



BUSINESS PAPER

GENERAL MEETING

**Wednesday 8 November 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	GM44/23 Hornsby Shire Council 2022-2023 Annual Report	1
Item 2	GM52/23 Temporary Suspension of Alcohol Free Zone in Coronation Street Carparks	5

Corporate Support Division

Item 3	CS69/23 Investments and Borrowings for 2023/2024 - Status for the Period Ending 30 September 2023	9
Item 4	CS71/23 2022/23 Audited Financial Statements - Presentation to the Public	12
Item 5	CS72/23 2023/24 Budget - September 2023 Quarter Review	16

Community and Environment Division

Item 6	CE14/23 Community Event Grants Program	26
Item 7	CE15/23 Provision of Owners Consent - Mark Taylor Oval Pavilion Development Application	29

Planning and Compliance Division

Item 8	PC23/23 Draft Hornsby Town Centre Masterplan - Report on Submissions	34
Item 9	PC27/23 Report on Submissions - Byles Creek Planning Proposal	48
Item 10	PC28/23 Report on Submissions - Heritage Interpretation Strategy	57

Infrastructure and Major Projects Division

Nil

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS WITH NOTICE

MAYOR'S NOTES

Item 11	MN12/23 Mayors Notes 01 October 2023 to 31 October 2023	64
---------	---	----

NOTICES OF MOTION

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

Father Wayoyi of St Agatha's Catholic Church, Pennant Hills will open the Meeting in Prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

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

APOLOGIES / LEAVE OF ABSENCE

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a

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 11 October, 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 GM44/23 HORNSBY SHIRE COUNCIL 2022-2023 ANNUAL REPORT

RECOMMENDATION

THAT the:

1. Hornsby Shire Council 2022-2023 Annual Report be endorsed.

2. Annual Report be supplemented by Council's 2022/23 Audited Financial Statements once they are "presented to the public" at the 8 November 2023 General Meeting (Director's Report No. CS71/23).

Page Number 5**Item 2 GM52/23 TEMPORARY SUSPENSION OF ALCOHOL FREE ZONE IN CORONATION STREET CARPARKS****RECOMMENDATION**

THAT:

1. Council temporarily suspend the Alcohol-Free Zone in the Coronation Street Carparks (1-3 Coronation Street, Beattie Lane and rear of 1-5 Jersey Street Hornsby) within the Hornsby Town Centre Alcohol Free Zone from 12:00pm to 10pm on 1 December 2023 to accommodate a licensed bar as part of the Coronation StrEat! opening event pursuant to the *Ministerial Guidelines on Alcohol-Free Zones*.
2. Publish notice of a suspension and temporarily remove signage as required under section 645 (1) and (3) of the *Ministerial Guidelines on Alcohol-Free Zones*.

CORPORATE SUPPORT DIVISION**Page Number 9****Item 3 CS69/23 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 30 SEPTEMBER 2023****RECOMMENDATION**

THAT the contents of Director's Report No. CS69/23 be received and noted.

Page Number 12**Item 4 CS71/23 2022/23 AUDITED FINANCIAL STATEMENTS - PRESENTATION TO THE PUBLIC****RECOMMENDATION**

THAT the 2022/23 General Purpose Financial Statements and associated Auditor's Report, as presented to the public on 8 November 2023, be adopted.

Page Number 16**Item 5 CS72/23 2023/24 BUDGET - SEPTEMBER 2023 QUARTER REVIEW**

RECOMMENDATION

THAT:

1. The September 2023 Quarter Review of the Operational Plan (Budget) for 2023/24 be received and noted.
2. Council determine if any of the three unfunded Councillor initiatives outlined in the Discussion Section of this Report be included in the 2023/24 Budget.

COMMUNITY AND ENVIRONMENT DIVISION**Page Number 26****Item 6 CE14/23 COMMUNITY EVENT GRANTS PROGRAM****RECOMMENDATION**

THAT Council allocate funding from its Community Events Grants Program as follows:

1. \$3,000 to the Russian Community Group for a Christmas Celebration.
2. \$3,000 to the Hornsby Swim Club for a 60th Anniversary Meet.

Page Number 29**Item 7 CE15/23 PROVISION OF OWNERS CONSENT - MARK TAYLOR OVAL PAVILION DEVELOPMENT APPLICATION****RECOMMENDATION**

THAT:

1. Council provide owner's consent for the Northern District Cricket Club to lodge a Development Application for the demolition and reconstruction of the 1990's pavilion addition.
2. Pending receipt of development approval and prior to the commencement of construction work, an informal workshop be held confirming scope of work and budget availability to ensure works are able to be delivered within the remaining grant funding, and progress regarding the development of a new licence agreement for the Northern District Cricket Club for use of the pavilion facilities.

PLANNING AND COMPLIANCE DIVISION**Page Number 34****Item 8 PC23/23 DRAFT HORNSBY TOWN CENTRE MASTERPLAN - REPORT ON SUBMISSIONS**

RECOMMENDATION

THAT:

1. Council adopt the Hornsby Town Centre Masterplan attached to Director's Report No. PC23/23 incorporating the following amendments:
 - A lower non-residential floor space requirement of 0.5:1 on all sites within the Central North and Central Heart Precincts.
 - A maximum building height of up to 36 storeys for the western portions on the Westfield Hornsby site, with a tapering of building heights of between 12-15 storeys in the eastern portions of the Retail Core Precinct.
 - Maximum building heights along the rail corridor from 21 to 18 and 16 storeys north of Burdett Street.
 - Minimum podium level setbacks of 9 metres for any proposed redevelopment along Hunter Street.
 - Minor changes to precinct boundaries and the Hornsby RSL site for clarity and accuracy.
2. Council write to the Minister for Planning and Public Spaces seeking a commitment to assist the implementation, funding and delivery of the Masterplan, noting coordination of State services is required to accommodate the anticipated growth.
3. Supporting documentation, including Development Controls, Infrastructure Funding Strategy, Local Contribution Plan, and a Public Domain Plan be prepared and reported to Council at a future meeting.
4. Submitters be advised of Council's decision.

Page Number 48**Item 9 PC27/23 REPORT ON SUBMISSIONS - BYLES CREEK PLANNING PROPOSAL****RECOMMENDATION**

THAT:

1. Council endorse the Byles Creek Planning Proposal as exhibited (attached to Director's Report No. PC27/23) and submit it to the Department of Planning and Environment for finalisation to amend the Hornsby Local Environmental Plan 2013.
2. Council approve the Hornsby Development Control Plan 2013 amendments (attached to Director's Report No. PC27/23) to come into force upon finalisation of the Planning Proposal.
3. Submitters be advised of Council's decision.

Page Number 57**Item 10 PC28/23 REPORT ON SUBMISSIONS - HERITAGE INTERPRETATION STRATEGY**

RECOMMENDATION

THAT:

1. Council endorse the Heritage Interpretation Strategy attached to Director's Report No. PC28/23.
2. Submitters be advised of Council's decision.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS WITH NOTICE

MAYOR'S NOTES

Page Number 64

Item 11 MN12/23 MAYORS NOTES 01 OCTOBER 2023 TO 31 OCTOBER 2023

NOTICES OF MOTION

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 HORNSBY SHIRE COUNCIL 2022-2023 ANNUAL REPORT

EXECUTIVE SUMMARY

- An annual report is a key point of accountability between a council and its community. In this regard, NSW councils are required to prepare an annual report within five months of the end of the financial year, place the report on their website and submit the report to the Office of Local Government (OLG).
- The Hornsby Shire Council 2022-2023 Annual Report has been prepared in accordance with the requirements of the Local Government Act 1993, Regulation and OLG requirements. The Annual Report also includes information which ensures that annual reporting requirements imposed on Council by other legislation or statutory bodies are met.
- The 2022-2023 Annual Report focuses on Council's achievements in implementing its Delivery Program and Operational Plan. Council's 2022/23 audited Financial Statements are to form part of the Annual Report once they are "presented to the public" at this 8 November 2023 General Meeting.

RECOMMENDATION

THAT the:

1. Hornsby Shire Council 2022-2023 Annual Report be endorsed.
2. Annual Report be supplemented by Council's 2022/23 Audited Financial Statements once they are "presented to the public" at the 8 November 2023 General Meeting (Director's Report No. CS71/23).

PURPOSE

The purpose of this Report is to present the 2022-2023 Annual Report for Council's endorsement.

BACKGROUND

Section 428 (1) of the Local Government Act 1993 requires that a council prepare an annual report within five months of the end of the financial year. The council is required to place the report on its website and submit a copy to the OLG.

The Hornsby Shire Council 2022-2023 Annual Report has been prepared in accordance with the requirements of the Local Government Act 1993, the Local Government (General) Regulation 2021 and the OLG's Integrated Planning and Reporting Guidelines (September 2021) developed by the OLG in line with section 406 of the Act. A report on Council's achievements in implementing its 2022-2026 Delivery Program and 2022/23 Operational Plan and the effectiveness of the principal activities undertaken to achieve the objectives is included as required by the Act.

Highlights and progress in the Annual Report are laid out to align with Council's Integrated Planning and Reporting documents, commencing with the four Themes of **Liveable**, **Sustainable**, **Productive** and **Collaborative** which address the quadruple bottom line, the eight Strategic Directions (two for each Theme) which guide specific directions, and the 16 Focus Areas which encapsulate the principal activities of the Delivery Program and are Council's adopted delivery pathways to the 25 Long-Term Goals in the Community Strategic Plan, *Your vision | Your future 2032*. Keeping this standard approach allows the community, the audience for the Annual Report, to identify and clearly track progress in a recognisable way.

Key operational and capital achievements for 2022/23 are included throughout the Report and include:

- Plan of Management and project Master Plan for Westleigh Park adopted.
- Community members appointed to HATSICC.
- Community members appointed to the Arts and Cultural Advisory Group.
- Special Rate Variation consultation, application and approval.
- The final repayment on the last remaining loan was made in June 2023 and Council no longer has any outstanding loans and is debt free.
- 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.
- Parking Management Plan for car parking in Brooklyn to support needs of both visitors and locals.
- Byles Creek Planning Proposal on exhibition after adoption of the Study and Gateway Determination by the Department of Planning.
- Planning Proposal for High and Ashley Streets, Hornsby finalised.
- Membership of the Heritage Advisory Committee revised.
- Membership of the Hornsby Local Planning Panel revised.

- Membership of the Sydney North Regional Planning Panel revised.
- Conflict of Interest Policy for Council Related Development adopted.
- Amendments to the Hornsby Development Control Plan finalised.
- Employment Lands Reforms finalised.
- 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.
- 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 Hornsby' page.
- Completing 68 capital projects at a cost of \$69 million – these include upgrading five playgrounds, minor upgrades to a further 12 parks; upgrading nine sporting facilities, e.g. surface renewals, irrigation and drainage; two dog off leash improvements; constructing/upgrading 3,667 metres of bushwalking tracks; building 14 new footpaths (totalling 2,960 metres) and two shared paths (totalling 2,000 metres); rehabilitating 1,322 metres of local roads; laying 1,460 metres of new/reconstructed kerb and guttering; making it safer for pedestrians with three traffic facility improvements; making stormwater improvements at three sites and three foreshore improvements including a new boat ramp and wharf reconstruction at Wisemans Ferry and pontoon replacements at Berowra Waters (east) and Kangaroo Point.

The Annual Report also includes information to meet requirements imposed by other legislation and statutory bodies, including information on the implementation of Council's Disability Inclusion Action Plan under the Disability Inclusion Act 2014, information on compliance with the Companion Animals Act 1988, and information on inspections of private swimming pools under the Swimming Pools Act 1992. This year for the first time we have also included information as required on steps taken to ensure goods and services procured by and for Council during the year were not the product of modern slavery within the meaning of the Modern Slavery Act 2018 and on development contributions and levies received and expended and details on projects for which contributions have been used under the Environmental Planning and Assessment Regulation 2021. Other mandatory reporting requirements are included at the back of the document notated with the relevant legislation.

The 2022-2023 Annual Report is attached to this Report. Hard copies will be available to view at the Council Administration Centre and Hornsby Shire libraries.

The Annual Report will formally be supplemented by Council's Audited Financial Statements once Council has considered Director's Report No. CS71/23 – 2022/23 Audited Financial Statements – Presentation to the Public (at the 8 November 2023 General Meeting).

An electronic copy of the final 2022-2023 Annual Report, including 2022/23 Financial Statements, will be provided to the OLG by 30 November 2023.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report will ensure that the Hornsby Shire Council 2022-2023 Annual Report is submitted to the OLG in line with statutory requirements. The 2022-2023 Annual Report outlines Council's achievements in implementing its Delivery Program through the 2022/23 Operational Plan and the effectiveness of the principal activities undertaken over the past year.

The Council has played a critical leadership role, ensuring that strategic activities are focussed on achieving the community's vision, whilst ensuring the ongoing financial sustainability of the organisation.

