



# **BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 12 June 2024  
at 6:30PM**



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## **AGENDA AND SUMMARY OF RECOMMENDATIONS**

### **ACKNOWLEDGEMENT OF COUNTRY**

Statement by the Chairperson:

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

### **PRESENT**

### **NATIONAL ANTHEM**

### **OPENING PRAYER/S**

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairperson:

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

### **VIDEO AND AUDIO RECORDING OF COUNCIL MEETING**

Statement by the Chairperson:

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

### **APOLOGIES / LEAVE OF ABSENCE**

### **POLITICAL DONATIONS DISCLOSURE**

Statement by the Chairperson:

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

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

## **DECLARATIONS OF INTEREST**

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

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

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

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

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

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

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

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

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

**CONFIRMATION OF MINUTES**

THAT the Minutes of the General Meeting held on 8 May, 2024 be confirmed; a copy having been distributed to all Councillors.

**PETITIONS****PRESENTATIONS****RESCISSION MOTIONS****MAYORAL MINUTES****Page Number 1****Item 1 MM4/24 THE PASSING OF MR FRANK IFIELD****RECOMMENDATION**

THAT, on behalf of Councillors and staff, Council offers sincere condolences to the family and friends of Mr Frank Ifield whose contribution to community was significant.

**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 2****Item 2 GM16/24 ADOPTION OF COUNCIL'S 2024-2027 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN (INCORPORATING THE BUDGET, RATING STRUCTURE AND FEES AND CHARGES)**

**RECOMMENDATION**

THAT:

1. Council notes the responses provided in Table 1A to the public submissions received during the exhibition of the draft 2024-2027 Delivery Program and 2024/25 Operational Plan.
2. Subject to incorporation of the recommendations detailed in the Budget section, Table 1A and Table 1B attachments, Council adopt the 2024-2027 Delivery Program and 2024/25 Operational Plan including the Budget and 2024/25 Fees and Charges.
3. Council make and levy the 2024/25 Ordinary Rates on all rateable land in the Shire that aligns with Year 2 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 7.5% rate increase for 2024/25) and in accordance with Table 2 of General Manager's Report No. GM16/24.
4. Council make and levy the 2024/25 Catchment Remediation Rate on all rateable land in the Shire that aligns with Year 2 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 7.5% rate increase for 2024/25) and in accordance with Table 3 of General Manager's Report No. GM16/24.
5. Council writes to submitters thanking them for their feedback.

**Page Number 14****Item 3 GM30/24 AUDIT, RISK AND IMPROVEMENT COMMITTEE - TERMS OF REFERENCE AND INTERNAL AUDIT CHARTER****RECOMMENDATION**

THAT the Terms of Reference and Internal Audit Charter for the Audit, Risk and Improvement Committee be adopted.

**Page Number 17****Item 4 GM32/24 HORNSBY TOWN CENTRE - IMPLEMENTATION OF COUNCIL'S MASTERPLAN****RECOMMENDATION**

THAT:

1. Council receive and note the General Manager's Report No. GM32/24 outlining the development of an Implementation Plan for the Hornsby Town Centre Masterplan that incorporates Hornsby Park and the preparation of a Probity Plan to guide the interactions of Council and staff.
2. Council endorse the General Manager commencing informal discussions with key stakeholders to the Town Centre including significant property owners to determine opportunities to progress development as envisaged under the Masterplan.

3. A further workshop with Councillors be held to discuss and review the progression of tasks under the Implementation Plan.

## **CORPORATE SUPPORT DIVISION**

### **Page Number 22**

#### **Item 5 CS19/24 DEBTS TO BE WRITTEN OFF - 2023/24 FINANCIAL YEAR**

### **RECOMMENDATION**

THAT for 2023/24, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$47,711 (as detailed in Schedule A attached to Director's Report No. CS19/24).
2. Note debts considered bad totalling \$2,883 written off under the General Manager's delegated authority (as detailed in Schedule B attached to Director's Report No. CS19/24).

### **Page Number 25**

#### **Item 6 CS22/24 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 30 APRIL 2024**

### **RECOMMENDATION**

THAT the contents of Director's Report No. CS22/24 be received and noted.

### **Page Number 28**

#### **Item 7 CS25/24 DRAFT LONG TERM FINANCIAL PLAN 2024/25 TO 2033/34 - ADOPTION FOR PUBLIC EXHIBITION**

### **RECOMMENDATION**

THAT:

1. Council adopt the draft 2024/25 – 2033/34 Long Term Financial Plan attached to Director's Report No. CS25/24 and place the document on public exhibition from 13 June 2024 to 11 July 2024.
2. Following public exhibition, a further report be prepared for Council's consideration at the 14 August 2024 General Meeting that outlines and responds to any submissions received during the exhibition period and recommends the adoption of Council's 2024/25 – 2033/34 Long Term Financial Plan.

### **Page Number 35**



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**Item 8 CS26/24 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2024 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2024/25 FINANCIAL YEAR****RECOMMENDATION**

THAT:

1. As a consequence of the 2024 Report and Determination of the Local Government Remuneration Tribunal, Council note that it remains in the Metropolitan Medium Category of NSW councils for the period 1 July 2024 to 30 June 2025.
2. In accordance with Sections 248 and 249 of the Local Government Act and having considered the 2024 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$28,690 be paid to each Councillor and an additional annual fee of \$76,190 be paid to the Mayor for the period 1 July 2024 to 30 June 2025.

**COMMUNITY AND ENVIRONMENT DIVISION**

Nil

**PLANNING AND COMPLIANCE DIVISION****Page Number 39****Item 9 PC10/24 REPORT ON SUBMISSIONS - ABORIGINAL HERITAGE STUDY****RECOMMENDATION**

THAT:

1. Council endorse the Aboriginal Heritage Study and Implementation Action Plan attached to Director's Report No. PC10/24.
2. Submitters be advised of Council's decision.

**Page Number 49****Item 10 PC11/24 REPORT ON SUBMISSIONS - DRAFT PLANNING AGREEMENTS POLICY 2024****RECOMMENDATION**

THAT Council adopt the Planning Agreements Policy 2024 and supporting documents as attached to Director's Report No. PC11/24 to supersede the Policy on Planning Agreements 2007.

**INFRASTRUCTURE AND MAJOR PROJECTS DIVISION****Page Number 53****Item 11 IM5/24 GALSTON AQUATIC AND LEISURE CENTRE LOCKERS**

**RECOMMENDATION**

THAT:

1. Following an investigation into the benchmarking and assessment of lockers, Council supply and install 12 keyless lockers at Galston Aquatic and Leisure Centre in line with Option 2 of this report at a cost of \$4,888 with budget identified in Council's Delivery Program/Operation Plan 2024/25.
2. Council provides these lockers as a free service for our community and pool users to securely store their belongings on the pool deck during their visit to the Galston Aquatic and Leisure Centre.

**CONFIDENTIAL ITEMS****Item 12 CS23/24 RENEWAL OF LEASE - BROOKLYN COMMUNITY HEALTH CENTRE**

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

**Item 13 CS24/24 LEASE OF OPERATIONAL LAND, HORNSBY**

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

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

Page Number 56

**Item 14 MN5/24 MAYORS NOTES 01 MAY 2024 TO 31 MAY 2024****NOTICES OF MOTION****SUPPLEMENTARY AGENDA****MATTERS OF URGENCY**

**1 THE PASSING OF MR FRANK IFIELD**

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Council joins with many people in celebrating the life of much-respected Hornsby Shire resident Mr Frank Ifield who passed away recently.

Frank Ifield was a music icon who was born on 30 November 1937 in Coventry, England to Australian parents and was one of seven sons.

The family moved back to Australia and settled in Dural and then moved to Beecroft.

At the age of 13, he performed on local radio station 2GB's talent quest, *Amateur Hour* and his first Australian single came out in 1953.

He returned to the United Kingdom in 1959 and his first UK single came out in 1960. In 1962 he had his first number-one with the song *I remember you*, this led to 13 hits through to December 1966.

In 1962 he received a call from Brian Epstein who asked him if he could find a spot in one of his concerts for a band, he was managing, the band was The Beatles.

Frank Ifield returned to Australia in 1988 settling in Dural.

In 2003, he was inducted into the Australian Roll of Renown and into the ARIA Hall of Fame in 2007. In June 2009, he was presented with the Order of Australia for *Services to the arts as an entertainer*".

He died at the age of 86 at his home in Dural on 18<sup>th</sup> May 2024 and will be sorely missed.

**RECOMMENDATION**

THAT, on behalf of Councillors and staff, Council offers sincere condolences to the family and friends of Mr Frank Ifield whose contribution to community was significant.

The Honourable Cr PHILIP RUDDOCK  
Mayor

**Attachments:**

There are no attachments for this report.

File Reference: F2004/05878  
Document Number: D08893995

**2 ADOPTION OF COUNCIL'S 2024-2027 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN (INCORPORATING THE BUDGET, RATING STRUCTURE AND FEES AND CHARGES)**

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**EXECUTIVE SUMMARY**

- Council's draft 2024-2027 Delivery Program and 2024/25 Operational Plan (which incorporates the Budget, Fees and Charges and Rating Structure) were adopted for public exhibition at the 10 April 2024 General Meeting. The documents were publicly exhibited from 11 April to 13 May 2024 and ninety-one (91) submissions were received.
- The surplus forecasted for 2024/25 is \$1.983 million and it would be financially prudent to retain this surplus to respond to unforeseen budget shocks that can occur throughout the year. Council committed to adopting a balanced budget each year as part of the justification for the Special Rate Variation, which includes achieving an end of year result that meets the financial performance measures (as the minimum standard) set by the Office of Local Government.
- While no net changes have been made to the draft 2024/25 budget during the exhibition period that affect the forecast surplus the Capital Works Program however has required some adjustments. The details of the changes are included within this Report.

**RECOMMENDATION**

THAT:

1. Council notes the responses provided in Table 1A to the public submissions received during the exhibition of the draft 2024-2027 Delivery Program and 2024/25 Operational Plan.
2. Subject to incorporation of the recommendations detailed in the Budget section, Table 1A and Table 1B attachments, Council adopt the 2024-2027 Delivery Program and 2024/25 Operational Plan including the Budget and 2024/25 Fees and Charges.
3. Council make and levy the 2024/25 Ordinary Rates on all rateable land in the Shire that aligns with Year 2 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 7.5% rate increase for 2024/25) and in accordance with Table 2 of General Manager's Report No. GM16/24.
4. Council make and levy the 2024/25 Catchment Remediation Rate on all rateable land in the Shire that aligns with Year 2 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 7.5% rate increase for 2024/25) and in accordance with Table 3 of General Manager's Report No. GM16/24.
5. Council writes to submitters thanking them for their feedback.

## PURPOSE

The purpose of this Report is to provide Council with information and recommendations regarding the submissions received in the public exhibition of the draft 2024-2027 Delivery Program and 2024/25 Operational Plan (which incorporates the Budget, Fees and Charges and Rating Structure).

## BACKGROUND

By 30 June in the year following local government elections, all councils are required to develop a ten-year Community Strategic Plan, a four-year Delivery Program and a one-year Operational Plan, as well as a Resourcing Strategy aligned to an integrated planning and reporting (IP&R) framework mandated by the Office of Local Government. The purpose is to identify the main priorities and aspirations for the future of the area and the resources required to move to the preferred future. The IP&R framework allows NSW councils to draw their various plans together, to understand how they interact and inform each other, to get the maximum benefit by planning holistically for the future. The Delivery Program and Operational Plan are required to be reviewed on an annual basis.

*Your Vision | Your Future 2032*, Hornsby Shire's Community Strategic Plan (CSP), a ten-year vision developed collaboratively with the community and our highest-level plan, was endorsed on 8 June 2022. As well as identifying the main priorities and aspirations for the future of Hornsby Shire, it sets the strategic direction for where the people of Hornsby Shire want to be in 2032. Every project led by Council is guided by the Community Strategic Plan, however working towards the vision for 2032 is the responsibility of many partners including state agencies, community groups and private enterprise.

While there is a direct link from the CSP to the Delivery Program and Operational Plan, they must be informed and supported by long-term financial, asset and workforce planning undertaken to form the Resourcing Strategy. The draft 2024-2027 Delivery Program and 2024/25 Operational Plan outlines Council's response to the Community Strategic Plan, its commitment to the community for its term of office and beyond and a plan of action to address the community's long-term objectives.

