadium is located nearby at Thornleigh, there is a multiuse indoor recreational space at Waitara PCYC and numerous surrounding schools contain indoor sports facilities that are available for community use after school hours.

The playground is designed to be 'local' in size, as identified in the Hornsby Play Plan and as such could not accommodate a water park.

A road criterium track was raised during the 2021 consultation process and subsequently dismissed due to the lack of space and potential conflict between road cyclists and users accessing the sportsgrounds and mountain bike trails.

## **ACTION PLAN – ALL CATEGORIES OF COMMUNITY LAND**

### **Equity and Access**

Support was expressed for the PoM's objectives relating to accessibility and inclusivity.

### **Anti-Social Behaviour**

The behaviour of park attendees was also a topic that emerged. Comments included requests to provide a process for complaints, how it might address anti-social after-hours behaviour and curb the incidence of unsanctioned trails being built, and the adjacent Biobank site.

### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; generally, Section 4.2 Objectives and Performance Targets of the Plan; 6.2.5 Other Leases and Licences under the heading “Liquor Licences” and “Casual Liquor Licences”, 8.3 Anti-social behaviour: and 8.8B Use/Sale of Alcohol in Reserves.

Council also notes that as a part of detailed design for the Westleigh Park development, the design team will undertake mandatory Safety-In-Design workshops. These workshops will look at user and operational safety for the life of Westleigh Park, during construction and when operational. Once adopted, the Westleigh Park Plan of Management would implement procedures to minimise anti-social behaviour and maximise pedestrian safety.

Section 8.3 Anti-social behaviour has been amended to specify 10:30pm vehicle gate closure.

### **Impacts of Development and Activities – Traffic and Parking**

Opposition to the proposed extension of Sefton Road, and location of the roundabout on Quarter Sessions Road were themes that emerged. The impact on the local road network, its current design, and pedestrian safety were of primary concern. Timing was also questioned due to the perceived lack of demand in the first stage of the site’s development.

### Officer Response

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 4.2 Objectives and Performance Targets of the Plan, under the headings “Sportsground” and “General Community Use”; 4.3.3 Vehicular access and parking; Figure 4.1: Vehicular access and parking strategies; 4.4.1 Circulation and Parking; 4.4.2.10 Multipurpose park amenities buildings; and 8.2 Equity and Access.

It is also noted that detailed comments have been provided in the traffic and parking section of the draft Master Plan comments with specific regard to the extension of Sefton Road and the impact of the park on the surrounding road network.

### **Lighting and Noise**

The issues of lighting and noise was a topic that related to both the environment (fauna and flora) and impacts on neighbours.

### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.6 Potential Use; 4.2 Objectives and Performance Targets of the Plan, under the heading “Sportsground”; 4.3 Key site development strategies; 8.5 Protecting Fauna and Fauna Habitats; 9.4k Floodlight Standards; and 10.1 Bushland and Biodiversity Protection.

Comments that relate to lighting and noise and the effects on the environment (fauna and flora) and impacts on neighbours, may misinterpret the role of the PoM with a future Development Application (DA) for the project and the requirement to prepare a significant number of documents to support assessment of the DA. Lighting and noise in relation to fauna, flora and neighbours will be addressed in lighting drawings and specialist lighting and acoustic reports, submitted with the DA.

Notwithstanding, lighting for the sports platforms is proposed to operate until 10pm and lighting for the carpark and road network is proposed to operate until 10:30pm. Sports platform lighting will retain relatively low visibility, due to its streamline appearance and the large physical setback from adjacent residential areas. Further, all lighting will meet the relevant Australian Standards for sports use, traffic, pedestrians, and light spill. LED technology provides excellent directional lighting which minimises light spill into any adjacent natural areas.

With respect to concerns about the retaining walls supporting the sports platforms, landscaping will be used to visually soften the gabion retaining wall.

Regarding the submissions requesting that the sportsground area to be halved to reduce impact to residents, as there is a requirement for Council to provide sportsgrounds to meet current and forecast demand shortfalls, a reduction in sportsground area is not supported.

Noise from the use of sportsgrounds will be managed in a manner consistent with other sportsgrounds located in residential areas. Amplified sound such as 'sirens' are to be kept to a minimum in frequency, duration and volume. The sports platforms retain large physical setback from adjacent residential areas, especially when compared to other similar venues.

## **OPERATIONAL PROPOSALS**

### **Leases and Licences**

The role of commercial leases and the impact these businesses would have on both local residents and the Westleigh shops was also a topic that was raised by some respondents.

#### **Officer Comment**

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.6 Potential Use; 4.2 Objectives and Performance Targets of the Plan, under the headings "Sportsground" and "General Community Use"; 4.4.2.10 Multipurpose park amenities buildings; 6.2 Leases and Licences; 8.1F Facility development at sportsgrounds; 8.8 Leases and Licences, 9.4 Maintenance of Facilities and Grounds; and 10.1 Bushland and Biodiversity Protection.

It is also noted that references to restaurants and cafes in the draft Plan of Management have been deleted. Canteens, kiosks and coffee carts are proposed, which are consistent with the use of Council sportsgrounds by community sporting groups.

Opportunities for special events is retained, noting other Council sportsgrounds are used for this purpose, albeit infrequently compared to the primary use for sports. Examples of special events includes Christmas carols, Rotary plant sales, movies under the stars, woodchop competitions and the like. Ruddock Park is currently used successfully for these types of community events, and it is appropriate that Westleigh Park is available for similar community events.

Council anticipates expects that the additional sporting facilities proposed for Westleigh Park would increase patronage at local shops.

### **Operational Hours**

Confusion was expressed about the parks intended operating hours.

#### **Officer Comment**

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act

Requirements; 3.6 Potential Use; 4.2 Objectives and Performance Targets of the Plan, under the headings “Sportsground” and “General Community Use”; and 9.3 Availability of Facilities and Grounds.

It is also noted that:

- The sports platforms of Westleigh Park are to be publicly accessible with organised use throughout the day and evening, up to 10:00pm. These operating hours are consistent with other Council sportsgrounds, including nearby Ruddock Park.
- Vehicle access is permissible between 6:30am and 10:30pm. Vehicle access times are included in the revised Plan of Management that is recommended for adoption.
- As with other Council sportsgrounds, most organised use occurs during school hours and into the evening. Training sessions can occur earlier, which may include personal fitness trainer facilitated use through to unstructured fitness activities like walking, running and bike riding. These uses are consistent with other Council sportsgrounds, including nearby Ruddock Park.
- Lighting for the sports platforms is proposed to operate until 10pm and lighting for the carpark and road network is proposed to operate until 10:30pm.

### **Risk Management**

Managing risk was also a theme that emerged. Some respondents suggested that the draft POM had omitted detail about how risk would be managed on site once operational and during a bushfire emergency.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 4.2 Objectives and Performance Targets of the Plan, under the heading “General Community Use”; 4.3 Key site development strategies; Figure 4.1: Vehicular access and parking strategies; 4.4.1 Circulation and Parking; 9.5 Risk Management; 10.5 Bushfire Management; and 11.4 Risk Management.

It is also noted that the draft Plan of Management is a standalone document. Comments that relate to operational and bushfire risk, may misinterpret the role of the PoM with a future Development Application (DA) for the project and the requirement to prepare a significant number of documents to support assessment of the DA. Bushfire management and evacuation plans and safety in design will be addressed in specialist reports, submitted with the DA.

Once submitted, the DA will be referred to the RFS for comment. The RFS will most likely impose conditions on the approval of the DA, that might include the preparation of a bushfire safety and emergency evacuation plan. As a Condition of Consent, operation of the park will be prohibited until such a plan is prepared and approved by RFS.

As with other community facilities, Council will prepare a separate operational plan that will address bushfire safety and emergency evacuation, along with other operational requirements. The operational plan will be developed and reviewed with the input of relevant agencies, including the RFS.

As a part of detailed design for the Westleigh Park development, the design team will undertake mandatory Safety-In-Design workshops. These workshops will look at user and operational safety for the life of Westleigh Park, during construction and when operational. Once adopted, the

Westleigh Park Plan of Management will implement procedures to minimise risk and maximise safety, in particular during emergency situations.

### **Contamination**

How the contamination on site would be handled safely also arose in the analysis.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 3.3 Site History; 3.4 Environment; 3.7.2 Site Remediation; 3.7.3 Earthworks; 4.3.1 Remediation; 4.3.2 Earthworks; 4.5 Staged Implementation of the Master Plan; and Section 11.4 Risk Management.

It is also noted that the draft Plan of Management is a standalone document. Comments that relate to handling of contamination, may misinterpret the role of the PoM with a future Development Application (DA) for the project and the requirement to prepare a significant number of documents to support assessment of the DA. Remediation of contaminated lands will be addressed in specialist reports, submitted with the DA.

Following development consent and as a part of construction works, the head contractor would be required to follow statutory legislation and regulation for the remediation of contaminated lands. This will be a thoroughly documented and carefully managed process that includes interim reporting and finally, a clearance certificate issued by an authorised remediation consultant that deems all lands are clear of contamination that may pose a risk to human health. A determination for the DA will include Conditions of Consent, one of which will require a clearance certificate be provided prior to the operation of the park.

### **LAND CATEGORISATION**

#### **Natural Area**

Some views regarding the categorisation of Natural area focused on rezoning and in other cases reclassification associated with disturbed and non-disturbed areas.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 5.0 Categorisation; and Figure 5.1: Categorisation.

It is also noted that the lands categorised as 'Natural Area (Bushland)' comprise the remnant and regenerating bushland areas beyond the previously cleared central zone of the site and do not include areas of uncontrolled fill. Therefore, it is not proposed to amend the categorisations.

Further the presence of any particular vegetation community in limited portions of the site, including critically endangered communities does not necessitate rezoning of the area from the current C3 Environmental Management to C2 Environmental Conservation.

#### **General Community Use**

Suggestions regarding General Community Use covered the categorisation of infrastructure Carparking areas could be categorised as General Community Use.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 5.0 Categorisation; and Figure 5.1: Categorisation.

It is also noted that carparking and associated infrastructure is specifically included in the revised draft Master Plan and the draft Plan of Management to provide vehicle access to the three sportsground platforms. Council considers that land upon which car parking is located is suitably categorised as 'Sportsground'.

### **Re-ordering of Classification**

Another suggestion was made about reordering the categorisation to provide more emphasis on the role of mountain biking on site.

#### Officer Comment

It is considered that the items raised in objections are adequately addressed in the draft PoM. In this regard, reference is made to the following sections of the draft PoM: 2.0 Local Government Act Requirements; 5.0 Categorisation; and Figure 5.1: Categorisation.

It is also noted that the adoption of the draft Plan of Management will legislatively enable appropriate development works to be carried out within the various categorisation zones. Adoption would also require commitment to management of the lands in Westleigh Park in accordance with the objectives outlined in the Action Plan forming Part 2 of the draft Plan of Management. The construction and maintenance of mountain bike trails is permissible in the land categorised as 'Natural Area (Bushland)'.

### **ZONING**

Another theme that emerged from the coded responses was suggested changes to the site's zoning. They referred primarily to current zoning R2 Low Density Residential and C3 Environmental Management, suggesting these should be changed to RE1 Public Recreation and C2 Environmental Conservation.

#### Officer Comment

The proposed sportsgrounds and supporting facilities are permissible with development consent within the current zonings for the site. In this regard it is noted that work is underway to prepare a development application that is anticipated to be lodged prior to the end of 2023.

### **DRAFT PLAN OF MANAGEMENT – SUMMARY OF CHANGES**

The following changes to the draft Plan of Management have been identified by officers to amend typographical errors and the like, clarify matters and respond to items raised in submissions. Proposed amendments are considered minor in nature and are considered to not to require re-exhibition of the draft PoM.

| <b>Section</b> | <b>Page</b> | <b>Comment</b>  |
|----------------|-------------|---|
| Figure 2.1     | 8           | Amend suburb name from Normanhurst to Thornleigh                        |
| Figure 3.2     | 11          | Amend suburb name from Normanhurst to Thornleigh                        |
| Photo 3        | 20          | Amend name from Scribbly Gum to Angophora costata                       |
| 4.3.1 (EMZ)    | 28          | Include new reference to capping with VENM as an example of a treatment |



|                             |    |   |
|-----------------------------|----|---|
|                             |    | to limit erosion and other impacts  |
| 4.3.5<br>(Fauna management) | 29 | Typo – ‘Habitat Assessments’ now ‘Habitat assessments’  |
| Figure 4.2                  | 31 | Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail and respond to commentary provided by Registered Aboriginal Parties   |
| Figure 4.5                  | 35 | Reflect an updated trail alignment for the Westleigh Park/Hornsby Park connection to remove a section of trail from bushland to use more of the existing east/west fire trail and respond to commentary provided by Registered Aboriginal Parties   |
| 6.1<br>(Maintenance)        | 42 | A new paragraph explaining a Natural Areas Operational Plan (also called Operational Plan for Natural Areas) has been added. This paragraph indicates that a new Natural Areas Operational Plan would be developed and explains its broad intent.   |
| 6.2.1                       | 43 | Insert new section “Electric Vehicle Charging Stations – This Plan of Management allows Council to enter into a lease/licence agreement to provide for the installation of Electric Vehicle Charging Stations.”   |
| 6.2.3                       | 44 | Delete section <i>“Leases and Licences for restaurants, cafes, canteens, kiosks or other food outlets.”</i><br><br><i>This PoM expressly authorises leases and licences for the operation of restaurants, cafes, canteens, kiosks or other food outlets, for periods up to 21 years, or 30 years with State Government ministerial support. “</i> |
| 6.2.4                       | 44 | Delete dot point “refreshment kiosks (but not restaurants),”  |
| 8.3A                        | 55 | Insert new action point “Secure vehicle gates to the venue from 10:30pm”  |
| 8.3                         | 55 | Insert performance measure “Vehicle gates are locked each evening”.   |
| 9.4K                        | 70 | Insert new action “Sportsground lights will not be permitted to be operated later than 10pm.”   |
| 10.1A                       | 76 | Add new action and performance measure “On-going management of heritage matters will be in accordance with the Operational Plan for Natural Areas” and “Operational Plan for Natural Areas completed”.  |
| 10.6A                       | 85 | Add new action “on-going management and use of trails will be in accordance with the Operational Plan for Natural Areas”  |
| 10.6B                       | 86 | Add new action “on-going management and use of tracks will be in accordance with the Operational Plan for Natural Areas”  |
| 10.11A                      | 90 | Add new action and performance measure “On-going management of heritage matters will be in accordance with the Operational Plan for Natural   |

|  |  |
|--|--|
|  | Areas” and “Operational Plan for Natural Areas completed”. |
|--|--|

An Operational Plan for Natural Areas is to be prepared to support the implementation of actions within the Action Plan for Natural Areas and Areas of Cultural Significance. The Plan will provide specific detail on how natural areas will be managed, developed and used to achieve the outcomes of the action plan. The Plan will encompass a range of essential operational activities that promote bushland and biodiversity conservation through invasive species management, total catchment management and bushfire management. To support these activities community involvement, education and interpretation opportunities will be identified. The Plan will detail sustainable management practices that enable limited recreational activities which will be informed by industry best practice for construction, maintenance and operational conditions. Cultural heritage will also be managed utilising community education and interpretation. Overall, the Plan would provide a comprehensive framework for sustainable and responsible management of the natural areas.