RESPONSIBLE OFFICER

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

STEVEN HEAD

General Manager

Office of the General Manager

Attachments:

1.  Annual Report 2022-2023

File Reference: F2022/00059

Document Number: D08740400

2 TEMPORARY SUSPENSION OF ALCOHOL FREE ZONE IN CORONATION STREET CARPARKS

EXECUTIVE SUMMARY

- The Hornsby Town Centre was re-established as an Alcohol-Free Zone (AFZ) via Report No CE7/23 at the July 2023 General Meeting.
- Council is seeking to host an opening event for the grant funded Coronation StrEat! Project on 1 December 2023. The opening event will include a temporary licenced pop up bar area. The inclusion of a licenced bar area requires the temporary suspension of the Alcohol-Free Zone within the Coronation Street Carpark precinct by way of a Council resolution.
- Council officers have consulted with local police who have indicated that they are not opposed to the temporary suspension of the Alcohol-Free Zone within the Coronation Street Carpark precinct.
- This report recommends that Council temporarily suspend the Alcohol-Free Zone in the Coronation Street Carparks for the purposes of hosting the opening event of the Coronation StrEat! Project.

RECOMMENDATION

THAT:

1. Council temporarily suspend the Alcohol-Free Zone in the Coronation Street Carparks (1-3 Coronation Street, Beattie Lane and rear of 1-5 Jersey Street Hornsby) within the Hornsby Town Centre Alcohol Free Zone from 12:00pm to 10pm on 1 December 2023 to accommodate a licensed bar as part of the Coronation StrEat! opening event pursuant to the *Ministerial Guidelines on Alcohol-Free Zones*.
2. Publish notice of a suspension and temporarily remove signage as required under section 645 (1) and (3) of the *Ministerial Guidelines on Alcohol-Free Zones*.

PURPOSE

The purpose of this Report is to seek Council's support to temporarily suspend the operation of the Alcohol-Free Zone in the Coronation Street Carparks precinct (1 Coronation Street, Beattie Lane and rear of 1-5 Jersey Street) for the Coronation StrEat! opening event between 12pm and 10pm on 1-3 December 2023.

BACKGROUND

Over a period of years and with the support of local police, Council has maintained an Alcohol-Free Zone throughout the Hornsby Town Centre to assist with the management of anti-social behaviour.

In 2021, Council received funding from the (then) Department of Planning, Industry and Environment to deliver a public space project on the carparks located on 1-3 Coronation Street Hornsby and at the rear of 1-5 Jersey Street. The funding agreement associated with this project requires a project launch. The launch event will include a pop-up bar, food trucks (serving dessert foods only) and music. Attendees will be encouraged to purchase main course meals from surrounding cafes and restaurants on Coronation Street and the Hornsby West side before joining the activation event within the Coronation Street Carpark for dessert. As this event is proposed to include a licenced bar, suspension of the abovementioned Alcohol-Free Zone in the event precinct is required for the duration of the event. An aerial image of the event site and proposed area for a temporary suspension of the AFZ is shown below.



Under the *Ministerial Guidelines on Alcohol-Free Zones and the Local Government Act 1993*, a local government may temporarily suspend an alcohol-free zone by council resolution, subject to liaison with the local police. The Guidelines/Local Government Act outline the following:

SUSPENSION OR CANCELLATION OF AN ALCOHOL-FREE ZONE

Section 645

The power to suspend or cancel an alcohol-free zone during its period of operation is provided so that a council may respond to more immediate situations that arise within the area of the zone.

A council must pass a valid resolution to suspend or cancel a particular alcohol-free zone. Such action may be taken as a result of a request received from any person or body, or at a council's own initiative.

Liaison with the local police, before and after the council resolution, is essential to ensure that both groups are informed and action is coordinated. Additionally, a council may undertake any other consultation that it considers necessary.

A council must publish notice of a suspension or cancellation as required under section 645 (1) and (3). In the case of cancellation of an alcohol-free zone the signs should be removed immediately.

A council is not limited in the reasons for which it may suspend or cancel an alcohol-free zone. A suspension would not usually be appropriate for any period longer than one month, and generally would be of a much shorter duration e.g., to accommodate a specific community event. Alcohol-free zone signage should be removed for the duration of any suspension of the zone.

The four year operation of an alcohol-free zone is not extended by any suspension occurring within that period.

DISCUSSION

The launch celebration of the Coronation StrEat! project is designed to both draw attention to the new community space and to showcase how it can be used by others to support the economic activity on the west side of Hornsby on an ongoing basis. It is a single night only event with a focus on encouraging patronage of nearby restaurants and cafes and providing a vibrant and active streetscape.

As discussed in the previous section, the entire Hornsby Town Centre has been established by Council as an Alcohol-Free Zone; and under the *Ministerial Guidelines on Alcohol-Free Zones*, Council may temporarily suspend this zoning by resolution - subject to liaison with the local police.

It is noted that following a review of the opening event on 1 December 2023, it may be appropriate to seek further and ongoing temporary suspensions of the AFZ on the site if it can be demonstrated that the site is an appropriate and safe location to deliver similar pop-up licensed events.

CONSULTATION

In the preparation of this Report there was consultation with Hornsby Police Station's nominated representative, who indicated that they are not opposed to the suspension of the Alcohol-Free Zone as detailed herein. This support was provided subject to the area being secured and monitored to the same standard as other Council events.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report. Recommendations contained in the report are consistent with Ministerial Guidelines on the Suspension of Alcohol-Free Zones and the relevant sections under the Local Government Act 1993.

CONCLUSION

The Hornsby Town Centre has been established by Council as an Alcohol-Free Zone; and under the *Ministerial Guidelines on Alcohol-Free Zones*, Council may temporarily suspend this designation by resolution subject to liaison with the local police.

Feedback on the proposed one-night suspension of the Alcohol-Free Zone in the Coronation Street Carparks from a representative of the Hornsby Police Station, has been positive.

Consideration of future temporary suspensions of the Alcohol-Free Zone for ongoing activation of the precinct will be dealt with in a future report to Council subject to a review of the Coronation StrEat! project opening event.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Strategic Place Manager – David Johnston - who can be contacted on 9847 6800

JULIE RYLAND
Manager Strategy and Place
Office of the General Manager

STEVEN HEAD
General Manager
Office of the General Manager

Attachments:

1.  Proposed area of AFZ temporary suspension

File Reference: F2021/00008
Document Number: D08755871

3 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 30 SEPTEMBER 2023

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 30 September 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 September 2023 of 3.10% which includes a negative yield of -14.33% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 4.21% which includes a negative yield of -0.08% from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS69/23 be received and noted.

PURPOSE

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

BACKGROUND

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

DISCUSSION

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

Council's investment performance for the month ending 30 September 2023 is detailed in the attached document. In summary, the portfolio achieved an annualised return for September 2023 of 3.10%. On a financial year to date basis the portfolio achieved an annualised return of 4.21% which includes a negative yield of -0.08% from TCorp Managed Funds.

It is noted that for the month ending 30 September 2023 Council has exceeded the 50% policy limit on having terms to maturity of between 2 to 5 years. It is expected that this will be resolved in the coming months as investments within this bracket move towards a maturity date of between 1 to 2 years. No additional investments are being entered into with a term of greater than 2 years while this rebalancing takes place.

The Borrowings Schedule as at 30 September 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 30 September 2023 was \$831,983, which includes an unrealised loss of -\$285,464 from TCorp Managed Funds.

Budgeted investment income year to date at 30 September 2023 was \$2,455,932. Total investment income year to date at 30 September 2023 was \$3,219,184 which includes a year-to-date unrealised net loss of -\$4,638 from TCorp Managed Funds.

Approximately 50.07% of the investment income received by Council relates to externally restricted funds (e.g., Stronger Communities Grant funding and Section 7.11 and Section 7.12 development contribution funds) and is required to be allocated to those funds. All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.

The returns from TCorp Managed Funds are presently experiencing significant market volatility due to external economic conditions. It is noted that this product has a 7-year investment horizon and will, therefore, reflect marked to market valuations monthly. Advice provided by Council's independent investment advisor, Prudential Investment Services, is to hold this investment for the 7-year timeframe

originally planned. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

CONCLUSION

The investment of Council funds and the extent of its borrowings as of 30 September 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 Investments Summary Report September 2023
2.  HSC Borrowings Summary Report September 2023

File Reference: F2004/06987-02

Document Number: D08745232

4 2022/23 AUDITED FINANCIAL STATEMENTS - PRESENTATION TO THE PUBLIC

EXECUTIVE SUMMARY

- In accordance with Sections 413, 415, 416 and 417 of the Local Government Act, Council must prepare and have audited its General Purpose Financial Statements within four months of the end of each financial year.
- At the 13 September 2023 General Meeting, Council received and noted the 2022/23 Financial Statements and resolved to refer them for audit. Council also delegated authority to the General Manager to fix the date at which the Financial Statements and Auditor's Report would be presented to the public.
- Following receipt of the Auditor's Report, the General Manager determined that the Financial Statements and Auditor's Report would be presented to the public at the 8 November 2023 General Meeting.
- Following formal presentation of the Financial Statements and Auditor's Reports to the public at the 8 November 2023 General Meeting, members of the public, in accordance with Section 420 of the Local Government Act, have seven days, i.e., until 15 November 2023, to make written submissions about the Statements.
- Any submissions that are received must be referred by Council to the Auditor for their response.

RECOMMENDATION

THAT the 2022/23 General Purpose Financial Statements and associated Auditor's Report, as presented to the public on 8 November 2023, be adopted.

PURPOSE

The purpose of this Report is to allow Council's 2022/23 General Purpose Financial Statements and associated Auditor's Reports to be presented to the public in accordance with Section 419(1) of the Local Government Act.

BACKGROUND

In accordance with Sections 413, 415, 416 and 417 of the Local Government Act, Council must prepare and have audited its General Purpose Financial Statements within four months of the end of each financial year.

At the 13 September 2023 General Meeting, Council considered Directors Report No. CS69/21 – General Purpose Financial Reports – 2022/23 Financial Year – and resolved that:

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

DISCUSSION

Following the 13 September 2023 General Meeting, the 2022/23 General Purpose Financial Statements were signed and referred to the Audit Office of New South Wales for audit. The Audit Office have subsequently issued an Auditor's Report and have not identified any significant issues which require changes to the Financial Statements.

Following receipt of the Auditor's Report, the General Manager authorised, in accordance with Council's resolution of 13 September 2023, that presentation of the Financial Statements and Auditor's Report to the public would occur at the 8 November 2023 General Meeting. As a result, public notices were placed on Council's website in accordance with Section 418 of the Act.

An electronic copy of the Financial Statements and Auditor's Reports is registered in Council's electronic document management system and has also been placed on Council's website at <https://www.hornsby.nsw.gov.au/council/forms-and-publications/publications/financial-statements>

Following formal presentation of the Financial Statements and Auditor's Report to the public at the 8 November 2023 General Meeting, members of the public in accordance with Section 420 of the Local Government Act, have seven days, i.e., until 15 November 2023, to make submissions about the documents. Such submissions must be in writing and must be referred by Council to the Auditor for their response.

It is noted that Council's external auditor has indicated her availability to make a presentation about the Financial Statements, Auditor's Report and Council's financial position at the 8 November 2023 General Meeting.

CONSULTATION

In the preparation of this Report there was consultation with Council's External Auditor.

BUDGET

The Income Statement result for 2022/23 is a surplus before capital items of \$17.6 million and Council's Operating Performance ratio at 30 June 2023 is 11.55% which is above the benchmark set by the Office of Local Government of 0%.

The operating surplus for 2022/23 (\$17.6 million) is an improvement of \$23.7 million compared to the 2021/22 operating deficit (-\$6.1 million) and relates largely to several one-off items such as:

- Towards the second half of the 2022/23 financial year Council received a \$6.5 million grant from Transport for NSW to repair damage to the local road network after significant storm events. These funds have been set aside in an external restricted asset account and will be spent over the 2023/24 financial year.
- Interest income earned on Council's investment portfolio has increased by \$6.2 million from the prior year largely due to increases in interest rates on deposits. Half of this increase in investment income has been earned on external reserves such as development contributions and stronger communities grant funds requiring the interest earned to be returned to these reserves. It should be noted that the investment income budget for 2023/24 has been increased to reflect an increase in interest rates on deposits.
- Restricted domestic waste income has increased \$5.1 million compared to the prior year to cover contractual cost increases and other future initiatives.
- Domestic waste expenses relating to the environmental remediation of Foxglove Oval decreased by \$3.0 million compared to the prior year; and
- Income from Hornsby Aquatic Centre and the 'Brickpit' indoor basketball stadium increased by \$1.8 million compared to the prior year as attendance volumes start to return to levels that were experienced prior to COVID-19 restrictions.

These items above have contributed significantly to the 2022/23 operating surplus. It is unlikely that these items will be repeated over the 2023/24 financial year as income from the Hornsby Aquatic Centre and Indoor Sports Stadium reaches full capacity, interest rates remain steady and one-off grants and remediation costs are no longer experienced at prior year levels.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The presentation of the 2022/23 Financial Statements 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 and that the public have an opportunity to make any relevant submissions to Council about the documents.

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 4

Attachments:

There are no attachments for this report.

