



BUSINESS PAPER

GENERAL MEETING

**Wednesday 13 September 2023
at 6:30PM**



TABLE OF CONTENTS

AGENDA AND SUMMARY OF RECOMMENDATIONS

RESCISSION MOTIONS

MAYORAL MINUTES

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

GENERAL BUSINESS

Office of the General Manager

- Item 1 GM35/23 Draft Public Interest Disclosure Policy..... 1
- Item 2 GM38/23 June 2023 Performance Report on the 2022-2026 Delivery Program, and Quarterly Budget Review Statement5

Corporate Support Division

- Item 3 CS40/23 General Purpose Financial Reports - 2022/23 Financial Year..... 16
- Item 4 CS50/23 Local Government NSW - 2023 Annual Conference - Submission of Motions and Determination of Voting Delegates 19
- Item 5 CS61/23 Councillor Representation on Committees and Working Parties - October 2023 to September 202427
- Item 6 CS62/23 Schedule of Council Meetings and Order of Business to Apply at Those Meetings - September 2022 to September 2023 30
- Item 7 CS63/23 Investments and Borrowings For 2023/2024 - Status for the Period Ending 31 July 2023 33

Community and Environment Division

Nil

Planning and Compliance Division

Nil

Infrastructure and Major Projects Division

- Item 8 IM6/23 Westleigh Park Development Application 36

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS WITH NOTICE

MAYOR'S NOTES

- Item 9 MN10/23 Mayor's Notes 01 August 2023 to 31 August 2023 42

NOTICES OF MOTION

Item 10	NOM7/23 Preparedness For The 2023/24 Bushfire Season	43
Item 11	NOM8/23 Safe Pedestrian and Cyclist Use of Old Northern Road Between Glenorie and Dural	45
Item 12	NOM9/23 Hornsby Suicide Prevention Forum	46

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

AGENDA AND SUMMARY OF RECOMMENDATIONS

ACKNOWLEDGEMENT OF COUNTRY

Statement by the Chairperson:

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

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being video streamed live via Council's website and also audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The audio and video recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement."

If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct."

DECLARATIONS OF INTEREST

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

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

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

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

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

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

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

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

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

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 9 August 2023, be confirmed; a copy having been distributed to all Councillors.

THAT the Workshop Meeting held on 23 August 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 GM35/23 DRAFT PUBLIC INTEREST DISCLOSURE POLICY****RECOMMENDATION**

That the policy:

1. Reporting of Corruption, Maladministration, Substantial Waste, Government Information Contravention and Other Wrongdoing cease to operate on 30 September 2023.
2. Public Interest Disclosure be adopted and come into effect on 1 October 2023.

Page Number 5**Item 2 GM38/23 JUNE 2023 PERFORMANCE REPORT ON THE 2022-2026 DELIVERY PROGRAM, AND QUARTERLY BUDGET REVIEW STATEMENT****RECOMMENDATION**

THAT:

1. June 2023 Performance Report showing progress of the 2022-2026 Delivery Program including the 2022/23 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the period ending June 2023 be received and noted.

CORPORATE SUPPORT DIVISION**Page Number 16****Item 3 CS40/23 GENERAL PURPOSE FINANCIAL REPORTS - 2022/23 FINANCIAL YEAR****RECOMMENDATION**

THAT the:

1. 2022/23 General Purpose Financial Reports be received and noted and referred for audit.
2. Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2022/23 Financial Reports.
3. 2022/23 Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Report.
4. General Manager be delegated authority to fix the date of the General Meeting at which the 2022/23 Financial Reports and Auditor’s Report will be formally “presented to the public”.

Page Number 19**Item 4 CS50/23 LOCAL GOVERNMENT NSW - 2023 ANNUAL CONFERENCE - SUBMISSION OF MOTIONS AND DETERMINATION OF VOTING DELEGATES****RECOMMENDATION**

THAT:

1. Motions dealing with; 1. Ban Gas in New Housing, 2. Mandatory Provision of Adequate Tree Shade and Shelter Structures for Animals Kept on Fenced Land, 3. Corporate Responsibility of Waste, 4. Synthetic Turf Moratorium; as detailed in Director’s Report No. CS50/23, be submitted for consideration at the 2023 Local Government NSW (LGNSW) Annual Conference.

2. Council determine which nine Councillors will be voting delegates for voting on Motions and for the election for Office Bearers and the Board at the 2023 LGNSW Annual Conference.
3. Registrations for attendance at the 2023 LGNSW Annual Conference be confirmed for the voting delegates determined in point 2. above, together with the remaining Councillor who will be attending the Conference as an observer.

Page Number 27**Item 5 CS61/23 COUNCILLOR REPRESENTATION ON COMMITTEES AND WORKING PARTIES - OCTOBER 2023 TO SEPTEMBER 2024****RECOMMENDATION**

THAT Council determine the Councillor representation on the following Committees and Working Parties for the period, October 2023 to September 2024:

1. Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC).
2. Hornsby Ku-ring-gai Bush Fire Management Committee.
3. Hornsby Rural Fire Service Liaison Committee.
4. Hornsby Shire Heritage Advisory Committee.
5. Hornsby Shire Local Traffic Committee.
6. NSW Public Libraries Association.
7. Arts and Cultural Advisory Group.
8. Hornsby Shire Dementia Alliance.

Page Number 30**Item 6 CS62/23 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - SEPTEMBER 2022 TO SEPTEMBER 2023****RECOMMENDATION**

THAT Council adopt the:

1. Schedule of ordinary Council meetings for the period September 2023 to September 2024 as set out in Attachment 1 of Director's Report No. CS62/23.
2. Order of business for the ordinary Council meetings to be held in the period September 2023 to September 2024 as set out in Attachment 2 of Director's Report No. CS62/23.

Page Number 33**Item 7 CS63/23 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 31 JULY 2023**

RECOMMENDATION

THAT the contents of Director's Report No. CS63/23 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION

Nil

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Page Number 36

Item 8 IM6/23 WESTLEIGH PARK DEVELOPMENT APPLICATION

RECOMMENDATION

THAT:

1. Council provides owner's consent to lodge a Development Application for the Westleigh Park Development.
2. The General Manager lodge a Development Application for the Westleigh Park Redevelopment.
3. Council notes funding has not been secured for Stage 2 works at Westleigh Park.
4. A briefing and a report to Council on the scope and budget for works outside of Stage 1, be provided prior to commencement of any works associated with Stage 2 at Westleigh Park.

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS WITH NOTICE

MAYOR'S NOTES

Page Number 42

Item 9 MN10/23 MAYOR'S NOTES 01 AUGUST 2023 TO 31 AUGUST 2023

NOTICES OF MOTION

Page Number 43

Item 10 NOM7/23 PREPAREDNESS FOR THE 2023/24 BUSHFIRE SEASON

COUNCILLOR TILBURY TO MOVE

THAT Council write to the NSW RFS and Metropolitan Aboriginal Land Council thanking the agencies for their efforts in preparing our communities for the bushfire season and seek assurance that the trail upgrades will be completed prior to the start of the 2023/24 bush fire season.

Page Number 45**Item 11 NOM8/23 SAFE PEDESTRIAN AND CYCLIST USE OF OLD NORTHERN ROAD BETWEEN GLENORIE AND DURAL**

COUNCILLOR TILBURY TO MOVE

THAT Council:

1. Consider the development of an off-road Active Transport corridor adjacent to Old Northern Road between Glenorie and Dural, as part of Council's Cycling and Walking Strategy, that is being updated through 2024:
2. Engage with the Hills Shire Council in the development of any proposal.
3. Seek the support of local MPs including advocacy for funding support from the NSW government.
4. Write to the relevant NSW government Ministers to seek their support.
5. Pursue grant opportunities for the delivery of this project.

Page Number 46**Item 12 NOM9/23 HORNSBY SUICIDE PREVENTION FORUM**

COUNCILLOR MCINTOSH TO MOVE

That Council:

1. Acknowledges the concerning rates of suicide in the Hornsby community and the opportunity for Council to play a role as facilitator, providing a forum for collaboration and partnership between local agencies responsible for providing direct services and support in our area.
2. Hosts a Hornsby Suicide Prevention Forum, inviting local agencies to come together to evaluate the local data and to progress a dialogue between providers of suicide prevention services in Hornsby Shire, seeking collaboration and joint initiatives to address the issue.
3. Report the outcomes to a Councillor Workshop following the Forum, informing the current plans to address mental health and social isolation in our community to support community resilience, in partnership with key local agencies and service providers.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 DRAFT PUBLIC INTEREST DISCLOSURE POLICY

EXECUTIVE SUMMARY

- The Public Interest Disclosures (PID) Act 2022 will commence on 1 October 2023 and will supersede the PID Act 1994.
- Council's current policy required under the PID Act 1994 is known as the *Policy – Reporting of Corruption, Maladministration, Substantial Waste, Government Information Contravention and Other Wrongdoing* and was last re-adopted by Council at its meeting on 11 May 2022.
- The new PID Act 2022 incorporates some significant changes hence the NSW Ombudsman has published a new template policy for agencies to consider when adopting their policy/s.
- A *draft Public Interest Disclosure Policy* has been developed for Council's consideration.

RECOMMENDATION

That the policy:

1. Reporting of Corruption, Maladministration, Substantial Waste, Government Information Contravention and Other Wrongdoing cease to operate on 30 September 2023.
2. Public Interest Disclosure be adopted and come into effect on 1 October 2023.

PURPOSE

The purpose of this Report is to adopt a new Public Interest Disclosure Policy to satisfy Council's obligations under the Public Interest Disclosures Act 2022 which commences on 1 October 2023.

BACKGROUND

The Public Interest Disclosures (PID) Act 2022 will commence on 1 October 2023 and will supersede the PID Act 1994.