### **CONSULTATION**

This report has outlined the consultation undertaken in respect of the draft Westleigh Park Master Plan and draft Westleigh Park Plan of Management and analysed community submissions received in response.

### **BUDGET**

The State Government has allocated \$40,000,000 to creating Westleigh Park. The cost to deliver the full scope of works in the draft Master Plan exceeds the grant funding allocation.

The estimated cost of providing the facilities canvassed in the draft Master Plan is in excess of \$70,000,000 for Westleigh Park based on a conservative contingency of 30% and likely growth in the cost of construction over time. These costs include investigations, approvals, bulk earthworks and associated decontamination and all works associated with the construction of the actual recreation facilities, including the provision of utilities, access roads and associated intersection upgrades.

The existing funds, under Councils current planning scenario is targeted at the completion of Stage 1 which will provide for the southern sports platform, ancillary development and access works including the Sefton Road extension (dependent upon final Sydney water requirements). These costs are being continually reviewed and the final development approval for Stage 1 will be fully scoped prior to commencing works on site.

The financial capacity of Council to manage the operational, maintenance and renewal costs of facilities established based on the full scope of works identified in the draft Master Plan, would not be feasible based on Council’s current financial capacity. Financial analysis by Council has indicated that an amount of ongoing expenditure of \$1,200,000 annually would need to be allocated for this purpose.

The implication of the above is that Council will need to develop Westleigh Park in a staged manner over time as funds become available.

### **POLICY**

The draft Westleigh Park Master Plan and draft Westleigh Park Plan of Management are consistent with Council’s Sportsground Strategy.

## CONCLUSION

The 2021 consultation process identified broad support for the use of the Westleigh Park site for active and unstructured recreation activities, however Council sought to undertake additional community engagement with particular attention to the proposed mountain bike trails, and traffic and parking including the proposed Sefton Road extension.

Following the additional engagement, Council adopted a revised draft Master Plan for the site and a draft Plan of Management. These were exhibited through March and April 2023 and a significant number of submissions were received.

Strong community interest regarding Westleigh Park was apparent with a total of 685 submissions received for the draft MP. Overall, the majority of responses received expressed support for the draft MP.

Strong community interest in the draft PoM was also apparent with a total of 441 submissions received. Submissions fell into similar topics and themes and there was significant overlap with submissions made on the draft MP. Very few of the submissions addressed the proposed categorisation of land at Westleigh being Sportsground, General Community Use and Natural Area (Bushland) with more submissions reflecting on various aspects of the action plans contained in the draft PoM.

Whilst no changes are recommended to the proposed land categorisations at Westleigh Park, a number of minor amendments not requiring re-exhibition are proposed to the action plans to further clarify Council's future management of Westleigh Park.

It is recommended that Council adopt the draft Westleigh Park Master Plan included at Attachment 1 to General Manager's Report No. GM24/23 and the draft Westleigh Park Plan of Management included at Attachment 2 to General Manager's Report No. GM24/23.

## RESPONSIBLE OFFICER





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


STEVEN HEAD

General Manager

Office of the General Manager

### Attachments:

1.  Draft Westleigh Park Master Plan - June 2023
2.  Draft Westleigh Park Plan of Management - June 2023
3.  Draft Westleigh Park Master Plan - Submissions Analysis Report - June 2023
4.  Draft Westleigh Park Plan of Management - Submissions Analysis Report - June 2023

5.  Draft Westleigh Park Plan of Management Public Hearing Report - May 2023

File Reference: F2016/00186-002

Document Number: D08635427

**ITEM 2**

**3 INVESTMENTS AND BORROWINGS FOR 2022/23 - STATUS FOR PERIOD ENDING 30 APRIL 2023**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 30 April 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 April 2023 of 4.55% which includes a positive yield of 10.92% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 3.34% which includes a yield of 7.51% from TCorp Managed Funds.

**RECOMMENDATION**

THAT the contents of Director's Report No. CS26/23 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 30 April 2023 is detailed in the attached document. In summary, the portfolio achieved an annualised return for April 2023 of 4.55%. On a financial year to date basis the portfolio achieved an annualised return of 3.34% which includes a yield of 7.51% 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 30 April 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 30 April was \$1,137,976, which includes an unrealised gain of \$189,472 from TCorp Managed Funds.

Budgeted investment income year to date at 30 April 2023 was \$3,990,351. Total investment income year to date at 30 April 2023 was \$8,452,024 which includes a year-to-date unrealised net gain of \$1,307,517 from TCorp Managed Funds.

Approximately 50.38% 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. 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 30 April 2023 is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments.

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**RESPONSIBLE OFFICER**

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

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

1.  HSC Investment Summary Report April 2023
2.  HSC Borrowings Summary Report April 2023

File Reference: F2004/06987-02  
Document Number: D08640367

**4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2023 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2023/24 FINANCIAL YEAR**

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**EXECUTIVE SUMMARY**

- Sections 248(2) and 249(3) of the Local Government Act provide respectively for Council to once each year fix the annual fee payable to Councillors and the additional annual fee payable to the Mayor. The annual fees must be fixed in accordance with the relevant annual determination of the Local Government Remuneration Tribunal.
- Based on the Tribunal's 2023 Report and Determination, it is recommended that Council approve a 3.0% increase in Councillor and Mayoral fees for the 2023/24 financial year. Acceptance of such recommendation would result in each Councillor receiving an annual fee of \$27,650 and the Mayor receiving an additional annual fee of \$73,440 for 2023/24.
- Sufficient funds have been allocated in the 2023/24 Budget to cover the 3.0% increase in the fees payable to Councillors and the Mayor.

**RECOMMENDATION**

THAT:

1. As a consequence of the 2023 Report and Determination of the Local Government Remuneration Tribunal, Council note that it remains in the Metropolitan Medium Category of NSW councils for the period 1 July 2023 to 30 June 2024.
2. In accordance with Sections 248 and 249 of the Local Government Act and having considered the 2023 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$27,650 be paid to each Councillor and an additional annual fee of \$73,440 be paid to the Mayor for the period 1 July 2023 to 30 June 2024.



## PURPOSE

The purpose of this Report is to provide Council with the 2023 Report and Determination of the Local Government Remuneration Tribunal such that Council can determine the amount of the fee payable to each Councillor, and the additional fee payable to the Mayor, for the 2023/24 financial year.

## BACKGROUND

The Local Government Remuneration Tribunal is established under Chapter 9, Part 2, Division 4 of the Local Government Act. In this regard, Section 239 of the Act states:

- (1) *The Remuneration Tribunal must, at least once every 3 years:*
  - (a) *Determine categories for councils and mayoral offices, and*
  - (b) *Place each council and mayoral office into one of the categories it has determined.*
- (2) *The determination of categories by the Remuneration Tribunal is for the purpose of enabling the Remuneration Tribunal to determine the maximum and minimum amounts of fees to be paid to mayors and councillors in each of the categories so determined.*

Section 241 of the Act states:

*The Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.*

The Tribunal has completed its 2023 Report and Determination recommending the fees payable to councillors and mayors for the 2023/24 financial year – see copy attached.

## DISCUSSION

Section 239 of the Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020. In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each of those categories as part of the 2023 review.

- The Tribunal invited submissions regarding fees, categorisation and any other general matters and received 18 submissions – 15 from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU). The Tribunal also met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill.
- The Tribunal examined a range of statistical and demographic data with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data) and considered the submissions.

The Tribunal has determined the Categories of the general-purpose councils are as follows:

| <u>Metropolitan</u> | <u>Non-Metropolitan</u> |
|---------------------|-------------------------|
| Principle CBD       | Major Regional City     |

|                     |                         |
|---------------------|-------------------------|
| Major CBD           | Major Strategic Area    |
| Metropolitan Major  | Regional Strategic Area |
| Metropolitan Large  | Regional Centre         |
| Metropolitan Medium | Regional Rural          |
| Metropolitan Small  | Rural Large             |
|                     | Rural                   |

In examining the criteria for each of the categories, the Tribunal was of the view that non-resident population criteria should also be included for consistency in the following categories

- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural

Three councils will be reclassified as a result of meeting criteria thresholds into an existing category.

The Tribunal determined the creation of two new categories, being Metropolitan Major and Rural Large is also required. In determining the two new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.

It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal examined a range of data that it believes goes to the delivery of efficient and effective local government. Hence a new category Rural Large has been created.

The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200.

The revised category also clearly shows the differences for large rural and remote councils. It is becoming apparent these councils require different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, resulting in the Tribunal establishing a new category to bridge the gap.

The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).

Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,000 down to 100,000.

The Tribunal has determined fees for the new categories having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils have been recategorised into a higher existing category or placed in a new category.

As a result of this review, it was determined that Hornsby Shire Council would remain in the Metropolitan Medium category of NSW councils along with seven other Councils - Campbelltown, Camden, Georges River, Ku-ring-gai, North Sydney, Randwick and Willoughby.

Under section 146C of the Industrial Relations Act 1996, current government wage policy is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The Tribunal has the discretion under the IR Regulation to determine an increase of up to 3% per annum.

Having considered the key economic indicators, including the Consumer Price Index and Wage Price Index, the Tribunal has found that a full 3.0% increase to the current fees is warranted. The 3.0% increase will apply to the minimum and the maximum of the ranges for all categories effective from 1 July 2023.

### Impact on Council

The fees determined by the Tribunal as being applicable to the Metropolitan Medium category of councils are:

| <b>Councillor</b>   | <b>Mayor</b>        |
|---------------------|---------------------|
| Annual Fee          | Additional Fee      |
| Minimum - Maximum   | Minimum - Maximum   |
| \$14,810 - \$27,650 | \$31,470 - \$73,440 |

In June 2022, when Council determined the fees payable to Councillors and the Mayor for the 2022/23 financial year, it resolved to pay fees at the maximum level. This was consistent with decisions in previous years. Should Council resolve to pay fees at the maximum level for the 2023/24 period, this would result in an increase of \$810 per annum for each Councillor and an increase of \$2,140 per annum for the Mayor.

### BUDGET

Sufficient funds have been allocated in the 2023/24 Budget to cover a 3.0% increase in the fees payable to Councillors and the Mayor.

### POLICY

There are no policy implications associated with this Report.

### CONCLUSION

It is considered appropriate that the maximum fee for the Metropolitan Medium category be paid to Hornsby Shire Councillors and the Mayor for the period 1 July 2023 to 30 June 2024. This would result in each Councillor receiving an annual fee of \$27,650 and the Mayor receiving an additional annual fee of \$73,440 for the 2023/24 financial year.

### 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 4**

**Attachments:**

1.  Local Government Remuneration Tribunal Annual Report - 2023
2.  Office of Local Government Circular - Circular No. 23-03

File Reference: F2004/09552-02

Document Number: D08647286

## **5 DEBTS TO BE WRITTEN OFF - 2022/23 FINANCIAL YEAR**

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### **EXECUTIVE SUMMARY**

- The Financial Services Branch is responsible for assessing Council's outstanding debtors on a regular basis to determine those debts which are bad, doubtful or recoverable.
- Some services provided to customers in exchange for a fee or charge may remain unpaid even after various attempts by staff have been taken to recover these amounts. If it is deemed uneconomical to pursue further, then these amounts will be recommended to be become bad debts and written off.
- The latest assessment for 2022/23 has resulted in the General Manager writing off debts totalling \$4,708 using his delegated authority from Council (refer attached Schedule B); and proposing to Council that it write off further debts considered bad totalling \$27,408 (refer attached Schedule A).
- Council's consideration of this Report ensures that the relevant legislative requirements and Council protocols have been met in respect of those debts to be written off.

### **RECOMMENDATION**

THAT for 2022/23, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$27,408 (as detailed in Schedule A attached to Director's Report No. CS33/23).
2. Note debts considered bad totalling \$4,708 written off under the General Manager's delegated authority (as detailed in Schedule B attached to Director's Report No. CS33/23).

**PURPOSE**

The purpose of this Report is to seek Council approval, in accordance with Clause 213 of the Local Government (General) Regulation, to write off debts considered bad for the 2022/23 financial year.

**BACKGROUND**

Each year, the Financial Services Branch assesses the status of outstanding debtors to determine those debts which are bad, doubtful or recoverable. Debts considered bad are either recommended for write off by the General Manager under delegated authority or submitted to Council for approval to write off. (N.B. Doubtful debts are provided for in the financial records in contrast to bad debts which are written off)

**DISCUSSION**

Some services provided to customers in exchange for a fee or charge may remain unpaid even after various attempts by staff have been taken to recover these amounts. If it is deemed uneconomical to pursue further, then these amounts will be recommended to become bad debts and written off. Services that remain unpaid generally comprise commercial waste, licensing, parks, community centres and recreation fees and charges.

The writing off of debts by Council is undertaken in accordance with Clause 213 of the Local Government (General) Regulation. At the Ordinary Meeting held on 10 July 1996, Council resolved that the General Manager be delegated authority to write off individual debts up to \$1,000 which are considered irrecoverable. Debts over \$1,000 may only be written off by resolution of Council. The amount of bad debts written off by Council in accordance with Clause 213 of the Regulation over the last five financial years has been:

|         |          |
|---------|----------|
| 2017/18 | \$10,209 |
| 2018/19 | \$7,729  |
| 2019/20 | \$5,365  |
| 2020/21 | \$2,854  |
| 2021/22 | \$8,737  |

For 2022/23, it is recommended that Council write off debt considered bad totalling \$27,408 (see details in Schedule A); and note debts considered bad totalling \$4,708 which have been written off under the General Manager's delegated authority (see details in Schedule B). It should be noted that even if a debt is written off, Council is not prevented from taking future legal proceedings to recover the debt.