File Reference: F2023/00141

Document Number: D08747130

5 2023/24 BUDGET - SEPTEMBER 2023 QUARTER REVIEW

EXECUTIVE SUMMARY

- Accountable organisations like Council review their budget and operational performance at least each quarter. In this regard, the September 2023 Quarter Review of the 2023/24 Operational Plan and Budget is attached.
- The 2023/24 Original Budget forecast a surplus at 30 June 2024 of \$40K. This September 2023 Review recommends budget changes of \$1K that reduce the forecast 30 June 2024 Budget surplus to \$39K.
- This Review has identified funding to progress three key initiatives identified by Councillors that have been unfunded since last year and Council is to determine if funds are to be set aside for any of the initiatives in this Review.
- 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. The September 2023 Quarter Review of the Operational Plan (Budget) for 2023/24 be received and noted.
2. Council determine if any of the three unfunded Councillor initiatives outlined in the Discussion Section of this Report be included in the 2023/24 Budget.

PURPOSE

The purpose of this Report is to present for Council's consideration the September 2023 Quarter Review of the 2023/24 Operational Plan.

BACKGROUND

On 28 June 2023, Council adopted its Delivery Program 2023-26 which includes the Operational Plan for 2023/24. The Fees and Charges for 2023/24 were also adopted by Council on 28 June 2023. The Delivery Program and Operational Plan set out the manner in which Council intends to deliver services and measure performance.

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

DISCUSSION

This Review includes the first quarter results for 2023/2024 comparing actual expenditure, income and funding sources for the first quarter against the Budget. The Net Operating and Capital Result after internal funding movements showed a positive variance of \$4.5 million or approximately 8% of the consolidated year to date budget. This positive variance is largely the result of timing differences associated with project related works that are expected to be expended by 30 June 2024.

The 2023/24 Original Budget forecast a surplus at 30 June 2024 of \$40K. It should be noted that a deficit was first forecast in the Budget because of the temporary cashflow timing of SRV income compared to projected expenditure in the first year of the Special Rate Variation (SRV). To address this cashflow timing in the first year, a transfer of \$2.5 million from Council's Debt Retirement and Capital Projects Restricted Asset account was allocated to balance the budget to a forecast surplus of \$40K at 30 June 2024. The amount borrowed will be repaid from cash surpluses forecast in 2024/25 and 2025/26 in the SRV scenario of Council's LTFFP, noting that the SRV is forecast to provide sufficient operating capacity into the future.

This Quarterly Review currently recommends net budget changes of \$1K, which reduce the forecast 30 June 2024 Budget surplus to \$39K. The budget changes relate to minor expense reallocations.

As noted in General Manager's Report GM38/23 – June 2023 Performance Report on the 2022 – 2022 Delivery Program and Quarterly Budget Review Statement (considered at the 13 September 2023 General Meeting) that the 2022/23 capital works program was partially completed due to a number of external factors including 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. Capital projects that were not completed were to be carried forward to the 2023/24 financial year whilst noting the need to consider the adequacy of Council resources to deliver works carried forward in addition to the already ambitious capital works program of \$93.3 million planned for 2023/24.

Advice has been sought from project managers in respect to this issue with confirmation that capital works can be completed subject to weather and/or supply chain issues. This review therefore includes adjustments to the capital works program to incorporate works carried forward from the 2022/23 financial year as well as a reduction of \$10 million in the forecast budget for Hornsby Park in line with the revised timeline and scope of works for this project. The result is an overall reduction in the total

capital projects budget of \$7.1 million from \$93.3 million to \$86.2 million with detail of the revised Capital Works Program included in this report as attachment 2 – Revised Capital Works Program 30 September 2023. The General Manager has requested that each Division continue to review their operational capacity to deliver the revised capital works program throughout the year, with further revisions to be made in the December 2023 and March 2024 Review if required.

This review also includes the budget changes required from Confidential Director's Report No. CS24/23, Purchase for Land for Road Widening at Cherrybrook, considered at the 9 August 2023 General Meeting.

It is also noted that there is a risk that the future cost of landfill remediation works at Foxglove Oval may exceed the balance on hand in Council's Domestic Waste Management externally restricted asset reserve of \$3.1 million.

In this event that this situation occurs it would be financially prudent to borrow funds from Council's Capital Projects and Restricted Working Funds internally restricted asset account, with the amount borrowed to be repaid over future years from Domestic Waste Annual Charges.

The relevant Director and Project Manager are currently obtaining quotes for the works required and the total estimated cost together with the details. Any necessary internal loan arrangement will be reported back at a future Quarterly Review. In this regard it is noted that Council is in a stable financial position with sufficient working funds to cover an internal loan of this nature.

Unfunded 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.

During the exhibition period funding was unable to be identified to progress these initiatives for inclusion into the 2023/24 Annual Budget. However, in preparation for the first quarter review of the 2023/24 Budget, Council Officers have secured external funds totalling \$1.24 million for existing capital projects in the 2023/24 Budget. This has resulted in the original general funding for these projects returned to the budget for appropriation or to simply increase the forecasted 2023/24 surplus of \$39K to provide capacity to respond to unforeseen budget shocks that may occur throughout the rest of the year.

The details of the unfunded Councillor initiatives (totalling \$1.24 million) for Council consideration and determination are provided below and are spread over several years:

- Vegetation Mapping (\$400K in total) – Comprising \$200K to progress Stage 1 of the 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.
- Aboriginal Engagement Strategy/Reconciliation Action Plan (\$390K in total) - Comprising \$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 and Aboriginal Engagement Strategy.

- Rural Lands Study (\$450K in total) – Comprising \$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.

If Councillors choose not to progress some or all of the initiatives Council's current forecast budget surplus of \$39K at 30 June 2024 will be increased, noting that the current surplus is below the level typically required to fund unexpected budget shocks that may occur.

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 September 2023 (excluding the acquisition costs of \$25.1 million), including vegetation communities is \$34.639 million. Year to date expenditure to 30 September 2023 is \$2.170 million compared to a year-to-date budget of \$8.871 million. The variance is due to a timing of invoices from the civil works contractor and a revised program of works following the deferred awarding of tenders for the embellishment of the Park, noting that this review includes budget changes that reduce the full year budget by \$10 million from \$35.5 million to \$20.5 million in line with the revised program. Currently, \$50 million of funding is available from the NSW Government's Stronger Communities Fund provided in June 2018, and at this point about 85% of the grant (including interest earned to date) 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.

At the 23 August 2023 General Meeting (in Director's Report No. IM4/23 – Hornsby Park - Stage 1 Embellishments – Tenders) Council resolved to decline to accept any tenders under the canopy skywalk RFT, proceed with direct negotiations for RFTs relating to enabling services and the Crusher Plant Platform and to accept quotations relating to the Crusher Plant administration building. Council also endorsed the development and delivery of tracks and trails and the North-Western, Western and Southern Lookouts.

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 was completed in early 2023. A revised Master Plan and Plan of Management was placed on public exhibition at the 8 March 2023 General Meeting. The Master Plan and Plan of Management were adopted at the 14 June 2023 General Meeting. At the 13 September 2023 General Meeting Council provided owners consent for the lodgement of a Development Application which was duly lodged on 22 September 2023. The total life to date expenditure to 30 September 2023 on this project (excluding the acquisition costs of \$21 million funded by development contributions) is \$4.668 million. Financial year to date expenditure at 30 September 2023 is \$452K, which is in line with the year to date budget of \$500K.

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 20% 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.

Design works are underway for Asquith to Mt Colah which will be undertaken in two stages from Amor Street to Parklands Avenue. Stage 1 from Amor Street to Yirra Road is well underway with public domain and civil design developing. It is anticipated works will commence on stage 1 in early 2024 and design for Stage 2 from Yirra Road to Parklands Avenue commencing in parallel. This corridor aims 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 September 2023 on this project is \$4.816 million out of a budget of \$9.3 million. Year to date expenditure at 30 September 2023 is \$151K compared to a year to date budget of \$950K. 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, noting that this Review includes changes that revise the full year budget from \$3.8 million to \$2.5 million in line with the revised program of work for the project.

- **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 and it is anticipated that this will be sometime in November 2023.

The total life to date expenditure to 30 September 2023 on this project is \$5.924 million out of a budget of \$7.6 million. Year to date expenditure at 30 September 2023 is \$832K compared to a year to date budget of \$400K noting that the variance is due to timing only with \$1.6 million of funding remaining at 30 September 2023.

- **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 September 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.

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

The project is now substantially complete other than the installation of rock groins within the river as required by NSW Fisheries and minor vegetation work on the riverside.

- **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 base building 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 workspace 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 plan to deliver a significant community space and to prepare the offices for staff habitation has been developed by the project team. 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). A better than forecast budget surplus achieved at 30 June 2023 also saw an additional \$3 million allocated to the project, as noted within General Manager's Report GM38/23 considered at the 13 September 2023 General Meeting.

The project team progressing this matter have determined that it would be prudent to allocate a total budget of \$14 million for the refurbishment, inclusive of a market tested contingency. Council Finance Officers were provided with this total budget from the project team and requested to determine the allocation of funding towards this project.

The funding approach to achieve the total budget submitted by the project team includes the following components:

- \$2 million in divisional cost savings identified in the March 2023 Review.
- \$3 million from the better than forecast budget surplus at 30 June 2023.
- \$5 million from reactive budgets for asset renewals, substituted over a number of years.
- \$3.1 million from Council's Employee Leave Entitlements (ELE) Restricted Asset Reserve, with this amount is to be repaid over future years.
- \$0.9 million external grant funding from the federal government.

An internal restricted asset account has been created for the project with the funding identified transferred to the account within this Review.

It is anticipated that future financial surpluses identified in Council's Long Term Financial Plan be prioritised towards reinstating previous levels of the ELE Restricted Asset Reserve and asset renewal reactive budgets.

BUDGET

This Report provides the September 2023 Quarter Review of the 2023/24 Operational Plan (Budget), which, if adopted, will achieve a forecast surplus at 30 June 2024 of \$39K. The predicted Budget result at 30 June 2024 is satisfactory in maintaining financial benchmark indicators in respect to liquidity. However, it is noted that the annual budget surplus is below annual levels previously determined to enable an adequate response to budget shocks that may occur due to the timing of income and expenses in the first year of the SRV, noting that the SRV is forecast to provide sufficient operating capacity in future years as forecast in Council's LTFP.

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 September 2023 Quarter Review has required significant carry forward of capital projects from 2022/23 to 2023/24 financial year resulting in a change to the capital works program.

Council will need to determine the unfunded Councillor initiatives for inclusion into the 2023/24 Budget due to general funds that have been returned for appropriation or alternatively use these returned funds towards increasing the forecast surplus.

Council remains in a stable position to deliver local services and facilities in a financially responsible manner.

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 5

Attachments:

1.  Quarterly Budget Review Statement 30 September 2023
2.  Revised Capital Works Program 30 September 2023

File Reference: F2023/00012

Document Number: D08750121

6 COMMUNITY EVENT GRANTS PROGRAM

EXECUTIVE SUMMARY

- Council operates a Community Event Grants Program that provides seed funding to community-driven, event-based initiatives with a view to events being sustainably delivered by the community over time.
- Council called for a third round of Expressions of Interest from community groups under the Place Activation category that provides, grants of up to \$3,000 to one-off events.
- Expressions of Interest were opened on 1 September 2023 and closed to applications on 29 September 2023. At the close, a total of two applications had been received from the Hornsby Swim Club and the Russian Community Group.
- Officers have undertaken an assessment of the applications having regard to Council's Policy and Guidelines for the program.
- Both applications were assessed as meeting the program criteria and are recommended for funding.

RECOMMENDATION

THAT Council allocate funding from its Community Events Grants Program as follows:

1. \$3,000 to the Russian Community Group for a Christmas Celebration.
2. \$3,000 to the Hornsby Swim Club for a 60th Anniversary Meet.

PURPOSE

The purpose of this Report is to provide Council with the information required to consider expressions of interest from community groups for funding under Council's Community Event Grants Program and to allocate funds under the Program.

BACKGROUND

At the August 2023 General meeting Council considered Executive Manager's Report No. CE9/23 and resolved that: Council advertise an additional Place Activation funding round.

Subsequently Council advertised for expressions of interest from community groups seeking funding support under its Community Events Grants Program to deliver sustainable local community events. Expressions were open for a period of 28 days from 1 to 29 September 2023 inclusive. In-person grant application information sessions were held on three dates, along with an online zoom option.

DISCUSSION

The purpose of Council's Community Event Grants Program is to provide funding to community driven, event-based initiatives with the view to events being sustainably delivered by the community over time.

The objectives of the program are to:

- Encourage community-based organisations to develop and run sustainable events which meet and enhance community activities in the LGA, and preference be given to events that involve residents.
- Promote the active participation of residents in community initiatives, and the development of their capacity, skills, knowledge, and opportunities.
- Provide assistance to the community to develop initiatives and services, which are consistent with Council objectives and programs, but not directly operated by Council.
- Place Activation grants are designed to support one-off, smaller scale events up to \$3,000 per application, with priority given but not limited to ward boundaries.