At the General Meeting held on 10 April 2024, Council considered General Manager's Report No. GM10/24 and resolved that:

1. *Council adopt for public exhibition the draft 2024-2027 Delivery Program and 2024/25 Operational Plan which includes the draft Budget, Fees and Charges and Rating Structures for 2024/25 and make available for public comment from 11 April to 13 May 2024.*
2. *Council note the rating information contained in the draft 2024-2027 Delivery Program and 2024/25 Operational Plan that aligns with Year 2 of the Independent Pricing and Regulatory Tribunal's (IPART's) Special Rate Variation approval for Hornsby Shire Council (i.e., a 7.5% rate increase for 2024/25).*
3. *Following public exhibition, after consideration of all submissions, the 2024-2027 Delivery Program and 2024/25 Operational Plan, including Budget, Fees and Charges and Rating Structure, be referred to Council for further consideration and adoption before 30 June 2024.*

## DISCUSSION

### Consultation on the Documents

During the public exhibition period from 11 April 2024 to 13 May 2024, the draft 2024-2027 Delivery Program and 2024/25 Operational Plan, as well as draft 2024/25 Fees and Charges, were on display at Council's four libraries. They were also available electronically on the 'YourSay' page of Council's website. Advertisements advising of the public exhibition of the documents were placed in the Council Column of five local newspapers, in a special e-newsletter sent to stakeholders (subscribers,

community, CALD and sporting groups, NSW Government agencies, Local Members of Parliament, neighbouring councils), in the weekly community engagement e-newsletter, on social media and in the May monthly e-newsletter sent to approximately 25,000 subscribers. A media release was distributed to local and metro media.

### Submissions

Ninety-one (91) submissions were received in respect of the documents. A summary of key issues raised in the submissions is shown below, noting that some submissions highlighted multiple issues.

Relating to	Issues	Number of submissions received
Charles Curtis Park, Normanhurst	Consider Charles Curtis Park, Normanhurst for renewal/upgrade	77
Community consultation and SRV	Intent of community consultation on Plan. Dissatisfaction with Council's consideration of feedback provided on Special Rate Variation	2
Recognition of GuriNgai peoples	Not in support of Council's recognition of GuriNgai peoples	2
Active transport projects in the Cherrybrook Metro Precinct	Consider additional active transport projects in the Cherrybrook Metro Precinct  Ensure safety and attractiveness of footpath upgrade to New Line Road	1
Schools	Provision of additional schools	1
Capital works – Begonia Road and Blantyre Close Reserve – upgrade to pedestrian links	Timing of works and investigate potential for a swing bridge	1
Budget provisions for local road and traffic improvements	Consider higher prioritisation of budget for local road and traffic improvements  Support for spend on parks and sporting facilities. Consider better parks and sporting facilities particularly in remote areas	1
Public domain works in Asquith/Mount Colah	Timing of delivery of proposed development; pedestrian safety, current plaza is unfit for purpose	1
Funding for Berowra Heights drainage works	Consider allocation of funds for Berowra Heights drainage works	1
Concerns with proposed development around Hornsby and support for focus on arts and cultural development	Reconsider emphasis on high-rise residential buildings; prioritise green spaces and community facilities, consider more areas that foster social interactions and community connections, commit to a minimum of 30% tree canopy coverage in new developments	1

	Support for Plan's focus on arts and cultural development	
Community infrastructure Hornsby Town Centre and Hornsby Park	Continue to work with the NSW Government to obtain Hornsby's fair share of the announced \$520 million community infrastructure funds	1
Potential shared paths at Oak Street and Pine Street with the SRV funding	Consider allocating SRV 'Shared paths – footpaths and cycleways' funding to deliver priority missing footpaths in Normanhurst: Oak St (Pine St to Cedar St) and Pine St (Myrtle St to Oak St)	1
Transparency and SRV, walking and cycling paths	Consider improvements to Plan's structure and content  Dissatisfaction with transparency of major spending on the Special Rate Variation - Strategic Initiatives  Commit to funding connected and walking cycling paths to the west of Cobah Creek	1
Fernley Park Beecroft, Lyne Road Cheltenham and railway station playground Beecroft and street furniture in Beecroft	Consider Fearnley Park, Beecroft, Lyne Road Cheltenham and the railway station playground Beecroft for renewal/upgrade  Beecroft Shopping Centre public spaces: improve condition/maintenance of street furniture and blister garden	1
Pennant Hills Place Plan and Pennant Hills Town Centre review, Pennant Hills Road Corridor, Briddon Close Pennant Hills, and Catchment Remediation and litter	Support for Develop draft Pennant Hills Place Plan and Pennant Hills Town Centre review  Support for review of the Pennant Hills Road Corridor between Pennant Hills and Thornleigh following the opening of NorthConnex. Consider use of whole Pennant Hills Road Corridor up to Hornsby and beyond as part of cycle way strategy  Consider improving/upgrading the wooded Briddon Close area  Support for Catchment Remediation – Wilga Street. Increase focus on reducing litter. Work with local schools, in particular Pennant Hills High School to change attitudes on litter	1

A full list of issues and summary of submissions is included in Table 1A (Attachment 3) with staff recommendations/feedback. Table 1B (Attachment 4) contains a summary of administrative changes requested by internal Divisions of Council. During the exhibition period there were further minor administrative changes made to improve clarity of the information contained in the Delivery Program and Operational Plan document.

The proposed final version of the 2024-2027 Delivery Program and 2024/25 Operational Plan is included as Attachment 1. The proposed final version of the 2024/25 Fees and Charges is included as Attachment 2.

### **Capital Projects**

Given the number of submissions received and weight of community interest, program scheduling for Charles Curtis Park has also been reviewed during the public exhibition period. Based on the review, Charles Curtis Park has been brought forward as follows: design and consultation in 2024/25 and construction in 2025/26. This would require interim repair works to be undertaken at Britannia Street Playground, Pennant Hills to be pushed back in the forward works program from 2025/26 to 2027/28.

The following amendment is proposed to the planned capital works projects for local road and traffic improvements in 2025/26: replace improvements at Redgum Avenue to Thorn Street to end, Pennant Hills with Redgum Avenue to Laurence Street to end, Pennant Hills.

### **Key Initiatives**

Many of the Key Initiatives in the 2024-2027 Delivery Program are identified in strategies and technical documents that have been adopted by Council. These include:

- Sustainable Hornsby 2040 strategies - incorporating Biodiversity Conservation Strategy 2021, Water Sensitive Hornsby Strategy 2021, Climate Wise Hornsby Plan 2021, Urban Forest Strategy 2021 and Waste Matters Strategy 2020
- Rural Lands Study 2022
- Hornsby Ku-ring-gai Bush Fire Risk Management Plan 2023
- Emergency Management Plan (internal document)
- Local Strategic Planning Statement 2020
- Local Housing Strategy 2020
- Comprehensive Heritage Study
- Heritage Interpretation Strategy and Action Plan 2023
- Community and Cultural Facilities Strategic Plan 2021
- Disability Inclusion Action Plan 2021- 2025
- Healthy Ageing Hornsby 2022-2026
- Active Living Hornsby Strategy 2016
- Off Leash Dog Park Strategy 2021
- Economic Development and Tourism Strategy 2021
- Discussion Paper Brooklyn Place Planning
- Employment Land Study 2021



- Public Domain Guidelines 2021
- Integrated Land use and Transport Strategy 2004
- Car Parking Management Study 2020
- Walking and Cycling Strategy 2021
- Technology and Transformation Strategy 2020-2023 (internal document)
- Communications and Engagement Strategies 2019 (internal document)
- Workforce Management Plan 2022
- Property Strategy 2023

Ninety-one (91) of the 146 Key Initiatives included have been identified through these recently adopted strategies and technical documents.

### Rates Structure

The rates structure included in the draft 2024-2027 Delivery Program and draft 2024/25 Operational Plan was based on Year 2 of the Special Rate Variation increase approved by IPART, i.e. a 7.5% increase to apply to the Ordinary and Catchments Remediation Rates.

The Ordinary and Catchments Remediation Rates tables (Tables 2 and 3 below) have been updated to take into account adjustments due to re-categorisation of properties and supplementary rates received since exhibition. This has affected the 'Rate in the \$ (based on land value)', '% of Total Rate', 'Yield \$' columns and the overall totals, increasing the total rates to be levied to \$88,769,232.

The Valuer General supplied Council with new land values for properties across the Shire as at 1 July 2022. These values have been used for the calculation of the 2023/24 and 2024/25 financial year rates and will continue to be used for the 2025/26 financial year.

**Table 2 – Ordinary Rates - based on a 7.5% increase**

Category	Rate in the \$ (based on land value)	Minimum Rate (\$)	Base Amount (\$)	Base Amount (%)	% of Total Rate	Yield (\$)
Residential	0.072540		\$694	49	87.16	\$73,686,970
Farmland	0.058642		\$694	29	0.88	\$743,968
Business	0.291715	\$729.00			6.76	\$5,715,055
Business (Hornsby CBD)	0.448656	\$729.00			3.43	\$2,899,798
Business (Shopping Centre)	1.594729				1.77	\$1,496,191
Total						\$84,541,981

**Table 3 – Catchments Remediation Rate - based on a 7.5% increase**

(N.B. There are no minimum or base amounts in respect of this rate)

Category	Rate in the \$ (based on land value)	Yield (\$)
Residential	0.007144	\$3,684,496

Farmland	0.004136	\$37,200
Business	0.015856	\$285,743
Business (Hornsby CBD)	0.022609	\$144,990
Business (Shopping Centre)	0.079748	\$74,820
Total	0.007144	\$4,227,251

Total Rates to be Levied on a 7.5% increase      \$88,769,232

### Rate Reductions for Eligible Pensioners

Eligible pensioners across NSW are entitled by legislation to a \$250 reduction in their ordinary rates and domestic waste management services from their council. Following feedback from the community regarding issues of pensioner rate rebates relating to the 2023 approved Special Rate Variation, Council's Hardship Policy was reviewed and the rebate to eligible pensioners increased by \$50 to \$300 per annum from 2023/24.

### Domestic Waste Charges

As noted, when the draft 2024-2027 Delivery Program and 2024/25 Operational Plan were adopted for public exhibition an 8% increase has been applied to the 2024/25 Fees and Charges and 2024/25 Annual Budget. The increase is required to contribute to the cost of historic landfill remediation works at Foxglove Oval, as well as funding contractual cost increases for waste collection and disposal services.

A separate report to provide a detailed overview of the history of the Foxglove Oval landfill remediation project to date as well as the forecast program of works and future risks will be referred to Council later in the year.

### CONSULTATION

Council engaged its community in discussing a preferred future for the Shire which resulted in Council's first Community Strategic Plan being adopted in 2010. At the 8 June 2022 General Meeting, Council endorsed Hornsby Shire's Community Strategic Plan 2032, *Your vision | Your future 2032*, after detailed and valued input by over 15,000 stakeholders.

The 2024-2027 Delivery Program and 2024/25 Operational Plan (which incorporates the Budget, Fees and Charges and Rating Structure) responds to the Community Strategic Plan, *Your Vision | Your Future 2032*, as well as a significant number of strategies and technical documents adopted by Council.

These integrated planning documents have been prepared after detailed discussions with relevant staff, consideration by Council and public exhibition of draft proposals from 11 April to 13 May 2024. Councillors were further briefed on the contents of the draft documents on 23 February, 20 March and 21 May 2024.

### BUDGET

The publicly displayed draft Budget for 2024/25 included an estimated surplus of \$1.983 million and was developed in line with Council's Long-Term Financial Plan (LTFP) parameters which had a focus on the continuance of current service levels and income and expenditure levels in line with Council's application for the Special Rate Variation (SRV) including additional funding for the renewal and

maintenance of Council's asset base, allocations for Strategic Initiatives funded by the SRV and a general rate increase of 7.5% representing the second-year increase approved by IPART.

The 2024/25 cash surplus of \$1.983 million is less than the surplus forecast in the LTFP of \$2.761 million due to a range of cost increases that have occurred since the LTFP was adopted, including contractual increases for grass cutting, workers compensation and general insurances, an increase in the Emergency Services Levy in 2023/24 and salary and wage increases prescribed by the Local Government Award that are greater than the level forecast in the LTFP.

As noted when the draft 2024/25 budget was adopted for public exhibition, Council committed to adopting a balanced budget each year as part of the justification for the Special Rate Variation, which includes achieving an end of year result that meets the financial performance measures set by the Office of Local Government. It is therefore recommended that the forecast surplus be retained to enable Council to respond in a timely manner towards infrastructure assets that may fail, the impact of natural disasters on local service provision and clean-up costs, or cost shifting from other tiers of government, to respond to events of this nature without affecting the normal continuance of service provision throughout the year.

No net changes that affect the draft 2024/25 budget or forecast surplus of \$1.983 million have been made.

#### Capital Works Program

A draft Capital Works Program for 2024/25 of \$67.3 million was publicly exhibited, largely funded from external reserves such as grants and development contributions.

The draft 2024/25 Capital Works Program included budget estimates for large projects, with work scheduled to take place over several financial years. For these projects, the completion of works planned in 2024/25 is dependent upon the delivery of earlier stages currently programmed for delivery in the 2023/24 financial year.