**CONSULTATION**

This Report has been prepared in consultation with Council's debt collection agency – Recoveries and Reconstruction (Australia) Pty Ltd.

**BUDGET**

The 2022/23 budget for bad debts written off is \$1,000. This budget will be supplemented by the reallocation of minor savings in Divisional budgets across the organisation to write off the debts detailed in this Report.

**POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

The write-off of bad debts for the 2022/23 financial year 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 debts to be written off.



**RESPONSIBLE OFFICER**

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

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

1.  Schedule A - Bad Debt Over \$1,000
2.  Schedule B - Bad Debt Under \$1000.00

File Reference: F2004/06978-02  
Document Number: D08648937

## **6 NSROC - NORTHERN SYDNEY REGIONAL WASTE STRATEGY**

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### **EXECUTIVE SUMMARY**

- The Northern Sydney Regional Organisation of Council's (NSROC) is comprised of eight northern Sydney councils to enhance the liveability, productivity and sustainability of the region through advocacy, project management, research and information provision.
- As part of its function NSROC has prepared a Regional Waste Strategy to respond to the NSW Government's 20 year Waste and Sustainability Materials Strategy 2041. The NSW EPA require NSROC to have an adopted Regional Waste Strategy as a pre-requisite to waste grant funding eligibility.
- The NSROC Regional Waste Strategy was collaboratively developed with member Council's in 2022 and outlines priority initiatives and actions to be delivered over the next 5 years.
- The Strategy was endorsed by the NSROC General Manager's Advisory Committee (GMAC Board) in November 2022 and this Report requests Council receive and note the Regional Waste Strategy.

### **RECOMMENDATION**

THAT Council receive and note the Northern Sydney Regional Waste Strategy 2022 included at Attachment 1 to Director's Report No. CE2/23.



## PURPOSE

The purpose of this Report is to advise Council of the new Regional Waste Strategy 2022-2027 that was endorsed by the Northern Sydney Regional Organisation of Council's General Manager's Advisory Committee in November 2022.

## BACKGROUND

The new Regional Waste Strategy 2022-2027 (the Strategy) is the third iteration of a NSROC Regional Waste Strategy. See **Attachment 1 - North Sydney Regional Waste Strategy 2022**.

Previous Strategies were developed in 2014 and 2017 as part of the regional delivery of the Waste Less Recycle More initiative. At a state level, the Waste and Resource Recovery Act (2001) remains the key driving legislation.

In 2021 the state government announced the 20-year Waste and Sustainable Materials Strategy 2041 (WaSM). The WaSM Strategy has adopted a highly ambitious 80% resource recovery target for domestic waste and it is noted Council's across NSW will struggle to achieve this target without significant advancement in waste processing technologies. As part of Wasm implementation the EPA required all regional groups to prepare new regional waste strategies, in order to access grant funding to implement key regional initiatives.

In 2022 NSROC engaged Mike Ritchie and Associates (MRA) to develop a NSROC Regional Waste Strategy and funding was obtained from the EPA for this activity. The EPA set guidelines for what should be included in regional waste strategies, and the decision was made that the strategy needs to reflect regional priorities while maintaining consistency with the EPA guidelines. MRA facilitated several workshops with NSROC General Managers, Directors and Waste Managers.

The new Strategy provides a 20-year vision while focusing on initiatives required in the 5-year period to 2027 and stipulates how progress will be monitored. Of particular relevance to this Strategy is the NSW Government mandate for councils to provide food and garden organics (FOGO) collections by 2030, the NSW target of reducing carbon emissions by 35% by 2030, and the limited space to dispose of residual waste within the Greater Sydney area in the next 7-8 years.

Three key high Priority Objectives form the Regional Waste Strategy are outlined below:

- Undertaking research to allow councils to make informed decisions on a pathway to 80% resource recovery (domestic waste stream).
- Undertaking research to allow councils to make informed decisions on implementing organics recovery solutions.
- Identifying infrastructure needs and opportunities and create a roadmap for implementation.

The new Regional Waste Strategy was adopted by NSROC General Managers Group (GMAC) and the Board in November 2022.

## DISCUSSION

### Framework for the Strategy

The framework of the new Regional Waste Strategy incorporates a purpose and vision and is segmented into five themes which are consistent to the Wasm Strategy themes. They are:

1. Avoid and Reduce Waste.
2. Recover Resources.

3. Protect the Environment.
4. Strategic Collaboration.
5. Education and Engagement.

For each theme there are regional objectives which also reflect one or more of the three WASM Strategy priority areas of:

1. Reducing carbon emissions.
2. Future infrastructure and service needs.
3. Protect environment and human health.

The framework also identifies the WASM funding areas relevant to each theme.

The Strategy is consistent with, and a continuation of, the two previous Regional Waste Strategies, but has some significant differences:

- It is a high-level document with a focus on initiatives NSROC could undertake for regional benefits.
- The Strategy reflects member councils' priorities for regional action.
- It does not adopt the state or federal government targets, but states that local government will have a significant role in delivering them (noting that there currently is no achievable pathway to the NSW Government's WaSM Strategy's 80% resource recovery target for domestic waste).
- It acknowledges the limited grant funding available for waste management
- It notes that the move to further emissions reduction and a circular economy will cause increases in the cost of waste management. This will likely impact on the delivery period and require a flexible approach across priorities to obtain the maximum benefit from potential funding streams.

### **Summary of Strategy**

The key initiatives and outcomes are detailed in Section 5 of the document. They are summarised below:

#### **1. Avoid and Reduce**

Focused on reducing the waste generation and carbon emission per capita through actions such as education, and decision making around future Council tenders.

#### **2. Recover Resources**

Focused on improving the resource recovery of waste by looking at organic and bulky waste processing and further research on plastic waste.

#### **3. Protect the Environment**

Focused on reducing local illegal dumping and litter.

#### **4. Strategic Collaboration**

Focused on identifying regional options for transfer stations and organic processing. This section also looks to align procurement and improve resilience of the area.

## 5. Education and Engagement

Focused on a regional approach to engagement and education and utilising the scale of the organisation to advocate to the State and Federal Governments.

The following table from the Regional Waste Strategy sets out the themes, objectives, priority, outcomes and initiatives of the Strategy.

| Theme                      | Objectives  | Priority | Outcomes  | Initiatives   |
|----------------------------|---|----------|---|---|
| 1. Avoid & reduce waste    | 1.1 Embed circular economy principles                 | Moderate | Reduced total waste generated per capita                | 1.1a Guidelines to incorporate recycled content.<br>1.1b Coordinate circular economy initiatives  |
|                            | 1.2 Lead initiatives to reduce emissions              | Moderate | Reduced carbon emissions                                | 1.2a Cost Benefit analysis to reduce carbon emissions<br>1.2b Ensure tenders include consideration of carbon emissions  |
| 2. Recover Resources       | 2.1 Research a pathway to 80% recovery                | High     | Improved resource recovery outcomes                     | 2.1a Cost Benefit analysis on pathway for region to reach 80% diversion   |
|                            | 2.2 Research organics recovery solutions              | High     | Majority of organic waste from landfill diverted        | 2.2a Organics collection & processing options analysis<br>2.2b Organics processing joint procurement assessment   |
|                            | 2.3 Lead initiatives to increase plastic recovery     | Moderate | Improved plastics recovery across member councils       | 2.3a Plastics industry scan for opportunities to divert plastic   |
|                            |   | Lower    |   | 2.3b Plastics social research to increase recycling<br>2.3c Research soft plastics kerbside collection options<br>2.3d Incorporate plastic waste management into the strategy |
| 3. Protect the Environment | 3.1 Improve usage, accessibility and recovery at CRCs | Moderate | Improved recovery of problem waste streams              | 3.1a Identify long term site for CRC  |
|                            |   | Lower    |   | 3.1b Expansion of CRC accepted material<br>3.1c Establish third CRC in region   |
| 4. Strategic Collaboration | 4.1 Identify infrastructure needs and create roadmap  | High     | Regional infrastructure needs are met                   | 4.1a Identification of potential infrastructure sites   |
|                            | 4.2 Identify opportunities for service collaboration  | Moderate | Opportunities for regional collaboration are identified | 4.2a Assessment of joint procurement options for waste processing/disposal  |
|                            | 4.3 Build regional waste management resilience        | Lower    | Resilient waste management services                     | 4.3a Build regional resilience improvement opportunities  |

| Theme   | Objectives  | Priority  | Outcomes   | Initiatives   |
|---|---|---|--|---|
| 5. Education & Engagement   | 5.1 Collaborate to implement a behaviour change program to divert waste from landfill | Moderate  | An informed community  | 5.1a Regional data collation and visualisation                          |
|   |   |   |  | 5.1b Support councils undertake standardised community knowledge survey |
| 5.1c Develop a regional organics education strategy and community engagement plan |   |   |  |   |
| 5.1d Develop education resources on waste treatment technologies                  |   |   |  |   |
| 5.2 Continual regional advocacy and knowledge sharing                             | Moderate  | Strong advocacy of better waste management outcomes | 5.1e Develop education resources for bulky waste and recycling in MUDs |   |
|   |   |   | 5.2a Advocacy to State & Federal Government                            |   |
|   |   |   | 5.2b Advocacy and engagement with industry                             |   |
|   |   |   | 5.2c Advocacy and resources for engagement with councillors            |   |
|   |   |   |  | 5.2d Engage with other regional waste management groups                 |

The document details the measures of success in Section 5.4 and seeks to develop annual Action Plans to support the Strategy's implementation.

### BUDGET

All Regional Waste Strategy initiatives will be funded through existing NSROC funds or be contingent on the success of EPA WaSM grant applications. There are nil budget implications for Hornsby Shire Council.

**POLICY AND STRATEGY**

The vision, themes and goals of Council's Sustainable Hornsby 2040 and Waste Matters Strategy 2020 are consistent and in aligned with the NSROC Regional Waste Strategy.

**CONCLUSION**

The Northern Sydney Regional Waste Strategy 2022-27 outlines regional initiatives and actions consistent with the NSW Waste and Sustainable Materials Strategy. The Strategy was endorsed by General Managers and Mayors of member Councils in November 2022, and it is recommended Council receive and note the Regional Waste Strategy 2022.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is Senior Waste Programs Coordinator – Amanda Free - who can be contacted on 9847 4835.

CHRIS HORSEY  
Manager - Waste Management  
Community and Environment Division

STEPHEN FEDOROW  
Director - Community and Environment  
Community and Environment Division

**Attachments:**

1.  Northern Sydney Regional Waste Strategy

File Reference: F2018/00082

Document Number: D08609092

## **7 BEECROFT VILLAGE GREEN MASTER PLAN**

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### **EXECUTIVE SUMMARY**

- At its informal briefing on 1 March 2023 Council resolved to place the draft Beecroft Village Green Master Plan on public exhibition.
- The draft Master Plan provides an overall vision for the park and provides guidance on the types of uses and facilities that occur there.
- The draft Master Plan was placed on public exhibition from 20 March to 17 April 2023 with a total of 30 submissions received.
- The community were generally supportive of the draft Master Plan and the key elements proposed.
- The community view the Village Green as a valued community asset and wish to see the heritage character of the park preserved and the feel of a 'Village Green' retained and enhanced.
- Adoption of this Master Plan together with the funding identified in the Draft 2023-2026 Delivery Program and Operational Plan 2023/24, will allow construction works to commence early in 2024.

### **RECOMMENDATION**

THAT:

- 1 Council adopt the Beecroft Village Green Master Plan included as Attachment 2 to Director's Report No. CE3/23.
- 2 Submitters be advised of Council's decision.

## PURPOSE

The purpose of this Report is to outline the submissions received during the public exhibition period of the draft Beecroft Village Green Master Plan and to seek Council's endorsement of the Master Plan to guide its implementation.

## BACKGROUND

1. The Parks, Trees and Landscape Branch has prepared a Master Plan for the Beecroft Village Green (111X Beecroft Road, Beecroft).
2. The Master Plan provides an overall vision for the park and provides guidance on the types of uses and facilities that occur there.

## DISCUSSION

Feedback received from the community was generally supportive of the draft Beecroft Village Green Master Plan and the key elements proposed. The community values the Beecroft Village Green as a community hub and gathering space and wish to see the heritage character of the park preserved and the feel of a 'Village Green' retained and enhanced.

Whilst one respondent expressed a preference for no or minimal change, the majority of submissions believe the Master Plan represents a positive change to the space and will encourage ongoing use of this valued community asset.

### **Issue: Upgrade to Amenities Building**

The community were supportive of the proposal to upgrade the amenities building and suggested the inclusion of a baby change table and changing places type toilet facilities.

#### **Response:**

Changing Places type toilet facilities provide best practice accessibility features however due to the cost associated with these facilities they are best suited to district and regional parks which receive high levels of visitation. The Master Plan includes two unisex accessible cubicles which is considered appropriate for a park of this scale.

### **Issue: Location of proposed half court**

Respondents were generally supportive of the inclusion of a half court however representation was made to move the half court further away from Beecroft Road or to the area behind the tennis courts.

#### **Response:**

These requests were considered, however due to the sloped topography, additional earthworks and retaining walls would be required to achieve a level area behind the tennis courts. In addition, the close proximity to the new shared path and the tennis courts would result in the space feeling quite constrained. The preferred location for the half court is on the relatively level and open area indicated in the draft Master Plan and it is recommended that no changes are made to the Master Plan. The basketball hoop will be orientated away from Beecroft Road for safety.

### **Issue: Provisioning of play space and teen activity area**

The proposal to upgrade the children's playground and provide an activity area for teens and older children was supported. One respondent requested the inclusion of shade sails over the play space area.

**Response:**

Play equipment that is suitable for a range of ages and abilities will be incorporated into the final design of the children's play space. Existing canopy trees provide natural shade over the play space which is deemed suitable provision for a local level playground and is in accordance with Council's Play Plan.

**Issue: Visual and acoustic screening of railway**

Screen planting alongside the railway to improve visual and acoustic amenity was supported. The community wish to see weed management activities undertaken in this area.

**Response:**

Screen planting will be provided alongside the railway line and weeding undertaken for a period of maintenance.

**Issue: Fencing along Beecroft Road**

Fencing and continuation of the hedge along Beecroft Road was supported. It was requested that the proposed new fence should be a low height to retain visibility into the parkland.

**Response:**

The proposed fence along Beecroft Road will be a maximum height of 0.9m. The established hedge will be maintained and continued.