The objects of this Act are as follows:

- (a) To facilitate the disclosure by public officials of serious wrongdoing in or affecting the public sector.
- (b) To promote a culture in which public interest disclosures are encouraged.
- (c) To protect public officials, witnesses and other persons from detriment or liability that might arise as a result of public interest disclosures.
- (d) To provide for the establishment and publication of policies and procedures for receiving and dealing with disclosures that are or may be voluntary public interest disclosures.
- (e) To ensure the interests of all persons affected by public interest disclosures are taken into account in dealing with the disclosures.
- (f) To provide for independent oversight of the public interest disclosure scheme established by the Act.

Council's current policy required under the PID Act 1994 is known as the Policy – Reporting of Corruption, Maladministration, Substantial Waste, Government Information Contravention and Other Wrongdoing and was last re-adopted on 11 May 2022.

The new PID Act 2022 incorporates some significant changes hence the NSW Ombudsman has published a new template policy for agencies to consider when adopting their policy/s. Under section 42 of the PID Act 2022 all agencies must have a public interest disclosure policy.

A draft Public Interest Disclosure Policy has been developed as is ATTACHED for Council's consideration. This Policy wording is based on the template policy published by the NSW Ombudsman.

DISCUSSION

The public interest disclosure framework in NSW is sometimes described as "whistle-blower" legislation. It is the cornerstone of good governance practice as it seeks to promote a 'speak-up' culture for reporting of misconduct by protecting those who speak up from detriment, taking active steps to maintain confidentiality of reports, and imposing duties on agencies to take appropriate action to investigate or otherwise deal with complaints.

The PID Act 2022 redresses several issues in the former PID Act 1994 by:

- Reformulating the legislation to avoid public officials being excluded from protection on technical grounds.
- Establishing a safety net provision that confers powers onto the head of any agency to deem a disclosure a 'public interest disclosure' even if it does not meet all of the legislative requirements.

- Reducing the threshold to trigger protections for public officials from detrimental action being taken against them if they are suspected to have made a public interest disclosure.
- Aligning the protections available under each integrity agencies legislation, such as the legislation governing ICAC, to ensure those making relevant disclosures under those Acts receive protections that are largely equivalent to the protections provided by the PID Act.
- Establishing an express duty on agencies to investigate or refer a public interest disclosure, provide training to employees on public interest disclosures.
- Making agencies statutorily liable for any injury, damage or loss suffered by a person as a result of a failure to comply with their statutory risk management obligations.
- Making it easier for public officials to make public interest disclosures without fear of losing their protections should an error in disclosure be made.

In brief, the changes in the new PID Act 2022 have resulted in:

- Significantly longer text, more complex and legalistic drafting (and different terminology).
- Greater responsibilities on agencies and the heads of agencies.
- Increased training and awareness obligations.
- Broader scope of the wrongdoing that can be the subject of a report.
- Greater resource implications for agencies.

Overall, there are more than 20 primary obligations placed on agencies under the Act and Regulation. While most of these are technical obligations relating to the process for receiving and handling public interest disclosures, there is a requirement to have a PID policy in place by 1 October 2023.

The training and awareness obligations under the new Act will not only extend to all staff but also to councillors, volunteers and certain categories of contractor. For the most part this will involve the distribution of information (via brochure or email link) about public interest disclosures or delivered through staff e-learning training. Councillors will specifically receive written information, similar to the brochure being developed for volunteers and contractors and be briefed at an upcoming workshop.

There are approximately 40 staff, however, including the General Manager, Directors, Branch Managers and others with roaming responsibility for staff across various worksites, who will require more detailed training (up to 3 hours) and who will require refresher training every 3 years thereafter.

Although the Ombudsman will allow these staff to be trained for up to 6 months after the legislation has come into effect, it is planned that all Hornsby Council staff will have received this training prior to 31 October. Similarly, all other staff will have received awareness training by this date and information also distributed to volunteers and contractors.

With the adoption of the new Policy effective from 1 October, the existing Policy will cease to operate.

BUDGET

Whilst there are no budgetary implications associated with this Report the implementation of the new legislation will be managed with existing staff resources and this will divert some time of key staff in the organisation whilst training is completed.

POLICY

The new *Public Interest Disclosure Policy* will come into effect on 1 October and will replace the existing *Policy – Reporting of Corruption, Maladministration, Substantial Waste, Government Information Contravention and Other Wrongdoing*.

CONCLUSION

The Public Interest Disclosure Policy seeks to promote a 'speak-up' culture for reporting of misconduct by protecting those who speak up from detriment, taking active steps to maintain confidentiality of reports, and imposing duties on agencies to take appropriate action to investigate or otherwise deal with complaints.

RESPONSIBLE OFFICER


The officer responsible for the preparation of this Report is the Risk & Audit Manager – Mr Scott Allen - who can be contacted on 9847-6609.

STEVEN HEAD

General Manager

Office of the General Manager

Attachments:

1.  Draft - Public Interest Disclosure Policy

File Reference: F2004/06303

Document Number: D08704552

2 JUNE 2023 PERFORMANCE REPORT ON THE 2022-2026 DELIVERY PROGRAM, AND QUARTERLY BUDGET REVIEW STATEMENT

EXECUTIVE SUMMARY

- Council is required to review its budget each quarter. At the same time, the Integrated Planning and Reporting Guidelines state that progress reports should be provided to Council on the principal activities detailed in its Delivery Program at least every six months.
- In this regard, the June 2023 Performance Report showing progress of the 2022-2026 Delivery Program including the 2022/23 Operational Plan and Budget is attached for Council's consideration.
- Progress against the 2022-2026 Delivery Program including the 2022/23 Operational Plan and Budget and the operational performance of the organisation has been in line with the service delivery standards adopted by Council.
- Based on an inflow and outflow of funds as at 30 June 2023, the actual result for 2022/23 is a surplus of \$161K, which is \$1.871 million less than the forecast surplus of \$2.032 million in Council's 2022/23 Revised Budget. However, the result includes \$3 million that has been set aside within a restricted asset account to go towards the remediation of Council's Administration Centre next year.
- This Report also provides Council with an update about the latest status of major projects that are of significant dollar value or of community interest.

RECOMMENDATION

THAT:

1. June 2023 Performance Report showing progress of the 2022-2026 Delivery Program including the 2022/23 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the period ending June 2023 be received and noted.

PURPOSE

The purpose of this Report is to present for Council's consideration the June 2023 Performance Report showing progress of the 2022-2026 Delivery Program including the 2022/23 Operational Plan and Budget, as required under s406 of the Local Government Act 1993 and the Integrated Planning and Reporting Guidelines, September 2021. Details within the Performance Report cover the twelve months from 1 July 2022 to 30 June 2023. The Performance Report includes Council's Consolidated Budget Summary as at June 2023.

BACKGROUND

On 29 June 2022, Council adopted a four-year Delivery Program 2022-2026 including the Operational Plan and Budget 2022/23. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance. This Performance Report provides updates on progress of actions within that document.

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

DISCUSSION

Operational comment

The Delivery Program including the Operational Plan by its very nature contains a large number of Key Initiatives, Ongoing Activities and Capital Projects. All of these components are reported quarterly with an update on progress and a traffic light assigned for current status. These quarterly reports are lengthy and detailed, however relevant progress is summarised in commentary under each Focus Area within the attached Performance Report. Key Initiatives and Capital Projects Completed, On Hold or Needing Attention are listed under their relevant section.

Eighty-seven per cent of actions (Key Initiatives and Ongoing Activities) within the 2022-2026 Delivery Program and Operational Plan 2022/23 are completed / on track, with 83 per cent of planned capital projects being completed / on track.

The attached June 2023 Performance Report contains commentary and shows progress on annual and quarterly measures across the 16 Focus Areas which will help deliver on the community's long-term goals and are aligned to the Strategic Directions and Themes in our Community Strategic Plan, *Your vision | Your future 2032*.

The Report also contains updates on Major Projects, which are further detailed below in the Budget Section, and operational highlights which include:

LIVEABLE

- Adopted Plan of Management and project master plan for Westleigh Park
- Detail design and approvals for park embellishments based on adopted concept master plan for Hornsby Park
- Healthy Ageing Strategy 2022-2026 adopted
- Appointment of community members to HATSICC
- Appointment of community members to the Arts and Cultural Advisory Group

SUSTAINABLE

- 68.6kW solar panels installed on community centres – Mount Colah, Arcadia, Thornleigh, Cherrybrook, Berowra District Hall
- Electric vehicle charging station installed in Council's Beecroft Car Park on Beecroft Road in partnership with Ausgrid and Jolt
- Community consulted about community battery installation at North Epping in partnership with Ausgrid
- Effectiveness of planning instruments reviewed and audited to restore and protect waterways

PRODUCTIVE

- Parking Management Plan for car parking in Brooklyn to support needs of both visitors and locals
- Planning Proposal for housing supply prepared

COLLABORATIVE

- Community Engagement Plan updated to incorporate mandatory exhibition periods for Integrated Planning and Reporting documents and key stakeholder groups
- 12 month trial of engagement platform Your Say Hornsby successfully completed and extended for another year
- Customer Experience Strategy completed to enhance ongoing customer experience
- Special Rate Variation consultation, application and approval
- Property Strategy 2023 adopted providing both short-medium term and long term recommendations for dealing with Hornsby Shire Council's Operational Property Portfolio
- Consultation Feedback Summary Report prepared for Hornsby Town Centre and available on Council's 'Your Say Hornby' page

CAPITAL PROJECTS

Completion of 68 capital projects, including:

- Upgraded playgrounds at Ruddock Park, Westleigh; Warrina Street Oval, Berowra; Ginger Meggs Park, Hornsby; Hunt Reserve, Mount Colah and Erlestoke Park, Castle Hill, as well as minor upgrades to a further 12 parks, e.g., playground undersurface, fence and park furniture renewals
- Upgrades at nine sporting facilities, e.g., surface renewals, irrigation and drainage
- Two dog off leash improvements
- Fourteen new footpaths (totalling 2,960 metres), and two shared paths (totalling 2,000 metres)
- 1,322 metres of local roads rehabilitated
- 1,460 metres of new / reconstructed kerb and guttering
- Three foreshore improvements including a new boat ramp and wharf reconstruction at Wisemans Ferry, and pontoon replacements at Berowra Waters (east) and Kangaroo Point

- Three traffic facility improvements, including pedestrian refuges
- 3,667 metres of bushwalking tracks constructed / upgraded at nine sites
- Stormwater quality improvements at three sites

BUDGET COMMENT

This Review includes the full year results for 2022/23, comparing actual expenditure, income and funding sources against the budget. Based on this inflow and outflow of funds as at 30 June 2023, the actual result for 2022/23 is a surplus of \$161K which is \$1.871 million less than the forecast surplus of \$2.032 million in Council's 2022/23 Revised Budget. It should be noted that this result includes an amount of \$3 million that has been set aside in a restricted asset account at June 2023 to fund the remediation of Council's Administration Centre next year. This result is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

The last two years has seen a challenging external environment that has contributed towards greater risk, uncertainty and cost escalations for capital works projects managed by Council. These external factors have included significant delays and shortages in the supply chain of materials and labour during and following the COVID-19 pandemic, three declared natural disasters in the Local Government Area and substantial inflationary cost pressures especially in respect to construction costs.

The external factors experienced over 2022/23 resulted in delayed and partially completed capital projects. While these projects have been identified to be transferred to the 2023/24 financial year this will be on top of an already planned year of capital projects using existing resources and a limited supply of contractors. It is noted that this expanded capital works program to be completed may not be achievable. Council Officers have commenced revising cost estimates and project delivery timelines to advise Councillors as part of the September 2023/24 Quarterly Budget Review process if project deferral will be required.

A number of projects that have work yet to be completed are funded from external grants and restricted assets. All unspent grant and restricted asset balances have been set aside at 30 June 2023 and will be allocated to the next financial year so that works can continue.

BUDGET – MAJOR PROJECTS

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

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

The total life to date expenditure on the project to 30 June 2023, including vegetation communities is \$29.806 million. Year to date expenditure to 30 June 2023 is \$15.110 million compared to a year-to-date budget of \$23.350 million. The variance is due to the contractor

for the bulk earthworks continuing to wet weather and supply chain delays. Currently, \$50 million of funding is available from the NSW Government's Stronger Communities Fund provided in June 2018, and at this point about 87% of the grant has been spent or committed by way of tender. Further funding of \$28 million is available from development contributions, subject to the priority allocated to projects in accordance with development contributions on hand.

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

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

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

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

- The allocation of a 30% contingency for all components of the project, noting ongoing challenges in the external environment, including inflationary price increases, and supply side shortages for materials and labour, as well as recent severe weather events and natural disasters in the Hornsby LGA.
 - Staging the scope of works over time is recommended, by splitting the project into components with separate budgets. Some components would start only after others have been completed, with the budget available for later components being adjusted based on remaining budget available at the time, with appropriate contingency provisions.
 - Contracts to include suitable termination clauses to provide the option of ceasing work if costs escalate.
 - The establishment of a project governance committee to oversee the project and approve when work on components can commence.
- **Westleigh Park Development** – A draft conceptual master plan for the Westleigh Park site has been completed based on the site having an active sport focus. Community engagement was undertaken on the conceptual master plan from April to June 2021. Council resolved at its July 2021 Council meeting to undertake further engagement on a range of matters prior to further considering the draft conceptual master plan. This engagement commenced in 2022

and is nearing completion. The total life to date expenditure to 30 June 2023 on this project (excluding the acquisition costs of \$21 million funded by development contributions) is \$3.105 million. Financial year to date expenditure at 31 March 2023 is \$881K compared to a year to date budget of \$1.175 million. The variance is due to the impact associated with deferral of the planning process to allow for seasonal environmental reviews to be performed in early 2023.

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

Currently, \$40 million of funding is available, provided in June 2018 from the NSW Government's Stronger Communities Fund and expenditure to date (spent or committed via contract) approximates 16% of the grant. Further funding is available from development contributions subject to the priority allocated to projects in accordance with development contributions on hand. As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the total estimated cost of the facilities canvassed in the Master Plan for the park is \$80 million. Therefore, a reduction in scope compared to the Master Plan or staging the project over an extended period will be required unless additional funding can be identified. Council's current position prioritises the delivery of Hornsby Park over Westleigh Park.

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

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

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

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

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

The total life to date expenditure to 30 June 2023 on this project is \$4.665 million out of a budget of \$9.3 million. Year to date expenditure at 30 June 2023 is \$1.367 million compared to a year to date budget of \$2.7 million. The variance is due to delays securing approvals to improve street lighting and decommissioning of a water main between Asquith Bowling Club and Hookhams corner.

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

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

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

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

The total life to date expenditure to 30 June 2023 on this project is \$5.098 million out of a budget of \$7.6 million. Year to date expenditure at 30 June 2023 is \$3.390 million compared to a year to date budget of \$5.4 million. The variance is due to wet weather and procurement challenges.
- **Wisemans Ferry** – Construction was managed by Council for a new three-lane boat ramp and 150 spaces for trailer and vehicle parking, as well as intersection upgrades and other ancillary works. The original budget for the project was \$3.85 million and was to be funded from a contribution from The Hills Shire Council and an external grant from the NSW State Government.

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

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

During the quarter ended 31 March 2022 the project was impacted by a second flood event that caused further damage to the site and some of the works undertaken to date. A further flood in July 2022 also affected the site. Council Officers estimated that to complete the

project a further budget change of \$3.65 million was required that resulted in a further increase to the budget from \$7.6 million to \$11.25 million. The life to date expenditure incurred to 30 June 2023 is \$10.454 million.

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

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

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

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

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

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

A concept plan to deliver a significant community space and to prepare the offices for staff habitation is well in development. A full cost estimate is soon to be finalised and expected to be known by the September 2023 Quarter Review after detailed design has been completed.

To assist with funding the project, the March 2023 Budget Review sought substantial savings from across the organisation. Each Division of Council undertook a review of operational budgets to identify savings and efficiencies to contribute towards the cost of the refurbishment. An amount of \$2 million in savings was identified and transferred to an internal restricted asset reserve for this refurbishment project as noted in Director's Report No. CS21/23 – (considered at the 10 May 2023 General Meeting). The better than forecast

budget surplus achieved at 30 June 2023 provides an opportunity to allocate a further \$3 million to the project, as noted within this report.

Damage to Council's Road Network

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

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

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

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

Council has received a grant of \$6.5 million from Transport for NSW (TfNSW) and it is anticipated that this amount will be sufficient to repair the damage to the road network caused by these flood events with a program of works to be undertaken throughout 2023/24.

Councillor Initiatives

When Council decided to place the draft 2023/24 Operational Plan on public exhibition at its 12 April 2023 General Meeting, it resolved that Informal Councillor Briefing(s) be held during the exhibition period to discuss options for project substitution or reallocation of resources to progress Vegetation Mapping; the creation of a fixed term, identified Aboriginal or Torres Strait Islander position to facilitate the development and implementation of an Aboriginal Engagement Strategy/Reconciliation Action Plan; and the Rural Lands Study in the final Delivery Program.

The details discussed and the outcomes from those Briefings are provided below:

- Councillors noted that the three initiatives were currently unfunded, and that project substitutions or reallocation of resources would be required in order to progress the initiatives. Funding required for each initiative includes:
 - \$200K to progress Stage 1 of Vegetation Mapping Update being the technical work to produce a new and accurate map for the Shire. This work is anticipated to take up to 12 months to complete. Subsequent stages would then be required to exhibit and endorse the Map, followed by a Planning Proposal to incorporate the Maps into the LEP. These stages are estimated to take a further six months at \$50K, and 12

- months at \$150K respectively and would be addressed in the development of future budgets.
- \$390K (\$150K in year 1 and \$120K in each of years 2 and 3) to proceed with the recruitment of a fixed term, identified Aboriginal or Torres Strait Islander position and the development of a Reconciliation Action Plan/Aboriginal Engagement Strategy.
 - Approximately \$300K for consultant input to progress each of the village investigation areas. If these projects were to be included as additional projects in the Strategic Planning Program, additional planning resources would also be required to coordinate the project at a cost of \$150K per year over two consecutive years.

A review by staff of actions in the draft 2023-2026 Delivery Program and 2023/24 Operational Plan identified a number of possible projects as substitutions for the above projects, as well as a range of possible service level reductions to generate the funding required.

A range of views were expressed by Councillors during informal workshops in respect of the three unfunded initiatives above regarding what projects should be progressed or what projects should be substituted in the draft 2023-2026 Delivery Program or 2023/24 Operational Plan, but no budget adjustments have been made to date.

Council Officers are currently investigating other options that may allow some of the initiatives to be funded. An update in respect of this matter and any available funding options will be provided in the September 2023 Review.

BUDGET

This Report provides the June 2023 Quarter Review of the 2022/23 Operational Plan (Budget), which, if adopted, will achieve an actual surplus at 30 June 2023 of \$161K. The Budget result at 30 June 2023 is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report ensures that relevant statutory requirements have been met. The June 2023 Performance Report and quarterly budget review demonstrate that Council is in a stable position to deliver local services and facilities in a financially responsible manner at 30 June 2023.



RESPONSIBLE OFFICER

The officers responsible for preparation of this Report are the Manager, Strategy and Place – Julie Ryland and the Chief Financial Officer – Duncan Chell. They can be contacted on 9847 6773 and 9847 6822 respectively.

