



BUSINESS PAPER

GENERAL MEETING

**Wednesday 13 August 2025
at 6:30 PM**



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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."

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

DECLARATIONS OF INTEREST

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

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

- 4.16 *A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.*
- 4.17 *The councillor must not be present at, or in sight of, the meeting of the council or committee:*
- a) *at any time during which the matter is being considered or discussed by the council or committee, or*
 - b) *at any time during which the council or committee is voting on any question in relation to the matter.*

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

- 5.10 *Significant non-pecuniary conflict of interests must be managed in one of two ways:*
- a) *by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or*
 - b) *if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.*
- 5.11 *If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.*

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 9 July, 2025 be confirmed; a copy having been distributed to all Councillors.

PETITIONS**PRESENTATIONS****RESCISSION MOTIONS****MAYORAL MINUTES****ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS***Note:*

Persons wishing to address Council on matters which are on the Agenda are permitted to speak, prior to the item being discussed, and their names will be recorded in the Minutes in respect of that particular item.

*Persons wishing to address Council on **non agenda matters**, are permitted to speak after all items on the agenda in respect of which there is a speaker from the public have been finalised by Council. Their names will be recorded in the Minutes under the heading "Public Forum for Non Agenda Items".*

GENERAL BUSINESS

- *Items for which there is a Public Forum Speaker*
- *Public Forum for non agenda items*
- *Balance of General Business items*

OFFICE OF THE GENERAL MANAGER

Nil

CORPORATE SUPPORT DIVISION**Page Number 1**

**Item 1 CS37/25 COUNCILLOR EXPENSES AND FACILITIES POLICY - REPORTING
REQUIRED BY SECTION 15 OF THE POLICY**

RECOMMENDATION

THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2024 to 30 June 2025 have been tabled in accordance with the Councillors' Expenses and Facilities Policy.

Page Number 7**Item 2 CS38/25 INVESTMENTS AND BORROWINGS (PRE-AUDIT) FOR 2024/2025 - STATUS FOR THE PERIOD ENDING 30 JUNE 2025****RECOMMENDATION**

THAT the contents of Director's Report No. CS38/25 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION**Page Number 10****Item 3 CE1/25 REVIEW OF POLICIES AND CODES - COMMUNITY AND ENVIRONMENT DIVISION****RECOMMENDATION**

THAT Council adopt the recommendations contained in the table in Director's Report No. CE1/25 in respect of each of the current policies under the jurisdiction of the Community and Environment Division.

PLANNING AND COMPLIANCE DIVISION**Page Number 17****Item 4 PC13/25 SYDNEY NORTH PLANNING PANEL AND HORNSBY LOCAL PLANNING PANEL - LOCAL AND COMMUNITY PANEL MEMBERS****RECOMMENDATION**

THAT Council:

1. Re-appoint Sue Weatherly (Technical Representative); Mark McCrindle (Community Representative), Christine Newman (Alternative) and David White (Alternative) as local members on the Sydney North Planning Panel for a period of 3 years.
2. Extend the term of appointment for Anthony Hudson, Elizabeth Kinkade, Gregory Flynn, Heather Warton, John Brockhoff, Larissa Ozog, Marjorie Ferguson, Michael Leavey and Stephen Leathley as expert members on the Hornsby Local Planning Panel (HLPP) until 30 June 2027 and Council consider new membership at that time.
3. Extend the term of appointment for Martin Dargan, David White and Tony Jones as community representatives on the HLPP until 30 April 2026.
4. Commence an expression of interest process to appoint new community members of the HLPP by the end of April 2026.
5. Thank Amanda Anderson and Aiman Khan for their contribution to the HLPP.
6. Advise the Planning Panels Secretariat at the Department of Planning, Housing and Infrastructure of Council's resolution.

Page Number 24**Item 5 PC14/25 EMPLOYMENT LANDS PLANNING PROPOSAL****RECOMMENDATION**

THAT:

1. Council endorse progression of the Employment Lands Study Planning Proposal attached to Director's Report No. PC14/25 for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
2. The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan 2024 attached to Director's Report No. PC14/25 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for consideration.

Page Number 36**Item 6 PC15/25 REVIEW OF POLICIES – PLANNING AND COMPLIANCE DIVISION****RECOMMENDATION**

THAT Council adopt the new Enforcement Policy and recommendations contained in the table in Director's Report No. PC15/25 in respect of each of the current Policies under the jurisdiction of the Planning and Compliance Division.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS WITH NOTICE****Page Number 40****Item 7 QWN2/25 REHABILITATION OF HORNSBY QUARRY TO HORNSBY PARK****MAYOR'S NOTES****Page Number 41****Item 8 MN7/25 MAYOR'S NOTES 01 JULY 2025 TO 31 JULY 2025****NOTICES OF MOTION**

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Item 9 NOM4/25 PROPERTIES 79-87 MALTON ROAD, BEECROFT

COUNCILLOR TILBURY TO MOVE

THAT Council write to the NSW Minister for the Environment and local State Members of Parliament outlining Council's previously expressed view concerning the potential State conservation significance of property Nos. 79-87 Malton Road, Beecroft and requesting consideration of submissions by residents requesting the State Government seek to purchase the land.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 COUNCILLOR EXPENSES AND FACILITIES POLICY - REPORTING REQUIRED BY SECTION 15 OF THE POLICY

EXECUTIVE SUMMARY

- The Councillors' Expenses and Facilities Policy, which is modelled on the Office of Local Government's Better Practice Template, requires that a report on the provision of facilities and payment of expenses to Councillors is to be tabled at a Council Meeting at six monthly intervals.
- Council last considered the required report at the General Meeting of 12 February 2025.
- This report covers the 12-month period from 1 July 2024 to 30 June 2025. Details are provided of expenditure grouped according to specific categories, summarised by individual Councillor and as a total for all Councillors.
- The reporting period for Councillor expenses includes a Council election that was held in September 2024 therefore reporting across two elected bodies.

RECOMMENDATION

THAT Council note that details regarding the provision of Councillor expenses and facilities for the period from 1 July 2024 to 30 June 2025 have been tabled in accordance with the Councillors' Expenses and Facilities Policy.

PURPOSE

The purpose of this Report is to comply with Clause 15 of the Councillors' Expenses and Facilities Policy which requires regular reporting of the details of expenses incurred, and cost of facilities provided, for each Councillor. The Report is to include expenditure grouped according to specific categories, summarised by individual Councillor and as a total for all Councillors.

BACKGROUND

The Councillors' Expenses and Facilities Policy requires that a report on the provision of expenses and facilities to Councillors be tabled at a Council Meeting at regular intervals. The relevant Clause states:

- 15.1 Council will report on the provision of expenses and facilities to councillors as required in the act and regulations*
- 15.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors*

Council last considered a report on Councillors' Expenses and Facilities at the 12 February 2025 General Meeting (Report No. CS5/25). In accordance with Section 15 of the Policy reporting takes place on a six-monthly basis. This Report includes expenses incurred in the 12-month period from 1 July 2024 to 30 June 2025. This period includes a Council election that was held in September 2024 and therefore reporting across two elected bodies.