**Issue: Park lighting**

The provision of new lighting was suggested by one respondent to enable use of the park facilities at night.

**Response:**

Lighting is provided along the shared path to facilitate night use. Other park facilities are intended for daylight use only and no additional lighting is proposed.

**Issue: Provision of exercise equipment**

The inclusion of exercise equipment was supported, and the community wish to ensure it is suitable for all age groups and incorporates exercise for an 'all of body' workout.

**Response:**

A variety of appropriate exercise equipment will be included in the final selections.

**Issue: Activation of area behind Beecroft Community Centre**

Council were requested to consider options for the area between the park and the Community Centre as one respondent felt that this area is underutilised and lacks connectivity.

**Response:**

As the community wish to retain the character and feel of a village green and maintain lawn areas for picnicking and passive recreation large open lawn areas have been retained with shaping where necessary to achieve accessible grade paths.

The area between the park and Beecroft Community Centre has been retained as unstructured open space. Changes to the community centre building are beyond this scope of the Master Plan.

**Issue: Inclusion of an artwork or interpretive signage**

Inclusion of an artwork or interpretive signage that recognises the history of the First Nations people was requested.

**Response:**

A small artwork or interpretive sign that recognises the history of the First Nations people will be incorporated into the final design.

**Issue: Funding sources**

Two respondents expressed opposition to the possible use of proceeds from the sale of 179 Beecroft Road to fund implementation of the Master Plan.

**Response:**

It is recommended that due to the community benefit and desire for improvements to Beecroft Village Green that remaining monies from the sale of 179 Beecroft Road are used to fund implementation of the Beecroft Village Green Master Plan.

**Additional Comments:**

Three respondents requested the use of the site as an off-leash dog park however it is noted that Beecroft Village Green is not listed as an off-leash site in Council's Off-leash dog Park Strategy.

Two respondents noted the need for additional car parking close to the Village Green. It is noted that changes to car parking is beyond the scope of the Master Plan.

**CONSULTATION**

In the preparation of this Report consultation with the community was undertaken over two stages.

Round 1 consultation was undertaken from 15 November to 14 December 2022. The community were asked to complete an online survey ranking their top five preferences for the Beecroft Village Green from a selection of eleven options.

Council also hosted an onsite drop in session, ran an information campaign on social media and conducted direct mailouts to neighbours and stakeholders. The information gathered was used to guide development of a draft Master Plan.

During Round 2 the community were invited to provide feedback on the draft Master Plan. The draft Master Plan was placed on public exhibition from 20 March 2023 to 17 April 2023. A total of 30 submissions were received.

A comprehensive summary of consultation activities and outcomes is included in the attached *Community Consultation Report*.

**BUDGET**

Implementation of the Beecroft Village Green Master Plan is estimated to be able to be delivered within the \$1.11M allocated in the Draft 2023-2026 Delivery Program and Operational Plan 2023/24. These funds are sourced from the internally restricted account Sale of 179 Beecroft Road.

**POLICY**

There are no policy implications associated with this Report.



**CONCLUSION**

The community are generally supportive of the Beecroft Village Green Master Plan. It is recommended that the Master Plan be adopted and progressed to detailed design and construction.

Adoption of this Master Plan together with the funding identified in the Draft 2023-2026 Delivery Program and Operational Plan 2023/24, will allow construction works to commence early in 2024.



**RESPONSIBLE OFFICER**

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

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

STEPHEN FEDOROW  
Director - Community and Environment  
Community and Environment Division

**Attachments:**

1.  Beecroft Village Green Community Consultation Report - April 2023
2.  Beecroft Village Green Master Plan FINAL

File Reference: F2022/00306  
Document Number: D08620375

**ITEM 7**

## **8 ABORIGINAL HERITAGE STUDY**

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### **EXECUTIVE SUMMARY**

- At its meeting on 8 August 2018, Council resolved to consider undertaking a Comprehensive Heritage Study to inform amendments to current planning instruments and assist preparation of the Local Strategic Planning Statement (LSPS).
- In 2019, a Heritage Gap Analysis and Action Plan 2019 was prepared to inform the scope of the Comprehensive Heritage Study and was subsequently placed on public exhibition.
- In April 2020, Council endorsed progression of the Comprehensive Heritage Study program. Preparation of a new Aboriginal Heritage Study is one of the key tasks under the program of works.
- Coast History and Heritage Pty Ltd was engaged in October 2020 to prepare the draft Aboriginal Heritage Study. Input and endorsement from the community, historical societies, local traditional owner groups, Council's Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC) and Heritage Advisory Committee (HAC) has been received throughout the project.
- The draft Aboriginal Heritage Study updates the 1996 Aboriginal heritage study by conducting new research and community consultation. It provides an update on known Aboriginal sites and places, a greater understanding of Aboriginal cultural heritage values and identifies processes for ongoing consultation and collaboration with Aboriginal people.
- It is recommended that Council endorse the draft Aboriginal Heritage Study attached to this report for public exhibition.
- Preparation of the draft Aboriginal Heritage Study has involved HATSICC and representatives from local Aboriginal Groups (GuriNgai and Darug descendants).

### **RECOMMENDATION**

THAT:

1. The draft Aboriginal Heritage Study attached to Director's Report No. PC11/23 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

## PURPOSE

The purpose of this Report is to present a draft Aboriginal Heritage Study (AHS) for endorsement for exhibition.

## BACKGROUND

At its meeting on 8 August 2018, Council resolved to consider undertaking a Comprehensive Heritage Study (CHS) in consultation with the Heritage Advisory Committee to:

- Inform amendments to Council's planning controls.
- Inform preparation of Council's Local Strategic Planning Statement (LSPS).
- Review Council's list of existing heritage items and conservation areas and identify opportunities to progress new listings.
- Identify opportunities to fund and review ongoing heritage initiatives and procedures.

To assist Council with the scope and preparation of the CHS, GML Heritage were engaged to prepare a Heritage Gap Analysis and Action Plan. The Heritage Gap Analysis and Action Plan was considered by Council in May 2019 and the Hornsby Shire Heritage Action Plan (HSHAP) was endorsed for public exhibition.

Council's LSPS was subsequently adopted in February 2020 and published on the NSW Planning Portal in March 2020. It identifies that conservation and celebration of heritage will be a key consideration as the Shire changes into the future and notes the findings and recommendations of the HSHAP. Liveable Action LA14 of the LSPS is to undertake the tasks to complete the Hornsby CHS.

On 8 April 2020, Council endorsed progression of the CHS program to guide implementation of the CHS recommended tasks and identified funding to achieve the same.

The first four projects under the CHS program were in progress by November 2020. This included a Thematic History of Hornsby Shire, a new Aboriginal Heritage Study, Archaeological Heritage Study and Landscape Heritage Study. In 2021, four additional projects under the CHS program commenced, including two Heritage Item Reviews, a Heritage Conservation Area Review and Heritage Interpretation Strategy.

The Hornsby Thematic History (GML, 2021) was finalised and endorsed by Council in October 2021. The thematic history has provided the historical groundwork to contextualise and explain the Shire's cultural and environmental history and heritage to inform the consecutive CHS projects.

The draft AHS attached to this report is the second task to be completed under the CHS, alongside the draft Heritage interpretation Strategy (Artefact Heritage, 2023) attached to Director's Report No. PC12/23.

The remaining five studies underway are anticipated to be reported to Council in the second half of 2023 on completion of the work and finalisation of a tailored consultation plan.

## DISCUSSION

This report presents the draft AHS for endorsement for exhibition. The AHS was commissioned to:

- Review the 1996 Aboriginal Heritage Study.
- Update data on known Aboriginal sites within the Shire.
- Provide greater recognition of Aboriginal history, heritage and cultural values.

- Collaborate with the Aboriginal community about their local heritage.
- Identify new processes for ongoing consultation and collaboration with Aboriginal people.
- Identify new mechanisms for future management and protection of Aboriginal heritage.

This report discusses the findings of the draft AHS prepared by Coast History and Heritage, the collaborative consultation process undertaken to prepare the report, as well as the key recommendations for Council to consider.

Two of the guiding documents referenced in the draft AHS are unpublished drafts. This includes the Archaeological Heritage Study and Landscape Heritage Study which were in development at the same time as the subject study.

The consultants were provided the unpublished drafts to correlate the findings and inform the Study. The draft Archaeological Heritage Study and Landscape Heritage Study are anticipated to be reported to Council in the second half of 2023 as part of a suite of studies.

### **Aboriginal Heritage Study**

The draft Aboriginal Heritage Strategy consists of the following preliminary sections outlining the research undertaken, overview of heritage values and the current statutory framework for Aboriginal heritage management:

**Section 1 – Introduction to the study** - a description of the study area, the background to, and objectives of, the study.

**Section 2 – Researching heritage and history** - an overview of research undertaken which includes an analysis of the Shire's landscape, registered Aboriginal sites, heritage register listings, post-contact history, intangible values, existing interpretation, community knowledge and field excursions. This revealed the type and likely survival of Aboriginal heritage across the Shire, what has been recorded, how it is promoted and the communities' concerns and values.

**Section 3 – Aboriginal cultural heritage in Hornsby Shire** - options for ways to better recognise and conserve Aboriginal heritage in the Hornsby context are described and recommended. They include incorporation of heritage values within heritage listed places, listing new sites with Aboriginal archaeological potential, development of archaeological sensitivity mapping, and additions to support the local historic themes.

**Section 4 – Aboriginal heritage management context** - the current statutory framework for Aboriginal heritage management and current processes are described. The review of the Commonwealth, State and Council guidelines, legislation, policies and development controls reveal opportunities to more clearly communicate obligations related to the protection of Aboriginal heritage and share information internally.

**Section 5 – Recommended Aboriginal heritage management** - an outline of an Aboriginal heritage management strategy relevant for the Shire is proposed. The strategy identifies improvements to data management, Aboriginal community consultation, education and training opportunities, development assessment and development proponent requirements, and procedures for land use planning, development and asset management.

### **Key Recommendations**

The Key Recommendations are set out in Section 6 as follows:

#### **Section 6.1 – Immediate Actions (0-12 months)**

- Enact a new Aboriginal heritage management strategy, focusing on the following actions:
  - Include new policies within the Hornsby DCP to outline the legal protections afforded to Aboriginal heritage in NSW; the Aboriginal heritage management requirements specified by Heritage NSW and the new required assessment and Aboriginal community consultation for heritage items; archaeological sites and landscapes listed in the Hornsby Local Environmental Plan 2013 (Hornsby LEP) with Aboriginal heritage values.
  - Revise the submission guidelines for development applications to encourage development applicants to follow the Heritage NSW policies, procedures and guidelines relating to Aboriginal heritage assessments.
  - Advise pre-lodgement enquiries about Aboriginal heritage requirements.
  - Evaluate Due Diligence Aboriginal Heritage Assessments submitted with development applications.
  - Determine if a Due Diligence Aboriginal Heritage Assessment is required for Council led planning and activities.
  - Provide Council managers and staff involved in the planning of proposed activities access to:
    - Information about registered Aboriginal sites (AHIMS), including original site recordings to inform development evaluations.
    - Council developed procedure guidelines/manuals to assist staff planning or undertaking activities to implement Aboriginal heritage requirements consistently based on the Heritage NSW assessment requirements; and
    - An Aboriginal Heritage Land Use Planning Map.
  - Provide planning staff access to:
    - Guidelines provided by Heritage NSW.
    - Revised DCP policies for Aboriginal Heritage; Heritage Items, Archaeological Sites; and
    - Heritage Landscapes and information about registered Aboriginal sites (AHIMS), including original site recordings to inform development evaluations.
  - Register previously unregistered sites and site updates found by staff or within the planning or undertaking of Council led activities in AHIMS.
- Ensure that internal and Heritage NSW guideline documents are readily available to all Council staff who may be involved in advising applicants, assessing development applications, preparing plans of management or land use planning studies, or planning or managing Council works and development projects.
- Add information to Section 10.7 planning certificates and Council's 'Apply for a Permit > Earthworks' website page that all properties may have Aboriginal heritage significance and provide directions to the Heritage NSW guidelines.

- In consultation with HATSICC, develop and deliver a training program about Aboriginal heritage management procedures to all staff involved in advising development applicants, assessing development applications, or planning or managing Council works and development projects are aware of Aboriginal heritage management requirements.
- In consultation with HATSICC, develop procedures for providing advice to proponents and Council staff on Aboriginal community consultation requirements for the assessment of listed Heritage Items, Archaeological Sites and Heritage Landscapes, and for Due Diligence Aboriginal Heritage Assessments.
- In consultation with HATSICC, develop a schedule for Council staff training, research and education on Aboriginal heritage, its interpretation, protection and management.
- Update the heritage inventory sheets for fourteen (14) heritage listed items and archaeological sites to include Aboriginal heritage values. The items are identified in Table 8 of the attached report and extracted below:

| Aboriginal Heritage Place Name           | Current heritage listing                                    |            | Aboriginal Values  |
|--|---|------------|--|
|  | Item Name   | Item ID    |  |
| Bar Island                               | Cemetery, Church Ruins and Memorial                         | A3         | Contains 3 registered AHIMS sites. Aboriginal name for island thought to be Marra Marra. Possibly located on the boundary of two languages. Burial place of Sarah Lewis. Home, marriage site, school site and burial place of Shattles family members. |
| Brooklyn Cemetery                        | Brooklyn Cemetery   | 204<br>A13 | Burial place of a child or children of Moses Shattles (descendant of Sarah Lewis).   |
| Dangar Island                            | Bradleys Beach<br>Kiparra Park bushland                     | A34<br>334 | The site of the earliest meeting of Aborigines and Europeans on the Hawkesbury, in 1788. Remains of a midden   |
| Hornsby Hospital                         | Hornsby Hospital  | 529        | An Aboriginal employee and several Aboriginal people who worked there. Residence (and probable workplace) of Herbert Simms in c.1955.  |
| Hornsby Police Court (former Drill Hall) | Hornsby Shire Council Chambers                              | 520        | Original location of former dill hall used for the Hornsby Police Court. Locations of 1920. Conviction of Darwin Moore for drunk and disorderly behaviour, and use of indecent language.   |
| Hornsby Police Court (former Drill Hall) | Kenley Park and Hornsby Shire Historical Society Drill Hall | 608        | The former drill hall building was used for the Hornsby Police Court prior to being moved to the current site in Kenley Park.  |
| Kangaroo Point                           | Kangaroo Point  | A21<br>99  | Charles Shattles, son of Moses Shattles, worked as the toll collector at Peats Ferry in the mid-20th century.  |
| Koala Park Sanctuary                     | Koala Park Wildlife Sanctuary Grounds                       | 786        | Late 1930s. Bill Onus, political activist, worked here, carving wooden artefacts for sale, throwing boomerangs for visitors.   |
| McKell Park                              | McKell Park – lower,  | A14        | A rock shelter with potential archaeological   |

| Aboriginal Heritage Place Name       | Current heritage listing   |           | Aboriginal Values   |
|--------------------------------------|--|-----------|---|
|                                      | Item Name  | Item ID   |   |
|                                      | upper, cabbage palms and WWII gun and emplacements                         | 225       | deposit has been identified in the park, (not registered on AHIMS). Rail workers camps in the park from the late 1880s and late 1930s/early 1940s may have included Indigenous workers.   |
| Milson Island                        | Prison building  | 573       | Prior to 1865, possibly occupied by Sarah Lewis 1880 death of Sarah Wallace/ Ferdinand  |
| Mount Wilga Rehabilitation Hospital  | Mount Wilga House Mt Wilga and grounds                                     | 495       | 1958 admission of Francis Cruse, from the south coast, to recover from illness.   |
| Old Northern Road                    | Road, stone wall, bridge, escarpment and drain                             | 794 & A69 | The route of the Great North Road along the ridge at Maroota may follow the alignment of an Aboriginal track. This is suggested by the current name of the locality, Maroota, which may mean 'place of the road' (muru meaning 'road' and -da meaning 'place'). |
| Peats Ferry Road                     | Peats Ferry Road Remains, Hornsby to Peats Ferry Peats Ferry Road (Former) | A20 & A29 | Route showed to George Peat by Boio (alternatively known as Long Dick)  |
| St Mary's Church of England (former) | St Mary's Church of England (former)                                       | 219       | At least five children from local Aboriginal families were baptised at the church between 1902 and 1909   |