GLEN MAGUS
Director - Corporate Support

STEVEN HEAD
General Manager

Attachments:

1.  Quarterly Budget Review Statement
2.  June 2023 Performance Report

File Reference: F2022/00059

Document Number: D08708657

3 GENERAL PURPOSE FINANCIAL REPORTS - 2022/23 FINANCIAL YEAR

EXECUTIVE SUMMARY

- Council's General Purpose Financial Reports for the year ended 30 June 2023 (the Financial Reports) have been completed by staff in accordance with statutory requirements and accounting standards.
- Subject to Council's approval, the Financial Reports now need to be referred for audit.
- Following receipt of the Auditor's Reports, it is proposed that the Financial Reports and Auditor's Report be "presented to the public" at the 8 November 2023 General Meeting.

RECOMMENDATION

THAT the:

1. 2022/23 General Purpose Financial Reports be received and noted and referred for audit.
2. Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2022/23 Financial Reports.
3. 2022/23 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. General Manager be delegated authority to fix the date of the General Meeting at which the 2022/23 Financial Reports and Auditor's Report will be formally "presented to the public".

PURPOSE

The purpose of this Report is to recommend that Council's 2022/23 Financial Reports be received and noted and referred for audit.

BACKGROUND

In accordance with Section 413 of the Local Government Act, Council must prepare a set of Financial Reports for each year and must refer them for external audit as soon as practicable after the end of that year.

DISCUSSION

Council's Financial Reports for 2022/23 have been completed by staff in accordance with the requirements of the Local Government Act, the Local Government Code of Accounting Practice and relevant Accounting Standards. It is recommended that they be referred to Council's external auditors for review.

The unaudited Financial Reports (a copy of which has been provided to Councillors under separate cover) are not for distribution to the public at this stage. The audited Reports are those that will be made available to the public in accordance with Local Government Act requirements.

Council is required to give notice as to the Meeting at which the Financial Reports (including the Auditor's Reports) will be formally "presented to the public". The proposed date for this Meeting will be set as soon as possible after the Auditor's Reports have been received.

At this stage, it is anticipated that the Reports will be "presented to the public" at the 8 November 2023 General Meeting.

Following presentation of the Reports to the public, any person may make a submission concerning the Reports within a period of seven days after the 8 November 2023 General Meeting.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

The Financial Reports have been compiled in accordance with the Local Government Act, the Local Government (General) Regulation 2005 and the Local Government Code of Accounting Practice issued by the Office of Local Government.

CONCLUSION

Council's referral of the 2022/23 Financial Reports for audit, and ultimately the presentation of the Financial and Auditor's Report to the public at the 8 November 2023 General Meeting, will ensure that the requirements of the Local Government Act have been met.

RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

ITEM 3

Attachments:

There are no attachments for this report.

File Reference: F2023/00141

Document Number: D08665796

LOCAL GOVERNMENT NSW - 2023 ANNUAL CONFERENCE - SUBMISSION OF MOTIONS AND DETERMINATION OF VOTING DELEGATES

EXECUTIVE SUMMARY

- The 2023 Annual Conference of Local Government NSW (LGNSW) is scheduled to be held at Rosehill Gardens from Sunday 12 to Tuesday 14 November 2023.
- The Conference provides the opportunity for Council delegates to network and be involved in discussions and consideration of motions about matters which affect local government across NSW.
- In considering the submission of motion/s by Council, regard has been given to resolutions made by Council over the past 12 months, discussions between Councillors and members of the Executive Leadership Team (ELT), discussions at NSROC and recommendations emanating from ELT members in respect of matters for which their Divisions are responsible. Based on the feedback received, it is proposed that four motions be submitted by Council for consideration at the Conference.
- Council is entitled to nine voting delegates at the 2023 Conference for voting on motions and for the election of Office Bearers and the Board. As a consequence, Council will need to determine by resolution which Councillors will be voting delegates, noting that non-voting Councillors have historically been entitled to attend as an observer at the Conference.

RECOMMENDATION

THAT:

1. Motions dealing with; 1. Ban Gas in New Housing, 2. Mandatory Provision of Adequate Tree Shade and Shelter Structures for Animals Kept on Fenced Land, 3. Corporate Responsibility of Waste, 4. Synthetic Turf Moratorium; as detailed in Director's Report No. CS50/23, be submitted for consideration at the 2023 Local Government NSW (LGNSW) Annual Conference.
2. Council determine which nine Councillors will be voting delegates for voting on Motions and for the election for Office Bearers and the Board at the 2023 LGNSW Annual Conference.
3. Registrations for attendance at the 2023 LGNSW Annual Conference be confirmed for the voting delegates determined in point 2. above, together with the remaining Councillor who will be attending the Conference as an observer.

PURPOSE

The purpose of this Report is to provide an opportunity for Council to submit matters for consideration and debate at the 2022 LGNSW Annual Conference and for Council to determine its voting delegates for the Conference.

BACKGROUND

The 2023 LGNSW Annual Conference was scheduled to be held at Rosehill Gardens from Sunday 12 to Tuesday 14 November 2023.

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

Councils have been invited to submit motions for consideration at the Annual Conference. Motions proposed by councils will be grouped under one of the six categories:

1. Industrial relations and employment.
2. Governance and accountability.
3. Economic.
4. Infrastructure and planning.
5. Social and Community.
6. Environment.

And will be included in the Conference Business Paper where the LGNSW Board determines that the motions:

1. Are consistent with the objects of the Association (see Rule 4 of the Association's rules1).
2. Relate to Local Government in NSW and/or across Australia.
3. Concern or are likely to concern Local Government as a sector.
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association.
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws).
6. Are clearly worded and unambiguous in nature.
7. Do not express preference for one or several members over one or several other members.

Motions which do not advance the local government policy agenda will not be included in the Business Paper. Therefore, a motion will not be included if it is: operational, rather than strategic; a matter which could be actioned by LGNSW without going to Conference; not local government business; focused on a local issue only; or if the motion is consistent with longstanding actions of LGNSW.

Motions for the 2023 Conference are to be submitted online and must include the following details:

- Motion category.
- Title.
- Motion (a sentence or two which states the issue and the call to action).

- Background note (a paragraph or two to explain the context and importance of the issue to the local government sector).
- Indicate if the motion conflicts with one or more of the Fundamental Principles.
- Evidence of council support for the motion.

Fundamental Principles Conflict

Fundamental Principles are the overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at the Annual Conference. Motions submitted to the 2023 Conference are to indicate whether the motion conflicts with any of LGNSW's Fundamental Principles.

DISCUSSION

Motions

In considering the development of draft motion/s, regard has been given to resolutions made by Council over the past 12 months, discussions between Councillors and members of the Executive Committee (ExCo), discussions at NSROC and recommendations emanating from ExCo members in respect of matters for which their Divisions are responsible. Motions for debate at Conference can be lodged from Monday 24 July 2023 to Friday 15 September 2023 via the online portal to allow for assessment of motions and distribution of the Business Paper before Conference.

Based on the feedback received and requests from Councillors, it is proposed that the following four motions be submitted by Council for consideration at the 2023 Annual Conference:

Motion 1.

Category: Energy

Title: Ban Gas in New Housing

Motion Wording:

That Local Government NSW calls on the NSW Government to introduce a ban on gas in new housing to reduce emissions, improve indoor air quality in homes and reduce cost of living pressures by removing an unnecessary utility bill.

Background

Everyday Australians are currently in the midst of a housing and cost-of-living crisis. As interest rates and rents continue to rise, more people are struggling to pay their increasing energy bills. According to the [Australian Energy Regulator](#), NSW residential energy customers could face gas price increases of as much as 23.7% from 1 July 2023, which would be 16.9% higher than current inflation rates.

A recent Energy Consumers Australia [survey](#) of 2,500 people found that more than one quarter of households are struggling to pay their energy bills. By powering new homes and apartments with only electricity, home owners and renters would save substantially on energy costs and be protected from the price shocks of a volatile energy market. Recent [modelling](#) shows that residents could save \$924 per year on their home energy bills if they switched from gas appliances like hot water units, heaters, ovens and stoves, to electric ones.

In addition, there are significant health benefits of removing gas appliances from our homes as they emit pollutants like carbon monoxide, nitrogen dioxide, fine and ultrafine particles, volatile compounds

such as formaldehyde, and polycyclic aromatic hydrocarbons. [Doctors for the Environment Australia's](#) factsheet provides evidence of the detrimental health impact of gas stoves and unflued gas heaters on our health. For instance, for a child with asthma who lives in a home with a gas stove, 30% of their risk of asthma is from the stove.

The Victorian and ACT Governments have moved to ban gas in new buildings because of rising costs of gas, to reduce carbon emissions and address health concerns. In NSW, although there is not a Statewide ban, a number of councils are proactively adopting policies to only allow electric connections in new homes. These councils include the City of Sydney, Parramatta, and Waverley. The NSW government should ensure a coordinated approach to this issue by implementing policy to encourage sustainable housing design by preventing the use of gas in new dwellings.

Motion 2.

Category: Animal Welfare

Title: Mandatory Provision of Adequate Tree Shade and Shelter Structures for Animals Kept on Fenced Land

Motion Wording:

That Local Government NSW calls on the Federal, State and Territory Governments to introduce enforceable standards in the Australian Animal Welfare Standards & Guidelines and relevant legislation, for the mandatory provision of adequate tree shade and shelter structures for all species of animals kept in fenced paddocks and feedlots.

Background

Shade and shelter are essential for survival. In an ever-warming world, we are coming to understand the importance of shade. We even seek to park our cars in shade, yet farm and companion animals who feel the heat and cold, are often left to endure extreme weather conditions without any protection from the elements.

Sheep, cattle and horses start to feel heat stress between 22- 25°Celsius. For cattle, severe heat stress is experienced at 30°C and becomes deadly around 40°C. Heat stress initially results in production loss through reduced eating; and can progress to organ damage and death.