The main categories of expenses facilities are summarised in the table below. The Councillors – Expenses and Facilities Policy was reviewed at the 09 April 2025 General Meeting, as part of Director's Report No. CS3/25. The table below shows the amounts which apply to the financial year 2024/2025, as stated in the Policy Summary, these amounts are to be increased by CPI each year.

General travel expenses (other than travel associated with Conferences and Professional Development)	\$5,800 total for all Councillors	Per year
Interstate, overseas and long-distance intrastate travel expenses	\$0	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development (includes associated travel and subsistence where applicable)	\$36,700 total for all Councillors	Per year
Conferences and seminars (includes associated travel and subsistence	\$42,850 total for all Councillors (Increased to \$57,850 in the	Per year

ITEM 1

where applicable)	years where the LGNSW Conference is held outside the Sydney metropolitan region.)	
ICT expenses	\$5,650 per Councillor \$3,200 per Councillor	Per year (first year of election) Per year (following years of election)
Carer expenses	\$2,450 per Councillor	Per year
Home office expenses (equipment and facilities other than stationery)	\$400 per Councillor	Per year
Stationery	\$3,700 total for all Councillors	Per year
Postage stamps	Provided by Council	Not relevant
Christmas or festive cards	\$1,750 for the Mayor \$600 total for all other Councillors	Per year
Access to facilities in a Councillor common room	Provided to all Councillors	Not relevant
Council vehicle and fuel card	Provided to the Mayor	Not relevant
One reserved parking space at Council offices One shared parking space at Council offices	Provided to the Mayor Shared by all Councillors	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Number of exclusive staff supporting Mayor and Councillors	Provided to the Mayor and Councillors	Two
Spousal attendance at conferences	\$1,250 for the Mayor \$650 per Councillor	Per year
Attendance at non-Council functions	\$1,250 for the Mayor \$650 per Councillor	Per year

DISCUSSION

When Council last reviewed its Councillors' Expenses and Facilities Policy in April 2025, it was required to ensure that the Policy was in line with, and modelled on, the "Councillor Expenses and Facilities Policy – Better Practice Template" issued by the Office of Local Government (OLG).

To ensure greater accountability across councils, and public availability of information regarding expenditure on councillor expenses and facilities, the OLG's Better Practice Template, and subsequently Council's adopted Policy, incorporates a requirement to record expenditure for each individual Councillor, as well as a total for all Councillors, across the categories detailed in the above table. This reporting is required to occur at six monthly intervals and is generally provided to Council in August and February each year.

[N.B. The reporting requirements of the Councillors Expenses and Facilities Policy are in addition to, and provide greater detail than, those which are required by Section 217 of the Local Government (General) Regulation to be included in Council's Annual Report.]

Council officers have established appropriate administrative procedures to ensure that the relevant information is captured in a manner which satisfies the reporting requirements of the Policy.

The table below provides the required information for the 12-month period from 1 July 2024 to 30 June 2025. Where an explanation or clarification is required about particular expenditures (marked with a * in the table), comments are provided in the text following the table.

ITEM 1

Expense or Facility July 2024 - June 2025																
	General travel (other than associated with Conferences + Professional Development)	Interstate, overseas + long distance intrastate travel expenses	Accomm + meals (When not associated with Conference etc)	Professional development (incl associated accom & travel)	Conferences & seminars (incl associated Travel & Accom)	ICT - Computer / Ipad Only	Mobile Phone + Data Plan (incl Internet etc for Computer)	Carer expenses	Home office expenses	Stationery	Postage stamps	Christmas or festive cards	Spousal attendance at conferences	Name Badges	Attendance at non-Council functions	Total
Waddell	-	-	-	6,350	4,516	-	486	-	-	-	-	-	-	-	303	\$ 11,655
Tilbury	-	-	-	750	2,226	-	2,121	-	363	178	-	-	-	-	-	\$ 5,637
McIntosh	-	-	-	750	3,639	-	406	-	-	-	-	-	-	-	-	\$ 4,795
Ball	244	-	79	1,115	2,594	-	-	-	-	-	-	-	-	-	-	\$ 4,032
Greenwood	-	-	-	750	2,486	-	654	-	-	-	-	-	-	-	164	\$ 4,055
McClelland	-	-	-	823	1,966	-	293	-	-	-	-	-	-	-	84	\$ 3,166
Seagrove	-	-	-	750	3,351	-	636	-	-	-	-	-	-	-	42	\$ 4,779
Simons	844	-	-	750	3,001	-	39	-	194	-	-	-	-	-	-	\$ 4,827
Conley	-	-	-	750	2,120	-	-	-	-	-	-	-	-	-	-	\$ 2,870
McSweeney	-	-	-	750	2,120	-	-	-	-	-	-	-	-	-	-	\$ 2,870
Ruddock	-	-	-	-	-	-	315	-	-	-	-	-	-	-	-	\$ 315
Heyde	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ -
Pillamarri	-	-	-	-	-	-	669	-	-	-	-	-	-	-	-	\$ 669
Salitra	-	-	-	-	1,433	-	-	-	-	-	-	-	-	-	-	\$ 1,433
Total	\$ 1,087	\$ -	\$ 79	\$ 13,538	\$ 29,452	\$ -	\$ 5,619	\$ -	\$ 556	\$ 178	\$ -	\$ -	\$ -	\$ -	\$ 593	\$ 39,448

It is noted that expenses incurred during the reporting period fall significantly under the allocation for each category and in total.

BUDGET

The categorisation and reporting of expenditure in respect of councillors' expenses and facilities in the manner required and presented within this Report assists with the monitoring of expenses for that provision within Council's adopted budget. The overall total expenses reported for the 12-month period from July 2024 to June 2025 of \$39,448 is considerably less than the total budget provision for the financial year. All expenses have been approved as required by the General Manager or other staff under delegation.

POLICY

The Report meets the requirements of the provisions of Section 15 of Council's Councillors' Expenses and Facilities Policy.

CONCLUSION

The Councillors' Expenses and Facilities Policy requires details of expenditure and the provisions of facilities to Councillors, summarised by individual Councillor and expense category, as well as a total for all Councillors, to be presented to Council at an open meeting. The expenditure by Councillors for the period July 2024 to June 2025 is well within the budget provision and requirements of the Policy. This Report provides the relevant information as required by the Policy and ensures all statutory requirements are met.

RESPONSIBLE OFFICER

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

STEPHEN COLBURT

Manager, Governance and Customer Service
Corporate Support Division

GLEN MAGUS

Director - Corporate Support
Corporate Support Division

Attachments:

There are no attachments for this report.