As noted in Director's Report CS15/24 - 2023/24 Budget - March 2024 Quarter Review (considered at the 8 June 2024 General Meeting) discussions were being held with project managers in respect to the achievable delivery of the draft capital projects in 2024/25. This was necessary due to the number of projects identified in the 2023/24 March Quarter Budget Review to be carried forward to 2024/25 also requiring completion.

These discussions have resulted in capital project managers needing to make a number of changes to the draft 2024/25 capital works program. It should be noted that these changes are to reflect the delivery of a capital project more accurately over several years and/or due to the volume of carried forward projects, whilst maintaining existing resources, has required some projects to be transferred to future years. The following budget adjustments are required to be made to the exhibited draft 2024/25 capital works program due to the reasons explained above:

#### **Infrastructure and Major Projects**

Project	2024/25 Draft Budget (\$)	Change (\$)	2024/25 Updated Budget (\$)
296 Peats Ferry Road Refurbishment including lift replacement at George Street Pedestrian Bridge <i>Budget rolled from 2023/24</i>	0	1,284,269	1,284,269

Local Road Improvement - Low Street, Mount Kuring-gai (Harwood Avenue to High Street) <i>Budget rolled from 2023/24</i>	0	430,670	430,670
Brooklyn Boardwalk <i>Budget rolled from 2023/24</i>	2,027,500	804,129	2,831,629
Westleigh Park Development <i>Multiyear project rephased into 2025/26</i>	11,511,622	-1,511,622	10,000,000

### Community and Environment

Project	2024/25 Draft Budget (\$)	Change (\$)	2024/25 Updated Budget (\$)
Mark Taylor Oval Pavilion <i>Multiyear project rephased into 2025/26</i>	3,175,000	-1,175,000	2,000,000
Edward Bennet Oval (Amenities and Playground) <i>Multiyear project rephased into 2025/26</i>	1,070,000	-570,000	500,000
Fagan Park Playground <i>Multiyear project rephased into 2025/26</i>	1,000,000	-850,000	150,000
Greenway Park Amenities <i>Budget rolled from 2023/24</i>	351,705	270,295	622,000
James Henty Park Floodlights <i>Multiyear project rephased into 2025/26</i>	240,000	-200,000	40,000
Willow Park Playground (Design and Site Investigation) <i>The project is already budgeted within the allocation provided for Wallarobba Masterplan and Detailed Design</i>	100,000	-100,000	0
Wollundry Playground <i>New project budget</i>	0	500,000	500,000
Public Amenities, Tom Richmond Oval Brooklyn	0	80,000	80,000

# ITEM 2

<i>Budget rolled from 2023/24</i>			
Westleigh Park Mountain Bike Trail <i>Budget increased to \$500,000</i>	300,000	200,000	500,000
Hornsby Park Mountain Bike Trail <i>Budget rephased due to revised approval timeline for link bridge to Westleigh Park</i>	1,500,000	-1,200,000	300,000
Hornsby Heritage Steps Restoration (Stage 3) <i>Budget rolled from 2023/24</i>	416,576	259,778	676,354
Embellish Community Centres <i>Multiyear project rephased into 2025/26</i>	670,000	-490,000	180,000
CRR – Francis Greenway Drive, Cherrybrook <i>Project removed following results from preliminary investigations</i>	450,000	-450,000	0
CRR – Nicholas Crescent, Normanhurst <i>Project removed following results from preliminary investigations</i>	305,000	-305,000	0
CRR - Montview Oval, Hornsby Heights <i>Project removed following results from preliminary investigations</i>	435,000	-435,000	0
CRR - Derribong PI, Thornleigh - Trash Rack <i>Budget rolled from 2023/24</i>	178,222	221,778	400,000
CRR – Bridge Road, Hornsby <i>New project budget for site investigations and design</i>	0	100,000	100,000
CRR – Pecan Close, Cherrybrook <i>New project budget</i>	0	450,000	450,000
CRR – Investigation and Design – Multiple Locations <i>New project budget</i>	0	105,000	105,000
Foxglove Oval Remediation	0	472,506	472,506

**ITEM 2**

<i>New project budget</i>			
Hornsby Library Sorting Machine	0	400,000	400,000
<i>Budget rolled from 2023/24</i>			

### Property Acquisitions

Project	2024/25 Draft Budget (\$)	Change (\$)	2024/25 Updated Budget (\$)
Two property acquisitions (as referred to Council previously) that are in progress with completion currently expected in 2024/25 <i>Budget rolled from 2023/24</i>	0	4,226,005	4,226,005

In addition to the above changes a number of other minor adjustments have also been made, such as small changes to reflect revised project costs that do not impact Council's forecast 2024/25 budget result or the delivery of works previously planned.

Subject to adoption by Council the changes will be incorporated into the 2024-2027 Delivery Program and 2024/25 Operational Plan.

### POLICY

The Delivery Program is Council's principal instruction to the organisation and the underlying annual Operational Plan allocates resources and contains the details on what will be implemented in the 2024/25 financial year.

### CONCLUSION

The 2024-2027 Delivery Program and 2024/25 Operational Plan, incorporating the Budget and Fees and Charges, encompass the Key Initiatives and the levels of service to be provided to the community in a prudent and financially viable manner. The draft documents were publicly exhibited from 11 April to 13 May 2024 and ninety-one (91) submissions were received. Each submission was reviewed by Council staff and discussed with Councillors at a workshop on 21 May 2024 to determine if any amendments should be made to the draft documents prior to adoption.

Once adopted, the 2024-2027 Delivery Program and 2024/25 Operational Plan will be distributed electronically and will be available in hard copy from Council's libraries.

### RESPONSIBLE OFFICER





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

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

STEVEN HEAD  
General Manager  
Office of the General Manager

**ITEM 2**

**Attachments:**

1.  2024-2027 Delivery Program and 2024/25 Operational Plan
2.  Fees and Charges 2024/25
3.  Table 1A DPOP Submissions and Feedback
4.  Table 1B DPOP Staff Changes

File Reference: F2024/00060

Document Number: D08841291

### **3 AUDIT, RISK AND IMPROVEMENT COMMITTEE - TERMS OF REFERENCE AND INTERNAL AUDIT CHARTER**

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#### **EXECUTIVE SUMMARY**

- Pursuant to section 428A of the *Local Government Act 1993* the Audit, Risk and Improvement Committee (ARIC) must keep under review the following aspects of the council's operations: compliance; risk management; fraud control; financial management; governance; implementation of the strategic plan, delivery program and strategies; service reviews; and collection of performance measurement data by the council.
- Council's ARIC held its inaugural meeting on 9 May 2022 and has been convening each quarter thereafter. At the time of inauguration, the Office of Local Government (OLG) had only published draft Guidelines for the operation of ARIC's and had foreshadowed the enactment of future Regulations.
- The ARIC operates in an advisory capacity only and has no decision-making authority. The Chairperson of the Committee, Mr Stephen Coates was appointed by resolution of Council on 10 November 2021 and the three (3) independent members, Dr Sheridan Dudley, Ms Hayley Elson and Mr Richard Jones were appointed by resolution of Council on 9 March 2022.
- In December 2023 the OLG published its final Guidelines titled *Risk Management and Internal Audit for local councils in NSW* which coincided with the enactment of the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*. This Regulation comes into effect on 1 July 2024.
- The Regulation requires that Council must formally adopt both the terms of reference and the internal audit charter for the ARIC and in doing so, must ensure they are consistent with the Act and Regulation.
- The OLG has published a model terms of reference and model internal audit charter for consideration by councils and these have been used as the template for Council's documents.

#### **RECOMMENDATION**

THAT the Terms of Reference and Internal Audit Charter for the Audit, Risk and Improvement Committee be adopted.



## PURPOSE

The purpose of this Report is to formally adopt the Terms of Reference and Internal Audit Charter for Council's Audit, Risk and Improvement Committee to comply with the requirements of the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* which comes into effect on 1 July 2024.

## BACKGROUND

Pursuant to section 428A of the *Local Government Act 1993* the Audit, Risk and Improvement Committee (ARIC) must keep under review the following aspects of the council's operations: compliance; risk management; fraud control; financial management; governance; implementation of the strategic plan, delivery program and strategies; service reviews; and collection of performance measurement data by the council.

Council's ARIC held its inaugural meeting on 9 May 2022 and has been convening each quarter thereafter. At the time of inauguration, the Office of Local Government (OLG) had only published draft Guidelines for the operation of ARIC's and had foreshadowed the enactment of future Regulations.

The ARIC operates in an advisory capacity only and has no decision-making authority. The Chairperson of the Committee, Mr Stephen Coates was appointed by resolution of Council on 10 November 2021 and the three (3) independent members, Dr Sheridan Dudley, Ms Hayley Elson and Mr Richard Jones were appointed by resolution of Council on 9 March 2022.

In December 2023 the OLG published its final Guidelines titled *Risk Management and Internal Audit for local councils in NSW* which coincided with the enactment of the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*. This Regulation comes into effect on 1 July 2024.

The Regulation requires that Council must formally adopt both the terms of reference and the internal audit charter for the ARIC and in doing so, must ensure they are consistent with the Act and Regulation.

The OLG has published a model terms of reference and model internal audit charter for consideration by councils and these have been used as the template for Council's documents

## DISCUSSION

The Terms of Reference set out the ARIC's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements. The draft Terms of Reference ATTACHED is an edited version of the model document published by the OLG. Amendments are shown in track changes and are mostly administrative in nature. The primary amendment relates to the substitution of the term "assurance" at several sections in the document with language which better reflects the advisory nature of the committee. As Council has previously determined not to appoint a councillor as a non-voting member of the Committee, these sections from the model document have been removed.

The Internal Audit Charter provides the framework for the conduct of the internal audit function. It sets out the purpose, independence, authority, role, conduct and administrative arrangements of internal audit. The draft Internal Audit Charter ATTACHED is an edited version of the model document published by the OLG. Amendments are shown in track changes and are mostly administrative in nature. It is relevant to note that internal audits at Council are outsourced and undertaken by independent third party service providers. An alternate option is to have an in-house audit function

where a team of staff would be employed to undertake the audit work. It is considered the outsourced model provides a greater level of independence.

The Regulation also requires that the general manager must appoint a member of staff to be the internal audit coordinator to direct and coordinate internal audit activities. The Risk & Audit Manager, Scott Allen, has been appointed to this role. As internal audits are outsourced to third-party providers this role is primarily focussed on contract administration and administrative reporting to the ARIC, rather than conducting the audit work.

### **CONSULTATION**

In the preparation of this Report there was consultation with the Audit, Risk & Improvement Committee.

### **BUDGET**

There are no budgetary implications associated with this Report.

### **POLICY**

There are no policy implications associated with this Report.

### **CONCLUSION**

The adoption of the ARIC Terms of Reference and Internal Audit Plan which are consistent with the Act and Regulation will satisfy Council's obligations to have these documents formally adopted by 1 July 2024.

### **RESPONSIBLE OFFICER**



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

STEVEN HEAD

General Manager

Office of the General Manager

### **Attachments:**

1.  ARIC - Terms of Reference - draft
2.  ARIC - Internal Audit Charter - Draft

File Reference: F2019/00136

Document Number: D08890015

#### **4 HORNSBY TOWN CENTRE - IMPLEMENTATION OF COUNCIL'S MASTERPLAN**

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##### **EXECUTIVE SUMMARY**

- Council has obligations to continue to provide opportunities for housing to meet State Government dwelling targets. The Hornsby Town Centre Masterplan has been prepared to facilitate opportunities for long-term future housing and jobs provision in accordance with the priorities and actions from the North District Plan, Council's Local Strategic Planning Statement, Local Housing Strategy 2020 and Employment Land Study.
- Following adoption of the Masterplan, it was anticipated Council would invite owner-initiated planning proposals to implement the Plan. However, the State Government subsequently announced the inclusion of the Hornsby Town Centre as part of the Transport Orientated Development Accelerated Precincts Program.
- Responding to the needs of future residents, workers and visitors requires careful planning for development of a sense of place, provision of supporting community infrastructure, marketing and promotion. Council is a key landowner within the Town Centre which provides a unique opportunity to progress the achievement of the Masterplan.
- Engaging with key stakeholders including other property owners will be key to the realisation of Council's adopted vision. This report indicates a need for a clear set of actions, further workshops with Council and the initiation of regular formal reporting to the Council on implementation of the Masterplan.

##### **RECOMMENDATION**

THAT:

1. Council receive and note the General Manager's Report No. GM32/24 outlining the development of an Implementation Plan for the Hornsby Town Centre Masterplan that incorporates Hornsby Park and the preparation of a Probity Plan to guide the interactions of Council and staff.
2. Council endorse the General Manager commencing informal discussions with key stakeholders to the Town Centre including significant property owners to determine opportunities to progress development as envisaged under the Masterplan.
3. A further workshop with Councillors be held to discuss and review the progression of tasks under the Implementation Plan.