According to the Meat and Livestock Association, providing shade for *Bos taurus* and *Bos indicus* cattle results in gain and efficiency by reducing stress hormones and respiration rates, and improving hydration and feed intake.

At the other extreme, sheep are routinely shorn in winter and births (lambing) are often timed to occur in winter, due to cost benefits. Every year in Australia, approximately 15 million lambs freeze to death; however, this is considered just collateral damage by the industry. Providing wind breaks and shelter for lambs and sheep increases mortality rates though winter.

Current Australian Animal Welfare Standards and Guidelines are inconsistent and fall short of mandating the basic requirement of providing shade and shelter for all animals; to mitigate the effects of severe heat stress and extreme cold, in farm animals.

The Model Code of Practice for the Welfare of Pigs 2008 states “access to shelters in cold weather and shade in hot weather *must* be provided to all outdoor pigs” (4.6.1)

Whereas the Australian Animal Welfare Standards and Guidelines for Cattle 2016 for example, allows a loophole “*If practicable, cattle should be provided with adequate shelter to minimise risks to welfare during inclement weather.*” (G3.3)

As does the Australian Animal Welfare Standards and Guidelines for Sheep 2016 where “sheep and lambs *should be provided with adequate shelter. In the absence of natural protection, consideration should be given to the provision of shade, windbreaks or sheds*” (G3.6); “Shorn sheep *should be given protection during cold conditions and sudden weather changes*” (G3.7); and “Shade *should be considered in hot weather for outdoor pens where sheep are penned for extended periods of time*” (G4.2)

The Bureau of Meteorology’s State of the Climate 2022 Report, declares Australia’s climate to already have risen an average of 1.47 degrees since 1910. In addition, rising sea surface temperatures will contribute to a higher frequency of extreme heat events.

According to the Bureau of Meteorology, Australia’s last El Nino Spring/Summer in 2019/2020 saw Maitland and Parkes with 152 out of 182 days above 25 °C; 70 and 81 of these days were above 30°C, respectively.

These reported temperature readings are measured in a shaded box; but with the effect of direct sunlight, the apparent temperature increases considerably. The shade effect of trees can reduce a paddocks surface temperature by an average of 22°C, according to recent research. With the addition of releasing water vapour into the air, the cooling properties of trees for animals is significant. Trees also play an important role in creating localised rain.

By applying a consistent and enforceable standard to provide protection from extreme weather events across all Australian Animal Welfare Standards and Guidelines, and relevant legislation, we will remove unnecessary suffering for animals and mitigate the deadly effects of heat stress and exposure to cold and wind, enhancing the productivity of farmed livestock.

Motion 3.

Category: Environment

Title: Corporate Responsibility of Waste

Motion Wording:

That Local Government NSW calls on the Federal Government to expedite bans on materials that cannot be recycled or recovered within Australia and to increase extended producer responsibilities through product stewardship.

Background

Australia needs to develop a domestic recycling industry to create jobs and stimulate investment in plastics, paper and glass recycling industries. There is potential for a rapid expansion of Australia’s R&D in recycling technologies, which currently find little support domestically. For example, Australia currently recycles [16% of its plastic waste](#), with less than 3% making it to market domestically. This number is embarrassingly short of the national goal of 70% of plastic waste recycled by 2050.

As a nation, we have the capacity to support native technologies that could grow, commercialise and benefit local people, regions and local companies. For example, An Australian organisation has developed an enzyme that breaks down plastic into its original chemical parts for reuse to manufacture new food-grade plastics and polyester.

And in another example, an Australian developer of world-leading plastic recycling technology that could sharply lift the industry's poor reuse rate will see his technology used in its first commercial plant in Britain and Japan later this year - not Australia.

A Sydney-based company has a demonstration plant at Sommersby on the Central Coast. It wants to build a plant in Melbourne's west. But as the Australian Financial Review reported in June, the first commercial plants to use this company's technology will open in Britain's north-east later this year, Japan at the end of this year and South Korea around the middle of 2024. Another commercial plant is being built in Böhlen, Germany.

This organisation should have been able to open a company on Australian soil first.

Local Government can assist the establishment of a domestic waste industry by calling on the federal government to ban materials that cannot be recycled within Australia, and to extend producer responsibilities.

Not only would such an approach massively stimulate the domestic waste recycling sector and our nation's investment in R&D, but it would also assist in addressing Sydney's waste crisis. Within the Sydney Metropolitan area, over 50% of domestic waste continues to go to landfill. It is estimated that Sydney will run out of landfill space before 2030. Urgent intervention is required.

All materials produced at scale using environmentally destructive materials and methods, which are not required for human survival, must be redesigned or eliminated.

Producers must take responsibility for the entire lifecycle of their product, including taking it back after its useful life is over and then recycling it safely.

By taking such an approach, we not only address the waste crisis, we also generate desperately-needed regional jobs, revenue and new technologies within Australia.

Motion 4.

Category: Environment

Title: Synthetic Turf Moratorium

Motion Wording:

That Local Government NSW calls on the NSW Government to establish a five-year moratorium on synthetic turf utilised in Public Open Spaces until the scientific assessments, research and studies as detailed by the NSW Chief Scientist and Engineers, are undertaken.

That all future planned, proposed, and current builds are paused and converted to natural turf projects given the potential health risks identified and any grants for developing synthetic fields are immediately untied and utilised to construct best practise built natural turf fields.

Background

A moratorium on the use of synthetic turf was requested eleven years ago by Australian scientists who raised the alarm over the potential dangers of Chem Grass, until its safety could be established. Their concern was about toxic exposure to children and the effect of Australia's high temperatures.

Eleven years later, in 2023, the NSW Chief Scientist and Engineers report clearly details that there are significant data gaps, risks to human health, known environmental damage and failures to correctly assess and plan for the cumulative impacts of synthetic turf

Many of the commissioned experts, from diverse research areas, identified a singular major knowledge gap – that chemical constituents of synthetic turf components, and their associated human and environmental health impacts, are not fully known.

Of particular concern are young children who may have higher risk exposure (than adults) to gases due to their small size and developing bodies. Further research is required to understand these exposures in children as evidence in this population is limited.

Epidemiological, biomonitoring and quasi experimental studies are required to understand measurements and health impacts of particles and gases within Australian conditions as Australian data on this is lacking.

Given the clear lack of scientific understanding regarding the human health and environmental impacts of synthetic turf, the establishment of a five-year moratorium, to be reassessed after this timeframe, is required to ensure that synthetic turf in public open spaces does not cause long term degradation or harm.

Voting Delegates

At this year's Conference will be two types of voting – voting on motions at Conference Business Sessions and voting in the election for Office Bearers and the Board (Board election). In this regard, LGNSW have advised that Hornsby Shire Council is entitled to nine voting delegates for both Motions and Election of the Board. Voting delegates are required to be advised to the LGNSW by Friday 27 October 2023. Registrations to attend the conference are due by 27 October 2023, however Early Bird Registrations are being offered if registration and payment is made by Thursday 28 September 2023. It is envisaged that the Councillor not nominated as a voting delegate will still be entitled to attend the Conference as an observer.

BUDGET

Funds have been allocated in the 2023/24 budget for attendance by Councillors and relevant staff at the 2023 LGNSW Annual Conference.

POLICY

Councillor attendance at the 2023 LGNSW Annual Conference is in accordance with the Councillors' Expenses and Facilities Policy.

CONCLUSION

The 2023 LGNSW Annual Conference provides the opportunity for Council delegates to network and be involved in discussions and consideration of motions about matters which affect local government across NSW. In this regard, four motions dealing with; 1. Ban Gas in New Housing, 2. Mandatory Provision of Adequate Tree Shade and Shelter Structures for Animals Kept on Fenced Land, 3. Corporate Responsibility of Waste, 4. Synthetic Turf Moratorium, are proposed to be submitted by Council for consideration at the Conference.

As LGNSW has advised that Council is entitled to nine voting delegates at the 2023 Conference for voting on motions and the Board Election, Council is required to determine which Councillors are to be formally nominated as Council's voting delegates at the Conference.

RESPONSIBLE OFFICER

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

STEPHEN COLBURT
Manager, Governance and Customer Service
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

There are no attachments for this report.

File Reference: F2023/00175
Document Number: D08687801

ITEM 4

5 COUNCILLOR REPRESENTATION ON COMMITTEES AND WORKING PARTIES - OCTOBER 2023 TO SEPTEMBER 2024

EXECUTIVE SUMMARY

- Each year, Council reviews the need for Councillor representation on Committees and Working Parties and makes a determination about the appointment of Councillors for the ensuing 12 months.
- This Report provides a list of the current Committees and Working Parties and seeks a Council determination in respect of the appointment of Councillors for the period October 2023 to September 2024.
- In addition to the current Committees and Working Parties and in support to becoming a Dementia Friendly Community, Council establish a Dementia Alliance and appoint one Councillor to this Alliance.

RECOMMENDATION

THAT Council determine the Councillor representation on the following Committees and Working Parties for the period, October 2023 to September 2024:

1. Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC).
2. Hornsby Ku-ring-gai Bush Fire Management Committee.
3. Hornsby Rural Fire Service Liaison Committee.
4. Hornsby Shire Heritage Advisory Committee.
5. Hornsby Shire Local Traffic Committee.
6. NSW Public Libraries Association.
7. Arts and Cultural Advisory Group.
8. Hornsby Shire Dementia Alliance.

PURPOSE

The purpose of this Report is to provide the opportunity for Council to review Councillor representation on Committees and Working Parties and appoint Councillor representatives for the period October 2023 to September 2024.