Public expressions of interest for community groups seeking funding support to deliver events were sought, specifically within the Place Activation funding pool. At the close of the expressions of interest period in late September, a total of 2 community applications seeking a total of \$6000 in funding support had been received.

Applications were:

1. Hornsby Swim Club for a 60th Anniversary Swim Meet
 - Event to be held at Hornsby Aquatic Centre and celebrate 60 years of the Hornsby Swim Club.
 - Event open to the wider community and will involve BBQ, food vouchers, prizes, treats and games, medal ceremonies for winners.
 - Estimated 450 attendees.
2. Russian Community Group for a Christmas Celebration
 - Christmas concert event to be held at Beatrice Taylor Hall.

- Event open to the Hornsby Community to attend and learn about Russian-speaking countries music, culture and language.
- Estimated 100-200 attendees.

Officers have reviewed the applications and both applications have met Council's grant funding criteria. Additional detail on each application can be found at Attachment 1 to Director's Report No. CE14/23.

BUDGET

A total of \$23,638 is available from an initial Community Event Grants budget allocation of \$60,000. Should Council proceed to award \$3,000 in funding to both groups, \$17,638 would remain in the Place Activation stream.

POLICY

There are no policy implications associated with this report.

CONCLUSION

Public expressions of interest for community groups seeking funding support to deliver events were sought for a 28-day period between 1 and 29 September. At the close a total of 2 community applications seeking a total of \$6000 in funding support had been received.

Following assessment, funding recommendations for \$6,000 under the Place Activation Grant are presented for Council's consideration.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Community and Cultural Development – Neil Chippendale – who can be contacted on 9847 6523.

CHERYL ETHERIDGE
Manager - Library and Community Services
Community and Environment Division

STEPHEN FEDOROW
Director - Community and Environment
Community and Environment Division

Attachments:

1.  Community Grant Applications

File Reference: F2010/00630
Document Number: D08743894

7 PROVISION OF OWNERS CONSENT - MARK TAYLOR OVAL PAVILION DEVELOPMENT APPLICATION

EXECUTIVE SUMMARY

- In May 2019, the NSW Government provided a grant of \$9M to Council for the upgrade of Waitara Park, including the oval surface, an indoor cricket centre and upgraded pavilion facilities.
- Since that time, the sports oval upgrade has largely been completed together with the indoor cricket centre.
- Plans have been prepared for the remaining works that provide 'fit for purpose' contemporary sports pavilion facilities catering for all genders, and abilities. These plans and scope of work reflect the budget available and require Development Approval.
- Similar to the indoor cricket centre delivered in an earlier stage, the Development Application would be prepared and lodged by the Northern District Cricket Club (NDCC) project under a sub funding agreement with Council. Whilst Council would not be the applicant, as the proposed pavilion would be constructed on Council land, owner's consent is required for the NSCC to lodge their application.
- This report recommends Council provides owners consent to allow a development application to be submitted.

RECOMMENDATION

THAT:

1. Council provide owner's consent for the Northern District Cricket Club to lodge a Development Application for the demolition and reconstruction of the 1990's pavilion addition.
2. Pending receipt of development approval and prior to the commencement of construction work, an informal workshop be held confirming scope of work and budget availability to ensure works are able to be delivered within the remaining grant funding, and progress regarding the development of a new licence agreement for the Northern District Cricket Club for use of the pavilion facilities.

PURPOSE

The purpose of this Report is to seek Council's endorsement for owner's consent for a development application to be lodged for the demolition and reconstruction of the 1990's pavilion addition.

BACKGROUND

In May 2019, the NSW Government provided a grant of \$9M to Council for the upgrade of Waitara Park, including the oval surface, an indoor cricket centre and upgraded pavilion facilities.

In 2021, Council updated the Waitara Park Plan of Management to reflect the competition of the PCYC, tennis courts, playground as well illustrate proposed upgrades to Waitara Park including the provision of the indoor cricket centre. It also expressly authorises licences and leases for the indoor cricket centre as well as components of the pavilion facilities.

Council has entered into a sub-funding agreement with the Northern District Cricket Club to ensure governance and budget control for the construction of the indoor cricket centre as well as the pavilion.

A Project Control Group (PCG) has also been established which comprises of key Council staff, NDCC members and a member from Cricket NSW noting the later have contributed \$200,000 to the project to date.

Following receipt of the grant funds, the sports oval upgrade has largely been completed together with the indoor cricket centre.

The substantive remaining work involves completion of the pavilion support facilities.

The need for change

The existing Pavilion, including player and club facilities, don't meet current requirements for:

- Disability access
- Universal changeroom design
- Canteen
- Public toilets
- Equipment storage
- Club space
- Sports administration
- Coaching / meeting space is either absent or not to standard

The existing facilities are illustrated in Attachment 1.

Earlier this year Council prepared a competitive grant application seeking approximately \$5M to contribute towards a comprehensive new pavilion facility (approx. total value \$10M) that included a dedicated shared club and community use space.

Unfortunately, the grant was not successful and as a result a scaled down revised approach has been applied to ensure the scope of work does not exceed the remaining funds available.

To assist in developing new plans for pavilion support facilities an architect and project manager has been engaged by the NDCC.

Proposal

Councilors have been provided with an overview of the concept design at an informal workshop on 4 October 2023.

In summary, the main attributes of this proposal includes:

Existing Pavilion

- Retention of the 1920's pavilion building.
- Minor modifications to the 1920's pavilion to:
 - Provide disability access through changes to surface grades, doorway widths or locations.
 - Removal of communal showers and urinals within the changerooms and installation of partitioned / all gender showers cubicles and toilets.
 - Demolition of standalone urinal structure at western end which does not form part of the original structure.

The 1920's pavilion forms part of the site's local heritage listing. A heritage impact assessment will form part of the DA package noting the principal heritage fabric of the Pavilion is proposed to be retained and where necessary slightly modified to facilitate disability access to the lower level changerooms.

Proposed new addition

Demolition of the 1990's pavilion addition and construction of a new standalone two-level building. The building will meet all universal design and disability access requirements.

The main components of the new building include:

Ground floor

- Public toilets
- Sports club storage
- Canteen
- Stair access to the upper level
- Elevator access to the upper level
- Dedicated disability accessible toilet and shower

Upper level

- Club and community use space
- Elevator and stair access
- Storage
- Kitchenette

The existing standalone public toilets located south of the pavilion are proposed to be retained and converted into storage space for the rugby clubs.

The design development of the pavilion has involved input of NDCC and Council officers and has been an iterative process that seeks to achieve the best outcomes for the sports users and the general community who use Waitara Park generally.

NDCC have consulted with the Hornsby Senior and Junior Rugby Clubs over the proposed design, noting that the Rugby Clubs would share the use of the canteen, toilets, ground level storage and changerooms in the new building. NDCC advise that both Senior and Junior Clubs are supportive of the design.

Use of the building

The NDCC currently lease the upper level of the 1990's pavilion addition. This lease expired in 2015 and has been on holdover provisions since.

The need for community access to the new upper-level club space when not required by NDCC has been discussed and is supported by NDCC and staff. The terms of this public access will be further developed as the project proceeds and will be subject to a further Councillor briefing and report.

Next steps

- Development Application to be prepared by NDCC for lodgment before the end of 2023 contingent upon Council providing owner's consent as recommended in this report.
- The DA will be subject to an independent external planner assessment.
- NDCC seeks to deliver the project and manage the build with the remaining budget available – consistent with the Funding Agreement. This includes procurement processes that are consistent with the local government tender regulations.
- Need to negotiate and agree on a new license for use, maintenance of the club space and community space access.

BUDGET

The preparation of the development application package has occurred using funding available from the NSW government grant. Following any DA approval, construction works will be procured by NDCC following the NSW Local Government Tender regulations. All proposed remaining works will need to occur using the remaining grant funding making an allowance for a suitable contingency. At this stage the remaining grant funding is approximately \$4.4M.

POLICY

In the event Council adopts the recommendation put forward in the report, a DA would be lodged by NDCC seeking approval to demolish and reconstruct the 1990's pavilion and repurpose the existing toilets for club storage. No works will proceed pending a further report to Council confirming final project scope, budget and general terms of a licence agreement for sports club and community use of the new building.

CONCLUSION

The plans developed by NDCC seek to address the current shortfall in 'fit for purpose' sports and community use facilities servicing Mark Taylor Oval and Waitara Park in general. Cost estimates confirm the proposal is able to be delivered with the funds available, including a suitable contingency.

Owners consent is required and sought from Council to enable NDCC to lodge a development application for these pavilion works. The proposal reflects the last stage of this grant funded project.


RESPONSIBLE OFFICER

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

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

STEPHEN FEDOROW
Director - Community and Environment
Community and Environment Division

Attachments:

1.  Attachment 1 - Existing Pavilion

File Reference: F2020/00320

Document Number: D08749280

8 DRAFT HORNSBY TOWN CENTRE MASTERPLAN - REPORT ON SUBMISSIONS

EXECUTIVE SUMMARY

- The draft Hornsby Town Centre (HTC) Masterplan was prepared to set a vision for additional housing and jobs to support growth of Hornsby Shire's major town centre in a way that achieves design excellence, sustainability, accessibility, and liveability.
- At its meeting on 13 July 2022, Council resolved to exhibit the draft Hornsby Town Centre Masterplan for two months. The draft Masterplan was exhibited from 20 July 2022 to 30 September 2022.
- A total of 496 submissions were received in response to the exhibition. Half of the submissions were either in support or neutral on the Masterplan. The remaining half of submissions were against the Masterplan or aspects of the Masterplan.
- A Consultation Feedback Summary Report has been prepared to summarise feedback received by Council in response to the exhibition and was published to Council's website in June 2023.
- In response to the matters raised in submissions and changes in market conditions since commencement of the preparation of the Masterplan, further investigations have been undertaken and post exhibition amendments are proposed.
- Proposed amendments include changes to building heights, floor space ratio mix and built form controls that address feasibility and amenity concerns and minor changes for accuracy and clarity. These amendments are included in the final Masterplan Report attached to this report.
- It is recommended that Council adopt the Hornsby Town Centre Masterplan attached to this report.

RECOMMENDATION

THAT:

1. Council adopt the Hornsby Town Centre Masterplan attached to Director's Report No. PC23/23 incorporating the following amendments:
 - A lower non-residential floor space requirement of 0.5:1 on all sites within the Central North and Central Heart Precincts.
 - A maximum building height of up to 36 storeys for the western portions on the Westfield Hornsby site, with a tapering of building heights of between 12-15 storeys in the eastern portions of the Retail Core Precinct.
 - Maximum building heights along the rail corridor from 21 to 18 and 16 storeys north of Burdett Street.
 - Minimum podium level setbacks of 9 metres for any proposed redevelopment along Hunter Street.
 - Minor changes to precinct boundaries and the Hornsby RSL site for clarity and accuracy.
2. Council write to the Minister for Planning and Public Spaces seeking a commitment to assist the implementation, funding and delivery of the Masterplan, noting coordination of State services is required to accommodate the anticipated growth.
3. Supporting documentation, including Development Controls, Infrastructure Funding Strategy, Local Contribution Plan, and a Public Domain Plan be prepared and reported to Council at a future meeting.
4. Submitters be advised of Council's decision.

PURPOSE

The purpose of this report is to address matters raised in submissions received during the exhibition of the Hornsby Town Centre Masterplan and seek Council's adoption of the final Masterplan Report.

BACKGROUND

Council continues to have obligations to provide opportunities for housing to meet State Government dwelling targets. Council's Local Housing Strategy aims to protect the character of the low-density areas within the Shire by focussing housing opportunities for higher density in well-connected centres to reduce urban sprawl and congestion and address the impacts of climate change.

Council has prepared the Hornsby Town Centre Masterplan to facilitate opportunities for long-term future housing provision in accordance with the priorities and actions from the North District Plan, Council's Local Strategic Planning Statement, Local Housing Strategy and Employment Land Study.

At its meeting on 8 May 2019, Council endorsed the selection of consultants Cox Architecture, including sub-consultants Tract, Urban Apostles, Brickfields Consulting, Hectare Abraham Architects, JLL and WSP to prepare the draft Masterplan.

Preliminary consultation with the community, agencies and other key stakeholder groups was completed as part of the preliminary stages of the project in 2019. The preliminary engagement involved website engagement, drop-in sessions and pop-up information stands in Hornsby Mall.

A co-design workshop was also held with relevant agencies and available Councillors to test the vision and aspirations for the Town Centre and identify a preferred framework for its establishment and delivery.

Between 2019 and 2022, Council staff and the project consultancy team prepared supporting technical documents that provided direction and inputs into the draft Hornsby Town Centre Masterplan.

At its meeting on 13 July 2022, Council considered a report presenting the draft Hornsby Town Centre Masterplan documents and resolved:

1. *The draft Hornsby Town Centre Masterplan (comprising the Hornsby Town Centre Recommendations Report and supporting technical studies) attached to Director's Report No. PC15/22 be placed on public exhibition for a period of two months in accordance with the consultation strategy outlined in this report.*
2. *Following the exhibition, a report on submissions be presented to Council for consideration.*

In accordance with Council's resolution, the draft Hornsby Town Centre Masterplan was exhibited from 20 July 2022 until 30 September 2022.