## PURPOSE

The purpose of this Report is to provide an update to Council on plans to progress the implementation of the Hornsby Town Centre Masterplan including its relationship with Hornsby Park that make up the broader Hornsby Centre Precinct.

## BACKGROUND

Council has obligations to continue to provide opportunities for housing to meet State Government dwelling targets. The Hornsby Town Centre Masterplan has been prepared 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 2020 and Employment Land Study.

Since 2019, Council has led the preparation of the Hornsby Town Centre Masterplan to set a vision for additional housing and jobs to support growth in a way that achieves design excellence, sustainability, accessibility, and liveability. The development of the Masterplan has been supported by an extensive range of technical consultant studies including transport modelling, economic feasibility testing, urban design and sustainability.

The importance of the Hornsby Town Centre and Hornsby Park to the Shire are also identified and supported by numerous actions in other adopted strategies of Council such as Council's foundational Economic Development Strategy, Destination Management Plan, Strategic Community Facilities Plan, Arts and Cultural Plan, Property Strategy and draft Affordable Housing Strategy.

The Masterplan identifies opportunities for 4,900 new dwellings in slender residential towers, varying in height up to 36 storeys and clustered around the train station and mall and 4,500 new jobs. The Masterplan outlines many other community benefits including a new town centre square and network of open spaces, improved east-west links, library and community space, relocated transport interchange, and significant over station development potential on State Government lands.

Consultation has been undertaken with key state agencies, service providers and the community throughout the preparation of the Masterplan. Following a formal exhibition period from July to September 2022, the Plan was unanimously adopted by Council at its meeting on 8 November 2023.

Following adoption of the Masterplan, it was anticipated Council would invite owner-initiated planning proposals to implement the Plan, which would be the subject of separate reports to Council. However, the State Government subsequently announced the inclusion of the Hornsby Town Centre as part of the Transport Orientated Development Accelerated Precincts Program.

The Hornsby Town Centre has been identified as one of eight precincts to create infrastructure and capacity for 47,800 new homes over 15 years. The objective of the program is to increase housing supply in well located areas within walking distance to stations. Housing proposals within the precincts will benefit from a faster, streamlined assessment process. Council officers are currently working with the Department of Planning, Housing and Infrastructure to accelerate delivery of the vision embodied in the Masterplan as part of the Accelerated precincts program.

The Department has indicated that the consultation on the State-led rezonings will occur in the middle of 2024 with changes to planning controls to be finalised before the end of the year.

Although Council, on behalf of the community, has broadly committed to delivering the Hornsby Town Centre Masterplan and is already implementing its adopted vision for Hornsby Park 2021, both projects are ambitious undertakings and will require considerable focus and integration over many

years to realise their visions. Accordingly, it is appropriate to prepare an implementation plan with key deliverables and timeframes to ensure this work is monitored and outcomes achieved.

## DISCUSSION

The Hornsby Town Centre Masterplan provides a planning framework to guide development within the Centre. However, ensuring the vision embodied in the Plan is achieved will require a coordinated approach across Council to deliver an attractive and functional Centre. Success for the Town Centre and broader precinct will not automatically follow the resolution of planning controls and a proactive approach will substantially improve the opportunities for Council to realise its vision.

Responding to the needs of future residents, workers and visitors requires careful planning for development of a sense of place, provision of supporting infrastructure, marketing and promotion, and creation of a public domain. Council is also a key landowner within the Town Centre which provides a unique opportunity to demonstrate Council's commitment to the achievement of the Masterplan through progression of its Property Strategy.

Accordingly, it is appropriate that an Implementation Plan is endorsed to identify the range of interrelated initiatives required to support a successful Town Centre including an outline of the associated responsibility, priority and resource implications. The key components of the Hornsby Town Centre Implementation Plan are summarised as follows:

**Governance:** A Steering Committee including the Executive Leadership team (reporting formally to the Council) will be established to coordinate delivery against the Implementation Strategy. A probity plan will be prepared to guide the input and involvement of various disciplines and a risk management plan developed.

**Funding and Resource Coordination:** Ensure funding is allocated within the overall capacity of Council, and resources are available to undertake the various streams of work.

**Planning:** Council officers will continue to collaborate with the Department of Planning, Housing and Industry to implement the Hornsby Town Centre Masterplan. Officers will also work with the Department to finalise a funding strategy for both local and State infrastructure.

**Property:** Council's strategy for its property holdings within the Town Centre will be confirmed to optimize public benefit, public value and financial sustainability from the property portfolio. It is also important that a probity plan be prepared to provide a framework for discussions with landowners within the Centre to seek to ensure a coordinated approach to the delivery of development proposed under the Masterplan and optimize public benefits.

**Infrastructure:** Ensure that an overall infrastructure plan for the Town Centre is current, coordinated across all areas of Council with prioritised works, funding scenarios and timeframes addressed.

Design briefs should be prepared for the delivery of infrastructure with costing for projects such as the new library and community space, road improvements, street tree planting, signage and connections.

**Economic Development/Place Management:** To ensure the Town Centre and broader precinct are connected to community through building relationships with key stakeholders including business, property owners, community and government. Work will be required to support local businesses and investigate temporary interventions to show case vision such as promoting nighttime economy, outdoor dining and Centre branding. Furthermore, it is recommended that a prospectus be prepared to attract investment and development activity.

It is proposed that further workshops on these matters will be undertaken with Council as the Plan is further developed and to initiate regular formal reporting to Council. The Department of Planning

Housing and Infrastructure have indicated that exhibition of draft planning controls for lands within the Town Centre will be undertaken by mid-year and finalisation of controls is expected to occur prior to the end of this calendar year. Consequently, it is important that Council is in a position to respond in coming months. A number of first steps are outlined below.

**Proposed Next Steps:**

1. Consider Council's formal response to the exhibition of draft planning controls.
2. Confirm Council's interest in progressing the implementation of the vision outlined in the Masterplan including the delivery of community infrastructure such as a multi-purpose community facility, library and public domain.
3. Engage with significant stakeholders and in particular landowners to determine opportunities to progress development as envisaged under the Masterplan.
4. Complete a governance model including the development of appropriate probity requirements and Implementation Plan.
5. Conduct further workshops with Councillors and establish regular reporting to Council on progress, opportunities and key risks.

**BUDGET**

There are no specific financial considerations required in the preparation of this report. It should be noted that there are significant financial considerations in the implementation of the Masterplan that will need to be considered within Council's prudent financial management approach and other priorities of the Council. Risk management of the financial aspects will be a core responsibility of the Executive Leadership Team and Council.

**CONCLUSION**

Following the adoption of the Hornsby Town Centre Masterplan, it was envisaged that Council would seek planning proposals from landowners within the Hornsby Town Centre to facilitate the vision outlined in the Masterplan including the delivery of significant housing, jobs and community infrastructure. However, the State Government subsequently announced the inclusion of the Hornsby Town Centre as part of the Transport Orientated Development Accelerated Precincts Program.

Responding to the needs of future residents, workers and visitors requires careful planning for development of a sense of place, provision of supporting community infrastructure, marketing and promotion. Council is a key landowner within the Town Centre which provides a unique opportunity to progress the achievement of the Masterplan through progression of its Property Strategy and a broad Implementation Program to support this is outlined for Council's consideration.

As the release of draft planning controls is shortly to be undertaken by the NSW State Government, it is important that Council be prepared to both respond and take an active role in leadership to progress the Masterplan. The recommendations provide a framework for Council to progress its work in delivering a revitalised Town Centre acknowledging the careful management that will be required to manage risk and probity.

**RESPONSIBLE OFFICER**

The officers responsible for the preparation of this Report are the General Manager – Steven Head – who can be contacted on 9847 6602 and the Director, Planning and Compliance – James Farrington – who can be contacted on 9847 6750.

STEVEN HEAD  
General Manager  
Office of the General Manager

**ITEM 4**

**Attachments:**

There are no attachments for this report.

File Reference: F2018/00321-003

Document Number: D08894542

## **5 DEBTS TO BE WRITTEN OFF - 2023/24 FINANCIAL YEAR**

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### **EXECUTIVE SUMMARY**

- The Financial Services Branch is responsible for assessing Council's outstanding debtors on a regular basis to determine those debts which are bad, doubtful or recoverable.
- Some services provided to customers in exchange for a fee or charge may remain unpaid even after various attempts by staff have been taken to recover these amounts. If it is deemed uneconomical to pursue further, then these amounts will be recommended to be become bad debts and written off.
- The latest assessment for 2023/24 has resulted in the General Manager writing off debts totalling \$2,883 using his delegated authority from Council (refer attached Schedule B); and proposing to Council that it write off further debts considered bad totalling \$47,711 (refer attached Schedule A).
- Council's consideration of this Report ensures that the relevant legislative requirements and Council protocols have been met in respect of those debts to be written off.

### **RECOMMENDATION**

THAT for 2023/24, and in accordance with Clause 213 of the Local Government (General) Regulation, Council:

1. Write off debts considered bad totalling \$47,711 (as detailed in Schedule A attached to Director's Report No. CS19/24).
2. Note debts considered bad totalling \$2,883 written off under the General Manager's delegated authority (as detailed in Schedule B attached to Director's Report No. CS19/24).



**PURPOSE**

The purpose of this Report is to seek Council approval, in accordance with Clause 213 of the Local Government (General) Regulation, to write off debts considered bad for the 2023/24 financial year.

**BACKGROUND**

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

**DISCUSSION**

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

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

2018/19	\$7,729
2019/20	\$5,365
2020/21	\$2,854
2021/22	\$8,737
2022/23	\$27,408

For 2023/24, it is recommended that Council write off debt considered bad totalling \$47,711 (see details in Schedule A); and note debts considered bad totalling \$2,883 which have been written off under the General Manager's delegated authority (see details in Schedule B). It should be noted that even if a debt is written off, Council is not prevented from taking future legal proceedings to recover the debt.

It should be noted in the attached Schedule A - that the debtor Holly Construction Pty Ltd owed an amount of \$46,150.20. Council's debt collection agency has advised that payment is unlikely due to this construction business currently under liquidation.

The General Manager has therefore requested that the appropriate officers review the current restoration process to potentially make changes to mitigate against future debt write-offs of this size.

**CONSULTATION**

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

**BUDGET**

The 2023/24 budget for bad debts written off is \$1,000. This budget will be supplemented by the reallocation of minor savings in Divisional budgets across the organisation to write off the debts detailed in this Report.

**POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

The write-off of bad debts for the 2023/24 financial year is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those debts to be written off.



**RESPONSIBLE OFFICER**

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

DUNCAN CHELL  
Chief Financial Officer  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**Attachments:**

1.  Schedule A: Bad Debt Over \$1,000 - 2023/24
2.  Schedule B: Bad Debt Under \$1,000 - 2023/24

File Reference: F2004/06978-02  
Document Number: D08873703

**6 INVESTMENTS AND BORROWINGS FOR 2023/2024 - STATUS FOR THE PERIOD ENDING 30 APRIL 2024**

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**EXECUTIVE SUMMARY**

- This Report provides details of Council's investment performance for the period ending 30 April 2024 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be made in accordance with relevant legislative requirements and Council's policies and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the requirements of the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for April 2024 of 2.85% which includes a negative yield of -17.91% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 4.86% which includes a positive yield of 6.49% from TCorp Managed Funds.

**RECOMMENDATION**

THAT the contents of Director's Report No. CS22/24 be received and noted.

**PURPOSE**

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

**BACKGROUND**

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

**DISCUSSION**

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

Council's investment performance for the month ending 30 April 2024 is detailed in the attached document. In summary, the portfolio achieved an annualised return for April 2024 of 2.85%. On a financial year to date basis the portfolio achieved an annualised return of 4.86% which includes a positive yield of 6.49% from TCorp Managed Funds.

Council is currently holding 7% of the total portfolio balance in the Westpac transaction account to meet increased liquidity requirements at the end of the financial year. This has resulted in a total investment holding of 45% with Westpac at the end of the month, which exceeds the policy limit of 40%. It is expected that this will be resolved in the coming months by investing cash in other at call accounts and short-term term deposits.

The Borrowings Schedule as at 30 April 2024 is attached for Council's information, noting that Council became debt free on 1 July 2023 with no loans entered into since. Therefore, the Borrowings Schedule only 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 April 2024 was \$678,048, which includes an unrealised loss of -\$384,484 from TCorp Managed Funds.

Budgeted investment income year to date at 30 April 2024 was \$8,186,441. Total investment income year to date at 30 April 2024 was \$11,878,178 which includes a year-to-date unrealised net gain of \$1,203,078 from TCorp Managed Funds.