File Reference: F2004/09552-02

Document Number: D09170316

2 INVESTMENTS AND BORROWINGS (PRE-AUDIT) FOR 2024/2025 - STATUS FOR THE PERIOD ENDING 30 JUNE 2025

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 30 June 2025 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 June 2025 of 5.58% which includes a positive yield of 15.98% from TCorp Managed Funds.
- The 2024/25 financial year return is 5.12% which includes a positive yield of 8.12% from TCorp Managed Funds. This result includes a year-to-date unrealised net gain of \$1,927,084 from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS38/25 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 June 2025 is detailed in the attached document. In summary, the portfolio achieved an annualised return for June 2025 of 5.58% including a positive yield from TCorp Managed Funds of 15.98%. On a financial year to date basis the portfolio achieved an annualised return of 5.12% which includes a positive yield of 8.12% from TCorp Managed Funds.

The returns from TCorp Managed Funds can experience market volatility due to external economic conditions such as the recent emergence of new global trade tariffs. It is noted that this product has a medium to long term 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. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

The Borrowings Schedule as at 30 June 2025 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 \$10,045,266 with an average budgeted monthly income of \$837,106. Net investment income for the month ended 30 June 2025 was \$1,314,776, which includes an unrealised gain of \$310,813 from TCorp Managed Funds.

Budgeted investment income year to date at 30 June 2025 was \$10,045,266. Total investment income year to date at 30 June 2025 was \$14,229,950 which includes a year-to-date unrealised net gain of \$1,927,084 from TCorp Managed Funds. It is noted that the budget and actual investment income excludes a year-to-date unrealised capital gain from Floating Rate Notes of \$72,499 as at 30 June 2025.

Approximately 45.25% 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.

CONCLUSION

The investment of Council funds and the extent of its borrowings as of 30 June 2025 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 June 2025
2.  HSC Borrowings Summary Report June 2025

File Reference: F2004/06987-02
Document Number: D09175923

3 REVIEW OF POLICIES AND CODES - COMMUNITY AND ENVIRONMENT DIVISION

EXECUTIVE SUMMARY

- Council's Policy – "Review, Adoption and Alteration of Council Policies" – states that each Division of Council has a two-month period in the first and third year of each term of Council to review all policies under their control and recommend any changes to Council.
- The current policies pertaining to the Community and Environment have now been reviewed and recommendations have been made for each policy based on current service needs and legislative changes.

RECOMMENDATION

THAT Council adopt the recommendations contained in the table in Director's Report No. CE1/25 in respect of each of the current policies under the jurisdiction of the Community and Environment Division.

PURPOSE

The purpose of this Report is to present to Council the outcomes of the review of policies under the jurisdiction of the Director Community and Environment Division, and to seek Council's endorsement of the recommended actions in response to the review of those policies.

BACKGROUND

Council's Policy – "Review, Adoption and Alteration of Council Policies" – states that each Division of Council has a two-month period in the first and third year of each term of Council to review all policies under their control and recommend any changes to Council.

The policies under the jurisdiction of the Director Community and Environment Division were last reviewed at the Ordinary Meeting of Council on 12 September 2018 Group Manager's Report No. EH16/18.

DISCUSSION

Policy	Comment and Recommendation
Community Services Branch	
Aboriginal Reconciliation Statement of Commitment POL00165	The content and intent of this document remains relevant and should be retained. Minor update to reflect the preferred spelling of Dharug and GuriNgai is recommended. Recommendation – To be retained as incorporating the minor spelling updates for Dharug and GuriNgai.
Community Grants and Sponsorship POL00444	The content and intent of this document was the subject of a Council Resolution at the December 2024 General Meeting requesting that Council's events and grants program be comprehensively reviewed. This process remains underway, and accordingly it is recommended that the Policy be retained as is pending the outcome of the review. Recommendation – To be retained as is, pending outcome of wider review's
Lease/License of Council Land and Buildings to Community Groups POL00174	The need for a Policy providing guidance regarding lease/licence of Council facilities to community and sporting groups remains. Noting however, that the Policy has not had any substantial update since its original drafting in 2007, it is recommended that a comprehensive review is undertaken and a new Policy addressing modern pressures and needs is prepared. This would also enable directions contained in Council's Long Term Financial Plan to review income from non-statutory user charges and fees to be incorporated into a

Policy	Comment and Recommendation
	<p>new Policy.</p> <p>As an interim measure, it is recommended that the Policy remain as is, pending the development of a new Policy framework.</p> <p>Recommendation – That this Policy be retained at present, noting that a comprehensive review will be undertaken and a new Policy framework developed.</p>
<p>Sponsorship and In-Kind Support – Council's Involvement</p> <p>POL00258</p>	<p>Responsibility for this Policy was transferred to the General Manager's Division where it was reviewed and adopted by Council at the April 2025 Meeting.</p> <p>Recommendation – No action required.</p>
<p>Street Library on Public Land</p> <p>POL00463</p>	<p>The content and intent of this document remains relevant and should be retained.</p> <p>Recommendation – To be retained as is.</p>
<p>Dual naming and/or re-naming of Council facilities</p> <p>POL00520</p>	<p>The content and intent of this document remains relevant and should be retained.</p> <p>Recommendation – To be retained as is.</p>
Environment Branch	
<p>Policy – Green Offsets</p> <p>POL00169</p>	<p>The Green Offsets Policy (GOP) is designed to guide offsetting requirements for biodiversity loss and biodiversity values within the Shire. Notably, the GOP is applied only after the development (or permit) assessment process is complete, thereby upholding the biodiversity conservation principles of avoid, minimise, and mitigate.</p> <p>The Policy has been in effect since April 2008 and over that time has been updated to reflect legislative changes and minor amendments.</p> <p>In 2018, a comprehensive review was undertaken to incorporate updated legislative references, planning control change, and improved ecological data, and a new Policy was drafted for Council's consideration.</p> <p>Council deferred adoption of the new Policy to allow for a Planning Proposal to update the Terrestrial Biodiversity layer in the Hornsby Local Environmental Plan (HELP), based on new vegetation surveys.</p> <p>Revised vegetation mapping is currently being finalized</p>