A Consultation Feedback Summary Report was prepared summarising feedback and key issues raised and was published on Council's website in June 2023. Several informal workshops have been held with Councillors to discuss feedback from submissions and potential amendments to the Masterplan.

Since public exhibition in late 2022, Council officers have reviewed submissions, undertaken further feasibility analysis and urban design reviews, consulted with State agencies, reviewed infrastructure costings and are continuing preparation of supporting documentation.

DISCUSSION

The recommended process for implementation and delivery of the Masterplan and the next steps that Council will take to finalise the supporting Masterplan documents are outlined in this report.

This report discusses submissions received in response to the exhibition of the draft Masterplan and identifies proposed post exhibition amendments to the Plan.

This report also discusses the further feasibility analysis and urban design reviews undertaken by Council staff and consultant team, as well as State agency consultation held since the public exhibition in 2022.

1. Exhibition of the Masterplan

The draft Masterplan was exhibited from 20 July 2022 to 30 September 2022. The exhibition included preparation of an interactive website, advertisement on Council's website, e-Newsletter and Facebook page, promotion in Mayor's message, advertisements in local newspapers and advertisement with the Rates Notice to landowners in Hornsby Shire. Promotional collateral was distributed in Hornsby Mall, along with mesh fencing advertisements on Peats Ferry Road and digital advertisements on the George Street pedestrian overpass.

Letters and emails were sent to landowners and occupants within or adjoining the Hornsby Town Centre Study area, State and Federal members of Parliament, State agencies, adjoining Councils, community groups, and industry groups. Letters and emails were also sent to people who made a submission during the preliminary consultation of the project.

During the exhibition period, Council staff undertook nine face-to-face drop-in sessions at Hornsby Library, held during the weekdays and evenings and on weekends, to provide opportunities for people to ask questions of Council staff and view physical and digital documentation.

2. Submissions

A total of 496 submissions were received in response to the exhibition. Half of the submissions either support or are neutral to the Masterplan. The remaining half of submissions are against the Masterplan, or aspects of the Plan.

The Feedback Summary Report (available on Council's Your Say webpage) provides a breakdown of key matters that people liked, didn't like and other ideas people suggest Council consider in finalising the Masterplan. The main positive aspects of the draft Masterplan identified in submissions include:

- *Business/employment opportunities:* small business support, more diverse retail, better working conditions and growth for Hornsby's future.
- *Green/open spaces:* accessible community spaces, creation of green space within the Town Centre, sympathetic to Hornsby's history and community, and retention of the water clock.
- *Walking/cycling:* active transport linkages to and from the Town Centre, the additional pedestrian overpass, and more accessibility within the Town Centre.

The main negative aspects of the draft Masterplan identified in submissions include:

- *Density and height:* the proposed development is too dense, too high, and does not transition well to existing residential developments, or alternatively, is not high enough.
- *Amenity:* Impacts of proposed development including overshadowing, privacy concerns, wind tunnelling, air pollution, poor ventilation, increased noise, view loss, crime generation and social problems.

- *Traffic and car parking:* Traffic congestion, poor road networks, lack of private and visitor car parking in new developments and limited commuter/public parking.

A number of submissions suggest specific changes including increased heights, lowered heights, expansion of the Masterplan area, provision for a new school and more train services.

Key matters raised in submissions are addressed below:

2.1 Development feasibility within the Town Centre

Several landowner submissions raise concerns about development feasibility based on the proposed building heights and floor space ratios (FSR).

Comment

As part of the preparation of draft Masterplan, economic consultants (JLL) were engaged in 2019 to investigate and analyse the economic and employment land use potential within the Hornsby Town Centre. This analysis was exhibited during the 2022 public exhibition, noting that economic and market circumstances have changed since 2019 and the report should be considered in that context.

Following public exhibition, Council commenced additional feasibility analysis to review the exhibited development controls given the time passed and changed market conditions. Economic consultants (JLL) were re-engaged to update development feasibility analysis and test concerns raised in submissions.

The updated feasibility results generally note difficulty with viability of development in current market conditions. This is not isolated to Hornsby and is consistent with other high density residential developments in middle ring Sydney suburbs due to high land values and increased construction costs.

In response, a lower minimum non-residential floor space requirement is recommended to improve the future feasibility of sites, which would still ensure at least ground floor employment generating development is achieved. The resulting non-residential floor space requirement would be lowered from between 3:1 and 1.25:1 to a minimum of 0.5:1 for properties with the Central North and Central Heart Precincts.

The corresponding yields result in a potential reduction in job opportunities from approximately 5,000 (as exhibited) to 4,500 but an increase in new dwellings from approximately 4,500 (as exhibited) to 4,900. This is justified given the need to ensure on ground results for housing provision and town centre revitalisation in accordance with Council's overall vision.

Testing of the Masterplan with the recommended change to the residential/non-residential floor space ratio split shows that most sites within the Town Centre would achieve viability within the short to medium term (3-5 years) as market conditions improve. Importantly, it shows that increasing FSR and/or height above what is proposed in the Masterplan results in a decrease in viability due to additional construction and financial costs to accommodate larger developments.

Testing of the exhibited maximum building heights of up to 24 storeys on the Westfield site and surrounds demonstrates that the heights could be redistributed. This would achieve a more feasible outcome with the same development yield. It is recommended that taller towers of up to 36 storeys be permitted close to the railway and Hornsby Mall. It is also recommended that lower heights of up to 12-15 storeys be permitted on eastern portions of the Retail Core Precinct providing better built form outcomes to residential developments adjacent to the site, rather than a blanket 24 storey height limit.

Recommendation

In response to submissions commenting on the feasibility of the controls proposed under the Masterplan, it is recommended that the following changes be implemented:

- A lower non-residential floor space of 0.5:1 be required on all sites within the Central North and Central Heart Precincts.
- Building heights of up to 36 storeys be permitted for western portions of the Westfield site, with a tapering of building heights to between 12-15 storeys in the eastern portions of the Retail Core Precinct.

No other increases to building heights are recommended as a result of submissions on feasibility concerns.

2.2 Amenity and interface with existing residential developments in the Town Centre

Submissions from property owners in the following existing residential developments within and surrounding the Town Centre raise concerns about amenity and overshadowing impacts due to the height of buildings proposed in the Masterplan:

- The Madison Building (Nos. 25-29 Hunter Street).
- Residential developments along the eastern frontage of Hunter Street (between Burdett Street and Linda Street).
- The Avanti Building (Nos. 88-90 George Street).
- Nos. 94-98 and 100-106 George Street.
- Residential developments adjoining the western edge of the Town Centre (between Dural Street and William Street).

Comment

The proposed tower elements outlined in the Masterplan focus the taller buildings along the railway and around the Mall. The heights vary across the Town Centre to allow for amenity, solar access to open spaces and building separation. In response to submissions, COX Architecture has undertaken further urban design analysis looking at the interface and transitional concerns raised.

In response to the analysis, the following changes are recommended to the Masterplan:

- The area identified for development in the rail corridor along George Street (between Burdett Street and Linda Street) be reduced in height from 30 storeys to a tapered built form of 21, 18 and 16 storeys. This would increase solar access to the existing residential developments on the opposite side of George Street.
- The residential towers above commercial podiums in the proposed 12 storey developments fronting Hunter Street (between Burdett Street and Linda Street) be setback a minimum of 9 metres from the Hunter Street frontage. This would allow greater separation of approximately 36-41 metres from lower density developments across the road as the built form transitions to the existing 3 storey residential units.

The height permitted for redevelopment of the sites adjoining the western edge of Hornby Town Centre (between Dural Street and William Street) were implemented as part of the Hornsby West Side rezoning in 2014. The draft Masterplan does not propose a change to heights currently permitted and in the review of submissions COX has confirmed that the current controls in the Hornsby Development Control Plan are appropriate.

Recommendation

That the building heights along the rail corridor be reduced from 30 storeys to taper from 21 to 18 and 16 and that setback controls be introduced for redevelopment along Hunter Street in response to submissions on amenity and interface issues.

2.3 Traffic and Car Parking

Several submissions raise concerns about the impact of future development envisaged in the draft Masterplan on the capacity and operation of the road network, motor vehicle use and car parking provision (private, public and commuter) within the Town Centre.

Comment

A Transport Plan has been prepared to support proposed development within the Town Centre and was included in the public exhibition of the draft Masterplan. The Transport Plan investigates the existing traffic, transport and parking issues in the Hornsby Town Centre, and proposes a framework of improvements to effectively address current and future issues.

These improvements include a series of recommendations for road network upgrades, a strategy to reinforce George Street as the primary through traffic route and promotion of Hornsby Town Centre bypasses for local trips via Sherbrook Road.

To enhance resident and visitor connections and patronage of the Hornsby train station, the Transport Plan recommends improving permeability of the Town Centre with new and expanded pedestrian and cycle links, an additional northern concourse with access to the train station, splitting the bus interchange servicing north and west routes on the western side and south and east routes on the eastern side of the train station.

The Transport Plan also recommends changes to parking including revised maximum private car parking rates for new developments, consolidated commuter car parking within the Town Centre and the integration of public car parking within lower levels of new developments.

Transport for NSW has indicated in-principle support for the Masterplan's vision for the Hornsby Town Centre. Regular monthly meetings continue to be held seeking a commitment to assist Council implement and deliver the vision of the Masterplan. This commitment is in accordance with the State Government's priority to deliver housing in appropriate locations supported by suitable infrastructure.

Recommendation

That no change be made to the Masterplan in response to the submissions commenting on traffic and car parking.

Council continue to meet with TfNSW seeking endorsement and assistance to implement the Hornsby Town Centre Masterplan and associated road network improvements and transport upgrades.

2.4 Character

Several submissions raise concerns that the development proposed in the Masterplan will negatively impact the existing character of the Hornsby Town Centre and the 'Bushland Shire' more broadly.

Comment

It is acknowledged that the Masterplan proposes a revised vision for the Town Centre including a change to the current layout and character of the Centre. However, it responds to State Government housing and employment targets and seeks to focus development in the major centre within the Shire to assist protect the character of existing low density residential zones.

The Masterplan also provides an opportunity to rejuvenate the Centre and create a connected, productive and vibrant centre that capitalises on all the features that make Hornsby a unique and desirable place for all ages to live, work, play and learn.

The Masterplan promotes a redefinition of the Town Centre skyline by providing over 4,900 new dwellings in slender residential towers varying in height up to 36 storeys. Podium levels below residential towers will be activated to at ground level frontages, providing employment opportunities with almost 4,500 new jobs.

Redevelopment and revitalisation of the Town Centre will include new open spaces for residents, visitors and workers to provide identity to the Town Centre and reinforce connections to Hornsby's bushland character. Historic facades, character and original fabric of the Hornsby Westside are required to be celebrated and retained in any redevelopment.

The location of the Hornsby Town Centre on a major transport node provides local and regional connections between Sydney and the Central Coast. This will be strengthened by an improved pedestrian and cycling network, a relocated bus interchange and access to the northern end of the station platforms and a new pedestrian overpass.

Recommendation

That no change be made to the Masterplan in response to submissions commenting on character of the Hornsby Town Centre and the Bushland Shire.

3. Other Post-exhibition Amendments

A number of submissions request various changes to the Masterplan for clarity and accuracy.

Comment

Minor changes have been made to the Masterplan to reflect issues or errors identified in submissions. Post exhibition review of the exhibited documentation has informed the following changes which are also recommended (these changes do not affect the intent or vision of the Masterplan):

- The Central Heart Precinct be split into two precincts identified as Central North Precinct (the northern half) and Central Heart Precinct (the southern half). This would better align with the desired built form outcomes for each precinct.
- The notation on Hornsby RSL site (Nos. 2-4 High Street, 7-19 Ashley Street and 2-4 Webb Street, Hornsby) be amended from a proposed increase in building height to reflect the current building height permitted as finalised through a recent planning proposal.

Recommendation

That the Masterplan be amended to include the minor changes in response to submissions and post exhibition reviews by the project consultancy team for clarity and accuracy.

4. State Agency Submissions

Several State agency submissions have been received which are summarised below with further commentary following post exhibition consultation:

NSW Department of Planning and Environment

The submission from the NSW Department of Planning and Environment (DPE) indicates general support for the intent of the draft Masterplan and proposed affordable housing provisions. The submission suggests that consideration be given to greater affordable housing provisions on

government owned land, various development controls within the Town Centre and urban design elements specifically for the Northern Employment Precinct.

Comment:

Greater affordable housing provisions were investigated during the updated feasibility analysis and it was identified that requiring a higher provision of affordable housing impacts the viability of sites within the Town Centre. The suggested development controls and urban design provisions will be considered in the preparation of development control plan amendments and the proposed through site links in the Northern Employment Precinct may be included in a future rezoning of the employment lands to a different or higher use (however there are currently no desire lines east-west or connections to adjoining residential properties).