BACKGROUND

At the 14 September 2022 General Meeting, Council considered General Manager's Report No. CS73/22 and resolved:

THAT Councillor representation on Committees, Working Parties and Other Relevant Groups for the period October 2022 to September 2023 be as indicated in the table below:

Council Committee / Working Party	Councillor Representation
Hornsby Aboriginal and Torres Strait Islander Consultative Committee (HATSICC)	Cr Ruddock, Cr McIntosh, Cr Pillamarri, Cr McClelland, Cr Ball, Cr Salitra, Cr Heyde
Hornsby Ku-ring-gai Bush Fire Management Committee	Cr Ruddock, Cr Tilbury, Cr Ball (Alternate)
Hornsby Rural Fire Service Liaison Committee	Cr McClelland, Cr Tilbury (Alternate)
Hornsby Shire Heritage Advisory Committee	Cr McIntosh (Chair), Cr Greenwood, Cr McClelland, Cr Salitra (Alternate), Cr Tilbury (Alternate)
Hornsby Shire Local Traffic Committee	Cr Waddell, Cr Greenwood (Alternate)
NSW Public Libraries Association	Cr McIntosh, Cr McClelland (Alternate)

At the 14 December 2022 General Meeting Council Considered Director's Report No. CE21/22 and resolved to appoint Councillors Greenwood, McClelland, McIntosh and Salitra as members of the Hornsby Arts and Cultural Advisory Group.

DISCUSSION

The Councillor representation to Committees and Working Parties is now due for renewal and Council has the opportunity to determine the Councillor representation for the next 12-month period up to the next local government election which is scheduled for September 2024.

In addition to the committees and Working Parties listed above, Council has been working with local partners including the Northern Sydney Dementia Collaborative for a number of years to become a Dementia Friendly Community. One of the final steps to becoming a dementia friendly community is the establishment of a Dementia Alliance.

The purpose of the Hornsby Shire Dementia Alliance is to reduce the social isolation of people living with dementia and ensure that their family and carers are consulted in decision making by Council. The alliance will also aim to support those living with dementia to enjoy a full life and to encourage understanding, acceptance and inclusion by all members of our community. As such it is appropriate that Council convene the Alliance and nominate a Councillor to sit on the alliance which will help create a dementia friendly community in Hornsby Shire.

BUDGET

There are no budget implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

It is proposed that Council appoint Councillor representatives to the Committees and Working Parties shown in the Background Section to this report for period October 2023 to September 2024.

RESPONSIBLE OFFICER

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

STEPHEN COLBURT
Manager, Governance and Customer Service
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

There are no attachments for this report.

File Reference: F2004/07056

Document Number: D08709301

6 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - SEPTEMBER 2022 TO SEPTEMBER 2023

EXECUTIVE SUMMARY

- In accordance with Clauses 3.2 and 8.1 of the Code of Meeting Practice, Council annually determines a schedule of meeting dates for the following year and the order of business to apply at those meetings.
- It is proposed that the practice of holding one General Meeting per month be maintained for 2023/24, with that Meeting to be held on the second Wednesday of each month (excluding January) and that Workshop Meetings and informal Councillor Workshop/Briefings continue to be held on other Wednesdays of the month, with appropriate notice being provided as required.
- It is also proposed that the existing order of business be maintained for 2023/24.

RECOMMENDATION

THAT Council adopt the:

1. Schedule of ordinary Council meetings for the period September 2023 to September 2024 as set out in Attachment 1 of Director's Report No. CS62/23.
2. Order of business for the ordinary Council meetings to be held in the period September 2023 to September 2024 as set out in Attachment 2 of Director's Report No. CS62/23.

PURPOSE

The purpose of this Report is to recommend a proposed schedule of ordinary Meeting dates for the period September 2023 to September 2024, and the order of business to apply at those meetings.

BACKGROUND

Council last considered its schedule of meetings and order of business at those meetings at the 14 September 2022 General Meeting – refer Director's Report No. CS67/22. At the Meeting, Council decided to maintain the practice of holding one General Meeting per month with that Meeting to be held on the second Wednesday of each month (excluding January) and that Workshop Meetings and informal Councillor Workshops/Briefing sessions continue to be held as required, and with appropriate notice being provided, on the first, third, fourth and/or fifth Wednesdays of each month (except January).

DISCUSSION

Schedule of Meetings

In accordance with Clauses 3.2 and 8.1 of the Code of Meeting Practice, Council annually determines a schedule of ordinary Meeting dates for the following year and the order of business to apply at those meetings. Such determinations generally occur in September of each year.

Section 3.2(a) of Council's Code of Meeting Practice states the following in respect of ordinary Meetings:

3.2(a) Ordinary Meetings of Council are defined as:

General Meetings which are held at 6.30pm on the second Wednesday of each month (excluding January) to consider all relevant matters.

Workshop Meetings which are held at 6.30pm on the first, third, fourth and/or fifth Wednesdays of each month as required (excluding January) to consider all relevant matters, especially those where a presentation by Council staff or an external person or organisation is required.

Whilst Workshop Meetings have been held irregularly over the last few Council terms, they have been a valuable resource for previous Councils, particularly where a matter to be dealt with was quite complex and a presentation by a consultant to Council and members of the public were deemed to be useful in the decision-making process. It is noted that informal Councillor Workshops/Briefings (where matters of interest are discussed but no decisions are able to be made) are held as required, generally on Wednesdays where a General or Workshop Meeting has not been scheduled.

A proposed schedule of General Meeting and Workshop Meeting dates for the period from September 2023 to September 2024 has now been drafted and is attached to this Report. The draft schedule of Meetings maintains the existing structure of one General Meeting per month, as well as providing for Workshop Meetings and informal Councillor Workshops/Briefings as required.

Meeting dates which fall within school holiday periods have been marked with an asterisk* in the attached schedule.

Order of Business

A proposed order of business to apply at General and Workshop Meetings for the period from September 2023 to September 2024 has been drafted and is attached to this Report. The draft order of business maintains the existing structure with no changes proposed.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

This Report has been prepared in accordance with the requirements of Council's Code of Meeting Practice and the Local Government Act and Regulations.

CONCLUSION

The existing schedule of holding one monthly General Meeting (except for January) is working well and the Council Meetings process appears to be running smoothly and efficiently. Meetings will be held as outlined in Attachment 1. No change to the order of business to be conducted at those meetings is proposed.



RESPONSIBLE OFFICER

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

STEPHEN COLBURT
Manager, Governance and Customer Service
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

1.  Schedule of Council Meetings 2023-2024
2.  Order of Business at Council Meetings 2023-2024

File Reference: F2004/07032

Document Number: D08709306

7 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 31 JULY 2023

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 July 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 July 2023 of 5.00% which includes a positive yield of 11.60% from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS63/23 be received and noted.

PURPOSE

The purpose of this Report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act; to provide details as required by Clause 212(1) of the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy; and to advise on the extent of Council's current borrowings.

BACKGROUND

Legislation requires that a report be submitted for Council's consideration each month detailing Council's investments and borrowings and highlighting the monthly and year to date performance of the investments. Initial investments and reallocation of funds are made, where appropriate, after consultation with Council's financial investment adviser and fund managers.

DISCUSSION

Council invests funds which are not, for the time being, required for any other purpose. Such investment must be in accordance with relevant legislative requirements and Council Policies, and the Chief Financial Officer must report monthly to Council on the details of the funds invested.

Council's investment performance for the month ending 31 July 2023 is detailed in the attached document. In summary, the portfolio achieved an annualised return for July 2023 of 5.00% which includes a positive yield of 11.60% from TCorp Managed Funds.

The Borrowings Schedule as at 31 July 2023 is attached for Council's information, noting that Council became debt free on 1 July 2023 with no loans entered into since. The Borrowings Schedule also discloses future lease repayments for various items of plant and equipment.

BUDGET

Budgeted investment income for the year is \$9,823,719 with an average budgeted monthly income of \$818,643. Net investment income for the month ended 31 July 2023 was \$1,245,395, which includes an unrealised gain of \$208,939 from TCorp Managed Funds.

Approximately 51.95% 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 31 July 2023 is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those investments and borrowings.



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 July 2023
2.  HSC Borrowings Summary Report July 2023

File Reference: F2004/06987-02
Document Number: D08710218

8 WESTLEIGH PARK DEVELOPMENT APPLICATION

EXECUTIVE SUMMARY

- On 14 June 2023, Council adopted the revised draft Westleigh Park Master Plan (MP) and draft Westleigh Park Plan of Management (PoM).
- Following adoption of the MP and PoM in June 2023, the immediate goal for Council's Westleigh Park Redevelopment was to prepare a comprehensive and coordinated set of documents to submit with our Development Application.
- The Environmental Impact Statement (EIS) and supporting documentation is now developed to a stage that will enable lodgement of a Development Application by the end of the calendar year.
- The Development Application will seek assessment and determination from the appropriate planning authority for the entire scope of works identified in the adopted Master Plan over stages, with Stage 1 split further to accommodate the potential for differing delivery timeframes:
 - Stage 1a: Southern sports platform; mountain bike trails; carparks 3 & 4; Sefton Road extension - west section; and shared way to Ruddock Park.
 - Stage 1b: Sefton Road extension – North and east sections around Reservoir.
 - Stage 2: Centre and northern sports platforms, carparks 1 & 2; and Warrigal Drive upgrades.
- Owners Consent is required to lodge a Development Application and given the public interest in the development of Westleigh Park this is sought via a formal resolution of Council.
- Should Owners Consent be resolved, instruction will be given to Council's consultant planner to submit the Development Application on Council's behalf via the online NSW Planning Portal. Once lodged, the assessment process will commence and be publicly exhibited.

RECOMMENDATION

THAT:

1. Council provides owner's consent to lodge a Development Application for the Westleigh Park Development.
2. The General Manager lodge a Development Application for the Westleigh Park Redevelopment.
3. Council notes funding has not been secured for Stage 2 works at Westleigh Park.
4. A briefing and a report to Council on the scope and budget for works outside of Stage 1, be provided prior to commencement of any works associated with Stage 2 at Westleigh Park.