- List two (2) new archaeological sites, prepare an amending Local Environmental Plan to update Schedule 5 of the LEP and complete heritage inventory sheets. The site is identified in Table 9 of the attached report and extracted below.

| Aboriginal Heritage Place Name | Property Address             | Property Description  | Recommendation  | Reason for inclusion  |
|--------------------------------|------------------------------|---|---|---|
| Moses Shattles's Property      | Marramarra Creek, Fiddletown | Lot 7 DP 654708, Lots 21 & 22 DP 625103, Lots 2-8 & 8A DP 9765, Lots 19 & 20 DP 631782, Lots 11-14 DP 9765, Lots 15-23 DP 16074 | Include as new listing: Archaeological Site within the HELP<br><br>(for those parts of the property that fall outside Marramarra National Park) | Item found to have archaeological potential, assessed to be of local significance.<br><br>Home of Moses and Alice Shattles and their four children. Moses Shattles (c.1862-) was a grandson of Sara Wallace |
| Waitara Foundling Home         | 2 McAuley Place, Waitara     | SP 18027  | Include as new listing: Archaeological Site within the HELP   | Item found to have archaeological potential, assessed to be of local significance.<br><br>An institution where care was provided to Aboriginal  |

|  |  |  |  |                             |
|--|--|--|--|-----------------------------|
|  |  |  |  | mothers and young children. |
|--|--|--|--|-----------------------------|

Updating heritage inventory sheets would not require any amendment to the Hornsby LEP. Management of the Aboriginal values would be required as defined under the new heritage management system, requiring applicants to consider Aboriginal significance and seek Aboriginal community consultation in planning new work. Council would then evaluate the values during development assessment.

Listing a new archaeological site would require an amendment to Schedule 5 of the Hornsby LEP. A heritage assessment against the Heritage Council of NSW heritage assessment criteria has been included within Appendix 3 of the draft AHS to assist the preparation of the supporting inventory sheet.

### **Section 6.2** – Ongoing and recurring actions

- Ensure the training program about Aboriginal heritage management procedures is undertaken by new staff who may be involved in advising applicants, assessing development applications, preparing plans of management or land use planning studies, or planning or managing Council works and development projects.
- In consultation with HATSICC, ensure that the existing Aboriginal Heritage Information Licence Agreement between Council and Heritage NSW is renewed as required to ensure continuing access to up-to-date Aboriginal site data on the AHIMS.
- Undertake a periodic review of Council staff registered to use the AHIMS system, to update details and remove registrations no longer required.
- Ensure that the Aboriginal Heritage Land Use Planning Map is updated annually as required. Submit any outstanding site updates and reports to the AHIMS registrar.

### **Section 6.3** -- *Medium term actions (1-3 years)*

- In consultation with HATSICC, develop a schedule for community training, research and outreach programs. These discussions should involve NPWS, Heritage NSW, community organisations such as HARR and local historical societies, and other Council staff as appropriate.
- Unless new Aboriginal heritage legislation has been passed and new procedures introduced, commence:
  - Further research to refine the Aboriginal Heritage Land Use Planning Map and develop an Aboriginal Heritage Sensitivity Map.
  - Development and implementation of an amended Aboriginal heritage management system once the Aboriginal Heritage Sensitivity Map has been established.
  - Engage one or more identified Aboriginal heritage officers to assist with development and implementation of the amended Aboriginal heritage management system.

### **Section 6.4** – Long term actions (3-5 years)

- Commission a suitably qualified Aboriginal heritage consultant to undertake, in conjunction with HATSICC and Council staff, a review of the Aboriginal Heritage Land Use Planning Map



and Aboriginal heritage management procedures to identify and address any issues or improvements that can be made. At this time, any relevant findings from additional research projects, could be incorporated into the map.

- In the event that new State Aboriginal heritage legislation is passed and new Aboriginal heritage management procedures are introduced, initiate a review of the Hornsby Aboriginal heritage management strategy and procedures to ensure they are (or can be made) compliant with the new requirements.

**Additional Recommendations** – Two further recommendations were included in the draft AHS in relation to the other CHS projects. These included suggested additions to the Hornsby Thematic History (refer to Table 9 of the attached report) and Aboriginal places and stories which have been included in the heritage destination opportunities within the draft Heritage Interpretation Strategy attached to Director’s Report No. PC12/23.

### Supporting information

The draft AHS is supported by the following references and appendixes:

**Section 7** – References used in the report.

**Appendix 1** – An overview of the formation of the landscape of the Shire that informs the Study.

**Appendix 2** – An Aboriginal history of the LGA that informs the Study.

**Appendix 3** – A summary of the Aboriginal heritage places referenced in the Study.

It is recommended that the draft AHS be placed on public exhibition to seek community feedback on the recommendations.

## CONSULTATION

### Preliminary Consultation with HATSICC

The engagement and progress of the Study was guided by the Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC). The consultation included:

| Date          | Consultation Details   |
|---------------|--|
| April 2020    | HATSICC reviewed preparation of the project brief (Request for Quotation).   |
| November 2020 | Consultant team introduced themselves to the Committee, outlined the proposed approach to the study, and requested approval to gain an AHIMS Licence to access the Aboriginal Heritage Information held by Heritage NSW to inform the study.   |
| February 2021 | Consultant team presented their progress to the Committee with a proposed Aboriginal Community Engagement Strategy and a participant information and consent form for their review and input. A preliminary map of the site data provided by AHIMS under the <i>Aboriginal Heritage Information Licence Agreement (AHILA)</i> was also shared. |
| April 2021    | 5-month Progress Report was circulated, and feedback provided to the consultant  |
| June 2021     | Committee was informed on commencement of the preliminary community consultation with the public   |
| July 2021     | 8-month Progress Report was circulated, and feedback provided to the consultant  |
| November 2021 | Preliminary draft AHS and Progress Report was circulated, and feedback provided to the consultant  |
| August 2022   | An Aboriginal History of Hornsby Shire Draft Report prepared by Dr Michael Bennet  |

| Date          | Consultation Details  |
|---------------|---|
|               | (Appendix 2 of the attached report) was circulated and feedback provided to the consultant  |
| December 2022 | First full draft of the AHS was presented to the Committee for review and comment   |
| January 2023  | Permission to incorporate the suggested Aboriginal interpretation opportunities within the draft Heritage Interpretation Strategy (Artefact Heritage, 2023, attached to Director's Report No. PC12/23) was provided by the Committee and permission to exhibit the draft Aboriginal Study was sought. |
| April 2023    | An update on the progression of the AHS with an explanation of the recommendation changes in the final draft was provided to the Committee.<br><br>(This update was tabled to be discussed at the next meeting).  |
| May 2023      | A summary of the Aboriginal heritage places discussed in the study (Appendix 3 of the attached report) was circulated for feedback and notification given that the draft Aboriginal Study was to be reported to Council in June for exhibition.   |

### Preliminary Consultation with Aboriginal community

An Aboriginal community engagement strategy was prepared for the project in consultation with HATSICC. The strategy included:

- Project workshops held with GuriNgai descendants to discuss the methodology and objectives of the project.
- A field inspection program developed and undertaken with representatives of the Darug and GuriNgai descendants.
- Project documentation provided for review by the Darug and GuriNgai representatives; and
- Informal interviews with Darug and GuriNgai knowledge holders.

Input from local Aboriginal community members and from Darkinjung LALC was also provided during the preparation of the supporting material prepared to inform the Hornsby Heritage Study. Where appropriate, details were forwarded for inclusion. Review and input from the Local Aboriginal Land Councils will be sought during public exhibition of the report.

### Preliminary Consultation with the general community

In June 2021, Council consulted the general community during the research phase of the project. A 'Have Your Say' page was created on the Council website and promoted with social media posts on Facebook, Council's E News, and in an advertisement in the local newspapers. Emails were sent to local community and historical groups. The notices provided project information and invited input.

Comments were received from ten (10) individuals, and one organisation (the Dangar Island Historical Society). In addition, relevant correspondence was also received from the community consultation undertaken during the preparation of the Landscape and Archaeology studies from Extend Heritage.

### Preliminary Consultation with the Hornsby Heritage Advisory Committee (HAC)

The HAC was consulted on the progress of the project, which included:

| Date       | Consultation Details   |
|------------|--|
| April 2020 | HAC reviewed preparation of the project brief (Request for Quotation). |

|               |   |
|---------------|---|
| December 2020 | Informed on the successful consultant and inception progress.   |
| March 2021    | Consultant team introduced themselves to the Committee and outlined the proposed approach to the study.   |
| April 2021    | 5-month Progress Report was circulated, and feedback provided to the consultant.  |
| June 2021     | Consultant team provided an update of the project and informed the Committee on commencement of the preliminary community consultation with the public. Feedback was received and considered by the consultant. |
| July 2021     | 8-month Progress Report was circulated, and feedback provided to the consultant.  |
| August 2021   | Informed on the progression of the project and informed that collaborative discussions and sharing of knowledge with the Traditional land owner groups were ongoing.  |
| October 2021  | Informed on the progression of the project.   |
| November 2021 | Preliminary draft AHS and Progress Report was circulated, and feedback provided to the consultant.  |
| November 2022 | First full draft of the AHS was presented to the Committee for review and comment.  |
| March 2023    | An update on the progression of the AHS.  |

#### **Preliminary Consultation with Council Staff**

An internal meeting was held with Council staff in March 2021 to inform applicable branches across Council about the project and receive early input on the proposed approach. The 8-month Progress Report and Preliminary draft and were circulated in July and November 2021, and all feedback provided to the consultant. In November 2022, the first full draft of the AHS was also circulated for internal staff comment.

#### **Public Exhibition of Draft Aboriginal Heritage Study**

It is recommended that the draft AHS be placed on public exhibition for a period of at least 28 days, as set out in Council's Community Engagement Plan. The public exhibition would seek the Local Aboriginal Land Councils, Aboriginal and Non-indigenous community feedback on the Aboriginal heritage research, results and recommendations within the report to assist Council in finalising the document.

The community would be informed about the draft AHS through the following channels:

- Advertisement on Council's website – Have Your Say project page.
- Council's eNews.
- Social Media (Facebook).
- Advertising and Mayor's message – Bush Telegraph, Galston and Glenorie News, Dooral Roundup and Hornsby and Kuring-Gai Post and Living Heritage.
- Letters and/or emails to:
  - Aboriginal organisations including the Darug Custodian Aboriginal Corporation and Guringai Tribal Link.
  - Local Aboriginal Land Councils (LALC) including the Metropolitan LALC, Darkinjung LALC and Deerubbin LALC.

- Historical societies including the Hornsby Shire Historical Society, Beecroft Cheltenham History Group, Dangar Island Historical Society, Dharug and Lower Hawkesbury Historical Society, Dural and District Historical Society and Ray Park Heritage Group.
- Community groups including the Arcadia Galston Residents' Association, Beecroft-Cheltenham Civic Trust, Berowra Creative Society, Berowra Waters Progress Association, Berowra & District Community Association, Brooklyn Community Association, Hornsby Conservation Society, Milsons Passage Progress Association, Pennant Hills District Civic Trust, Westleigh Progress Association, Disability Worker, Options Disability Support, Central Coast, Chinese Australian Services Society Ltd, Cherrybrook Chinese Community association, Australian Sikh Heritage and Australian Indian Historical Society.
- Adjoining Councils including The Hills Shire Council, Paramatta City Council, Ku-ring-gai Council, Northern Beaches Council, Ryde City Council, Central Coast Council and Hawkesbury City Council.
- State agencies (Heritage NSW).
- Affected property owners including Koala Park Sanctuary, St Mary's Church of England (former), Mount Wilga Rehabilitation Hospital, Hornsby Hospital, Sites of Moses Shattles's Property, Site of the former Waitara Foundling Home
- Availability of hard copies in Council libraries (Hornsby, Galston, Pennant Hills and Berowra library branches).

Following exhibition, a report would be presented to Council summarising the feedback received.

### **BUDGET**

Preparation of the draft AHS was covered by the endorsed allocation of funds to undertake the Comprehensive Heritage Study program.

The allocated funds do not cover implementation of the Study recommendations. Once adopted, Council would need to identify and prioritise which actions they would like to proceed with. Council would also need to allocate the required funds and staff resources in a future budget and Delivery Program. Some recommendations, such as the Immediate Actions listed above, can be incorporated into future actions and ongoing tasks undertaken by staff.

The allocation of funds to implement and progress any recommendations would need to be considered in the context of the priority of the outstanding actions and recommendations from other strategic studies undertaken by Council.