Approximately 50.25% 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 can experience significant market volatility due to external economic conditions. It is noted that this product has a 7-year investment horizon and will, therefore, reflect marked to market valuations monthly. Advice provided by Council's independent investment advisor, Prudential Investment Services, is to hold this investment for the 7-year timeframe originally

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

### **CONCLUSION**

The investment of Council funds and the extent of its borrowings as of 30 April 2024 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 April 2024
2.  HSC Borrowings Summary Report April 2024

File Reference: F2004/06987-02

Document Number: D08879303

**7 DRAFT LONG TERM FINANCIAL PLAN 2024/25 TO 2033/34 - ADOPTION FOR PUBLIC EXHIBITION**

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**EXECUTIVE SUMMARY**

- Under section 403 of the Local Government Act, councils are required to prepare a Long Term Financial Plan in detail every four years that aligns to the integrated planning and reporting (IP&R) framework mandated by the Office of Local Government. The Plan is to be updated annually when developing the Operational Plan.
- The IP&R framework requires the Long Term Financial Plan to be placed on public exhibition and for submissions received by Council in that period to be noted and considered before the final adoption by Council and endorsement of the Long Term Financial Plan.
- A revised 2024/25 to 2033/34 Long Term Financial Plan has been prepared that includes income and expenditure allocations that align with Council's original application for the approved Special Rate Variation (SRV), as well as allowing for additional cost increases incurred since the SRV was approved. This revised version of the Plan indicates that whilst Income Statement (non-cash) and Budget (cash) surpluses are forecast over the term of the Plan, financial capacity has reduced compared to the Special Rate Variation scenario in the previous version of the Plan.
- Whilst an increase in financial capacity is required, the increment needed is minor compared to the deficits that were forecast in the base case of the previous Plan that led to the Special Rate Variation. It is therefore appropriate to seek incremental increases in financial capacity from a range of measures across multiple parts of Council's budget, rather than rates. The revised 2024/25 to 2033/34 Long Term Financial Plan includes recommendations that should achieve this if progressed.

**RECOMMENDATION**

THAT:

1. Council adopt the draft 2024/25 – 2033/34 Long Term Financial Plan attached to Director's Report No. CS25/24 and place the document on public exhibition from 13 June 2024 to 11 July 2024.
2. Following public exhibition, a further report be prepared for Council's consideration at the 14 August 2024 General Meeting that outlines and responds to any submissions received during the exhibition period and recommends the adoption of Council's 2024/25 – 2033/34 Long Term Financial Plan.

## PURPOSE

The purpose of this Report is to present for Council's adoption the draft 2024/25 to 2033/34 Long Term Financial Plan (LTFP) such that the document can be placed on public exhibition from Thursday 13 June 2024 to Thursday 11 July 2024. After the exhibition period Council will reconsider the LTFP for final adoption at the 14 August 2024 General Meeting.

## BACKGROUND

Under section 403 of the Local Government Act, a council is required to have a long-term Resourcing Strategy that includes a Long Term Financial Plan aligned to the IP&R framework mandated by the Office of Local Government.

The LTFP must be for a minimum of 10 years and make clear the financial direction of Council as well as the impact of that direction on achieving community priorities.

The main purpose of the LTFP is to guide and inform decision-making in respect to Council's financial sustainability and to ensure that Council has sufficient financial resources to fund asset maintenance and renewal and provide services to the standard that the community expects. The LTFP establishes the framework for sound financial decisions and provides an insight as to the financial sustainability of Council over the 10-year planning period of the document. The key objectives in developing the LTFP are:

- To achieve balanced budgets and income statement results that provide sufficient capacity to respond to budget 'shocks' as they arise.
- To maintain into the future a level of service that the community has come to expect.
- To ensure that assets provided by Council are designed and funded to meet a defined level of demand and/or need of the community.
- To achieve continuous financial improvement.
- To continue Council's debt free position.
- To maintain Council's historically strong liquidity position and retain historic cash reserves.
- To achieve/maintain financial sustainability benchmarks (i.e. indicators prescribed by the OLG).

Previous versions of the Long Term Financial Plan that were adopted by Council in July 2022 and November 2022 concluded that forecast financial capacity was below acceptable levels and action was required to ensure that recurrent services, including allocating appropriate budgets for asset maintenance and renewal could be provided in a sustainable manner into the future. These versions of the Plan recommended a Special Rate Variation (SRV) to rebalance Council's finances within acceptable levels over the long term. A special rate variation was recommended in the first instance because of the quantum of funds required to provide balanced budgets, with rates representing Council's largest income stream.

Following the adoption of the 2023/24 – 2032/33 Long Term Financial Plan in November 2022 Council commenced a significant project to apply to the Independent Pricing and Regulatory Tribunal (IPART) for a total rate increase of 28% (31% cumulative increase) over 4 years inclusive of the estimated annual rate peg and comprising four consecutive rate increases of 8.5% in 2023/24, 7.5% in 2024/25, 6.5% in 2025/26 and 5.5% in 2026/27. Following a rigorous application process including extensive community engagement an approval was granted by IPART in full in June 2023.

A revised 2024/25 to 2033/34 Long Term Financial Plan has been prepared that includes income and expenditure allocations that align with Council's original application for the SRV, as well as allowing for additional cost increases incurred since the SRV was approved. The draft 2024/25 – 2033/34 LTFP contains a set of financial projections and assumptions for the 10-year period and makes clear the financial direction of Council as well as the impact of that direction on achieving community priorities.

The draft LTFP is required to be placed on public exhibition and any submissions received during the period must be accepted and considered before final adoption of the LTFP by Council.

## DISCUSSION

### LTFP Summary

The LTFP is based on Council's 2024/25 draft budget that was placed on public exhibition at the General Meeting held on 10 April 2024 and is scheduled to be referred to Council for adoption on 12 June 2024 following a review of submissions received. The 2024/25 draft budget forms year one of ten of the forecast period of the Plan. The 2023/24 budget as at the 31 December 2024 Quarterly Review is also disclosed as a reference point in the year before the ten-year forecast period commences. The actual audited Financial Statement results for the year ended 30 June 2023 are disclosed within the Income Statement, Balance Sheet and Cash Flow Statement results.

Future years are based on a range of forecasted assumptions used to determine:

- Future revenue and expenditure (Income Statement result including non cash items prescribed by Australian Accounting Standards and a budget cash/liquidity result in the same format as reported to Council through the annual budget cycle/Integrated Planning and Reporting Framework).
- Balance Sheet and Cash Flow Statements.
- A projection for a range of key financial indicators prescribed by the Office of Local Government.

Council's future financial position has been forecast based on a continuance of 'normal operations'. This is difficult to define but can be regarded as the provision of services to stakeholders at levels of service that they have come to expect on a regular basis that have been determined through a range of community consultation. It is noted that levels of service may not remain the same given changes in community expectations in future years of the Plan. In this regard it is noted that 'normal operations' has been forecast as a minimum level over the life of the Plan as the community has indicated.

The LTFP also includes income and expenditure allocations that align with Council's original application for the SRV, which includes the following allocations:

- Additional funding as identified in Council's Asset Management Plans and Asset Management Strategy of \$4.1 million per year, on average.
- Recurrent funding for Hornsby Park once construction is complete of up to \$3.1 million per year, plus forecast CPI.
- \$67.26 million over ten years to address the aspirations of the community as identified in numerous technical documents and strategies by funding Strategic Initiative projects.
- Forecast income based on a total rate increase of 28% (31.05% cumulative), comprising four consecutive increases of 8.5% in 2023/24, 7.5% in 2024/25, 6.5% in 2025/26 and 5.5% in 2026/27.



An additional objective to those listed above is to achieve at least a 2% Operating Performance Ratio each year to provide capacity to respond in a timely manner towards infrastructure assets that may fail, the impact of natural disasters on local service provision and cost shifting from other tiers of government. It is considered financially prudent to target an acceptable operating performance range of 2% to 4% to respond to one off budget shocks that can occur over the course of the year and not affect the normal continuance of service provision, noting that a commitment of ongoing balanced budgets to ensure Councils long term financial sustainability was made to the community during the SRV application process and community engagement.

Since the previous version of the Plan and SRV was approved Council has incurred a number of unexpected cost increases with a recurrent budget impact in the order of \$1.5 million per year. Most of these increases are broadly attributable to a continuation of the high inflationary environment for longer than economists at the time predicted including cost increases for grass cutting on renewal of this contract, significant workers compensation and general insurance price increases, an increase in the Emergency Services Levy in 2023/24 and salary and wage increases prescribed by the Local Government Award that greater than the level forecast in the LTFP.

Whilst additional forecast expenditure has increased because of these cost increases, forecast investment income returns have also increased, which has offset a portion of the total cost increase incurred. Council is holding larger cash reserves than previously forecast due to a slower delivery rate than originally forecast for the construction of capital works (noting ongoing supply side challenges in this area) and the base rate set by the Reserve Bank of Australia is now forecast to remain higher than previously predicted, particularly in the earlier years of the Plan.

The combined impact of these income and expenditure changes is a reduction in the average forecast Budget (cash) surplus over the ten-year term of the Plan from \$2.9 million in the previous version to \$2.3 million on average per year forecast by this Plan. Income Statement (non-cash) results have also reduced with an average surplus of \$4.1 million per year forecast in this Plan compared with \$6.6 million in the previous version.

Despite these reduced results financial capacity on average over the life of the Plan is slightly above acceptable levels with an average Operating Performance Ratio (OPR) of 2.11% forecast, which is above the target level of 2% required to respond to budget shocks that occur from year to year. However, the Operating Performance Ratio in the last four years of the Plan is below the 2% target indicating a trend of diminishing results over the long term that needs to be addressed. This Plan therefore includes a number of recommendations to increase financial capacity from a range of measures that include cost containment recommendations and income enhancement opportunities from income streams such as User Charges and Fees and Other Revenue. Whilst prudent ongoing financial management is needed over the next ten years the increase in financial capacity required is minor compared to the deficits that were forecast in the base case of the previous Plan that led to the Special Rate Variation. It is therefore appropriate to seek incremental increases in financial capacity from a range of measures across multiple parts of Council's budget, rather than rates.

The experience of Council over the past 18 months further supports the need for future iterations of the LTFP to continue to target an OPR of 2% to 4% each year to respond to budget shocks like those incurred since the last version of the Plan was prepared.

Whilst some improvement in forecast Income Statement (non-cash) and Budget (cash) results is required, the Balance Sheet results over the 10-year period maintain equity, liabilities and non-current assets within acceptable levels and each of the ratios, other than the OPR ratio are above acceptable benchmarks over the life of the Plan including the Own Source Operating Revenue Ratio, the Debt

Service Cover Ratio and the Unrestricted Current Ratio. Unrestricted cash is essential for Council to operate on a 'business as usual' basis as it represents the level of working funds available to fund the cash flow requirements of a normal continuance of services and capital projects from month to month, and the level forecast each year is sufficient to fulfill these requirements.

Infrastructure asset ratios are also regarded as acceptable over the life of the plan despite the average Asset Maintenance Ratio of 97% falling slightly below the benchmark of 100% as there is sufficient financial capacity within the Plan to allocate additional funding for asset maintenance once revised Asset Management Plans for Foreshore Assets and Other Structures are finalised, noting that the gap in maintenance funding is related to these asset classes only. The Asset Renewals ratio is also forecast to fall below 100% from 2029/30, around the time that Council's current ambitious program of capital works is forecast to reduce to more normalised levels experienced historically. Whilst this ratio falls below the benchmark in later years it averages 102% over the 10-year term of the Plan and the expected decrease relates to the timing of required renewals for long life stormwater drainage assets as well as the need to finalise Asset Management Plans for the remaining 5% of Council's asset base. This Plan therefore includes a recommendation to progress the preparation of Asset Management Plans for these remaining assets.

The results from this version of the LTFP demonstrate that the Special Rate Variation continues to rebalance Council's projected finances over the term of the Plan with an Income Statements surplus result forecast each year from 2024/25, whilst noting the need for improvement initiatives to increase financial capacity back to the level forecast in the previous version of the Plan.

The following recommendations seek to address the incremental increase in financial capacity that is required with consideration of Council's current operations to identify opportunities and areas for future improvement:

#### Recommendations to Improve Future Direction

- Maintain cost increases to modest levels in regard to non-labour related expenses each year excluding the additional allowances that have been made in this Plan including annual allocations for asset management and strategic initiatives.
- Progress areas for improvement identified in Council's Asset Management Plans to ensure assets used by the community are maintained and renewed to the level of service required to further protect Council from the risk of budget shocks from reactive asset maintenance.
- Council to consider increasing User Charges and Fees from 2025/26 to catch up on missed cost growth of 8.7% due to CPI price increases applied to Council's fees between 2022 and 2024 being less than actual CPI inflation in each of these years.
- Council's advertising space at bus stops and bus shelters to be retendered with the aim of increasing the level of income received compared to current levels.
- Cash reserves to be maintained at existing levels with any funding transferred to respond to immediate financial challenges or unforeseen events to be repaid to preserve Council's cash liquidity position over the term of this Plan and beyond.
- Consideration for paid parking to be implemented on a staged basis with the aim of testing the assumptions that underpin the Car Parking Management Study before committing significant funding to new infrastructure and technology.