Policy	Comment and Recommendation
	<p>and once completed, it will need to be brought into Council's LEP via a new Planning Proposal. This has been identified to be progressed during 2025/26.</p> <p>Likewise, the review and update of the Biodiversity Offsets (Nature Positive) Policy is identified to be progressed across 2025/26-2026/27.</p> <p>Recommendation – That the current Policy be retained as is for now, noting that the review and update of the Biodiversity Offsets (Nature Positive) Policy is identified to be progressed across the 2025/26 and 2026/27 financial years.</p>
<p>Policy – Water Quality and Conservation POL00270</p>	<p>The Water Quality and Conservation Policy outlines Hornsby Shire Council's commitment to sustainable water management across its operations and services. It aims to reduce the impact of stormwater pollution on local waterways, promote efficient use of potable water, and ensure that water conservation practices align with ecologically sustainable development principles.</p> <p>The policy encourages the use of lower-quality water where appropriate, supports water reuse and efficiency, and requires that all Council capital works meet water quality targets set out in the Hornsby Development Control Plan. Council operations are also expected to follow best practice procedures for water quality control to protect public health and the ecological integrity of the Shire's catchments.</p> <p>The Policy was originally developed as a requirement of Council's participation in the International Council on Local Environmental Initiatives (ICLEI) Water Campaign. The ICLEI Water Campaign concluded in 2015 however Council maintained its Policy.</p> <p>It is noted that Council adopted the Water Sensitive Hornsby Strategy (2021) and Climate Wise Hornsby Strategy (2021) which guide Council's commitment to water reuse and efficiency as part of a broader framework for climate resilience and resource sustainability.</p> <p>These strategies ensure that Council's water conservation actions are integrated with Council's long-term environmental planning and climate adaptation goals.</p> <p>Recommendation – That the current Policy be retired noting that Council's focus in this area are guided by</p>

Policy	Comment and Recommendation
	Council's Water Sensitive Hornsby and Climate Wise Strategies.
Biosecurity Management Policy – POL####	<p>The NSW <i>Biosecurity Act 2015</i> establishes the legislative framework for managing biosecurity risks across New South Wales. It consolidates multiple former Acts and introduces a shared responsibility model, requiring all individuals and organisations, including local councils, to actively manage risks associated with pest animals, diseases, and weeds. Hornsby Shire Council has both proscribed and general duties under the Act as well as specific statutory functions as the Local Control Authority (LCA) for weed biosecurity within its Local Government Area.</p> <p>To meet these obligations, a Biosecurity Management Policy has been developed. The policy outlines how Council will manage biosecurity risks associated with its assets and operations (Part A), and how it will fulfil its statutory weed control functions as the LCA (Part B). It provides a clear framework for compliance, resource prioritisation, and operational consistency, ensuring Council staff, contractors, and volunteers understand and discharge their duties under the Act.</p> <p>A draft of the policy was presented to Councillors at an informal workshop on 26 February 2025, and the version now proposed for adoption incorporates feedback received during that session.</p> <p>Adoption of this policy will enable Council to deliver its biosecurity responsibilities efficiently and transparently whilst protecting the local environment and economy.</p> <p>Recommendation - That Council adopt the Biosecurity Management Policy to guide the implementation of its duties and statutory functions under the NSW <i>Biosecurity Act 2015</i>.</p>
Waste Management Branch	
Assisted Living Waste Services to Domestic Households - POL00353	<p>The content of this policy remains relevant and supports Council strategies such as Social Inclusion Hornsby (Disability Inclusion Action Plan) and the Healthy Ageing Hornsby Strategy.</p> <p>Recommendation – That the Policy be retained as is.</p>

Policy	Comment and Recommendation
Single Use Plastics POL00512	<p>The content of this policy remains relevant however it has been reviewed to include the 2024 review of the NSW Plastics Action Plan 2021. It is recommended that the revised track changes policy be adopted.</p> <p>Recommendation – That this Policy be amended as shown in the copy attached to this Report.</p>

BUDGET

There are no budgetary implications associated with this Report.

POLICY

Details of the review that has been undertaken of each current Policy are summarised within this Report.

CONCLUSION







The review of policies under the jurisdiction of the Community and Environment Division has been undertaken with the view to amend and retain documents as policies if they add value to Council's operations and to ensure that policies are not simply a restatement of legislation, standards, etc., that Council is otherwise expected to follow.




RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Director – Community and Environment Division – Steve Fedorow, who can be contacted on 9847 6541.

Stephen Fedorow
Director - Community and Environment
Community and Environment Division

Attachments:

1.  Policy - Aboriginal Reconciliation Statement of Commitment
2.  Policy - Community Grants and Sponsorship
3.  Policy - Lease/Licence of Council Land and Buildings to Community Groups
4.  Policy - Street Library on Public Land
5.  Policy - Dual naming and/or re-naming of Council facilities
6.  Policy - Green Offsets
7.  Policy - Water Quality and Conservation

-
8.  Policy - Biosecurity Management
 9.  Policy - Assisted Living Waste Services to Domestic Households
 10.  Policy - Single Use Plastics

File Reference: F2013/00129

Document Number: D09061634

ITEM 3

4 SYDNEY NORTH PLANNING PANEL AND HORNSBY LOCAL PLANNING PANEL - LOCAL AND COMMUNITY PANEL MEMBERS

EXECUTIVE SUMMARY

- Planning Panels were introduced by the State Government with the aim of ensuring the process for the assessment and determination of development applications (DAs) with a high corruption risk, sensitivity or strategic importance is transparent and accountable.
- The term of appointment of some members of both the Sydney North Planning Panel and the Hornsby Local Planning Panel is scheduled to expire. Given the positive performance of Panel members and the resource implications of selecting new members, it would be appropriate to seek to align the term of membership of members to limit the number of recruitment process undertaken by Council.
- It is recommended that Council reappoint the current local members of the SNPP for 3 years.
- It is also recommended the current term of membership for expert members of the HLPP be extended to 30 June 2027. Membership of community members of the Panel is recommended to be extended to April 2026 to enable an expression of interest process to appoint new community members.

RECOMMENDATION

THAT Council:

1. Re-appoint Sue Weatherly (Technical Representative); Mark McCrindle (Community Representative), Christine Newman (Alternative) and David White (Alternative) as local members on the Sydney North Planning Panel for a period of 3 years.
2. Extend the term of appointment for Anthony Hudson, Elizabeth Kinkade, Gregory Flynn, Heather Warton, John Brockhoff, Larissa Ozog, Marjorie Ferguson, Michael Leavey and Stephen Leathley as expert members on the Hornsby Local Planning Panel (HLPP) until 30 June 2027 and Council consider new membership at that time.
3. Extend the term of appointment for Martin Dargan, David White and Tony Jones as community representatives on the HLPP until 30 April 2026.
4. Commence an expression of interest process to appoint new community members of the HLPP by the end of April 2026.
5. Thank Amanda Anderson and Aiman Khan for their contribution to the HLPP.
6. Advise the Planning Panels Secretariat at the Department of Planning, Housing and Infrastructure of Council's resolution.

PURPOSE

The purpose of this report is to seek Council's endorsement to extend the term of appointment for members of the Sydney North Planning Panel and some member of the Hornsby Local Planning Panel and to commence an expression of interest process to appoint new community members on the Local Panel by the end of April 2026.