ITEM 8

PURPOSE

The purpose of this Report is to seek Council's endorsement for Owners Consent to lodge a Development Application (DA) for the Westleigh Park Redevelopment.

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 with 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.

Following the adoption of the Hornsby Sportsground Strategy in 2018 and a successful application for funding from the NSW Government in 2019, Council began the process of developing a Master Plan for the Westleigh Park Development.

In March 2023, Council endorsed a draft Westleigh Park Master Plan (MP) and draft Westleigh Park Plan of Management (PoM) for the purposes of public exhibition. The exhibition of the draft MP occurred between 13 March and 11 April 2023, and the exhibition of the draft PoM occurred between 13 March and 23 April 2023, with a Public Hearing held on 4 April 2023.

On 14 June 2023, Council adopted the revised draft Westleigh Park Master Plan and draft Westleigh Park Plan of Management.

The adopted Westleigh Park MP and PoM envisage structured sporting activities on sportsgrounds and unstructured passive recreation experiences throughout the Park, including cycling, mountain biking, open recreation and play spaces, picnic and playground areas, with support from ancillary facilities including internal roads, car parking, amenities buildings, shared paths, water conservation and management infrastructure, in addition to the remediation of contaminated lands, conservation of items of cultural significance and regeneration of areas environmental significance.

These formative documents are a part of the framework upon which Council will continue to develop the project, including documentation that is required to accompany submission of a Development Application.

On 15 June 2023 a letter confirming Owners Consent was received from Sydney Water which is required to ensure that the extension of Sefton Road can be considered in the Development Application.

DISCUSSION

Following adoption of the MP and PoM by Council in June 2023, the immediate goal for Westleigh Park Development was to prepare a comprehensive and coordinated set of documents to submit with a full the Development Application across all stages included in the Masterplan.

The primary document in this set and for this type of development is an Environmental Impact Statement (EIS), the purpose of which is to clearly identify the impact of a proposed development on the surrounding built and natural environments.

The EIS and supporting documentation is now developed to a stage that will enable lodgement of a Development Application by the end of this year.

To arrive at this stage, a process driven approach has been adopted for the identification and mitigation of risk. A manageable number of risks have been identified and for each of these, the

mitigation strategy has been effective allowing confidence in the lodgement of the Development Application.

It is proposed that the Development Application will apply to the entire scope of works identified in the adopted Master Plan including all stages.

The Development Application will seek assessment and determination from the appropriate planning authority to undertake development over two stages, with Stage 1 split further to accommodate the potential for differing delivery timeframes, as detailed in the table below:

Stage 1 – including Stages 1a & 1b	Stage 2
1a – Southern Sportsground & MTB Trails	
Remediation of contamination to Stage 1 land.	Remediation of contamination to Stage 2 land.
Southern multipurpose platform – “Precinct 3” – a natural turf sports field accommodating two full size competition football fields, or two full-size Rugby fields, or a full-size AFL field, and a full-size cricket field during summer.	Centre multipurpose platform – “Precinct 2” – a synthetic turf sports field accommodating two football fields, or two Rugby fields, or an AFL field, and a cricket field during summer, noting field sizes limited to between minimum and maximum sizes for senior competition. Northern athletics platform – “Precinct 1” – a senior competition grade athletics track and internal athletics field that could also accommodate a fifth football field when not being used for athletics.
Mountain bike trail network – all works except the northern trail head	Mountain bike trail network – Northern trail head only
Car Parks 3 & 4	Car Parks 1 & 2
Amenity Building 1	Amenity Building 2 & Amenity Building 3
Connecting roads necessary for vehicle access throughout Stage 1a.	Connecting roads necessary for vehicle access throughout Stage 2.
Shared way to Ruddock Park	Improvements to Warrigal Drive
Western section of Sefton Road extension	
1b – Sefton Road Extension	
Eastern and southern sections of the Sefton Road through Thornleigh Reservoir land owned by Sydney Water.	

The staging plan images are included in the report as **Attachment 1**. It is important to note that available funding is sufficient to construct Stage 1 only and further work will be undertaken as funds become available.

Timeframes planned for staged construction are as detailed in the table below:

Stage 1a – 18 months	Jan 2025 to Jun 2026	opening Jun 2026
----------------------	----------------------	------------------

Stage 1b – 18 months ¹	Jan 2025 to Jun 2026	opening 2032
Stage 2 - 24 months	Jan 2030 to Dec 2031	opening 2032

1: Stage 1b is dependent on the Sydney Water mandatory Building Over or Adjacent to Assets (BOA) application and assessment process. While this process commenced with Sydney Water early, a number of related and contributing factors suggest that we may be unable to achieve full completion of Stage 1b by June 2026.

On 15 June 2023 Council obtained owners consent from Sydney Water for Owners Consent is required to lodge a Development Application.

The documents that support the application are close to being ready to submit with the application. Given the significant public interest in this project it is appropriate to seek, via formal Council resolution, owner's consent to lodge the development application.

Following resolution of Owners Consent and the lodgement of the Development Application, the process will enter a period of project documentation that is concurrent with the assessment period – estimated at 12 months – to undertake detailed design such that it can be complete prior to receiving a determination and conditions of consent from the appropriate planning authority. During this period, the DA will be placed on public exhibition and open for community access and input. The exhibition will be in accordance with statutory obligations.

BUDGET

The State Government has allocated \$40,000,000 in grant funding to create Westleigh Park.

The estimated cost to deliver the entire scope of works identified in the adopted Master Plan is in excess of \$70,000,000 and exceeds the current grant funding allocation. This estimate includes a conservative contingency of 30 percent to cover latent conditions and expected increases in the cost of construction over time. This estimate includes investigations, design, specialist technical consultants, project management, approvals, bulk earthworks, remediation of contaminated land and all works associated with the construction of the recreation facilities and associated amenity, including access roads, amenity buildings and intersection upgrades.

To ensure that a part of the project is delivered using allocated funding, Council's current planning strategy involves delivery of the project in two stages – Stage 1 and Stage 2. The allocated funding is to be used to complete Stage 1 which includes the southern sports platform, ancillary development and access ways including the Sefton Road extension (dependent upon Sydney Water conditions and agreement to property tenure). Additional funding is required to be secured to undertake Stage 2 of the Redevelopment project.

Project costs are continually reviewed throughout the development process to ensure the Stage 1 scope of works is aligned with grant funding (project budget) and delivers a value for money benefit to the community.

The capacity of Council to manage the inherent risk of cost escalations for a major project of this scale and complexity must be managed as a priority to mitigate risk. This further supports Council's current planning strategy to develop Westleigh Park in a staged manner over time as funds become available.

Financial analysis by Council has indicated that an annual amount of \$1,200,000 is needed for the operational, maintenance and lifecycle renewal costs of facilities established from the scope of works

included in the Masterplan. With funding available from 2025/26 as part of Council's recently approved Special Rate Variation.

As the project progresses a range of other risk mitigation strategies will continue to be pursued. Appropriate project governance is in place and the provision of suitable termination clauses within contracts to provide the option of ceasing work if costs escalate. These issues will be further considered by Council in the lead up to release of tenders for the first stage of works.

POLICY

The adopted Westleigh Park Master Plan and adopted Westleigh Park Plan of Management are consistent with Council's Sportsground Strategy and other strategies, including:

- Hornsby Shire Community Strategic Plan 2018-2028 (Hornsby Shire Council, 2018).
- Hornsby Local Strategic Planning Statement (Hornsby Shire Council, 2020).

CONCLUSION

The Environmental Impact Statement and supporting documentation is now developed to a stage that will enable lodgement of a Development Application by the end of this year.

Owners Consent is required to lodge a Development Application and is the next milestone for the Westleigh Park Redevelopment representing a natural progression for the development and realisation of this project.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Director Infrastructure & Major Projects - Fiona Leatham, who can be contacted on 9847 6665.

FIONA LEATHAM

Director, Infrastructure & Major Projects
Infrastructure and Major Projects Division

Attachments:

1.  Attachment 1 - Westleigh Park Site Staging

File Reference: F2023/00077-005

Document Number: D08716546

9 MAYOR'S NOTES 01 AUGUST 2023 TO 31 AUGUST 2023

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

Wednesday 2nd August 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Wednesday 2nd August 2023 – The Mayor, attended a photo shoot at the new lights installed on the Greenway Park Circuit path, Cherrybrook.

Wednesday 9th August 2023 – The Mayor attended a photo shoot at Erlestoke Park for the completion of upgrade and bio-retention basin, Castle Hill.

Wednesday 16th August 2023 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Wednesday 16th August 2023 – The Mayor attended a photo shoot for the completion of the boardwalk and viewing deck at The Lakes of Cherrybrook, Cherrybrook.

Friday 18th August 2023 – On behalf of the Mayor, Deputy Mayor, Councillor Waddell attend Vietnam Veterans Day at Cenotaph in Railway Park, Hornsby.

Sunday 20th August 2023 – On behalf of the Mayor, Councillor Tilbury attended Victory in the Pacific and Vietnam Veterans Day Ceremonies in Memorial Gardens, Berowra.

Sunday 20th August 2023 – The Mayor attended the Hindi Divas Celebration at Thornleigh West Public School Community Hall.

Friday 25th August 2023 – The Mayor attended the Hornsby Ku-ring-gai Rural Fire District's Mayoral Dinner at Hornsby RSL in Hornsby.

Saturday 26th August 2023 – The Mayor attended a planting event at Forsters Reserve, Middle Dural.

Saturday 26th August 2023 – The Mayor attended Galston500 at Galston Valley Railway, Galston.

Sunday 27th August 2023 – The Mayor attended Berowra Woodchop Community Event, Warrina Street Oval, Berowra.