- Council's S7.11 Development Contributions Plan to include only projects that can be wholly attributed to new development and fully funded from development contributions.
- No new loan borrowing to be undertaken.
- No new positions to be created unless offset by an equivalent position elsewhere, or unless funding is identified such as from external grants, existing capital works budgets or additional income, with a business case required for the creation of new positions.
- Continuance of financial improvement initiatives (the development of business improvement plans) ensuring that any such plans are based on a principle of increasing financial capacity, having caution to potential cost increases that can arise from improvements generated from the implementation of new technology.
- Maximise returns from Council's property holdings subject to appropriate business cases, including independent due diligence of key financial assumptions.
- Future capital grants to be carefully considered including identification of a funding source for recurrent costs before they can be accepted. It is recommended that Council decline future capital grants for major new infrastructure projects unless additional funding to cover ongoing maintenance and renewal costs is identified, noting the current forecast Budget (cash) surplus of \$2.3 million per year is insufficient to fund an expansion of Council's asset base above the level already forecast.

If the above actions are addressed progressively over coming years, Council's forecast financial capacity should increase. Increasing financial capacity back to the level that was forecast in the SRV scenario of the previous Plan will ensure that Council remains financially sustainable over the long term.

#### **BUDGET**

Any budget implications have been included in the Discussion section of this Report.

#### **POLICY**

There are no policy implications associated with this Report.

#### **CONCLUSION**

Council's consideration of this Report enables an understanding of the future financial position over the next 10 years in respect to maintaining a continuance of normal services into the future including providing the level of funding necessary to maintain and renew assets to the level of condition required.

The review of the LTFP demonstrates that the financial capacity of Council has reduced compared to the level forecast in the Special Rate Variation scenario of the previous version of the Plan and a number of recommendations have been developed to incrementally increase financial capacity back to the level previously forecast.

#### **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 7**

**Attachments:**

1.  Draft 2024/25 - 2033/34 Long Term Financial Plan

File Reference: F2024/00060

Document Number: D08886489

**8 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2024 REPORT AND DETERMINATION - MAYOR AND COUNCILLOR FEES - 2024/25 FINANCIAL YEAR**

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**EXECUTIVE SUMMARY**

- Sections 248(2) and 249(3) of the Local Government Act provide respectively for Council to once each year fix the annual fee payable to Councillors and the additional annual fee payable to the Mayor. The annual fees must be fixed in accordance with the relevant annual determination of the Local Government Remuneration Tribunal.
- Based on the Tribunal's 2024 Report and Determination, it is recommended that Council approve a 3.75% increase in Councillor and Mayoral fees for the 2024/25 financial year. Acceptance of such recommendation would result in each Councillor receiving an annual fee of \$28,690 and the Mayor receiving an additional annual fee of \$76,190 for 2024/25.
- Sufficient funds have been allocated in the 2024/25 Budget to cover the 3.75% increase in the fees payable to Councillors and the Mayor.

**RECOMMENDATION**

THAT:

1. As a consequence of the 2024 Report and Determination of the Local Government Remuneration Tribunal, Council note that it remains in the Metropolitan Medium Category of NSW councils for the period 1 July 2024 to 30 June 2025.
2. In accordance with Sections 248 and 249 of the Local Government Act and having considered the 2024 Report and Determination of the Local Government Remuneration Tribunal, an annual fee of \$28,690 be paid to each Councillor and an additional annual fee of \$76,190 be paid to the Mayor for the period 1 July 2024 to 30 June 2025.

## PURPOSE

The purpose of this Report is to provide Council with the 2024 Report and Determination of the Local Government Remuneration Tribunal such that Council can determine the amount of the fee payable to each Councillor, and the additional fee payable to the Mayor, for the 2024/25 financial year.

## BACKGROUND

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

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

Section 241 of the Act states:

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

The Tribunal has completed its 2024 Report and Determination recommending the fees payable to councillors and mayors for the 2024/25 financial year – see copy attached.

## DISCUSSION

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

The Tribunal invited submissions regarding fees and received 19 submissions – 18 from individual councils, 1 submission from LGNSW. Two submissions were received requesting recategorisation from Parramatta City Council and Lake Macquarie, both requests were declined by the Tribunal.

The Tribunal examined a range of statistical and demographic data and considered the submissions of councils, Local Government NSW (LGNSW). The Tribunal determined to retain a categorisation model. In accordance with section 239 of the LG Act the categories of general-purpose councils are as follows:

<u>Metropolitan</u>	<u>Non-Metropolitan</u>
Principle CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural

Metropolitan Small	Rural Large
	Rural

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

Having considered the key economic indicators, including the Consumer Price Index and Wage Price Index, full-time adult average weekly ordinary time earnings, NSW Public Sector increases, and Local Government State Award increases along with the Base Cost Change model used by IPART in setting the rate peg for 2024-25 the Tribunal has found that a 3.75% increase to the current fees is warranted. The 3.75% increase will apply to the minimum and the maximum of the ranges for all categories effective from 1 July 2024.

### Impact on Council

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

Councillor	Mayor
Annual Fee	Additional Fee
Minimum - Maximum	Minimum - Maximum
\$15,370 - \$28,690	\$32,650 - \$76,190

In June 2023, when Council determined the fees payable to Councillors and the Mayor for the 2023/24 financial year, it resolved to pay fees at the maximum level. This was consistent with decisions in previous years. Should Council resolve to pay fees at the maximum level for the 2024/25 period, this would result in an increase of \$1,040 per annum for each Councillor and an increase of \$2,750 per annum for the Mayor.

### BUDGET

Sufficient funds have been allocated in the 2024/25 Budget to cover a 3.75% increase in the fees payable to Councillors and the Mayor.

### POLICY

There are no policy implications associated with this Report.

### CONCLUSION

It is considered appropriate that the maximum fee for the Metropolitan Medium category be paid to Hornsby Shire Councillors and the Mayor for the period 1 July 2024 to 30 June 2025. This would result in each Councillor receiving an annual fee of \$28,690 and the Mayor receiving an additional annual fee of \$76,190 for the 2024/25 financial year.

### RESPONSIBLE OFFICER

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

STEPHEN COLBURT  
Manager, Governance and Customer Service  
Corporate Support Division

GLEN MAGUS  
Director - Corporate Support  
Corporate Support Division

**ITEM 8**

**Attachments:**

1.  Local Government Remuneration Tribunal - Annual Determination 2024

File Reference: F2004/09552-02

Document Number: D08888403



## **9 REPORT ON SUBMISSIONS - ABORIGINAL HERITAGE STUDY**

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### **EXECUTIVE SUMMARY**

- Coast History and Heritage Pty Ltd was engaged to prepare a draft Aboriginal Heritage Study as part of Council's Comprehensive Heritage Study program of works.
- The draft Aboriginal Heritage Study provides a Shire-wide analysis of the known Aboriginal history and cultural heritage values of Hornsby Shire and provides recommendations to improve understanding of Aboriginal cultural values and associated heritage management procedures.
- At its meeting on 14 June 2023, Council resolved to exhibit the draft Aboriginal Heritage Study. In accordance with Council's resolution, the draft Study was exhibited from 23 June 2023 to 4 August 2023.
- During the exhibition, 37 submissions were received. Most submissions are supportive of the draft Study and its recommended management system. Some submissions suggest amendments, further research and additional information.
- In response to submissions, the draft Study has been amended to update and improve the information provided in certain sections of the report. A change is proposed to the Study recommendations in response to the matters raised.
- It is recommended that Council endorse the Aboriginal Heritage Study and its recommended actions, with the exception of progressing additional listings to Schedule 5 of the Hornsby Local Environmental Plan, as listed in the attached Implementation Action Plan.

### **RECOMMENDATION**

THAT:

1. Council endorse the Aboriginal Heritage Study and Implementation Action Plan attached to Director's Report No. PC10/24.
2. Submitters be advised of Council's decision.

## PURPOSE

The purpose of this report is to address matters raised in submissions during the exhibition of the draft Aboriginal Heritage Study and seek Council endorsement of the final Study and an Implementation Action Plan attached to this report.

## BACKGROUND

On 8 April 2020, Council endorsed progression of a program of works under the Comprehensive Heritage Study (CHS). Preparation of an Aboriginal Heritage Study (AHS) is one of the tasks under the program.

At its meeting on 14 June 2023, Council considered Director's Report No. PC11/23 presenting the draft AHS for exhibition and resolved that:

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

In accordance with Council's resolution, the draft AHS 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 AHS and recommends changes in response to issues raised in submissions and a post-exhibition review.

### 1. Overview of draft Aboriginal Heritage Study

The draft AHS updates the 1996 Aboriginal Heritage Study by conducting new research and community consultation to seek to ensure the Aboriginal heritage in Hornsby Shire is protected, understood, and celebrated. It provides:

- New analysis of places and types of Aboriginal heritage significance in Hornsby Shire;
- An improved understanding of Aboriginal cultural heritage values;
- A streamlined processes for ongoing consultation and collaboration with local Aboriginal people under a new Aboriginal heritage management system;
- An explanation of the current legal and policy requirements relating to Aboriginal heritage assessment for proposed developments; and
- Recommended actions and procedures to improve data management, provide education and training, protect Aboriginal heritage during strategic land use planning and asset management, and facilitate future amendments to the new Aboriginal Heritage Management System.

The draft AHS identifies a staged approach to implement the study recommendations, listing them in order of priority from immediate and ongoing/recurring actions to some actions that can be undertaken in the medium to longer term.

### 2. Exhibition of the draft Aboriginal Heritage Study

The draft AHS was placed on public exhibition from 23 June 2023 to 4 August 2023. During the exhibition period, thirty-seven (37) submissions were received from:

- Three (3) local community groups (Beecroft Cheltenham History Group, Dangar Island Historical Society, and Protecting Your Suburban Environment Inc).
- Twenty-nine (29) local residents.
- Three (3) Aboriginal descendants.
- One (1) public authority (Heritage NSW).
- One (1) regional office (Aboriginal Heritage Office).

Fifteen (15) submissions express support for the preparation of the AHS including the historical research, data analysis and assessments undertaken, the recommended Aboriginal heritage management system, and general praise for producing an informative and robust document.

Some submissions include suggestions for amendments to improve the accuracy and clarity of information provided on identified Aboriginal heritage places and the recommended management practices. Some submissions question the nomination of certain Aboriginal places as heritage items in the Hornsby LEP 2013. The key concerns and suggestions raised in submissions are discussed below.

#### **AHIMS Database information**

Two (2) submissions suggest that there are inaccuracies with the site location information within the Department of Climate Change, Energy, the Environment and Water (DCCEEW), Heritage NSW AHIMS database. One submission questions the legitimacy of the identification of Aboriginal Ceremony and Dreaming sites within AHIMS by non-indigenous people.

#### **Comment:**

The Aboriginal heritage information management system (AHIMS) is a comprehensive database managed by Heritage NSW within the DCCEEW. The information provided in the AHS is a summary of the current recorded data within the AHIMS database. AHIMS records are encouraged to be updated by the persons recording newfound data on sites directly through Heritage NSW.

#### **Recommendation:**

That no change be made to the AHS as a result of the submissions regarding the AHIMS database information.

#### **GuriNgai Debate**

Three (3) submissions identify that there is a dispute within the Aboriginal community about the use of 'GuriNgai' for Country and Traditional custodians within Hornsby Shire which is not addressed in the AHS.

#### **Comment:**

Council and its consultants Coast History and Heritage note there is ongoing debate within the Aboriginal community and more broadly about traditional group names and membership and there is a variety of complex and interrelated factors that determine the composition, name and memberships of traditional owner groups.

Coast History and Heritage, have confirmed the use of the terms Darug and GuriNgai in the AHS follows advice provided by HATSICC. Research into group boundaries and names was not part of the scope of the project. Appendix 2 (An Aboriginal History of Hornsby Shire) outlines that the people consulted who identify as Traditional Owners have a basis for their assertion. It is the right of

Aboriginal people to determine their own group name and membership rules. Consequently, the AHS, which is written by a non-Aboriginal author, does not express an opinion about group boundaries and names. That is a matter to be determined by the Aboriginal communities themselves.

**Recommendation:**

That the AHS be updated to acknowledge the submissions received about the ongoing debate within the Aboriginal community concerning appropriate naming for the Country on which the Hornsby Shire extends and the identification of traditional owners.