BACKGROUND

Planning Panels were introduced by the State Government with the aim to ensure the process for the assessment and determination of development applications (DAs) with a high corruption risk, sensitivity or strategic importance is transparent and accountable. As a result, elected Councillors no longer have a role to play in the determination of DAs. The background to the establishment of Panels is discussed below in terms of both the regional and local panels.

Sydney North Planning Panel

Regional Planning Panels were introduced in NSW in 2009 to strengthen decision making on regionally significant development applications and other planning matters. 'Regionally significant development' is generally development with a capital investment value (CIV) over \$30 million. The Panel is also the determining authority for council and Crown development with a CIV over \$5 million.

There are five Regional Planning Panels that operate for the Greater Sydney Region. Each panel is an independent body that is not subject to the direction of the Minister of Planning and Public Spaces. Hornsby Shire is within the area covered by the Sydney North Regional Panel which also includes the other councils within the North District.

Each Panel consists of five members, with three of the members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council (council members). At least one council member must have expertise in planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering and/or tourism. Property developers and real estate agents are not eligible to be members of a Panel.

On 15 January 2020, the Minister for Planning and Public Spaces wrote to Council to advise the term of appointment for the two State appointed members on the SNPP had expired and Julie Savet Ward and Brian Kirk were appointed to the Panel. Peter Debnam continued in his role as the Panel Chair.

The current term of appointment for Sue Weatherly as the 'expert local member'; Mark McCrindle (Community Representative) and Christine Newman as the alternate for the 'non-expert local member' is due to expire in July 2025, whilst the current appointment for David White as alternate for the 'expert local member' is due to expire in April 2026.

Council determines how their local members are selected. In selecting members, councils are required to have regard to any conflict of duties that would be created for a person nominated to the Panel if they are in any way responsible or involved in the assessment of matters to be determined by the Panel or involved in voting or deliberating on matters that come before the Panel. Councils are not restricted to nominating people from the council area. The Department of Planning, Housing and Infrastructure recommends that councils consider appointing members for the maximum term of three years to ensure the greatest degree of continuity for the Panels.

Hornsby Local Planning Panel

The Hornsby Local Planning Panel was constituted by the then Planning Minister on 1 March 2018. The Panel has the function of determining a range of development applications including, but not limited to, contentious applications where 10 or more unique objections are received, proposals

involving a variation to a development standard greater than 10 per cent, demolition of a heritage item, residential flat buildings, sex service premises, and applications submitted by Council, a Councillor or member of Parliament. The Panel also has an advisory function, providing advice to Council prior to its consideration of changes to Council's Local Environmental Plan.

The Panels consist of a chair and two independent experts appointed by Council from a Minister-endorsed pool of independent, qualified people, plus a community representative.

Independent expert members are required to have expertise in one or more of the following fields: planning, architecture, heritage, the environment, urban design, economics, traffic and transport, law, engineering, tourism, or government and public administration. Panel chairs are required to have expertise in law or government and public administration.

The current expert members on the Local Panel comprise, Alison McCabe, Anthony Hudson, Clare Brown, Elizabeth Kinkade, Gregory Flynn, Heather Warton, Ian Arnott, John Brockhoff, Judy Clarke, Larissa Ozog, Lisa Trueman, Marjorie Ferguson, Michael Leavey, Scott Barwick, Stephen Leathley and Stephen McMahon.

Community representatives are not required to have planning expertise. The role of the community representative is to ensure that local insights and knowledge are considered as part of the Panel decision-making. Councillors, property developers and real estate agents are ineligible to be panel members as the State Government states that this undermines the objective of having DAs determined by independent experts.

The current community representatives on the Local Panel comprise, Amanda Anderson, Martin Dargan, David White, Aiman Khan and Anthony Jones. Both Ms Anderson and Ms Khan have recently advised Council they no longer reside within the Shire, which precludes their continued participation on the Panel at the completion of their term.

DISCUSSION

This report recommends the re-appointment of the existing local members on the HLPP and SNPP to meet the operating requirements for the Panels.

Schedule 2, Part 4 of the *Environmental Planning and Assessment Act 1979*- 'Provisions relating to members of planning bodies' sets out criteria for the period that a panel member may maintain office as follows:

- 1) *A member of a planning body holds office, subject to this Act and the regulations, for such period (not exceeding 3 years) as is specified in the member's instrument of appointment.*
- 2) *That period may be determined by reference to the occurrence of a specified event or the completion of the exercise of particular functions of the planning body.*
- 3) *A member is eligible (if otherwise qualified) for re-appointment.*
- 4) *A member of a local planning panel may not hold office as a member of that panel for more than 6 years in total.*

The current term of appointment for the current community members on the HLPP and local members of the SNPP may be extended in accordance with the Act as their term would be less than 6 years.

Sydney North Planning Panel

Council is required to appoint a minimum of 4 members to the SNPP. The current term of appointment for three of the current expert and non-expert local members on the SNPP expires in July 2025, whilst the term of the fourth local member expires in April 2026.

A summary of the background and relevant experience of each of the current members is provided below.

Sue Weatherly	<ul style="list-style-type: none"> • Director City Strategy at Georges River Council • Previously Planning Director at Ryde and Parramatta • Fellow Planning Institute of Australia • Resident of Hornsby
Mark McCrindle	<ul style="list-style-type: none"> • Social researcher, demographer and trend analyst • Master of Arts and Bachelor of Science (Psychology) • Chair Pacific Hills Group of Schools • Resident of Dural
Christine Newman	<ul style="list-style-type: none"> • Population health specialist • Short Course in NSW Planning System • Member of the Westleigh Progress Association • Resident of Westleigh
David White	<ul style="list-style-type: none"> • Registered Architect since 1981 • Technical Representative on the Hornsby Council Heritage Advisory Committee • Current member of the Hornsby Local Planning Panel • Resident of Hornsby Shire since 1985

The current panel members have contributed positively to the operation of the SNPP and represented community and Council's views. Over the past three years, a total of 12 development applications were determined by the SNPP. Noting the limited meetings held in this period, and the extensive qualifications, experience and skills of the current members, it is recommended that the term of the existing local members be extended for a further 3 years.

It is recommended that the Planning Panels Secretariat at the Department of Planning, Housing and Infrastructure be advised of the re-appointment of the current local members to the Regional Planning Panel.

Hornsby Local Planning Panel

Membership of the Hornsby Local Planning Panel is discussed below in terms of both expert and community members.

Expert Members

The current term of appointment for expert members on the Local Planning Panel is for a 3-year term. Nine of the current expert members term on the HLPP expires in April 2026. The term for the remaining seven expert members expires in June 2027.

A summary of the current eligible members and their background is provided below.