Given that the Masterplan responds to State Government obligations for housing and employment targets, Council continues to seek a commitment to assist the implementation, funding, and delivery of the Masterplan. It is recommended that in adopting the Masterplan, Council also resolve to write to the Minister for Planning and Public Spaces requesting assistance to coordinate State services to cater for anticipated growth and assist with funding to deliver the Plan.

Transport for NSW

Several submissions were initially received from various Transport for NSW (TfNSW) departments commenting on separate issues including traffic modelling and the exhibited Transport Plan, impacts on operations of Sydney Trains, public transport capacity and access, the proposed Jersey Street Park, delivery of the new pedestrian overpass and development within the rail corridor.

Following further consultation with TfNSW representatives, a consolidated submission has been received indicating in principle support for the Masterplan and a commitment to continue discussions with Council regarding implementation and delivery.

Comment:

Transport for NSW is a major stakeholder in the Town Centre, being a land and asset owner, and service provider. Considerable engagement and input has been sought from TfNSW regarding the proposal to reconfigure the bus interchange, provision of a northern pedestrian railway overpass with concourse access, the Jersey Street Park and the appropriate location for commuter parking.

Council officers and TfNSW representatives continue to meet monthly to discuss a collaborative approach to the delivery of certain aspects of the Masterplan.

Schools Infrastructure NSW

The submission from Schools Infrastructure NSW (SI NSW) indicates general support for the active transport improvements and acknowledges that additional school infrastructure will be required to support growth and proposes to optimise existing assets to accommodate the growth.

Comment:

Given the community feedback received during the exhibition, particularly commentary at drop-in sessions about concerns with school capacity, Council officers undertook follow up discussions with SI NSW representatives to reiterate the concerns from the community.

A further response from SI NSW confirms that it has assessed anticipated demand resulting from implementation of the Masterplan and an initial approach may involve school intake area adjustments, monitoring of enrolments, reclassifying existing assets, increasing the size of existing schools, use of temporary classrooms and operation actions to increase enrolments in schools with capacity.

Notwithstanding, SINSW will continue to liaise with Council and review current assets for opportunities to balance demand and capacity.

Northern Sydney Local Health District

A submission from Northern Sydney Local Health District (NSLHD) notes the growth generated from the proposals outlined in the Masterplan may increase demand on the hospital service, including paediatric and maternity health services, emergency service vehicles and car parking. It also notes that maximum building heights may have an impact on rescue helicopter flight paths to and from the Hornsby Ku-Ring-Gai hospital.

Comment:

Council officers have undertaken a follow up meeting with NSLHD and Hornsby Ku-Ring-Gai Hospital representatives who confirmed that the recently redeveloped hospital has capacity to support the population increase.

Consultation with NSW Ambulance Aeromedical Operations, Sydney Airport and Civil Aviation Safety Authority has confirmed that flight paths are clear of proposed higher density development to and from the hospital.

NSW Environmental Protection Agency

The submission from NSW Environmental Protection Agency (EPA) requests that any future development application for the Town Centre consider potential noise, vibration impacts, air quality and impacts of vehicle emissions on current and future residents in the Town Centre. The submissions also requests that water sensitive urban design and waste management considers guidance from key EPA documents.

Comment:

The suggested water sensitive urban design and waste management provisions will be considered in the preparation of public domain plan and development control plan amendments.

Sydney Water

The submission from Sydney Water indicates support for government-backed housing growth initiatives and confirms that Sydney Water will endeavour to provide services that deliver cost effective water and wastewater infrastructure for current and future customers. The submission also requests further growth data for the Hornsby Town Centre Masterplan to consider service staging and timeframes.

Comment:

Council officers have undertaken a follow up meeting Sydney Water representatives and have provided additional growth data to assist understanding of proposed development as part of the Masterplan.

NSW Rural Fire Service

The submission from NSW Rural Fire Service (RFS) requests that any future residential development on bushfire prone land along the western fringe of the Hornsby Town Centre demonstrate compliance with the *Planning of Bush Fire protection 2019*.

Comment:

As prescribed by the *Environmental Planning and Assessment Act 1979*, all residential development on bushfire prone land will have to consider bush fire hazards and demonstrate compliance with *Planning for Bush Fire Protection 2019*.

NSW Police Force – Ku-Ring-Gai Police Command

The submission from NSW Police Force – Ku-Ring-Gai Police Command requests that consideration be given to the allocation of a new police station and local courthouse building, or alternatively provide uplift at the current sites.

Comment:

Council officers have undertaken a follow up meeting with Ku-Ring-Gai Police Command representatives to clarify the allocation of a new police station and local courthouse is the responsibility of the NSW State Government.

Recommendation:

Successful delivery of key outcomes of the Masterplan (particularly on TfNSW land), and infrastructure provision across State agencies will require partnership and collaboration throughout the life of the project. Council officers will continue to consult with State agency representatives seeking appropriate outcomes for the Hornsby Shire community.

As discussed above, it is recommended that in adopting the Masterplan, Council also resolve to write to the Minister for Planning requesting support to coordinate State services to cater for anticipated growth and assist with funding to implement the Plan.

CONSULTATION

2022 Public Exhibition

The draft HTC Masterplan was exhibited for a period of two months and advertised through the following channels:

- Advertisement on Council's website noticeboard – Have Your Say.
- Council's e-Newsletter.
- Council's Facebook page.
- Advertisements in local newspapers
- Promotion in Mayor's message.
- Advertisement with the Rates Notice to landowners in Hornsby Shire.
- Letters/emails to:
 - Landowners and occupants of residential and commercial properties within or adjoining the Hornsby Town Centre Study area boundary.
 - Local State and Federal members of Parliament.
 - Relevant State agencies (including TfNSW).
 - Chambers of Commerce, Community Groups, and Industry Groups.
 - Adjoining Councils.
 - People who made a submission during the preliminary consultation of the project.

- Distribution of promotional material such as post cards and flyers in Hornsby Mall.
- Drop-in sessions at a “pop-up” space in Hornsby Library.
- Mesh fencing advertisement on Peats Ferry Road.
- Digital Footbridge advertisement over George Street, Hornsby.
- Hard copies were placed in Council’s Customer Service and local library branches.

Future Consultation

The intended implementation focuses on the delivery of new development in the Hornsby Town Centre via owner-initiated planning proposals.

Any planning proposal would seek an amendment to the *Hornsby Local Environmental Plan 2013* to allow development to occur that aligns with the adopted Masterplan and identified public benefits. A planning proposal would be reported to Council for endorsement to progress to gateway determination. Following the issue of a gateway determination by the Department of Planning and Environment, the planning proposal would be publicly exhibited and a report on submissions presented to a Council meeting for consideration.

BUDGET

The costs to date associated with the preparation of the draft Hornsby Town Centre Masterplan have been covered under the Accelerated LEP Review Program.

Implementation of any development outlined within the Masterplan would be progressed via owner-initiated planning proposal seeking to amend the *Hornsby Local Environmental Plan 2013*. The costs associated with preparation of associated documentation for a planning proposal would be at the cost of the applicant. Fees and charges for lodgement and assessment of a planning proposal is outlined in the Hornsby Shire Council – Fees and Charges 2023-2024 document available on Council’s website.

POLICY

The Hornsby Town Centre Review project aligns with the actions in the North District Plan, and Hornsby’s Local Strategic Planning Statement and Local Housing Strategy. The Masterplan provides a strategic framework to revitalise the HTC.

It is recommended that implementation of the Masterplan occur via owner-initiated Planning Proposals, rather than Council leading the rezonings. This would avoid speculation and land banking and would encourage landowners to work together to achieve the vision of the Masterplan and obtain the uplift on their properties.

Should Council resolve to adopt the Masterplan, the opportunity to development sites in line with the vision of the Masterplan would arise for property owners within the Town Centre. This would include provision of community facilities, open space and affordable housing associated with development opportunities within the various Town Centre Precincts.

Owner-initiated planning proposal to amend to planning controls in the Hornsby Local Environmental Plan 2013 would be the subject of separate reports to Council and submission to the Department of Planning and Environment. Following a gateway determination, any such planning proposals would be publicly exhibited.

As a major landowner within the Town Centre, Council will consider the progression of development of its sites in accordance with the Masterplan as part of its Property Strategy as a separate process

including workshops with Councillors and reporting to Council. Given the strategic location of Council land holdings within the Centre, Council has a unique opportunity to guide and progress the implementation of the Masterplan.

NEXT STEPS

The next steps are as follows:

Masterplan

Finalise the Masterplan with the following amendments:

- The non-residential floor space requirement of between 1.25:1 and 3:1 be lowered to 0.5:1 on all sites within the Central North and Central Heart Precincts.
- The maximum building height of 24 storeys for sites in the Retail Core Precinct be changed for up to 36 storeys for western portions on the Westfield Hornsby site, with a tapering of building heights of between 12-15 storeys in the eastern portions of the Retail Core Precinct.
- The area identified for development in the rail corridor along George Street (between Burdett Street and Linda Street) be reduced in height from 30 storeys to a tapered built form of 21, 18 and 16 storeys.
- The residential towers above commercial podiums in the proposed 12 storey developments fronting Hunter Street (between Burdett Street and Linda Street) be setback a minimum of 9 metres from the Hunter Street frontage.
- The Central Heart Precinct be split into two precincts identified as Central North Precinct (the northern half) and Central Heart Precinct (the southern half).
- The notation on the Hornsby RSL site (Nos. 2-4 High Street, 7-19 Ashley Street and 2-4 Webb Street, Hornsby) be updated to reflect finalisation of the recent planning proposal.
- Other minor amendments as identified in the attached Masterplan Report.

Supporting Documentation

Prepare additional supporting documentation including a Development Contributions Plan, Infrastructure Funding Strategy, Public Domain Guidelines, development controls and Implementation Plan for endorsement by Council.

Implementation

Invite owner-initiated planning proposal to amend to planning controls in the Hornsby Local Environmental Plan 2013. These would be the subject of separate reports to Council and further community engagement.

Consider the opportunity to progress development of Council sites in accordance with the Masterplan as part of its property strategy as a separate process.

CONCLUSION

The draft Hornsby Town Centre Masterplan was exhibited from 20 July 2022 until 30 September 2022. A total of 496 submissions were received. Half of the submissions either support or are neutral to the Masterplan. The remaining half of submissions are against the Masterplan, or aspects of the Plan. The feedback received from the exhibition is presented in the Consultation Feedback Summary Report published on Council's YourSay website.

In response to the matters raised in submissions, amendments to the Masterplan are proposed to improve viability of development and achieve appropriate built form outcomes. The amendments have been included in the updated Hornsby Town Centre Masterplan Report attached to this report.

It is recommended Council adopt the Hornsby Town Centre Masterplan.

Successful delivery of key outcomes, particularly within the Transport Corridor Precinct, will require partnership and collaboration State agencies. Council officers will continue to consultant with State agency representatives seeking appropriate outcomes for the Hornsby Shire community.

It is also recommended that Council write to the NSW State Government seeking a commitment to assist the implementation and delivery of the vision of the Masterplan.

RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Hornsby Town Centre Masterplan

File Reference: F2018/00321-003

Document Number: D08718297

9 REPORT ON SUBMISSIONS - BYLES CREEK PLANNING PROPOSAL

EXECUTIVE SUMMARY

- At its meeting on 14 December 2022, Council resolved to endorse progression of the Byles Creek Planning Proposal and associated amendments to the *Hornsby Development Control Plan 2013* (Hornsby DCP).
- The Planning Proposal seeks to amend planning controls in the *Hornsby Local Environmental Plan 2013* (Hornsby LEP) to protect the unique environmental, social and aesthetic qualities of the Byles Creek Study Area and minimise impacts of residential development on the natural environment.
- On 18 May 2023, the Department of Planning and Environment (DPE) issued a determination authorising Council to proceed with exhibition of the Planning Proposal, subject to conditions.
- The Planning Proposal was amended to address the determination conditions and submitted to DPE on 23 June 2023. On 25 July 2023, the DPE confirmed exhibition of the Planning Proposal could progress. The Planning Proposal was exhibited with associated draft amendments to the Hornsby DCP from 18 August 2023 to 15 September 2023.
- A total of 28 community and 4 public authority submissions were received during the exhibition. Of the community submissions, 16 support the Planning Proposal, 1 is neutral and 11 are against. No objections from public authorities were received.
- Key issues raised include impact on property values and development potential, subdivision lot size and study area boundaries.
- Matters raised in submissions are addressed in this report. No changes are proposed to the Planning Proposal in response to submissions. It is recommended that Council endorse the Planning Proposal attached to this report and approve the associated DCP amendments.

RECOMMENDATION

THAT:

1. Council endorse the Byles Creek Planning Proposal as exhibited (attached to Director's Report No. PC27/23) and submit it to the Department of Planning and Environment for finalisation to amend the Hornsby Local Environmental Plan 2013.
2. Council approve the Hornsby Development Control Plan 2013 amendments (attached to Director's Report No. PC27/23) to come into force upon finalisation of the Planning Proposal.
3. Submitters be advised of Council's decision.

ITEM 9

PURPOSE

The purpose of this report is to address matters raised in submissions received during the exhibition of the Byles Creek Planning Proposal (Planning Proposal) and associated amendments to the Hornsby Development Control Plan 2013 (Hornsby DCP).