### **POLICY**

In 2018, the NSW Government developed an Aboriginal Cultural Heritage Reform - NSW Draft Aboriginal Cultural Heritage Bill 2018 (ACH Bill).

The reform seeks to gain a broader recognition of Aboriginal cultural heritage values, to give agency to Aboriginal communities to make decisions about their own heritage and to provide greater opportunities for the protection, management and understanding of Aboriginal heritage through new information management and regulatory systems.

The NSW Government's plans to change the way Aboriginal heritage is managed was considered in the preparation of the draft AHS.

Once adopted, the Aboriginal Heritage Study would guide the implementation of a new Aboriginal Management system, endorse known Aboriginal heritage values to be recognised and conserved within heritage listed items and archaeological sites listed on Schedule 5 of the Hornsby LEP, inform how Council can actively promote Aboriginal history and heritage and provide actions to guide Council on how to further refine the new Aboriginal Management System when project resources and Council led funding permit.

### CONCLUSION

The draft AHS has been prepared by Coast History and Heritage has achieved the project objectives by providing an update data on known Aboriginal sites and places, a greater understanding of Aboriginal cultural heritage values and recommendations for

- Archaeological resources that may remain.
- Values to be recognised in heritage listed places.
- New archaeological places to be heritage listed.
- Interpretation opportunities.
- Suggested additions to local historical themes; and
- New management practices and processes for ongoing consultation and collaboration with Aboriginal people.

It is recommended that draft AHS be placed on public exhibition for at least 28 days to seek Local Aboriginal Land Council, Aboriginal and non-indigenous community feedback on Aboriginal heritage research, results and recommendations within the report.

Once adopted by Council, the Aboriginal Heritage Study would be used to inform implementation of the new Aboriginal heritage management system and recommendations to meet Council's commitment to the conservation and promotion of Aboriginal cultural heritage.

### 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  
Planning and Compliance Division

### Attachments:

1.  Draft Aboriginal Heritage Study

File Reference: F2020/00185#02  
Document Number: D08639824

**ITEM 8**

## **9 HERITAGE INTERPRETATION STRATEGY AND ACTION PLAN**

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### **EXECUTIVE SUMMARY**

- At its meeting on 8 August 2018, Council resolved to undertake a Comprehensive Heritage Study to inform amendments to current planning instruments and assist preparation of the Local Strategic Planning Statement (LSPS).
- In 2019, a Heritage Gap Analysis and Action Plan 2019 was prepared to inform the scope of the Comprehensive Heritage Study and was subsequently placed on public exhibition.
- In April 2020, Council endorsed progression of the Comprehensive Heritage Study program. Preparation of a Heritage Interpretation Strategy is one of the key tasks under the program.
- Artefact Heritage Pty Ltd was engaged in March 2022 to prepare the draft Heritage Interpretation Strategy. Input from the community, historical societies, Council's Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC) and Heritage Advisory Committee (HAC) has been received throughout the project.
- The draft Heritage Interpretation Strategy provides a Shire-wide strategic vision for conveying messages about the cultural heritage values of a site or place to visitors and other audiences through interpretation. It identifies opportunities for telling important stories and to guide future planning for heritage interpretation.
- An associated Action Plan has been prepared as part of the Heritage Interpretation Strategy to guide implementation of the interpretive and storytelling opportunities.
- It is recommended that the draft Heritage Interpretation Strategy attached to this report be endorsed for public exhibition.

### **RECOMMENDATION**

THAT:

1. The draft Heritage Interpretation Strategy and Action Plan attached to Director's Report No. PC12/23 be placed on public exhibition for a period of at least 28 days.
2. Following the exhibition, a report on submissions be presented to Council for consideration.

## PURPOSE

The purpose of this Report is to present a draft Heritage Interpretation Strategy (HIS) for endorsement for exhibition.

## BACKGROUND

At its meeting on 8 August 2018, Council resolved to consider undertaking a Comprehensive Heritage Study (CHS) in consultation with the Heritage Advisory Committee to:

- Inform amendments to Council's planning controls.
- Inform preparation of Council's Local Strategic Planning Statement (LSPS).
- Review Council's list of existing heritage items and conservation areas and identify opportunities to progress new listings.
- Identify opportunities to fund and review ongoing heritage initiatives and procedures.

To assist Council with the scope and preparation of the CHS, GML Heritage was engaged to prepare a Heritage Gap Analysis and Action Plan. The Heritage Gap Analysis and Action Plan was considered by Council in May 2019 and the Hornsby Shire Heritage Action Plan (HSHAP) was endorsed for public exhibition.

Council's LSPS was subsequently adopted in February 2020 and published on the NSW Planning Portal in March 2020. It identifies that conservation and celebration of heritage will be a key consideration as the Shire changes into the future and notes the findings and recommendations of the HSHAP. Liveable Action LA14 of the LSPS is to undertake the tasks to complete the Hornsby CHS.

On 8 April 2020, Council endorsed progression of the CHS program to guide implementation of the CHS recommended tasks and identified funding to achieve the same.

The first four projects under the CHS program were in progress by November 2020. These included a Thematic History of Hornsby Shire, a new Aboriginal Heritage Study, Archaeological Heritage Study and Landscape Heritage Study. In 2021, four additional projects under the CHS program commenced, including two Heritage Item Reviews, a Heritage Conservation Area Review and Heritage Interpretation Strategy.

The Hornsby Thematic History (GML, 2021) was finalised and endorsed by Council in October 2021. The thematic history has provided the historical groundwork to contextualise and explain the Shire's cultural and environmental history and heritage to inform the consecutive CHS projects.

The draft HIS attached to this report is the third task to be completed under the CHS, alongside the draft Aboriginal Heritage Study (Coast History and Heritage, 2023) attached to Director's Report No. PC11/23.

The remaining five studies underway are anticipated to be reported to Council in the second half of 2023 on completion of the work and finalisation of a tailored consultation plan.

## DISCUSSION

This report presents the draft HIS for endorsement for exhibition.

A Heritage Interpretation Strategy is a broad strategic vision for conveying messages about the cultural heritage values of a site or place to visitors and other audiences through interpretation. It identifies opportunities for telling important stories and guide future planning for heritage interpretation. The draft HIS attached to this report was commissioned to:



- Identify opportunities for telling important local stories and celebrating the local history and heritage values of the Shire.
- Develop a consistent look for heritage interpretive devices to assist recognition and promotion of heritage stories.
- Recognise the types of visitors to the Shire seeking heritage experiences and prepare cultural heritage content to inform the making of a destination management plan.
- Propose ideas for new education materials and resources for school students.
- Include an Action Plan to guide implementation of the recommended interpretation outcomes.

This report discusses the findings of the draft HIS, the collaborative consultation process undertaken to prepare the report, as well as the key recommendations for Council to implement and/or develop the identified interpretation opportunities with an estimated associated cost.

Three of the guiding documents referenced in the draft HIS are unpublished drafts. These include the Archaeological Heritage Study, Landscape Heritage Study and Aboriginal Heritage Study which were in development at the same time as the HIS. The draft Aboriginal Heritage Study is being presented to Council concurrently under Director's Report No. PC11/23.

The HIS consultants were provided the unpublished drafts to correlate the findings and inform the interpretive strategy. The draft Archaeological Heritage Study and Landscape Heritage Study are anticipated to be reported to Council in the second half of 2023 as part of a suite of studies.

### **Heritage Interpretation Strategy**

The draft HIS consists of the following preliminary sections outlining the core purpose and background research undertaken to inform the development of the Strategy:

**Section 1. Introduction** – An outline of the purpose of the report, scope and objectives of the report, limitations and authorship of the project and reference to the guiding Council and industry documents.

**Section 2. The Study Area** – A description and pictorial illustration of the Hornsby Local Government Area (LGA).

**Section 3. Historical Context** – A summary of the Aboriginal and non-Aboriginal histories of the Shire to contextualise, guide and ground recommendations of the draft HIS.

**Section 4. Values and Significance** – Identification of the Aboriginal, non-Aboriginal (historic) heritage, and landscape heritage values within the Shire to inform the development of interpretive media.

**Section 5. Consultation Plan** – The consultation undertaken with Aboriginal and non-Aboriginal stakeholders during the development of the HIS, in line with the requirements of the Hornsby Shire Council Community Engagement Plan (2021) and best-practice Aboriginal consultation guidelines.

The subsequent sections of the report comprise a customised framework to further inform the development of the draft HIS. These include:

**Section 6. Interpretive Strategy** – Key principles to guide the development of heritage interpretation elements across the Shire, incorporating historical themes, important stories and the Aboriginal cultural values of the landscape.

**Section 7. Existing Interpretation** – A review of interpretive materials that exist throughout the Shire and a methodology for assessment of the suitability of the current interpretive elements.

**Section 8. Audience Identification** – A definition of the main audience groups within the Shire to ensure the design, content and location of interpretative media provide engaging and informative experiences relevant to those audiences.

**Section 9. Historical Themes** – An explanation of how the local historical themes is a valuable organisational tool for grouping and ordering important information to present accessible, appropriate and effective heritage interpretation to an audience.

The next section of the report explores innovative and successful examples of interpretative planning which may be effectively adapted to express the heritage values of the Shire.

**Section 10. Heritage Interpretation Examples** – A range of interpretive media opportunities accompanied by successful Australian or international case studies. Some of these examples include acknowledgement of>Welcome to Country, adaptive reuse, reuse of salvaged materials, interpretive panels, QR codes, landscaping and plantings, public artwork, site markers and blue plaques, education materials and social media.

### **Key Recommendations**

The key recommendations are set out in Sections 11 – 13 as follows:

**Section 11. Interpretive Design Principles** – Interpretive design principles to guide the development and design of future heritage interpretative planning elements within the Shire. These include:

- First Nations first.
- Connectiveness.
- Adding value.
- Accessibility.
- Significance.
- Storytelling.
- Integration.
- Cohesiveness.
- Consultation.
- Materiality.
- Sustainability.
- Consistent typology.

**Section 12 Heritage Interpretation Opportunities** – Recommended interpretation opportunities for the whole of the Shire and for heritage ‘destinations’.

Shire-wide opportunities include the following:

- Policy based – reference the HIS, develop conservation management plans for Council assets, include heritage interpretation in DA conditions, promote cooperation between cultural organisations and community groups, implement the dual naming policy.
- Language – use Aboriginal language in interpretation materials, consider multilingual interpretive material.

- Websites and apps – develop an app or downloadable trails for self-guided tours, expand the Hornsby Recollects website, Expand the Discover Hornsby website, provide digital school materials.
- Other interpretive media – develop guidelines for Blue Plaques nominations, stall interpretive panels for each Heritage Conservation Area, develop an oral history project, expand heritage walks, incorporate heritage into play spaces.

Destination opportunities identify specific areas of the Shire which contain prominent heritage items, and, when visited, have the ability tell powerful, intriguing and engaging stories of the history and cultural values of the area. Each heritage destination is summarised with a history of the area, key audience groups who may visit, key heritage themes and items located within the area and recommended interpretive and media strategies.

The recommended heritage destinations include:

- Lower Hawkesbury River Settlements.
- Wisemans Ferry and surrounds.
- The Great North Road.
- Berowra, Berowra Waters and Creek.
- The Field of Mars: Beecroft and Cheltenham.
- The Orchard District: Dural, Arcadia, Galston, Glenorie and surrounds.
- Fagan Park and Netherby.
- Cowan and Muogamarra.
- Maroota and Canoelands.
- Hornsby Regional Park.
- Hornsby Town Centre.
- Pennant Hills to Normanhurst.
- Wahroonga and Waitara.

**Section 13 Destination Management Plan Input** – Suggested approach based on best practice destination management as per Tourism NSW, for input into the preparation of a Hornsby Shire Destination Management Plan.

#### **Section 14 Action Plan**

Recommendations heritage interpretation outcomes discussed in the HIS are identified with a priority action and an indicative cost level. Most of these initiatives could be managed by Council. Some may be carried out in partnership with local cultural organisations and community groups. These include:

##### *Low cost range recommendations*

The following Shire-wide recommendations would have a low cost range from negligible to approximately \$30,000 individually and could be implemented in the short term, through existing operational budgets, grant funding or other project/funding opportunities.

- Reference this HIS in future strategies.

- Include heritage interpretation consideration in DA conditions.
- Encourage cooperation with cultural organisations and community groups.
- Consult Aboriginal community knowledge holders.
- Reference the Design Guidelines.
- Implement to Dual naming policy.
- Provide digital school materials and opportunities for learning through Council's website.
- Create a heritage specific Instagram account.
- Promote guidelines for Blue Plaque nominations.
- Develop tours and trails on Conservation management.
- Incorporate heritage into design for temporary hoardings.

#### *Medium cost range recommendations*

The following Shire-wide recommendations would have an estimated cost between \$30,000 to \$80,000 individually and could be implemented by Council over the next few years should funding and project resourcing be provided:

- Reference this HIS in the Arts and Cultural Plan.
- Develop heritage resources for people with a disability and their carers.
- Use Aboriginal Language in line with Council's Dual Naming Policy.
- Consider multilingual interpretation.
- Expand 'Hornsby Shire Recollects' website.
- Develop an oral history project.
- Incorporate heritage into place spaces as part of the Play Plan.
- Reinstate Community history prizes.
- Install interpretive panels in Heritage Conservation Areas.
- Develop a Shire-wide Acknowledgement of/Welcome to Country wording.
- Expand Heritage walks.
- Promote school excursions.

#### *High cost range recommendations*

The following Shire-wide recommendations would have an estimated cost above \$80,000 individually and could be implemented by Council over several years should funding and project resourcing be provided:

- Develop conservation management plans for Council-owned assets.
- Develop a series of heritage trails as an app.
- Expand the 'Discover Hornsby' website.
- Develop podcasts.

- Program heritage themed annual events.
- Develop a suits of interpretive panels.

### Supporting information

The draft HIS is supported by the following references and appendixes:

**References** – The literary material referenced in preparation of the report.

**Appendix A: A Review of Documents** – A review of the guiding Council and industry documents listed in Section 1.5 of the HIS Introduction.

**Appendix B: NSW Historical Themes** – The Australian, NSW and local historical themes relevant to the Hornsby LGA.

**Appendix C: HLEP 2013 Listed items** – The non-residential heritage-listed items located in the Hornsby LGA, as gazetted in the Hornsby Local Environmental Plan 2013.

**Appendix D: Heritage-related Annual Program of Events** – A suggested program of events with a focus on heritage celebrations.