**Objectives of the study**

Four (4) submissions comment on the objectives of the AHS, including questions on the allocation of Council resources and omission of information on known heritage items on the Westleigh Park site from the AHS, in particular from Appendix 3.

**Comment:**

Council has a strong commitment to the conservation of natural and cultural heritage, including Aboriginal heritage. The previous Aboriginal Heritage Study was undertaken in 1996, and required updating with new research, community consultation and current AHIMS information. The objectives of the AHS activate Council's commitment to provide effective protection and promotion of Aboriginal heritage throughout the LGA and deliver best practice in planning processes and heritage management.

The AHS includes a summary of the currently recorded AHIMS sites (923) located in Hornsby Shire. As stated above, AHIMS is a comprehensive database managed by Heritage NSW within the DCCEEW. This database already holds the information about known and recorded sites within the Westleigh Park site and as such, no updates to the Hornsby Local Environmental Plan heritage register are required.

Appendix 3 details Hornsby Aboriginal Heritage Places (HAHPs) and includes a notation that it is not a comprehensive listing of places of Aboriginal significance within Hornsby Shire LGA. The HAHPs identified in Appendix 3 provide additional details for places identified during the preparation of the Study.

**Recommendation:**

That no change be made to the AHS as a result of the comments on the study objectives and omission of information on known Aboriginal heritage places in Westleigh Park site.

**Interpretation Opportunities**

Four (4) submissions comment on interpretation of Aboriginal Heritage within the context of ongoing research and additional communication of site features/values at known Aboriginal sites.

**Comment:**

The potential for further exploration around Aboriginal history, heritage, connections, and place naming is immeasurable. The opportunities for undertaking this further research are supported by the recommendation of the AHS, the endorsed Heritage Interpretation Strategy (Artefact Heritage, 2023), as well as Council's Dual naming and/or re-naming of Council facilities Policy (adopted in October 2022).

The recommendations within the AHS seek to improve Aboriginal cultural heritage management processes. Complementary to the endorsed Heritage Interpretation Strategy (Artefact Heritage, 2023),

these recommendations improve the community's understanding of Aboriginal cultural heritage within the Hornsby Shire.

**Recommendation:**

That no change be made to the AHS as a result of comments on Aboriginal cultural heritage interpretation research and identification.

**Aboriginal Heritage Management**

Six (6) submissions comment on the Aboriginal heritage management content of the AHS including publication of sensitive information, long-term conservation policies, community training, licencing agreements and impacts on private property.

**Comment:**

The AHS does not include or propose publication of any cultural information that would place sites at risk and identifies that an Aboriginal Heritage Information Licence Agreement was obtained from Heritage NSW to inform preparation of the study. Renewal of the licence is recommended in the AHS to be acquired periodically to review protocols for Council staff access to the information and potential future publication of cultural sensitivity mapping.

Decisions around policy making for registered sites are managed by Aboriginal custodian groups. The AHS advocates for Aboriginal people to be continually involved in the decisions and actions which affect Aboriginal cultural heritage places in Hornsby Shire and any maintenance actions carried out on sensitive land would be guided by these policies.

The recommendations within the AHS seek to improve opportunities for community education and training. The proposed management program identifies productive avenues for the community to learn about Aboriginal heritage and suggests that all programs are developed and delivered in partnership with the local Aboriginal and non-Aboriginal committees and community organisations.

The recommendations within the AHS apply to the whole Council area to improve Aboriginal heritage management and education on Heritage NSW Aboriginal cultural heritage requirements and guidelines.

**Recommendation:**

That no change be made to the AHS as a result of comments on publication of sensitive information, long-term conservation policies, community training, licencing agreements, impacts on private property.

**Aboriginal Heritage Places**

One (1) submission suggests minor improvements to the historical information provided on two Hornsby Aboriginal Heritage Places (HAHP).

**Comment:**

Updated historical information was provided identifying that the former residence of Bill Onus is no longer standing (HAHP #23) and the former residence of Margaret Tucker remains intact (HAHP #40). Further investigations into the state of these two properties was undertaken and this information from the submission has been confirmed.

**Recommendation:**

That the AHS be updated to include amended references in relation to Bill Onus' residence (HAHP #23) and Margaret Tucker's residence (HAHP #40) in Appendix 3.

**Inclusion of Aboriginal values to existing heritage listed item 495 - Mount Wilga and grounds**

One (1) submission questions the Aboriginal significance assigned to Mount Wilga Private Rehabilitation Hospital (HAHP #55) in the AHS, the validity of the research and the resultant planning and cost implications for the land owner.

**Comment:**

Mount Wilga and grounds is an existing heritage listed item, significant for its outstanding late Federation Queen Anne style mansion and grounds and the site of the Mount Wilga Rehabilitation Hospital which operated between 1952 and 1987. The AHS identifies Mount Wilga Private Rehabilitation Hospital to be a place of Aboriginal significance in relation to the 1958 admission of Francis Cruse, a young Aboriginal man, to recover from illness. Francis Cruse's admission is recognised to be a significant historical and social instance permitted by the 1940s Australian Government policy shift towards Aboriginal assimilation, which encouraged Aboriginal people living in reserves and stations to move into the broader community with greater access to services previously not available to Aboriginal people.

The AHS recommendation to update the inventory sheet for the existing heritage item with this information does not require amendment to the Hornsby LEP and would not have onerous impacts on the landowner. The property is an existing heritage listed site and the Aboriginal heritage value is of historic and social nature. The identification of Francis Cruse as a patient makes a contribution to the understanding of the significance of the site under Criterion D Associative (community/groups) and provides an additional aspect to the significance under Criterion A Historic to be added to the inventory sheet for the property. The Heritage NSW requirements and guidelines for the discovery of any historical Archaeological or Aboriginal archaeological deposits during any works undertaken would remain the same as the current legislative obligations for the site.

**Recommendation:**

That the AHS be updated to include references in relation to Francis Cruse connections to Mount Wilga Private Hospital and an explanation of the contribution to the significance criterion outlined above. (HAHP #55).

**Heritage listing of a new Archaeological Site - Moses Shattles' Property**

Twelve (12) submissions comment on the proposal to list Moses Shattles' Property (HAHP#21) as a new archaeological site within the Hornsby LEP. Eleven (11) submissions explain that no archaeological resources could remain after the extensive ground disturbance and land modification works that have been undertaken on the identified allotments and question the resultant planning and cost implications to the landowners already covered by C4 Environmental Living land zoning.

One (1) submission (which informed several other submissions received) included a detailed historical archaeological assessment prepared by a qualified archaeologist. It identified that the site is not a rare occurrence of Aboriginal land ownership, that Moses' Shattles Cottage was not located on the identified residential allotments and demonstrates that there is nil to low potential for archaeological remains below the ground surface associated with the occupation and ownership of Moses Shattles.

**Comment:**

The AHS identifies Moses Shattles' property located across public and private land to have been the home of Moses and Alice Shattles and their four children. The site is recommended to be listed as a new archaeological site within the Hornsby LEP for its potential of historical archaeological remains relating to the occupation by Moses Shattles and his family in the late nineteenth century, association

with a family of importance in the history of the local area and as a rare instance of Aboriginal ownership of land (under a non-Indigenous title).

Based on a review of the additional historical information provided in submissions it is understood that the land was owned by Moses Shattles for a five-year period while living on Bar Island with his family, that his cottage was solely located in Lot 7 DP 654708, a public reserve managed and owned by the National Parks and Wildlife Service (NPWS) and that the surrounding private properties have been heavily modified with cut and fill works.

Post-exhibition investigations indicate that much of the former Shattles property is now located within Marramarra National Park and that the owners of the private allotments have significantly transformed the landscape which removes any potential for historical deposits to remain underground.

***Recommendation:***

That the AHS be updated to include the new information and references in relation to the former Shattles Property (HAHP#21) and that the recommendation to list Moses Shattles' Property (HAHP#21) as a new archaeological site not be progressed as part of Council's Implementation Action Plan.

**Heritage listing of a new Archaeological Site - Waitara Foundling Home**

Three (3) submissions comment on the proposed heritage listing of Waitara Foundling Home (HAHP#39) located on the current site of The Grange. Two (2) submissions state that no archaeological resources could remain after the extensive ground disturbance and land modification works that have been undertaken and question the resultant planning and cost implications to the landowners. One (1) submission provides support for the proposed heritage listing nomination.

***Comment:***

The AHS identifies Waitara Foundling home as significant as an institution where care was provided to Aboriginal mothers and young children. It is a local instance of broader policies of Government involvement in Aboriginal lives.

Post exhibition investigations indicate that an existing cottage was initially used for the Foundling Home and was later replaced by a purpose built structure.

Further historical research should be undertaken into the archaeological potential for subsurface remains associated with the former Foundling Home, which is the subject a draft Archaeological Heritage Study (ARCHS), prior to any potential heritage listing.

***Recommendation:***

That the AHS be updated to state that the original Foundling Home cottage was later replaced by a purpose-built structure #39) and that the recommendation to list Waitara Foundling Home (HAHP #39) as a new archaeological site not be progressed as part of Council's Implementation Action Plan. The investigation of archaeological significance should be deferred for assessment under Council's draft ARCHS.

**3. Heritage NSW**

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

**4. Aboriginal Heritage Office**

The AHS was referred to the Aboriginal Heritage Office at the commencement of the exhibition period. A submission was received which commented on the challenges of using sensitive mapping modelling in heritage management, the tenure of an Aboriginal Officer at Hornsby Shire and the debate over use of the name 'GuriNgai', which has been discussed above. The submission also provided support for the data management recommendations and attests that the AHS would be a great asset to Council.

**Comment:**

The challenges of using state government modelling to map Aboriginal heritage sensitivity and the volume of work required to refine the sensitivity map were extensively considered in preparation of the AHS. The consultant preparing the AHS advised that increasing awareness that all properties may have Aboriginal heritage significance and of the Heritage NSW requirements was essential to enact and improve Aboriginal heritage management, and to ensure that Aboriginal heritage is protected, understood and celebrated.

Post exhibition investigations found additional information on the tenure of Mr David Watts as the Hornsby Shire Council Aboriginal Heritage Officer and his input in producing Aboriginal heritage documents for Council in the late 1990s. Inclusion in the AHS would improve and support the narrative explaining Council's commitment to Aboriginal heritage management.

**Recommendation:**

That the AHS be updated to include the information relation to the tenure of Mr David Watts at Hornsby Council to improve and support the narrative explaining Council's commitment to Aboriginal heritage management.

**CONSULTATION**

The AHS 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 Council's.
- Hard copies were placed in Council's local library branches.

The Heritage Advisory Committee and Hornsby Aboriginal and Torres Strait Islander Consultative Committee were extensively engaged from inception to finalisation of the document, in accordance with Council's resolution to undertake the CHS.

An Aboriginal community engagement strategy was also prepared in consultation with HATSICC to assist preparation of the AHS. Consultation with the Aboriginal community was undertaken in accordance with the approved strategy and recognised the key Aboriginal community groups to include HATSICC, Darug and GuriNgai Traditional Custodians, Aboriginal people with historical



connections to Hornsby Shire, and the Metropolitan, Darkinjung, and Deerubbin Local Aboriginal Land Councils.

### **BUDGET**

The costs to date associated with the preparation of the AHS have been covered under the Comprehensive Heritage Study program allocated funds.

The allocated funds do not cover implementation of the recommendations included in *Implementation Action Plan*.

Once adopted, Council will need to identify and prioritise which actions they would like to have carried out. Council will also need to allocate the required funds and staff resources.

Many recommendations, such as the immediate, ongoing and recurring actions can be incorporated into future actions and ongoing tasks undertaken by staff and funded by the Strategic Land Use Planning operational budget.

### **POLICY**

Once adopted, the actions set out in the Implementation Action Plan attached to this report would provide a schedule to implement a new Aboriginal heritage management strategy and supporting measures to ensure Aboriginal heritage in the Shire is protected, understood and celebrated. The recommendations in the Implementation Action Plan are listed in order of priority for when project resources, opportunities, and Council led funding permit.

### **CONCLUSION**

The AHS was exhibited from 23 June 2023 to 4 August 2023. During the exhibition, Council received 37 submissions, with the majority in support of the AHS.

The feedback received in the submissions suggested amendments, further research and additional information to better inform the recommendations of the AHS. A new Section (2.6.3) has been included to summarise submissions received and the AHS has been amended to update and improve the information provided in certain sections of the report.

One recommendation of the AHS, to list two (2) new archaeological sites on Schedule 5 of the Hornsby LEP, is recommended not to proceed, or to be progressed separately based on a review of the submissions and consideration of the forthcoming draft Archaeological Heritage Study.