BACKGROUND

The Planning Proposal seeks to protect the environmental, social and aesthetic qualities of the Byles Creek Study Area and minimise impacts of residential development on the natural environment. This would be achieved through an amendment to the Hornsby Local Environmental Plan 2013 (Hornsby LEP) to:

- Rezone all R2 Low-Density Residential land within the Study Area to C4 Environmental Living.
- Increase the minimum subdivision lot size for rezoned land within the Study Area from 600sqm to 40ha.
- Amend subdivision objectives to protect bushland and significant native vegetation.
- Map the riparian corridor within the Study Area and inserting a new additional local provision that must be considered when developing on riparian land.

The associated Hornsby DCP amendments are proposed to align existing watercourse and residential development controls with the proposed amendments to the Hornsby LEP. At its meeting on 14 December 2022, Council considered Director's Report No. PC24/22 concerning the Planning Proposal and associated Hornsby DCP amendments and resolved that:

1. *Council endorse the progression of the Byles Creek Planning Proposal attached to Director's Report No. PC24/22 for submission to the Department of Planning and Environment for a Gateway Determination.*
2. *The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in this report.*
3. *Council endorse the amendments to the Hornsby Development Control Plan 2013 attached to Director's Report No. PC24/22 for exhibition concurrently with the Planning Proposal.*
4. *Following exhibition, a report on submissions be presented to Council for its consideration.*

In accordance with Council's resolution, the Planning Proposal was submitted to the Department of Planning and Environment (DPE) for Gateway Determination on 19 December 2022. DPE issued a Gateway Determination on 18 May 2023, permitting the Planning Proposal to proceed to public exhibition subject to conditions. Amendments to the Planning Proposal were made to address the Gateway conditions and the amended Proposal and accompanying draft Hornsby DCP amendments were exhibited from 18 August 2023 to 15 September 2023.

DISCUSSION

This report discusses the Gateway Determination amendments required to the Planning Proposal and issues raised in submissions during the public exhibition period.

1. Amendments to the Planning Proposal

DPE issued a Gateway Determination on 18 May 2023, 150 days following Council's submission of the Planning Proposal for endorsement for exhibition. The Gateway Determination required that

Council update the Planning Proposal and forward it to the Minister for Planning and Public Spaces for review and approval, prior to exhibition. The updates were to:

- Consider alternative methods to achieve the objective of managing development in the Study Area without rezoning of land.
- Further address the proposed minimum subdivision lot size of 40ha for all residential land within the Study Area.
- Remove a statement that the Planning Proposal would not significantly reduce the development potential of any residential properties within the Study Area.
- Justify an inconsistency with the objectives of Direction 6.1 – Residential Zones of Section 9.1 Ministerial directions.

On 23 June 2023, the amended Planning Proposal and detailed justification were submitted to DPE for consideration. The amendments did not alter the objectives of the Planning Proposal or proposed planning controls. On 25 July 2023, DPE confirmed the Planning Proposal met the conditions of the Gateway Determination and could be publicly exhibited.

2. Public exhibition and submissions

The Planning Proposal and draft Hornsby DCP amendments were exhibited for 28 days, between 18 August 2023 and 15 September 2023.

During the exhibition, 28 submissions were received with 16 supporting the Planning Proposal, 11 against and 1 neutral. The submissions supporting the Planning Proposal and Hornsby DCP amendments identify the following benefits:

- Protection and conservation of vegetation in the Study Area.
- Protection for the Byles Creek corridor from deterioration as a result of inappropriate and damaging development.
- More appropriate development within the Study Area.

Government agency submissions were received from Sydney Trains, National Parks and Wildlife Service (NPWS), NSW Rural Fire Service (RFS) and NSW Environment and Heritage Group (EHG). These submissions are either supportive of the Planning Proposal or informational.

Key matters raised in the submissions objecting to the Planning Proposal are discussed below.

Impacts on property values and development potential

Several submissions raise concerns that the proposed rezoning and increased minimum subdivision lot size would impact the development and subdivision potential of private properties, resulting in an adverse impact on property values.

Some submissions suggest that landowners should be compensated through refunding of past rate payments, or for Council to buy back any remaining undeveloped private land.

Comment

An Economic Implications Analysis (EIA) was prepared by AEC to support the Planning Study. The EIA considered the potential economic impacts of the Planning Study recommendations, including rezoning and minimum lot size changes.

The EIA recognises that the rezoning of R2 Low Density Residential land to C4 Environmental Living within the Study Area would make certain land uses prohibited, including centre-based childcare facilities, educational establishments, places of public worship and veterinary hospitals. However, it notes that the highest and best use, detached dwellings, would continue to be permissible. As such, the EIA concludes that it is unlikely that the rezoning would have a material impact on land values.

The EIA acknowledges that the proposed increase to minimum allotment size from 600sqm to 40ha would prevent future residential subdivision within the Study Area. To measure the impact of this change, the EIA considered the existing improvements and environmental and planning constraints of each site. This analysis showed that five of the 433 privately owned properties within the Study Area, may have some potential to subdivide under the existing minimum lot size.

In accordance with the Gateway Determination, the Planning Proposal was updated prior to exhibition to include a more detailed analysis of the five lots identified in the EIA, providing context to the existing constraints that apply to these properties. It identifies that subdivision potential is heavily reliant on the ability to satisfactorily address significant environmental constraints in any proposal such as steep topography, vegetation, and bushfire affectation. Even with a subdivision approval, the carrying out and completion of subdivision works may not be financially feasible.

Based on the findings of the EIA and subsequent detailed analysis set out in the Planning Proposal, the proposed increase of minimum lot size within the Study Area accurately reflects the physical constraints and biodiversity values of the Study Area.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions commenting on impacts to property values and development potential.

Alternate minimum subdivision lot size

Some submissions suggest that the 40ha minimum subdivision lot size for the Study Area could be reduced while still allowing for protection of the environment. A suggested alternative lot size is 3ha.

Comment

The Planning Study recommendation to apply a 40ha minimum subdivision lot size is consistent with Council's existing planning regime. C4 Environmental Living zoned land across Hornsby Shire such as at Dangar Island, Milsons Passage and Coba Point all share the 40ha lot size. This is intended to assist in preserving the unique values of these areas as subdivision often requires vegetation removal to accommodate new dwellings, services, bushfire asset protection zones (APZ) and other works.

An alternative lot size that is larger than 600sqm but less than 40ha would be inconsistent with existing C4 lot sizes across Hornsby Shire. An alternate minimum lot size would also conflict with the principal objectives of the Planning Proposal, being to protect the environmental, social and aesthetic qualities of the Study Area.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions requesting reduced minimum subdivision lot sizes.

Adjustment to Study Area boundaries

Some submissions request that certain properties within the Study Area along Sutherland Road, Malton Road and those with pre-existing developments be excluded from the proposed rezoning. The

reasons for the exclusion include distance of properties from the Byles Creek corridor, existing site conditions and lost development potential.

Conversely, one submission suggests the Study Area could be extended south-east to Day Road, Cheltenham as the area is subject to development that may impact threatened species such as the Powerful Owl.

Comment

The boundaries of the Study Area are defined within the Planning Study which was endorsed by Council. The boundaries were chosen as:

- There is an interface of these properties with the Byles Creek corridor (RE1 Public Recreation zoned land).
- The land generally provides high to medium environmental and ecological values, land constraints such as steep topography and bushfire affectation.
- The Study Area is readily defined where it is bounded by Malton Road, Sutherland Road, Azalea Grove, Kurrajong Street and Lane Cove National Park.

Any change to the Study Area boundaries would require further research and investigation that is outside the scope of the current Planning Proposal.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions requesting amendment to the Study Area boundaries.

Changes to the Planning Proposal and DCP

One submission suggests that the undeveloped land adjoining Byles Creek, the bushland reserve and Lane Cove National Park should be rezoned to C2 Environmental Conservation.

Another submission requests that development controls be introduced to prevent the infiltration of artificial light into bushland and restrict the way glass is used to reduce the likelihood of bird collisions.

Comment

The Planning Study recommendation to apply the C4 Environmental Living zone to the Study Area is informed by consideration of the objectives of each Conservation zone, application within Hornsby Shire, case studies from comparable local councils, and DPE's Practice note (PN09-002).

DPE suggests that the C4 Environmental Living zone should apply to areas of existing low impact residential development, areas already zoned residential that have special environmental values and where environmental impacts from new development is the primary concern. Existing application of C4 Environmental Living zones in Hornsby Shire is generally in areas where there is currently some form of low-density residential development, such as at Dangar Island, Milsons Passage and Berowra Waters.

Section 1C.2.10 Services and Lighting of the Hornsby DCP already contains prescriptive measures for external and security lighting to be positioned in accordance with relevant Australian Standards to avoid light spillage.

Council has an endorsed Biodiversity Conservation Strategy 2020 which identifies the need to assess potential new standards for bird safe buildings, including information material, guidelines for retrofitting and DA assessment. Further consideration and research of the issue is required prior to

controls being implemented as part of the Hornsby DCP due to the implications for all types of development within Hornsby Shire, which is outside the scope of the current DCP amendments.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions commenting on alternative land use zones and the addition of new DCP controls.

Implementation of Planning Study recommendations

One submission notes that a recommendation of the Planning Study is to increase community engagement programs targeting the Study Area. The submission requests Council's support to increase awareness for Powerful Owls. Another submission asks whether the Planning Proposal would introduce any incentives or subsidies for land management activities.

Comment

The Planning Proposal seeks to amend the Hornsby LEP and would not in itself introduce community engagement programs. These programs would generally be progressed separately in line with the actions of Council's adopted Local Strategic Planning Statement, Sustainability Hornsby 2040 and Biodiversity Conservation Strategy.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions commenting on community education and incentive programs.

Other objections and comments

Some submissions comment that the Planning Proposal and Planning Study are a misuse of resources because they do not benefit Hornsby rate payers at large, they may impact insurance premiums and expose the Study Area to potential land claims by the Metropolitan Local Aboriginal Land Council or other indigenous groups.

Comment

Council endorsed the progression of the Byles Creek Planning Study using the restricted asset funds from the sale of No. 179 Beecroft Road, Cheltenham. Following the sale of No. 179 Beecroft Road, community consultation with Beecroft and Cheltenham communities identified the social, aesthetic, and environmental importance of protecting Byles Creek as a key community priority. The progression of the Planning Study aligns with this key priority.

The Byles Creek area is recognised as having many environmental constraints such as the watercourse, steep topography, vegetation, and bushfire affectation. The proposed amendments to the Hornsby LEP focus on land use planning controls and do not alter environmental constraints or interact with insurance premiums. Progression of the Planning Proposal will introduce controls that reflect the environmental capacity of the land. With respect to land claims, these can only be made by Local Aboriginal Land Councils over Crown land.

Recommendation

That no changes be made to the Planning Proposal as a result of submissions commenting on the use of Council resources, insurance premiums and land claims.

3. State Agency Submissions

Notification was sent to government agencies in accordance with the Gateway Determination. Responses were received from Sydney Trains, National Parks and Wildlife Services, NSW Environment and Heritage Group and the Rural Fire Service. No objections were raised to the Planning Proposal.

The National Parks and Wildlife Service notes that two properties, Nos. 100X and 107X Malton Road, Cheltenham are part of Lane Cove National Park and should be zoned C1 National Parks and Nature Reserves rather than the current RE1 Public Recreation zone. The suggestion concerning the rezoning of the two properties will be considered as part of a future housekeeping amendment to the Hornsby LEP.

CONSULTATION

The Planning Proposal was exhibited between 18 August 2023 and 15 September 2023 in accordance with the *Hornsby Shire Community Engagement Plan 2021*, the public exhibition requirements of the *Local Environmental Plan Making Guidelines 2022* and the Gateway Determination. It included:

- Advertisement in the Hornsby Ku-ring-gai Post, Bush Telegraph, Galston Glenorie Community News, Dooral Roundup and Living Heritage.
- Advertisement on Council's 'Your Say Hornsby' website.
- Advertisement in Council's electronic newsletter.
- Letters to affected landowners who own, adjoin or are in proximity to the subject sites.
- Displays at the Hornsby and Pennant Hills local libraries.
- Consultation with public authorities including Transport for NSW, NSW Environment and Heritage Group, NSW National Parks and Wildlife Service, NSW Rural Fire Service and Ausgrid.

BUDGET

Costs associated with the preparation and implementation of the Planning Proposal have been covered by the funds from the sale of No.179 Beecroft Road, Cheltenham.

POLICY

The Gateway Determination requires that the Planning Proposal be finalised, and a new Hornsby LEP be made by 18 March 2024. The Determination does not authorise Council to be the local planning proposal authority for this Planning Proposal. Consequently, Council must prepare a finalisation package to be reviewed by DPE who will make and notify a new Hornsby LEP.

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

CONCLUSION

The Byles Creek Planning Proposal and draft amendments to the Hornsby DCP were publicly exhibited from 18 August 2023 to 15 September 2023. A total of 28 community and 4 public authority submissions were received.