Current term ends 12 April 2026	
Anthony Hudson	law
Elizabeth Kinkade	planning/government and public administration
Gregory Flynn	planning/government. and public admin/traffic/transport
Heather Warton	planning/government and public administration
John Brockhoff	planning/government and public admin/environment
Larissa Ozog	planning/government and public administration
Marjorie Ferguson	planning/government and public admin/economics
Michael Leavey	planning/government and public administration
Stephen Leathley	planning/government and public admin/tourism
Current term ends 30 June 2027	
Alison McCabe	planning/urban design/ law/government and public administration
Clare Brown	planning/law/government and public administration
Ian Arnott	planning/heritage
Judy Clarke	planning
Lisa Trueman	heritage
Scott Barwick	planning
Stephen McMahon	planning/heritage urban design/economics/government and public administration

As outlined above, the appointment of the technical expert panel members remains the responsibility of Council. In 2024, the State Government implemented a change to the composition of Panels to increase the pool of experts to a minimum of 15. This has resulted in staggered terms for current members. Given the positive performance of Panel members and the resource implications of selecting new members, it would be appropriate to seek to align the term of membership of experts to limit the number of recruitment processes undertaken by Council.

Accordingly, it is recommended the current term of membership for the nine expert members of the HLPP that ends on 12 April 2026 be extended to 30 June 2027 and Council consider new membership at that time.

Community Members

The current term of appointment for members of the Hornsby Local Planning Panel is for a 3-year term. Both Ms Anderson and Ms Khan have recently advised Council they no longer reside within the Shire, which precludes their continued participation on the Panel at the completion of their term. Of

the remaining community members, the term for two members expires in July 2025, whilst the term of the third local member expires in April 2026.

A summary of the current eligible members and their background is provided below.

Martin Dargan	<ul style="list-style-type: none"> • Business management experience and candidate in 2022 elections • Chairman Westleigh Water Board Alliance • Member Westleigh Progress Association
David White	<ul style="list-style-type: none"> • Resident of Hornsby Shire since 1985 • Registered Architect since 1981 • Previous Technical Representative on the Hornsby Council Heritage Advisory Committee • Current member of the Sydney North Regional Planning Panel
Tony Jones	<ul style="list-style-type: none"> • Resident of Galston for 30 years • Treasurer, Galston Community Centre • Chairman and Founder - Hornsby Rural Areas Association

The current Panel members have contributed positively and represented community views. It is recommended the current term of membership for the community members Martin Dargan, David White and Tony Jones be extended to 30 April 2026 to enable appropriate time for an expression of interest process to be conducted, interviews with candidates as appropriate and reporting to Council.

It is recommended that the Planning Panels Secretariat at the Department of Planning and Environment be advised of the reappointments to the Hornsby Local Planning Panel.

BUDGET

There are no additional budgetary implications. The Minister has made a remuneration determination setting minimum per meeting rates for panel members. The cost of the operation of the Panels is covered by the Planning and Compliance Division Budget.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

To meet the operational requirements for Planning Panels, it is recommended that Council reappoint the current local members of the SNPP for 3 years. It is also recommended that the current term of membership for expert members of the HLPP be extended to 30 June 2027 so that Council can consider new membership at that time. Membership of community members of the HLPP is recommended to be extended to April 2026 to enable sufficient time to undertake an expression of interest process to appoint new community members.

Council should write to the Minister of Planning advising of the re-appointment of local members on the Sydney North Planning Panel and Hornsby Local Planning Panel.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Development Assessments - Rod Pickles who can be contacted on 9847 6731.

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

There are no attachments for this report.

File Reference: F2017/00294#003
Document Number: D09171019

5 EMPLOYMENT LANDS PLANNING PROPOSAL

EXECUTIVE SUMMARY

- In May 2021, Council adopted the Hornsby Employment Lands Study (Hornsby ELS) and Implementation Action Plan. The Study identifies key economic and employment issues and trends affecting Hornsby Shire and provides a strategy to facilitate sustainable economic and employment growth to meet future demand.
- Shortly following the adoption of the Hornsby ELS and Implementation Action Plan, the NSW Government developed and finalised the Employment Zone Reforms. Council officers worked closely with the State Government to implement a number of the recommendations of the Hornsby ELS through the reforms, which were finalised in 2023.
- This report presents a Planning Proposal which seeks to implement the remaining short term recommendations of the Hornsby ELS which involve changes to the Hornsby Local Environmental Plan 2013.
- Supporting amendments to the Industrial Chapter of the Hornsby Development Control Plan 2024 (Hornsby DCP) are also attached which are recommended to be exhibited with the Planning Proposal.
- The changes to planning controls proposed through this Planning Proposal and associated DCP updates would assist increase the range and diversity of local employment opportunities and services and improve the utilisation and appeal of the Shire's industrial precincts to accommodate modern industrial facilities.
- It is recommended that the ELS Planning Proposal be progressed to the Department Planning, Housing and Infrastructure a Gateway Determination enabling exhibition and the draft DCP amendments attached to this report be exhibited concurrently with the Planning Proposal.

RECOMMENDATION

THAT:

1. Council endorse progression of the Employment Lands Study Planning Proposal attached to Director's Report No. PC14/25 for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
2. The Planning Proposal be publicly exhibited in accordance with the Gateway Determination and consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan 2024 attached to Director's Report No. PC14/25 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for consideration.

PURPOSE

The purpose of this report is to present a Planning Proposal and supporting DCP amendments to implement the short term recommendations of the Hornsby Employment Lands Study.

BACKGROUND

The background to the Planning Proposal is discussed below in terms of the adopted Hornsby ELS and the NSW Government's Employment Zone reforms.

Hornsby Employment Lands Strategy

In May 2021, the Hornsby ELS and Implementation Action Plan were adopted by Council. The ELS identifies the key economic and employment issues and trends affecting Hornsby Shire. Key findings of the Study include:

- Of our 70,700 employed residents, only 28 per cent work within the Shire.
- Over a 10-year period to 2016, total jobs within the Shire only increased by 2%.
- Additional industrial land will be required to accommodate future demand to 2036.
- There is sufficient commercial zoned land to accommodate demand to 2036 and floor space available within zoned land should be protected or redistributed to achieve no net loss.

The Hornsby ELS includes six overarching strategic directions to guide the supply, development and utilisation of employment lands in the Shire, ensuring a well-informed approach to fostering economic growth and employment opportunities. The six strategic directions are:

1. Improve the utilisation and appeal of employment lands.
2. Establish a sustainable long-term supply of employment land.
3. Protect zones for uses that align with their intended role and function.
4. Attract a greater diversity of employment and learning opportunities.
5. Deliver infrastructure that supports current needs and future growth.
6. Establish a framework for sustainable and continued economic growth.

The Hornsby ELS provides a comprehensive review of the Shire's commercial and industrial zoned land and based on the six strategic directions, provides a range of planning recommendations aimed at encouraging sustainable economic and employment growth required to support expected population growth within the Shire.