**Appendix E: School materials** – A summary of existing heritage focused educational resources and experiences available for school students, opportunities for new education materials and resources, and an outline of the key curriculum stages mapped against the Hornsby Themes and key stories with suggested types of education materials that would be suitable for different school stage levels.

**Appendix F: Design Guidelines** – Draft interpretive design guidelines for interpretive signage and publications.

It is recommended that the draft HIS be placed on public exhibition to seek community feedback on the recommended interpretation strategy and action plan.

### CONSULTATION

#### Preliminary Consultation with Aboriginal Organisations and HATSICC

In June 2022, the consultant team attended an Aboriginal heritage study led field trip with Council staff, National Parks and Wildlife Services, and local custodian group representatives. The purpose of this engagement was to discuss the interpretation of sensitive sites.

In December 2022, the draft HIS was circulated to the Aboriginal & Torres Strait Islander Committee (HATSICC) to receive input from committee members. In January 2023, the draft HIS was circulated for further comments related to the disclosure of known Aboriginal places.

Review and input from the Local Aboriginal Land Councils will be sought during public exhibition of the report.

#### Preliminary Consultation with Community and Historical Organisations

In April 2022, local community and historical organisations active within the Shire were contacted, as outlined in the HIS Table 4 – Community consultation log, to gain early input into identifying and understanding:

- What the heritage of the Shire means to the community.
- What heritage interpretation organisations may already do.
- What interpretation media the community would like to see.

Consultation via phone and email were also carried out with community organisation between the months of May 2022 and July 2022 to discuss engagement and accommodating visitors with intellectual disabilities and language barriers.

#### **Preliminary Consultation with the Hornsby Heritage Advisory Committee**

The Hornsby Heritage Advisory Committee (HAC) was consulted on the progress of the project at its first inception meeting under the current Council term in September 2022. The draft HIS was circulated to HAC in October 2022 to receive input from committee members, and further comments were received during the HAC meeting in November 2022.

#### **Preliminary Consultation with Council Staff**

The consultant team met online with Council staff in May 2022 to inform applicable branches across Council about the project and receive input on the draft report framework, including key destinations and identified audience groups.

The draft Report was circulated to Council staff for input and review in July and November 2022, and all feedback received provided to the consultant. The assigned responsibility within the HIS's Action Plan for the delivery of the recommended heritage interpretation outcomes were also reviewed by each respective team.

#### **Public Exhibition of Draft Heritage Interpretation Strategy**

It is recommended that the draft HIS be placed on public exhibition for a period of at least 28 days, as set out in Council's Community Engagement Plan. The public exhibition would seek community feedback on the recommended interpretation strategy and action plan to assist Council in finalising the document.

The community would be informed about the draft HIS through the following channels:

- Advertisement on Council's website – Have Your Say project page.
- Council's eNews.
- Social Media (Facebook).
- Advertising and Mayor's message – Bush Telegraph, Galston and Glenorie News, Dooral Roundup and Hornsby and Kuring-Gai Post and Living Heritage.
- Letters and/or emails to:
  - Aboriginal organisations including the Darug Custodian Aboriginal Corporation and Guringai Tribal Link.
  - Local Aboriginal Land Councils (LALC) including the Metropolitan LALC, Darkinjung LALC and Deerubbin LALC.
  - Historical societies including the Hornsby Shire Historical Society, Beecroft Cheltenham History Group, Dangar Island Historical Society, Dharug and Lower Hawkesbury Historical Society, Dural and District Historical Society and Ray Park Heritage Group.
  - Community groups including the Arcadia Galston Residents' Association, Beecroft-Cheltenham Civic Trust, Berowra Creative Society, Berowra Waters Progress Association, Berowra & District Community Association, Brooklyn Community Association, Hornsby Conservation Society, Milsons Passage Progress Association,

- Pennant Hills District Civic Trust, Westleigh Progress Association, Disability Worker, Options Disability Support, Central Coast, Chinese Australian Services Society Ltd, Cherrybrook Chinese Community association, Australian Sikh Heritage and Australian Indian Historical Society.
- Adjoining Councils including The Hills Shire Council, Paramatta City Council, Ku-ring-gai Council, Northern Beaches Council, Ryde City Council, Central Coast Council and Hawkesbury City Council.
  - State agencies (Heritage NSW).
  - Availability of hard copies in Council libraries (Hornsby, Galston, Pennant Hills and Berowra library branches).

Following exhibition, a report would be presented to Council summarising the feedback received.

### **BUDGET**

Preparation of the draft HIS was covered by the endorsed allocation of funds to undertake the Comprehensive Heritage Study program.

The allocated funds do not cover implementation of the heritage interpretation recommendations within the HIS's Action Plan (Section 14 within the attached report). Once adopted, Council would need to identify and prioritise which actions they would like to proceed with.

Some recommendations, such as the some of the low cost range recommendations listed above, can be incorporated into future actions and ongoing tasks undertaken by staff.

The allocation of funds to implement and progress any recommendations would need to be considered in the context of the priority of the outstanding actions and recommendations from other strategic studies undertaken by Council.

### **POLICY**

Once adopted, the HIS would provide a comprehensive interpretation strategy that identifies the key stories and locations for heritage interpretation across the Shire and an action plan to guide future implementation of the interpretive planning recommendations when project resources, opportunities, and Council led funding permit.

### **CONCLUSION**

The draft HIS attached to this report has been prepared by Artefact Heritage to complete the subject task under the Comprehensive Heritage Study. The draft HIS:

- Provides a comprehensive interpretive strategy that aligns with industry best-practice.
- Builds on the suite of heritage studies developed for the Comprehensive Heritage Study program.
- Addresses both Aboriginal and non-Aboriginal (historical) values and significance of heritage across the Shire.
- Reviews heritage recommendations in existing reports.
- Provides feedback from community consultation.
- Reviews audiences and recommends interpretation examples and opportunities across the Shire.

- Recommends design principles and input into a Destination Management Plan.

It is recommended that the draft HIS be placed on public exhibition for at least 28 days to seek community feedback on the recommended actions.

Once adopted by Council, HIS would be used to inform implementation of the heritage interpretation recommendations and inclusion of the relevant heritage information in a Destination Management Plan to meet Council's commitment to the conservation and promotion of natural and cultural heritage.

#### **RESPONSIBLE OFFICER**

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

KATHERINE VICKERY  
Manager - Strategic Landuse Planning  
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#### **Attachments:**

1.  Draft Heritage Interpretation Strategy & Action Plan

File Reference: F2020/00185#010  
Document Number: D08639870



## **10 DRAFT AGRITOURISM DEVELOPMENT CONTROL PLAN AMENDMENTS**

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### **EXECUTIVE SUMMARY**

- In June 2022, the Hornsby Shire Council Rural Lands Study (RLS) was finalised by Council. The RLS contains short term recommendations for value adding activities to support productive agriculture.
- On 1 December 2022, the Department of Planning and Environment (DPE), as part of ongoing Agritourism planning reforms, amended legislation to permit agritourism land uses in rural areas as exempt development.
- Further reforms in the coming months are anticipated to implement amendments to the Hornsby Local Environmental Plan 2013 (Hornsby LEP) to permit agritourism land uses in the rural areas of the Shire as complying development (except in the C3 Environmental Management Zone) or with development consent.
- Amendments to the Hornsby Development Control Plan 2013 (Hornsby DCP) have been prepared to provide development controls for agritourism land uses, once permitted.
- The proposed amendments have been prepared based on draft Model DCP clauses released by the DPE and informed by recommendations of the RLS and a review undertaken by SGS Economics and Planning (the consultants who assisted in the preparation of Council's RLS).
- It is recommended that the draft amendments to the Hornsby DCP be exhibited for a period of 28 days.

### **RECOMMENDATION**

THAT:

1. Amendments to the Hornsby Development Control Plan 2013 attached to Director's Report No. PC13/23 be placed on public exhibition for a period of 28 days.
2. Following exhibition, a report on submissions be presented to Council for consideration.

## PURPOSE

The purpose of this report is to seek Council endorsement to exhibit draft amendments to the Hornsby DCP to implement development controls to complement the introduction of new agritourism land uses in the rural lands of Hornsby Shire.

## BACKGROUND

Council commenced the Rural Lands Study (RLS) project in March 2019. The RLS sought to review planning controls in the rural lands of Hornsby Shire through a place-based approach. The draft RLS contained a range of proposed planning changes, including those aimed at ensuring activities on primary production land are flexible, allowing businesses that support productive agriculture to innovate and prosper with value adding land uses.

In response to the draft RLS, the Department of Primary Industries (DPI) advised Council that the NSW Government was considering changes to expand the permissibility of agritourism opportunities in rural areas. DPI noted that agritourism changes overlapped with some of the proposed RLS initiatives regarding value adding activities on commercial farms.

In March 2021, the Department of Planning and Environment (DPE) released the *Agritourism and Small-scale Agriculture Development - Explanation of Intended Effect* (EIE). The EIE outlined potential amendments to planning legislation aimed at assisting commercial farms diversify income streams to improve the productivity of rural lands.

In April 2021, Council officers reviewed the EIE and provided feedback to DPE. The feedback noted that the proposed agritourism changes generally aligned with the recommendations of the draft RLS, including supporting diversified income streams by permitting additional land uses.

At its meeting on 8 June 2022, Council resolved to finalise the RLS, and work commenced on the short-term recommendations, including value-adding land uses.

In October 2022, DPE notified councils that agritourism reforms would progress in two rounds. The first round of reforms (since implemented in December 2022) primarily related to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP). The Codes SEPP was amended to allow agritourism uses as exempt development in rural zones and where extensive agriculture is permitted. In Hornsby Shire, this equates to the RU1, RU2, RU4 and C3 zones.

The second round of agritourism reforms is anticipated in the coming months. The changes will amend individual council LEPs to permit agritourism as complying development or with development consent in rural zones and other zones nominated by councils.

At its meeting on 14 December 2022, Council considered Director's Report No. PC 25/22 and resolved that:

1. Council write to the Department of Planning and Environment to nominate:
  - a) Inclusion of the C3 Environmental Management zone as a zone in which farm experience premises and farm gate premises are permitted with development consent.
  - b) Adoption of the optional clauses for farm gate premises and farm stay accommodation (including an additional objective related to natural hazards as outlined in Director's Report PC25/22) to be included in the Hornsby Local Environmental Plan 2013.

2. *An amendment to the Hornsby Development Control Plan 2013 be drafted to provide development controls for the new agritourism land uses.*

In accordance with Council's resolution, Council wrote to DPE nominating the inclusion of the C3 Environmental Management zone as a zone for agritourism to be permitted with consent (but not Complying Development pathway) and the adoption of additional clauses to be included in the Hornsby LEP.

#### DISCUSSION

In December 2022, agritourism land uses were introduced to the planning system as described below, along with a definition of "commercial farm" on which agritourism is permitted.

| New and Amended Land Uses   | Description  |
|---|--|
| <b><i>Farm experience premises</i></b>                                    | A building or place on a commercial farm and ancillary to the farm. It is used to provide visitors small scale and low impact tourist or recreational activities such as horse riding, farm tours, functions, conferences, farm field days and fruit picking.  |
| <b><i>Farm gate premises</i></b>  | A building or place on a commercial farm and ancillary to the farm. It is used to provide visitors agricultural products, services or activities related to the products from the farm, and farms in the region.<br><br>Farm gate premises include premises that package, process and sell products, serve food and drink on a retail basis, provide tastings, workshops and education to visitors. They may also serve liquor, subject to licensing requirements.   |
| <b><i>Farm stay accommodation</i></b><br><b><i>(Amended Land Use)</i></b> | Farm stay accommodation is a type of tourist and visitor accommodation that is on a commercial farm and ancillary to the farm. It provides temporary accommodation to paying guests in buildings or moveable dwellings such as caravans, tents and manufactured homes.<br><br>Previously, farm stay accommodation could only be undertaken in buildings. The amendment to the land use description adds the ability for farm stay accommodation to be undertaken in moveable dwellings and reinforces that farm stay accommodation is an ancillary land use to commercial farming. |
| <b><i>Commercial farm</i></b>   | A property that is actively used for farming. The type of farming that is undertaken on the property is not restricted, as long as it is a commercial undertaking. Properties used for hobby farms or rural residential purposes do not meet the definition.<br><br>A commercial farm must also be identified as farmland under the <i>Local Government Act 1993</i> or satisfy the definition of a primary production business for tax purposes under the <i>Income Tax Assessment Act 1997</i> .   |

The reforms which have been implemented by the DPE will necessitate amendments to the Hornsby DCP as the land uses, which have been introduced as exempt development initially, will also become permitted as complying development and development with consent. The planning framework is outlined below:

### 1. Changes to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The Codes SEPP has already been amended as part of the first round of agritourism reforms. This permits agritourism land uses (farm gate, farm experience or farm stay) as exempt development in the following Hornsby LEP zones:

- RU1 Primary Production.
- RU2 Rural Landscape.
- RU4 Primary Production Small Lots.
- C3 Environmental Management.

To be exempt, the development must not involve the erection of a new building and must meet a set of standards, some of which are outlined below. The full list of applicable development standards for each land use is prescribed in the Codes SEPP.

| Control                 | Farm Gate   | Farm Experience                                       | Farm Stay   |
|-------------------------|---|---|---|
| Separation requirements | 50m to boundary<br>250m to sensitive/agricultural use | 50m to boundary<br>250m to sensitive/agricultural use | 50m to boundary<br>250m to sensitive/agricultural use |
| Size                    | 200m <sup>2</sup>                                     | 200m <sup>2</sup>                                     | 1 building per 5ha<br>6 moveable dwellings            |
| Hours of Operation      | 8am – 5pm Sun-Fri<br>7am – 5pm Sat                    | 8am – 6pm Sun-Thurs<br>8am – 12am Fri - Sat           | Max 21 days guest stay                                |
| Visitor Numbers         | 100   | 50  | 20  |
| Height                  | 7m  | 7m  | 4.5m  |

Complying development controls were also added to the Codes SEPP which would permit agritourism land uses (farm gate, farm experience or farm stay), including the erection or alteration of, or additions to, a building, with the same development standards as above, in the following zones:

- RU1 Primary Production.
- RU2 Rural Landscape.
- RU4 Primary Production Small Lots.

Complying development is not currently applicable in Hornsby Shire, as it requires agritourism land uses to be permitted in the Hornsby LEP. This is anticipated to happen as part of the second round of agritourism reforms in the coming months. The amendment would open complying development pathways for RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots

of zoned land in Hornsby Shire. However, agritourism would not be permitted as complying development in the C3 Environmental Management Zone.