Over half the submissions support the Planning Proposal, citing that the proposed amendments would assist protect and conserve existing vegetation and bushland within the Study Area and promote more appropriate development of existing residential lots in the Study Area.

Concerns raised in submissions include impacts on property value and development potential, minimum subdivision lot size, and study area boundaries. The matters raised are addressed in this report and no changes to the Planning Proposal are recommended.

It is recommended that Council endorse the Byles Creek Planning Proposal for finalisation and approve the amendments to the Hornsby DCP attached to Director's Report No. PC27/23.



RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Byles Creek Planning Proposal June 2023
2.  Draft Byles Creek HDCP Amendments

File Reference: PP/4/2022
Document Number: D08742814

10 REPORT ON SUBMISSIONS - HERITAGE INTERPRETATION STRATEGY

EXECUTIVE SUMMARY

- In 2020, Council endorsed progression of the Comprehensive Heritage Study (CHS) which includes, in part, preparation of a Heritage Interpretation Strategy (HIS).
- In March 2022, Artefact Heritage Pty Ltd was engaged to prepare a draft Heritage Interpretation Strategy. The draft Heritage Interpretation Strategy provides a Shire-wide strategic vision for conveying messages about the cultural heritage values of the Shire to visitors and other audiences through interpretation.
- At its meeting on 14 June 2023, Council resolved to exhibit the draft Heritage Interpretation Strategy for a minimum of 28 days. In accordance with Council's resolution, the draft Strategy was exhibited from 23 June 2023 to 4 August 2023.
- During the exhibition, 4 submissions were received. All submissions are supportive of the draft Strategy and associated Action Plan. Some submissions suggest amendments for clarity or accuracy.
- In response to the suggestions in submissions, the draft Strategy has been amended to update and improve the accuracy of information provided in certain sections of the report.
- It is recommended that Council endorse the Heritage Interpretation Strategy attached to this report.

RECOMMENDATION

THAT:

1. Council endorse the Heritage Interpretation Strategy attached to Director's Report No. PC28/23.
2. Submitters be advised of Council's decision.

PURPOSE

The purpose of this report is to address the matters raised in submissions received during the exhibition of the draft Heritage Interpretation Strategy and seek Council endorsement of the final Strategy attached to this report.

BACKGROUND

On 8 April 2020, Council endorsed progression of a four-year program of works under the Comprehensive Heritage Study (CHS). Preparation of a Heritage Interpretation Strategy (HIS) is one of the tasks which commenced in the second year of the program.

At its meeting on 14 June 2023, Council considered Director's Report No. PC12/23 presenting the draft HIS for exhibition, and resolved that:

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

In accordance with Council's resolution, the draft HIS was exhibited for 42 days from 23 June 2023 to 4 August 2023.

DISCUSSION

This report addresses submissions received in response to exhibition of the draft HIS and recommends changes in response to issues raised in submissions.

1. Overview of draft Heritage Interpretation Strategy

The draft Heritage Interpretation Strategy provides a Shire-wide strategic vision for conveying messages about the cultural heritage values of a site or place to visitors and other audiences through interpretation. It identifies:

- The historical context and heritage values of the Shire to contextualise, guide and ground recommendations of the Strategy.
- A customised framework based on key principles, audience identification, local historical themes, existing interpretive materials and innovative and successful examples that could be effectively adapted to inform and develop the Strategy.
- A suggested tourism/ travel products and experiences, and destinations with a focus on heritage to inform preparation of a Hornsby Shire Destination Management Plan.
- An Action Plan to guide implementation of the Strategy.

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

Low cost range recommendations from negligible to approximately \$30,000 individually and could be implemented in the short term, through existing operational budgets, grant funding or other project/funding opportunities:

- Reference this HIS in future strategies.
- Include heritage interpretation consideration in DA conditions.
- Encourage cooperation with cultural organisations and community groups.

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

Medium cost range recommendations with an estimated cost between \$30,000 to \$80,000 individually and could be implemented by Council over the next few years should funding and project resourcing be provided:

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

High cost range recommendations with an estimated cost above \$80,000 individually and could be implemented by Council over several years should funding and project resourcing be provided:

- Develop conservation management plans for Council-owned assets.
- Develop a series of heritage trails as an app.
- Expand the 'Discover Hornsby' website.
- Develop podcasts.
- Program heritage themed annual events.
- Develop a suit of interpretive panels.

2. Community Submissions

During the exhibition period, four submissions were received from:

- Two local community groups (Beecroft Cheltenham History Group and Dangar Island Historical Society).
- One local resident.
- One public authority (Heritage NSW).

All submissions are supportive of the draft HIS. The submissions include suggestions for amendments to improve the accuracy of information provided on existing heritage interpretation examples. The suggestions in submissions and recommended changes are discussed below.

Collaboration with Local Groups and Organisations

A submission suggests the HIS should include and acknowledge more opportunities for Council to work with local groups and organisations to deliver the recommended heritage interpretation initiatives.

Comment

The HIS does not exclude the opportunity for Council to work with local groups and organisations. Increased opportunities for collaboration on heritage matters will be investigated in preparation of the Heritage Community Engagement Strategy, due to commence in early 2024. The project scope will include:

- Development of ongoing processes for meaningful and ongoing community-engagement with the local community on heritage matters through a variety of active engagement methods.
- New opportunities for sharing the heritage stories of local groups and organisations within the community.

Recommendation

That no change be made to the HIS as a result of the suggestion that more opportunities for collaboration with local groups and organisations be acknowledged in the HIS.

Additional Historical Information

A submission suggests the HIS should include Aboriginal contact stories which took place in the southern part of the Shire in the historical context section of the report, such as the stories of Tedbury and Moowattin.

Comment

The HIS presents a summary of the historical setting of Hornsby Shire to guide heritage interpretation and not a detailed historical account. The historical information included in the Strategy was obtained from the adopted Hornsby Thematic History (GML, 2021) and the exhibited draft Aboriginal Heritage Study (Coast History and Heritage, 2023) which includes under Appendix 2, An Aboriginal History of Hornsby Shire. This includes information on contact between Tedbury and a party of Parramatta constables and settlers in Pennant Hills and Daniel Moowattin's time in Pennant Hills. A sample of Aboriginal contact stories within the Shire has been referenced within the HIS.

Recommendation

That no change be made to the HIS as a result of the suggestion for additional historical information.

Existing Interpretation and Examples

A submission suggests the HIS should acknowledge existing interpretation methods carried out by local organisations (such as the Beecroft Cheltenham History Group and Beecroft Rotary). It also suggests inclusion of a reference to the first Blue Plaque to be installed under the Heritage NSW Blue Plaque program in the Shire.

Comment: The HIS recognises there is a multitude of existing interpretation approaches throughout the Shire, developed by both Council and local organisations. The HIS provides a representative sample of the existing types of interpretation to inform opportunities under Section 10.

However, additional examples of interpretation approaches could be added to the HIS, including:

- The bi-annual walks organised the Beecroft Cheltenham Civic Trust and self-guided heritage walks published by the Beecroft and Cheltenham History Group under Section 7.
- The historical information hosted on local historical organisations websites.
- The 'Blue Plaque' successfully nominated by the Beecroft Cheltenham History Group for Mark Lidwill at "Lorne" under Section 10.

Recommendation: That the HIS be updated to include the additional existing interpretation examples listed above.

Interpretation Opportunities

A submission notes that the HIS recommendation for Council's webpage to include further information about the 'Field of Mars' region would unnecessarily duplicate the information provided on the Beecroft Cheltenham History Group website.

Comment

The HIS acknowledges the Beecroft and Cheltenham History group website as a useful resource and suggests that it could be supported by further information of Council's website. Preventing duplication of information and appropriate referencing would be addressed during implementation of the action.

Recommendation

That no change be made to the HIS as a result of the comment on duplication of information.

Accuracy of Information

Two submissions suggest amendments to improve the accuracy of information, including:

- Correction of references to heritage listed item Nos. A61, 326, 330 and 331.
- Clarification of references to publications and publication dates.
- Alphabetical formatting.
- Specifying that David Kilpack land grant was in Carlingford (now outside of Hornsby Shire).

Comment

It is recommended that the minor amendments to references and formatting be made to the HIS. The narrative on David Kilpack's land grant is taken from the adopted Hornsby Thematic History (GML, 2021). The HIS identifies the location of David Kilpack's land grant in reference to land located in Hornsby Shire, identifying it bordered what became the Field of Mars (modern Beecroft and Cheltenham). Therefore, although it is located in Carlingford (now outside the Local Government Area), it provides historical context to guide heritage interpretation within the LGA.

Recommendation:

That the HIS be updated to include the suggested amendments to references and formatting and to acknowledge that David Kilpack's early land grant was in modern day Carlingford which is outside the Shire.

3. Heritage NSW

The HIS was referred to Heritage NSW at the commencement of the exhibition period. Heritage NSW has responded to thank Council for referring the draft HIS and advises it does not have any comments as a detailed review was not able to be undertaken.

4. Other Council feedback

Yass Valley Council, a regional Council within NSW, contacted staff to congratulate and complement Hornsby Shire Council on the preparation of the draft HIS and Council's priority to deliver the high-quality document. Yass Valley Council sought guidance from Council staff to understand how they could undertake a similar project to guide their future planning for heritage interpretation works.

CONSULTATION

The HIS was exhibited for 6 weeks from 23 June 2023 to 4 August 2023 and advertised through the following channels:

- Advertisement on Council's website – Have Your Say project page.
- Council's eNews.
- Social Media (Facebook).
- Advertising and Mayor's message in the Bush Telegraph, Galston and Glenorie News, Dooral Roundup and Hornsby and Kuring-Gai Post and Living Heritage.
- Letters and/or emails to participants in the study's consultation; local historical societies; community groups; adjoining councils; relevant State agencies; local Aboriginal organisations and Local Aboriginal Land Councils.
- Hard copies were placed in Council's local library branches.

The Heritage Advisory Committee was also extensively engaged from inception to finalisation of the document, in accordance with Council's resolution to undertake the CHS.

BUDGET

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

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

Some recommendations, such as the low cost range recommendations listed in the Action Plan could be incorporated into future actions and ongoing tasks undertaken by staff, where opportunities are available.

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

POLICY

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

CONCLUSION

The HIS was exhibited from 23 June 2023 to 4 August 2023. During the exhibition period, Council received 4 submissions in support of the HIS. The submissions provide feedback regarding interpretation opportunities, additional existing interpretation examples and historical statements.

In response to suggestions in submissions, minor amendments are recommended to improve the final presentation of information to guide future opportunities for heritage interpretation within Hornsby Shire. The recommended changes have been included in the updated final HIS. It is recommended that Council endorse the HIS attached to this report.

RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  FINAL - Heritage Interpretation Strategy & Action Plan - 2023

File Reference: F2020/00185

Document Number: D08750645

11 MAYORS NOTES 01 OCTOBER 2023 TO 31 OCTOBER 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 4th October 2023 - The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council, Hornsby.

Thursday 5th October 2023 – The Mayor attended a photo shoot to celebrate the Thornleigh Brickpit's 20th Birthday, at the Thornleigh Brickpit Stadium, Thornleigh.

Saturday 7th October 2023 – The Mayor attended the Centenary Celebration of Superb Tennis, at Mills Park Tennis Centre, Asquith.

Saturday 7th October 2023 – The Mayor attended the 100th Anniversary of Northwest Sydney Tennis and Eastwood Thornleigh District Tennis Association, at The Epping Club, Epping.

Monday 9th October 2023 – The Mayor attended Upper North Shore Regional Volunteer of the Year Award Ceremony, at Hornsby RSL Club, Hornsby.

Wednesday 11th October 2023 – The Mayor, attended the 2023 Hornsby Ku-ring-gai Local Business Awards, at Hornsby RSL, Hornsby.

Friday 13th October 2023 – The Mayor attended Studio Artes Charlie and the Chocolate Factory Ball, at Hornsby RSL, Hornsby.

Tuesday 17th October 2023 – The Mayor attended the Upper North Shore Volunteer Forum, at Hornsby RSL, Hornsby.

Tuesday 17th October 2023 - The Mayor attended Carer's Week Comedy Show and Lunch, at the Hornsby RSL, Hornsby.

Friday 20th October 2023 – The Mayor, attended Hornsby Art Prize 2023 Award Ceremony, at Wallarobba Arts and Cultural Centre, Hornsby.

Saturday 21st October 2023 – The Mayor attended the LinC Annual General Meeting, at LinC Catholic Church, Asquith.

Sunday 22nd October 2023 – The Mayor attended the opening of Inala Fair, at Inala, Cherrybrook.

Sunday 22nd October 2023 – The Mayor attended a fundraising event for Cancer Council Australia by UDOY Inc, at Epping Public School, Epping.

Sunday 22nd October 2023 – The Mayor attended Diwali Festival of lights, at The Epping Club, Epping.

Saturday 28th October 2023 – The Mayor attended Grease the Musical – Dural Musical Society, at Dural Soldiers Memorial Hall, Dural.

File Reference: F2004/07053
Document Number: D08750917

ITEM 11