Sunday 27th August 2023 – The Mayor attended the Tom Richmond Oval Naming at Brooklyn Oval, Brooklyn.

Thursday 31st August 2023 – The Mayor attended The Hills Annual Charity Gala Ball 2023, Biviano's Restaurant, Dural.

File Reference: F2004/07053
Document Number: D08716519

10 PREPAREDNESS FOR THE 2023/24 BUSHFIRE SEASON**COUNCILLOR TILBURY TO MOVE**

THAT Council write to the NSW RFS and Metropolitan Aboriginal Land Council thanking the agencies for their efforts in preparing our communities for the bushfire season and seek assurance that the trail upgrades will be completed prior to the start of the 2023/24 bush fire season.

Note from Councillor

Bushfire is both an inevitable and essential part of the Australian environment, however unplanned bushfires pose a significant threat to life, property and the environment. Greater Sydney is one of the most bushfire prone areas in Australia. Within the Hornsby Shire 34% of properties (19,804 properties, covering an area of 41,362 ha) are currently identified as being within bushfire prone land.

Council is one of many land managers, who work with the local fire authorities to reduce bushfire risk in the Shire. Collectively and collaboratively these agencies take a tenure blind approach in implementing bushfire hazard reduction treatments including the maintenance of fire trails, hazard reduction burning, mechanical clearing, targeted community engagement programs and ignition prevention activities. These treatments are directed by the Hornsby/Ku-Ring-Gai District Bush Fire Risk Management Plan in which all agencies have outlined how they will manage bushfire risk.

I am a member of the Hornsby Ku-Ring-Gai Bush Fire Management Committee and as we approach the upcoming bushfire season, I am acutely aware of the predictions of key climate drivers that indicate we are entering a summer season with heightened bushfire risk. Hence, our community's vulnerability to bushfires due to its proximity to bushland areas is a critical concern.

I have recently attended a street meeting with Berowra residents and RFS representatives who share this concern. Specifically, residents noted concerns that key fire trails such as the Gully Fire Trail (including the branch behind McCready Place) are presently in an overgrown state which would make it difficult to use in an emergency.

I understand that the bushland is owned by the Metropolitan Aboriginal Land Council who are also responsible the fire trail's maintenance. The Metropolitan Aboriginal Land Council have substantial bushland landholdings across the Hornsby LGA including areas in Berowra, Berowra Heights, Cowan, Fiddletown, Forest Glen and Glenorie. I also recognise that maintenance of fire trails across such a large area is a significant burden on a single, non-government landowner. To the credit of the RFS, who also note this responsibility and burden, they are working with the Metropolitan Aboriginal Land Council. With their permission and direction, the RFS would bring these trails up to standard ahead of the 2023/24 fire season.

Such collaboration between the RFS and Metropolitan Aboriginal Land Council, exemplifies that when agencies work together and hear the concerns of our community our neighbourhoods are made safer.

I seek the support of Councillors in writing to the Metropolitan Aboriginal Land Council and RFS thanking them for their efforts in making our communities more resilient and note the desire to see these works implemented prior to the 2023/24 fire season.

Attachments:

There are no attachments for this report.

File Reference: F2004/06582

Document Number: D08722687

ITEM 10

11 SAFE PEDESTRIAN AND CYCLIST USE OF OLD NORTHERN ROAD BETWEEN GLENORIE AND DURAL

COUNCILLOR TILBURY TO MOVE

THAT Council:

1. Consider the development of an off-road Active Transport corridor adjacent to Old Northern Road between Glenorie and Dural, as part of Council's Cycling and Walking Strategy, that is being updated through 2024:
2. Engage with the Hills Shire Council in the development of any proposal.
3. Seek the support of local MPs including advocacy for funding support from the NSW government.
4. Write to the relevant NSW government Ministers to seek their support.
5. Pursue grant opportunities for the delivery of this project.

Note from Councillor

Through various discussions with residents who live along or near Old Northern Road, and from representations from the Glenorie Progress Association, an issue has recently been highlighted to me. This is the inability for pedestrians and cyclists to move along Old Northern Road safely between Glenorie and Dural.

The community wishes to increase their participation in walking and cycling, particularly for shorter trips and for physical exercise. They would also like to decrease their reliance on using motor vehicles.

Old Northern Road is the boundary between the Hornsby and Hills LGAs, but management of this road is entirely the responsibility of the NSW State Government. To provide an off-road Active Transport corridor, adjacent to old Northern Road, will require everyone to work together.

The section of Old Northern Road between Glenorie and Dural is not currently identified in Council's Cycling and Walking Strategy, and this is an oversight.

Attachments:

There are no attachments for this report.

File Reference: F2018/00162#31

Document Number: D08722692

12 HORNSBY SUICIDE PREVENTION FORUM

COUNCILLOR MCINTOSH TO MOVE

That Council:

1. Acknowledges the concerning rates of suicide in the Hornsby community and the opportunity for Council to play a role as facilitator, providing a forum for collaboration and partnership between local agencies responsible for providing direct services and support in our area.
2. Hosts a Hornsby Suicide Prevention Forum, inviting local agencies to come together to evaluate the local data and to progress a dialogue between providers of suicide prevention services in Hornsby Shire, seeking collaboration and joint initiatives to address the issue.
3. Report the outcomes to a Councillor Workshop following the Forum, informing the current plans to address mental health and social isolation in our community to support community resilience, in partnership with key local agencies and service providers.

Note From Councillor

Every life lost to suicide is a tragedy and the impacts both short-term and long-term on family, friends and communities are profound. Although suicide and intentional self-harm are complex issues, they can be prevented.

Suicide is the leading cause of death for Australians aged 15-44. Nine Australians die every day by suicide, which is double the road toll. Over 65,000 Australians attempt suicide each year. Each suicide death impacts up to 135 people, including family members, work colleagues, friends and first responders at the time of death. Accordingly, thousands of Australians each year are impacted by suicide – many of whom experience effects on their own mental health and wellbeing as a consequence. (Source: *Lifeline*). It is also noted with concern, that in Data provided by the *Australian Bureau of Statistics* (ABS) for 202 males aged over 85 years had the highest suicide rate of all age groups and older adults are identified as a priority population for suicide prevention strategies.

While any evaluation of the data points to specific age categories and genders, it is clear that mental health issues and suicide affects our entire community.

Suicide Prevention Australia has developed a Community Tracker: a quarterly survey that sheds light on the prevalence of suicidal behaviours, what social and economic issues are driving distress, and the impact of suicide in our community. The most recent survey (June 2023) provides the following insights:

- 75% of Australians reported experiencing elevated distress in June 2023 compared with the same time last year – a 1% increase on the previous quarter (March 2023).
- Close to four in ten (38%) Australians say they know someone in their personal life or

networks, who has died by or attempted suicide in the past 12 months – an 8% increase from March 2023 (30%).

- One in five (21%) Australians report having experienced suicidal behaviour in the past 12 months – a 2% increase from March 2023.

(Source: *Suicide Prevention Australia Community Tracker – June 2023*)

How does this translate to Hornsby Shire?

Lifeline Harbour to Hawkesbury Sydney (H2HS) have evaluated the causes of death data from the Australian Institute for Health and Welfare (AIHW) for the period 2016-2020, providing analysis of the data by local government area. **Concerningly, Hornsby has been identified as a 'priority location with high need for suicide prevention services,' based upon the current statistics and with an upward trajectory noted.**

Lifeline has responded to this concerning trend by establishing a face-to-face service to complement their existing and well known Lifeline Crisis Support line and text/chat services. *Lifeline Connect* will commence in Hornsby Library each Thursday from 7 September from 1pm – 5:30pm, **providing a safe space for our community to discuss their needs, worries and concerns, and building mental-health resilience through non-clinical face-to-face support.**

Lifeline Harbour to Hawkesbury has more than 250 volunteers who handle approximately 10% of the calls taken nationwide. Use of services like Lifeline, as demonstrated by the figures from Suicide Prevention Australia has escalated during this period of economic and financial uncertainty. Most recently, Lifeline experienced their second-busiest day ever - Sunday 6 August, when 4,204 Australians called for support. The average daily call volume is now 3,000, an average of 500 more calls a day compared with 2019.

On a regional basis, the Sydney North Health Network have established a Regional Suicide Prevention Collaborative aimed at developing protocols in a coordinated approach. The regional approach acknowledges differences in each local government area together with different roles played by individual agencies and is aimed at capacity building and training for service providers. This proposed local forum aims to build upon this regional approach.

Council's Role

It is acknowledged that Council is not a service provider, nor do we have the expertise or resources to provide direct services in this area. We have however, identified Social Inclusion in our Community Development Program funded through the Special Rate Variation (SRV), with mental health and social isolation identified as key focus areas. This proposed forum would seek to inform and complement this plan, which is currently being developed.

This issue has arisen following discussions with agencies involved in the Hornsby Village Hub, Hello Hornsby and our program to become a Dementia Friendly Community. Lifeline approached Council directly for support. Discussions have also been held with the Sydney North Health Network Suicide Prevention Lead who has provided information to support this proposal. Our local service providers respond to the mental health needs of the individuals who access their services with the resources they have available. However, these agencies have advised they would welcome an opportunity to discuss the key local issues and collaborate on ways to work together to address the concerning local trends.

It seems appropriate that Council should host a meeting of these service providers in Hornsby, facilitating a discussion that could lead to further local collaboration and partnerships and which will provide Council with some appropriate guidance on how we can best address mental health, resilience and social inclusion, as provided for in our current plans.

Sunday 10 September is World Suicide Prevention Day and Thursday 14 September is R U OK Day – our National Day of Action to encourage people to have a conversation that could save a life.

Action is needed on this concerning issue – if just one life is saved through our actions it will be worth it.

Attachments:

There are no attachments for this report.

File Reference: F2004/08361

Document Number: D08723023

ITEM 12