NSW Government's Employment Zone Reforms

Shortly following the adoption of the Hornsby ELS, the NSW Government announced the Employment Zone Reforms. The reforms were aimed at simplifying the planning framework to provide greater flexibility and unlock economic growth and productivity in employment zoned areas.

At its meeting on 13 July 2022, Council considered a report summarising the key elements of the reforms which were being progressed by the State Government, implications for the Hornsby LEP and alignment of the reforms with the Hornsby ELS.

Through the reforms, former 'business' and 'industrial' zones were replaced with five new employment zones and three supporting zones. A translation of the new and existing zones relevant to Hornsby is attached.

Council officers worked closely with the NSW Government to ensure the reforms provided a localised response and supported the implementation of endorsed actions from the Hornsby ELS. Changes made to the Hornsby LEP through the reforms include amendments to land use permissibility and local provisions to allow a place-based approach and protect employment land for employment purposes.

The Employment Zone Reforms were finalised and implemented into the Hornsby LEP in April 2023.

DISCUSSION

1. The Planning Proposal

The Planning Proposal seeks to amend the Hornsby LEP to give effect to short term strategic actions identified in the Hornsby ELS. In line with the recommendations of the Study, the intended outcomes of the Planning Proposal are to:

- Encourage uses in local centres that attract pedestrian activity and interaction ensuring the Shire's local centres remain vibrant and viable.
- Increase the diversity of employment opportunities in locations with higher amenity and greater accessibility.
- Improve the utilisation and appeal of industrial land and make Hornsby Shire an attractive place to invest and do business.
- Allow for greater design flexibility in new industrial developments in response to the changing nature of modern industry needs.
- Protect industrial land from higher order uses.
- Reduce pressure on industrial areas to accommodate land uses with no amenity impacts.
- Provide greater consistency and alignment of planning controls applying to industrial zoned land in the Shire.

The Planning Proposal incorporates six amendments to the Hornsby LEP which are summarised below. The attached Planning Proposal report includes further explanation and rationale for each of the proposed amendments.

Amendment 1: Require active street frontages in local centres

The ELS seeks to encourage a greater diversity of land uses at ground level in local centres. The Planning Proposal supports this recommendation by introducing a local provision requiring new development in the E1 Local Centre Zone to have an active street frontage.

An active street frontage can be described as a continuous frontage of business and retail uses that open directly onto the footpath. These uses attract pedestrian traffic and support the vitality of local centres by offering a diversified range of jobs, goods and services.

Requiring new development to provide an active street frontage would provide the Shire's local centres with a range of benefits. Development with an active street frontage would:

- Support the economic viability of local centres by contributing a range of diversified goods, facilities and services.
- Improve the amenity of the public domain by encouraging pedestrian activity and movement.
- Encourage passive surveillance at street level.

- Encourage design of new commercial buildings and tenancies which contribute positively to the public domain and streetscape.

Amendment 2: Permit light industries in the E1 Local Centre zone (excluding those identified as “Area 1” on the Land Zoning Map)

The Hornsby ELS identifies that market demand is increasing for light industry uses and that new manufacturing formats make light industries an appropriate use for business settings. According to standard planning definitions included in the Hornsby LEP, light industries do not interfere with the amenity of the neighbourhood and their effect on centre function would be minimal. The ELS recommends permitting light industries in certain E1 Local Centre zoned centres. The intent of the recommendation is to:

- Increase the flexibility and utilisation of commercial spaces in centres.
- Increase the diversity of employment opportunities in locations with higher amenity and transport accessibility.
- Reduce pressure on the Shire’s already limited and constrained industrial precincts to support uses that do not interfere with the amenity of the surrounding neighbourhood.

The new permissibility of light industries is proposed to be limited to the Shire’s larger local centres (previously zoned as B2 Local Centre prior to the Employment Zone Reforms). These centres tend to be larger and more diverse, meaning that the light industry land use would complement the range of business and retail service providers operating in these centres.

Amendment 3: Exclude serviced apartments from the calculation of ‘non-residential’ floorspace

Existing provisions under clause 4.4 ‘Floor space ratio’ of the Hornsby LEP encourage the provision of non-residential land uses in certain local centres. They allow a development to exceed the permitted floorspace ratio control if the development includes a certain amount of non-residential floorspace. Non-residential floorspace is defined as any floorspace “other than residential accommodation.”

Serviced apartments are a type of tourist and visitor accommodation and meet the current non-residential floorspace definition. Serviced apartments do not generate high levels of pedestrian activity or contribute significant employment opportunities to their locality. They also have the potential to be converted into permanent residential accommodation, either through subsequent development modification applications or informally.

The Hornsby ELS recommends providing greater protection to commercial floor space for employment purposes. This amendment would further this recommendation by excluding serviced apartments from being included as part of a development’s non-residential floor space calculation.

The proposed amendment would not reduce the permissibility of serviced apartments, but would provide Council with more certainty and control that provision of any new serviced apartments would not diminish the supply of employment floor space across the Shire’s centres.

Amendment 4: Restrict the size of food and drink premises in the E4 General Industrial zone to 150sqm of gross floor area

The ELS discusses the importance of local amenities including food and drink premises being provided in industrial precincts. These are places which provide spaces for business meetings and

social networking and improve the vibrancy and desirability of these areas for employment purposes. However, industrial space in the Shire is constrained with very limited capacity for expansion.

The intent of this amendment is to allow for local amenity offerings, but by limiting their size to protect and retain the Shire's remaining industrial land from larger and more intensive venues which could displace land available for industrial purposes.

This amendment proposes to introduce floorspace controls to limit the size of food and drink premises to a maximum of 150sqm of gross floor area if they are in E4 General Industrial zoned land. The 150sqm restriction has been determined based on an audit of existing food and drink premises within the Shire's industrial precincts and determining a floor area which can comfortably accommodate cooking and storage facilities, adequate indoor seating areas as well as staff and patron amenities.

Amendment 5: Increase the height of building control up to a maximum of 20 metres in some E4 General Industrial zoned precincts

Under the Hornsby LEP, the maximum height of building controls for E4 General Industrial zoned land are either 10.5m or 14.5m. The Hornsby ELS identifies that some industrial buildings (such as modern distribution centres) require clearance heights equivalent of between five to eight storeys (over 20m) in a single level. Consequently, newer forms of industrial development are not able comply with the current LEP height controls and the Shire's industrial land is becoming less suited to accommodate modern industrial development.

As part of this Planning Proposal, it is proposed to increase the allowable height of building control to a maximum of 20m across the Mount Kuring-Gai, Asquith, Thornleigh and Dural industrial precincts. The increased height controls would facilitate the contemporary adaption of industrial and warehouse buildings to better accommodate changes in manufacturing techniques and high-bay automation which require increased building heights. The allowable increase of up to 20m would also better align Council's development standards with those permitted under State Government policy.