## 2. Development with consent

The second round of reforms will permit development to be undertaken with development consent in the RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots and C3 Environmental Management zones.

In late December 2022, DPE released draft model DCP provisions for agritourism. The model DCP provides a baseline that councils can use to implement controls for the new agritourism uses. Council engaged SGS Economics and Planning (SGS), the consultants who assisted with the preparation of Council's RLS, to review the agritourism reforms, the model DCP controls and to recommend draft amendments to the Hornsby DCP. SGS recommends that the draft DCP amendments:

- Include a new bespoke section for the agritourism land use.
- Contain key land management and design principles to minimise land use conflict and support agritourism land uses in manner that is sympathetic to agricultural, landscape, environmental and cultural values outlined in the RLS.
- Follow the numerical requirements of the Agritourism and Farm Stay Accommodation Code as a baseline for hours of operation, setbacks and patron numbers; and
- Require that, if development applications do not comply with numerical requirements that they demonstrate that the proposal is consistent with the objective of the control and is appropriate to the site.

Draft DCP amendments have been prepared in accordance with the above advice and are discussed below.

## 2. Draft Amendments to the Hornsby DCP

Hornsby DCP Part 2: Rural provides planning controls that apply to the rural lands of Hornsby Shire. These lands are defined as land zoned RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots and C3 Environmental Management. Part 2.2 of the Hornsby DCP provides development controls specific to rural land uses.

The proposed amendments to the Hornsby DCP (attached) would add a new Section 2.2.10 Agritourism and Farm Stay Accommodation with controls for Farm Gate Premises, Farm Experience Premises and Farm Stay Accommodation in RU1, RU2, RU4, and C3 zones. It would also make changes to existing sections as summarised as follows:

### ***Part 2 - Rural***

#### *New Section 2.2.10 Agritourism and Farm Stay Accommodation*

Agritourism is the “umbrella” term for farm gate premises and farm experience premises, therefore this new Section applies to farm gate premises, farm experience premises and farm stay accommodation. The desired outcomes of this section are to facilitate development that is ancillary to the agricultural use of land, is compatible with the rural character of the area, preserves rural amenity and minimises the impact of development on the environment.

The proposed controls include setback requirements, height, size, visitor numbers, hours of operation, biosecurity measures, servicing and noise requirements. Acknowledging that the RLS seeks to balance value-adding ancillary uses with agriculture, rural character and amenity, SGS has

recommended that the numerical controls under the Codes SEPP for exempt and complying development be used as a baseline for a merit assessment under a DA, which has been reflected in the draft DCP amendments attached to this report. Also attached is a table outlining the Model Clause controls and how they have been utilised in the preparation of the draft DCP amendments.

In summary, the numerical controls (where relevant) are the same as those contained in the Code SEPP outlined in the table above, with the knowledge that a merit assessment can be undertaken where there is a reason that a proposal cannot meet the baseline controls.

*Amended Section 2.2.8 Tourist and Visitor Accommodation*

Farm stay accommodation is an existing permissible land use in rural zones in the Hornsby LEP and DCP controls are currently included in the Tourist and Visitor Section of the Hornsby DCP. However, the agritourism planning reforms have expanded the land use definition to permit manufactured homes, campervans, caravans and tents. It is proposed to remove and relocate references to Farm Stay Accommodation to the new Agritourism and Farm Stay Accommodation Section (2.2.10) and to rename the existing section 2.2.8 to 'Short Term Rental and Bed and Breakfast Accommodation'. The development controls for bed and breakfast accommodation and short term rental accommodation would be unchanged by the proposed amendments and do not apply to farm gate, farm experience or farm stay.

**Part 1 - General**

*Amended Section 1C.2.1 Transport and Parking*

It is proposed that Table 1C.2.1(c) which sets out onsite parking rates be amended to include parking controls for Farm Stay Accommodation, Farm Gate Premises and Farm Experience Premises:

| Type of Development                              | Car Parking Requirement   |
|--|---|
| Farm Stay Accommodation                          | 1 space per farm stay accommodation room or cabin, and<br>1 space per moveable dwelling or tent site, and<br>1 space per 2 employees, and<br>1 space for persons with disability or limited mobility.   |
| Farm Gate Premises and Farm Experiences Premises | 1 space per 25m <sup>2</sup> gross floor area of a building or structure for farm gate premises or farm experience premises, and<br>1 space per 3 visitors for any outdoor farm gate premises or farm experience premises activity, and<br>1 space per 2 employees, and<br>1 space for persons with disability or limited mobility. |

*Amended Section 1C.2.11 Signage*

It is proposed that the following additional controls for signage for Farm Stay Accommodation, Farm Gate Premises and Farm Experience Premises be added to the end of the existing Signage section.

- Maximum 2 business identification signs facing a road frontage.
- Evacuation signage and waypoint markers to assist visitors/guests.
- Maximum sign height 3m and sign area 3m<sup>2</sup>.

Along with the above, Part 1 of the Hornsby DCP would also apply to agritourism land uses including general controls relating to the Natural Environment (Section 1C.1), the Built Environment (Section 1C.2) and Hazards (Section 1C.3) where relevant. Part 2.1 Rural Buildings would also apply which contains the requirements in relation to scale, landscaping, vehicle access and parking and design details.

### **CONSULTATION**

The Hornsby Community Engagement Plan (CEP) prescribes that amendments to the Hornsby DCP should be exhibited to the community for a minimum period of 28 days.

It is recommended that the draft Hornsby DCP amendments attached to this report be placed on public exhibition for 28 days through the following channels:

- Council's Your Say Hornsby website.
- E News.
- Rural publications including Living Heritage, Galston Glenorie News and Dooral Roundup.
- Letters to those who provided submissions on the RLS (approximately 330 letters).

### **BUDGET**

There are no budgetary implications associated with the preparation of the Hornsby DCP agritourism amendments.

### **POLICY**

The proposed amendments to the Hornsby DCP seek to implement the recommendations of the RLS for the provision of development controls for new agritourism land uses. The amendments would satisfy the intent of item 15 of the endorsed Implementation Action Plan A – Short Term Recommendations of the RLS.

The Hornsby DCP amendments would put appropriate development controls in place when the second round of agritourism reforms amends Council's LEP in mid-2023.

Following the exhibition of the draft amendments, a report would be presented to Council for consideration of submissions. Subject to Council's endorsement, the draft amendments would be incorporated into the Hornby DCP and come into force once published on Council's website.

### **CONCLUSION**

This report seeks Council endorsement to exhibit draft amendments to the Hornsby DCP to support new agritourism land uses. It is recommended that the draft Hornsby DCP amendments be exhibited on Council's website for 28 days. Following exhibition, a report on submissions will be presented to Council.

### **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.

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Manager - Strategic Landuse Planning  
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JAMES FARRINGTON  
Director - Planning and Compliance  
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**ITEM 10**

**Attachments:**

1.  Draft Agritoursim Amendments to Hornsby Development Control Plan
2.  Integration of Model Agritourism DCP clauses to Hornsby DCP

File Reference: F2018/00162#04-002

Document Number: D08640011



**11 MAYOR'S NOTES 01 MAY 2023 TO 31 MAY 2023**

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*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 3<sup>rd</sup> May 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Thursday 4<sup>th</sup> May 2023 - The Mayor attended Pacific Hills Christian School Musical – “The Sound of Music” at Pacific Hills Christian School, 9-15 Quarry Road, Dural.

Saturday 6<sup>th</sup> May 2023 – The Mayor attended Community Planting Event at Reddy Park, 53 Pretoria Parade, Hornsby. ‘

Saturday 6<sup>th</sup> May 2023 – The Mayor attended the Kings Coronation Lunch at Fagan Park, Galston.

Monday 8<sup>th</sup> May 2023 – The Mayor attended the Hornsby Multicultural Expo (CASS) at The Gallery, Hornsby TAFE, K.G.1 205 Peats Ferry Road, Hornsby.

Wednesday 10<sup>th</sup> May 2023 – The Mayor attended the NSW Rural Fire Service (RFS) Risk Management Briefing in the Federation Room Hornsby Shire Council.

Saturday 13<sup>th</sup> May 2023 – The Mayor attended Mother’s Day Celebration at Cherrybrook Community and Cultural Centre, 31 Shepherds Drive, Cherrybrook.

Saturday 13<sup>th</sup> May 2023 – The Mayor attended Northholm Grammar’s 40<sup>th</sup> Birthday Celebration at The Epping Club, 45 – 47 Rawson Street, Epping.

Tuesday 16<sup>th</sup> May 2023 – The Mayor attended a ‘Working Lunch’ for National Volunteer Week at Hornsby RSL Club, 4 High Street, Hornsby.

Wednesday 17<sup>th</sup> May 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Thursday 18<sup>th</sup> May 2023 – The Mayor attended Australia’s Biggest Morning Tea at The Roseville Club.

Friday 19<sup>th</sup> May 2023 – The Mayor attended a photo opportunity with the Member for Bennelong, Mr Jerome Laxale MP, for North Epping Community Battery at North Epping Oval, North Epping.

Friday 19<sup>th</sup> May 2023 – The Mayor attended Remagine Art Prize Opening Night at Wallarobba Arts and Cultural Centre, 25 Edgeworth David Avenue, Hornsby.

Sunday 21<sup>st</sup> May 2023 – The Mayor attended Charlie Chech’s Ratpack Revival, at Hornsby RSL Club.

Thursday 25<sup>th</sup> May 2023 – The Mayor attended a Bishop’s Breakfast, Most Rev Anthony Randazzo DD JCL Bishop of Broken Bay at The Epping Club, 45 - 47 Rawson Street, Epping.

File Reference: F2004/07053  
Document Number: D08654830

**ITEM 11**

12 COMMUNITY INPUT INTO COUNCIL DECISION MAKING

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COUNCILLOR HEYDE TO MOVE:

THAT Council Note:

1. Every resident has a right to have a say in decisions which impact them, and that resident feedback and input informs and guides the decision-making of Council.
2. Hornsby Shire Council has a proud record of encouraging and acting on feedback and contributions from its residents on its policies, plans and projects.
3. Residents are encouraged to have their say on the business of Council including via emails, letters, petitions, phone calls, submissions, responses to surveys and in-person attendance and speeches at meetings.
4. Attendance at Council meetings by residents is welcomed, and that residents speaking on Agenda and non-Agenda items can choose whether to make a speech available to staff and councillors prior to the meeting.

**Note from Councillor**

The NSW Local Government Act makes it clear that communities must drive the business of local councils. That input takes many forms and includes the creation of a Community Strategic Plan for each term of Council, feedback on strategic and policy decisions, and communication via elected councillors.

Hornsby Shire Council has an excellent record of not only consulting but also acting on the input and feedback from residents. In the last five years, this has included the process of developing a masterplan for Hornsby Town Centre, discussions around a draft masterplan for Westleigh Park, and on a Waste Strategy that included not just collection and disposal solutions but also advocacy for a better system of waste management at local, state and federal levels of government.

The value of this approach and the way in which it manifests in the everyday business of Council has been demonstrated through the employment of a dedicated Community Engagement Advisor at Council in 2021. It is also spelled out in the 2022 Community Engagement Plan. This Plan, along with the Community Engagement Policy, was the first community engagement document of its kind to be adopted by Council (first in July 2021, with amendments made in 2022), as part of Council's aim to become a more engaging organisation.

The Plan makes it very clear that residents have a right to 'help to plan our future' and that resident participation 'informs and guides the decision-making of Council' (page 7).

The Plan commits Council not only to receiving feedback, but also to:

- Actively seeking it out.
- Providing a safe environment so that all residents feel comfortable and confident to be part of the decision-making process.
- Keeping everyone informed (page 8).

In addition, the Plan makes clear that Hornsby Shire Council will ensure that 'everyone can participate, no matter their group or age' (page 8).

The success of this proactive, resource-intensive approach has been demonstrated in high levels of participation and engagement from local residents and stakeholders over the last five years, including 705 submissions on the plans for car parking changes in Brooklyn (2022), including 201 submissions received prior to the exhibition, over 2,200 submissions to the proposed masterplan Westleigh Park (2021 - 2023), 168 submissions on the plans for the protection of Byles Creek (2021) and a total of 323 submissions on the Rural Lands Review (2020). Our recent engagement on the Hornsby Town Centre was, for a potentially divisive project, well received and elicited a strong and constructive response from the community.

These are just a few examples of the significant number of consultations that have taken place over the past five years. Of these, 57 have been delivered through Council's new community engagement tool, Your Say Hornsby, which has made it even easier for the community to provide feedback on projects that matter to them.

The website has received almost 56,000 visits in just under a year, after launching in July 2022, and has generated almost 5,300 submissions and registrations to attend public consultation events. The value of this tool is evident when you compare it to the 67,700 visits received over the previous four years to Council's former Have Your Say page.

Furthermore, an extraordinary 37% of 2023 respondents in the 2023 Community Satisfaction Survey had contacted Council in the previous twelve months, a figure which does not include people wishing to pay their rates.

It is clear from these figures that Hornsby Shire Council's policy of not just welcoming and listening to residents but actively soliciting their involvement and opinions means it is a Council that is well-recognised for its role in providing leadership on local issues and important local facilities and services.

I know that Council actively seeks new ways to reach and engage Shire-wide, with recent examples including translated inserts in local newspapers and drop-in sessions with translators available.

The fact is that local residents continue to engage with Council in large numbers via social media, in person at events and at meetings, online via email and during formal public consultation periods. This is a matter for pride, and should be celebrated as a mark of Council's success in its two stated aims:

- Building open, transparent and active relationships with you (residents).
- Continuously exploring better, smarter ways that we engage with you (residents) (p. 8 Community Engagement Plan, 2022).

The process of welcoming all residents to public Council meetings, listening to speakers on agenda and non-agenda items, and considering their feedback, is yet another vital aspect of Council's commitment to engage with and reflect the concerns of its community. I believe we, as a Council

should be proud of our approach, and I would like to acknowledge the effort our very dedicated staff who so actively seek out community engagement in support of Councillors and diligently and transparently respond.

Whether or not residents wish to provide a written copy of their speech notes must remain a choice rather than a requirement.

In this way, Hornsby Shire Council can build on its proud record of welcoming input and participation whilst reducing the barriers to doing so.

And that's vital, because outcomes for the whole community are better when as many people as possible have a say on Council decisions.

**ITEM 12****Attachments:**

There are no attachments for this report.

File Reference: F2018/00308

Document Number: D08663004