It is recommended that Council endorse the AHS and the recommendations set out in Implementation Action Plan 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 - Aboriginal Heritage Study 2023
2.  Implementation Action Plan - Aboriginal Heritage Study

File Reference: F2020/00185#02-002

Document Number: D08879481

## **10 REPORT ON SUBMISSIONS - DRAFT PLANNING AGREEMENTS POLICY 2024**

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### **EXECUTIVE SUMMARY**

- A planning agreement is a voluntary agreement between a proponent and a planning authority, under which the proponent is required to contribute to public purposes and public facilities. Planning agreements are governed by the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021.
- The Hornsby Shire Council Policy on Planning Agreements (Planning Agreements Policy 2007) sets out Council's policy and procedures relating to planning agreements.
- Opportunities have been identified to bring the Policy in line with current best practice and assist the preparation and assessment of planning agreements, resulting in the preparation of the draft Planning Agreements Policy 2024.
- At its meeting on 10 April 2024, Council endorsed the draft Planning Agreements Policy 2024 for public exhibition. The draft Policy would assist the preparation of agreements that meet Council and community expectations, streamline processes and maintain a clear framework.
- The draft Planning Agreements Policy and supporting documentation was placed on public exhibition from 22 April 2024 to 27 May 2024. No submissions were received.
- It is recommended that Council adopt the draft Planning Agreements Policy 2024 as exhibited.

### **RECOMMENDATION**

THAT Council adopt the Planning Agreements Policy 2024 and supporting documents as attached to Director's Report No. PC11/24 to supersede the Policy on Planning Agreements 2007.

## PURPOSE

The purpose of this Report is to present the outcomes of the public exhibition of the draft Planning Agreements Policy 2024.

## BACKGROUND

Council's current Policy on Planning Agreements 2007 was developed to provide guidance for Council based on best practice at the time. Best practice has evolved over time, along with updates to NSW Government Guidelines. In response, a planning consultant that specialises in the field (GLN Planning) was engaged to assist prepare an updated policy and supporting documents as follows:

- Draft Planning Agreement Policy 2024
- Draft Template for Planning Agreements
- Draft Preparation instructions
- Draft Template Explanatory Notes
- Draft Template for Letters of Offer.

At its meeting on 10 April 2024, Council considered a report presenting the above documents and resolved that:

1. *The draft Planning Agreements Policy 2024 and supporting documents attached to Director's Report No. PC5/24 be placed on public exhibition for a period of at least 28 days in accordance with Council's Community Engagement Plan.*
2. *Following exhibition, a report on submissions be presented to Council for consideration.*

In accordance with Council's resolution, the draft Planning Agreements Policy 2024 and supporting documents were placed on public exhibition from 22 April to 27 May 2024.

## DISCUSSION

The draft Planning Agreements Policy 2024 has been prepared as a new policy that would supersede the 2007 Policy. The draft Policy aims to:

- provide clear explanations of the steps involved in preparing a planning agreement;
- set out obligations of the key individuals participating in the process; and
- provide specific details regarding the mandatory use of template letters of offer and template planning agreements in Hornsby Shire.

No submissions were received in response to the public exhibition of the draft Policy.

It is anticipated that the revised Policy will streamline the process for the preparation and assessment of planning agreements, while also setting clearly identifying expectations for all parties.

No changes are recommended to the draft Planning Agreements Policy 2024 following the exhibition period.

It is recommended that the draft Planning Agreements Policy 2024 and supporting documents attached to Director's Report No. PC 11/24 be adopted as exhibited, placed on Council's website and be used to guide the preparation, assessment, entering and execution of planning agreements in the Shire.

## CONSULTATION

The draft Planning Agreements Policy 2024 and supporting templates were exhibited from 22 April to 27 May 2024, in accordance with Council's resolution. The consultation included:

- Advertisement in the Hornsby Ku-ring-gai Post, Bush Telegraph, Galston Glenorie Community News and Dooral Roundup
- Advertisement on Council's 'Your Say Hornsby' website
- Advertisement in Council's electronic newsletter
- Displays at the Hornsby and Pennant Hills local libraries.

## BUDGET

The preparation of the draft Planning Agreements Policy 2024 and supporting documents has been accounted for in the Strategic Land Use Planning operational budget.

## POLICY

The draft Planning Agreements Policy 2024 aligns with current legislation and guidelines relating to planning agreements.

If adopted, the draft Planning Agreements Policy 2024 would supersede the Policy on Planning Agreements 2007 and provide the framework for the preparation, negotiation and entering into planning agreements related to future development applications and planning agreements.

## CONCLUSION

The draft Planning Agreements Policy 2024 is an update to Council's current Planning Agreement Policy, bringing it in line with current legislation and guidelines.

Public exhibition of the draft Planning Agreement Policy 2024 was undertaken in accordance with Council's 10 April 2024 resolution, with no submissions received.

It is recommended that Council adopt the draft Planning Agreements Policy 2024 and supersede the Policy on Planning Agreements 2007.


## 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 Council Draft PA Policy
2.  Hornsby Council PA Template
3.  Hornsby Council PA Template Guide

4.  Hornsby Council PA Explanatory Note Template
5.  Hornsby Council Letter of Offer Template

File Reference: F2023/00172

Document Number: D08889460

**ITEM 10**

## 11 GALSTON AQUATIC AND LEISURE CENTRE LOCKERS

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### EXECUTIVE SUMMARY

- At the 13 March 2024 General Meeting, Council resolved a Notice of Motion moved by Councillor Greenwood, NOM2/24 to investigate and assess the costs of providing keyless lockers at Galston Aquatic and Leisure Centre.
- During March 2024, Council undertook an investigation and benchmarking exercise across 13 Aquatic Facilities in the greater Sydney area to assess the appropriate type, spaces, and cost of lockers for Galston Aquatic and Leisure Centre in accordance with the Notice of Motion.
- On 24 April 2024, an Informal Councillor Workshop was held to report on the outcome of the investigation and assessment of options for consideration of inclusion in Council's Delivery Program/Operational Plan 2024/25.

### RECOMMENDATION

THAT:

1. Following an investigation into the benchmarking and assessment of lockers, Council supply and install 12 keyless lockers at Galston Aquatic and Leisure Centre in line with Option 2 of this report at a cost of \$4,888 with budget identified in Council's Delivery Program/Operation Plan 2024/25.
2. Council provides these lockers as a free service for our community and pool users to securely store their belongings on the pool deck during their visit to the Galston Aquatic and Leisure Centre.

## PURPOSE

The purpose of this report is to provide the outcome of investigations and assessment of locker options for the Galston Aquatic and Leisure Centre.

## BACKGROUND

Galston Aquatic and Leisure Centre (GALC) was reopened to the public on 15 December 2023 with a grand opening held on 3 February 2024.

The matter of lockers for the temporary storage of personal items while utilising the facility was not included as part of the scope of works for the capital upgrade of this facility.

At the 13 March 2024 General Meeting, Council resolved the following Notice of Motion moved by Councillor Greenwood, NOM2/24.

*THAT Council:*

- 1. Acknowledges the need for keyless entry lockers to be fitted in the newly refurbished Galston Aquatic and Leisure Centre to ensure safe and reliable security for the personal belongings of visitors to the centre.*
- 2. Investigates and assesses the cost of providing keyless lockers that are 'user friendly' and accessible, waterproof and corrosion proof as well as being architecturally sympathetic to the spaces within the Centre environment.*
- 3. Reports the outcome of this investigation and assessment at an informal workshop for consideration of inclusion in Council's Delivery Program/ Operational Plan 2024/25.*

## DISCUSSION

During March 2024, Council undertook research into 13 Aquatic Facilities in the greater Sydney area, including Maitland City Council, for the purpose of benchmarking numbers, types and the location of lockers within each facility.

On 24 April 2024, Council presented the findings of the investigation and assessment to an Informal Council Workshop.

Findings showed the average number of lockers across all Facilities was 130 highlighting that all facilities were not a 'like for like' comparison and noting all are predominantly larger than GALC. With the majority of facilities hosting 50m pools with Learn to Swim (LTS) activities, some facilities do not offer lockers while others such as North Sydney Pool, are planning for 500 lockers. It was reported that no public fees were charged for locker use in any these Facilities.

During Council's assessment, it was identified that polyethylene would be the most durable material within an aquatic environment. The locking mechanism most suitable and common for lockers in a corrosive environment is a pin option which does not require patrons to carry a key or obtain a token from reception and which can be accessed by staff if the pin number is entered incorrectly.

The most suitable location for lockers was assessed as being outside both the male and female changerooms, under constant CCTV supervision and easily identified and accessible.

The appropriate number of lockers at GALC is recommended at 12 based on the size of the location, the anticipated demand and utilisation, and the available space provided for lockers at the selected location within the GALC facility.



The assessment promoted two options with recommendations favouring Option 2 due to the additional individual locker height and width and the tower height for ease of access:

Options	Option 1	Option 2
<b>Towers</b>	Two with Six lockers in height	Three with Four lockers in height
<b>Quantity</b>	12	12
<b>Dimensions</b>	300mm high x 380 wide x 500 deep	450mm high x 385 wide x 500 deep
<b>Material</b>	Polyethylene	Polyethylene
<b>Keypad</b>	Locking with protective cover	Locking with protective cover
<b>Replacement Parts</b>	Lockers (\$99) Lock Covers (\$25) Numbers (\$8)	Lockers (\$99) Lock Covers (\$25) Numbers (\$8)
<b>Warranty</b>	15 years (excluding fittings)	15 years (excluding fittings)
<b>Costs</b>	\$4,246	\$4,888

### BUDGET

The locker option recommended as most suitable and value for money is Option 2 at \$4,888 and would be a budgetary consideration for inclusion in Council's Delivery Program/Operational Plan 2024/25.

### POLICY

There are no policy implications associated with this Report.

### CONCLUSION

Council to consider the recommendation provided in this report following the investigation, assessment and findings presented on 24 April 2024 at the Informal Councillor Workshop.

### RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Manager of Aquatic & Brickpit Andrew Jackson, who can be contacted on 9847-6310

ANDREW JACKSON  
Manager Aquatics and Brickpit  
Infrastructure and Major Projects Division

FIONA LEATHAM  
Director, Infrastructure & Major Projects  
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### Attachments:

There are no attachments for this report.

File Reference: F2021/00287  
Document Number: D08875939

**14 MAYORS NOTES 01 MAY 2024 TO 31 MAY 2024**

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

Wednesday 1<sup>st</sup> May 2024 – The Mayor hosted two Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Friday 3<sup>rd</sup> May 2024 – The Mayor attended Galston High School's ANZAC Day ceremony, in Galston.

Friday 3<sup>rd</sup> May 2024 – The Mayor attended North West Schools Rugby Championship Invitation at Redfield College, in Dural.

Saturday 4<sup>th</sup> May 2024 – The Mayor attended the Ron Payne Park amenities opening at Ron Payne Park, North Epping.

Sunday 5<sup>th</sup> May 2024 – The Mayor attended the Jekyll & Hyde production presented by Hornsby Musical Society, Hornsby.

Friday 10<sup>th</sup> May 2024 – The Mayor attended the 2024 Remagine Art Prize Wallarobba Arts and Cultural Centre, Hornsby.

Sunday 12<sup>th</sup> May 2024 – The Mayor attended Australia's Biggest Morning Tea - Epping Public School, Epping.

Saturday 18<sup>th</sup> May 2024 – The Mayor attended the Pennant Hills Park Netball Courts 1 and 2 upgrade at Pennant Hills Park.

Saturday 18<sup>th</sup> May 2024 – The Mayor attended the opening of the North Epping Community battery, North Epping.

Sunday 19<sup>th</sup> May 2024 – The Mayor attended the ANZAC Memorial Service Knox Grammar, in Wahroonga.

Tuesday 21<sup>st</sup> May 2024 – The Mayor attended the Unveiling Ceremony of the Lynn McCrindle Multi-Purpose Centre, in Dural.

Thursday 23<sup>rd</sup> May 2024 – The Mayor attended the Bobbo Presentation Night at Magpies Waitara.

Friday 24<sup>th</sup> May 2024 – The Mayor attended Delhi Heights Indian Restaurant Dural for the Cancer Council Australia's Biggest Morning Tea Project, in Dural.

Saturday 25<sup>th</sup> May 2024 – On behalf of the Mayor, Councillor Greenwood attended the Oakhill College Gala Day at Oakhill College in Castle Hill.

Wednesday 29<sup>th</sup> May 2024 – The Mayor attended a photo shoot to mark the Lisgar Gardens upgrades at Lisgar Gardens.

Friday 31<sup>st</sup> May 2024 – The Mayor attended the Hello Hornsby - Coffee and Chat at Berowra.

Friday 31<sup>st</sup> May 2024 – The Mayor attended the Reconciliation Concert in the Hornsby Mall.

Friday 31<sup>st</sup> May 2024 – The Mayor attended the Hornsby Area Residents for Reconciliation event (HARR) at Hornsby Library.

File Reference: F2004/07053

Document Number: D08885612

**ITEM 14**