Amendment 6: Increase the permitted floor space ratio control for land in the Dural Industrial Precinct from 0.7:1 to 1:1.

The Hornsby ELS recommends investigating opportunities for additional industrial land across the Shire and varying controls to enable greater development footprints. It also recommends exploring opportunities for additional industrial capacity around Dural.

The floor space ratio control applying to the Dural Industrial Precinct is 0.7:1. All other E4 General Industrial zoned areas have a floor space ration of 1:1. It is considered appropriate to increase the maximum FSR control up to 1:1 to be consistent with the development standards applied to other E4 General Industrial zoned within the Shire and to unlock industrial land capacity within this existing industrial precinct.

2. Strategic and Statutory Context

Relevant policies and legislation are discussed below.

Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities (Region Plan) has been prepared by the NSW State Government to guide land use planning decisions to 2056. The North District Plan (District Plan) is a guide for implementing the Region Plan at a District level and is a bridge between regional and local planning.

The plans set strategies and actions for accommodating Sydney's future population growth and identifies key priorities and actions for improving liveability, sustainability and productivity across the region.

Under the plans, Council is required to consider the objectives and planning priorities outlined in Table 1 below. A full assessment of the Planning Proposal against the relevant objectives of the Region Plan and the planning priorities of the District Plan is provided in Section 3.2 of the attached Planning Proposal report.

In summary, the proposed amendments give effect to the relevant directions and actions of the Regional Plan and North District Plan through LEP amendments that will create opportunities for new local employment opportunities in local centres. The proposed amendments also seek to increase the utilisation and redevelopment potential of the Shire's industrial land to enable contemporary adaption of industrial and warehouse buildings required for modern industrial facilities.

Table 1: Applicable Objectives and Actions of the Greater Sydney Regional Plan and North District Plan

Greater Sydney Regional Plan	
Objective	Strategy
Objective 22 Investment and business activity in centres	22.1 Provide access to jobs, goods and services in centres by (in part): <ul style="list-style-type: none"> attracting significant investment and business activity in strategic centres to provide jobs growth diversifying the range of activities in all centres creating vibrant, safe places and a quality public realm
Objective 23 Industrial and urban services land is planned, retained and managed	23.1 Retain, review and plan industrial and urban services land in accordance with the principles for managing industrial and urban services land.
North District Plan	
Planning Priority	Actions
Planning Priority N6 Creating and renewing great places and local centres, and respecting the District's heritage	22. Use place-based planning to support the role of centres as a focus for connected neighbourhoods.
Planning Priority N11 Retaining and managing industrial and urban services land	47. Review and manage industrial and urban services land, in line with the principles for managing industrial and urban services land, in the identified local government areas (refer to Figure 18) by undertaking a review of all industrial land to confirm their retention or transition to higher order uses (such as business parks) and prepare appropriate controls to maximise business and employment outcomes, considering the changing nature of industries in the area. 48. Manage the interfaces of industrial areas by:

	<p>Land use activities</p> <p>a) providing buffer areas to nearby activities, such as residential uses, that are sensitive to emissions from 24-hour freight functions</p> <p>b) retaining industrial lands for intermodal and logistics uses from the encroachment of commercial, residential and other non-compatible uses which would adversely affect industry viability to facilitate ongoing operation and long-term growth.</p> <p>c) identifying and preserving land for future intermodal and rail infrastructure.</p> <p>49. Facilitate the contemporary adaptation of industrial and warehouse buildings through increased floor to ceiling heights.</p>
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Section 9.1 Local Planning Directions

Section 9.1 of the EP&A Act allows the Minister for Planning (the Minister) to provide direction to Council concerning the preparation of draft local environmental plans. The directions of most relevance to this Planning Proposal include:

- Direction 1.1 Implementation of Regional Plans
- Direction 7.1 Employment Zones

Direction 1.1 Implementation of Regional Plans

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans (e.g. the Greater Sydney Region Plan). The direction requires a planning proposal to be consistent with a Regional Plan released by the Minister.

Part 3 of the Planning Proposal considers consistency with the Regional Plan and the District Plan, identifying relevant strategies and actions and the Planning Proposal's alignment. In summary, the Planning Proposal seeks to implement the recommendations of the Hornsby ELS which was prepared with regard to the strategic context of the Region Plan and District Plan. The proposed amendments give effect to the relevant directions and actions of the Regional Plan and North District Plan through LEP amendments that will create opportunities for new local employment opportunities in local centres and facilitate contemporary adaption of industrial and warehouse buildings required for modern industrial facilities.

As such, the Planning Proposal is consistent with Direction 1.1.

Direction 7.1 Employment Zones

The objective of this direction is to:

- a) encourage employment growth in suitable locations,
- b) protect employment land in employment zones, and
- c) support the viability of identified centres.

In summary the directions require a planning proposal to give effect to the objectives of the direction, retain employment zoned areas, not reduce the total potential floor space area used for employment and industrial uses and be in accordance with Strategy approved by the Planning Secretary.

The Planning Proposal meets the requirements of the directions of 7.1 Employment Zones in that the Planning Proposal:

- Gives effect to the objectives of this direction as it encourages employment opportunities across the Shire's employment areas and seeks to protect and improve the utilisation and appeal of Shire's industrial land.
- Retains and proposes planning control updates that seek to improve the utilisation and appeal of the employment zoned land across the Shire
- Does not reduce and is actively seeking to protect floor area used for employment uses in employment Zones
- Is actively trying to increase the total potential floor area for industrial uses in the E4 General Industrial Zone
- Is implementing the recommendations of the Hornsby ELS which was prepared in accordance with the Greater Sydney Region Plan and North District Plan and gives effect to the relevant objectives and priorities of these plans.

As such, the Planning Proposal is consistent with this direction.

Hornsby Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) sets out a 20-year vision for land use in Hornsby Shire, identifying the special character and community values that are to be preserved as well as how Council will manage growth and change.

Planning Priorities of relevance to this planning proposal:

- *PP2. Supporting sustainable economic growth based on the Shire's built and natural assets, infrastructure and locational advantages.*
- *PP3. Focussing economic development in and around existing centres and employment precincts in the Shire, with a key focus on the strategic centre.*
- *PP4. Encouraging innovation and diversification in land identified for the purposes of industrial development and urban services to support economic growth.*
- *PP5. Prioritising local employment opportunities, and improvements to services, amenities, and infrastructure to support the future population.*

The planning proposal is consistent with above planning priorities of the LSPS as it seeks to improve the viability of the Shire's local centres and employment precincts to support both current and future populations of the Shire.

Actions of relevance to the planning proposal:

- PA3. Finalise Employment Land Use Study and outline actions for a delivery program.

The Planning Proposal seeks to implement recommendations from the Hornsby ELS which is consistent with the intent of action PA3.

Hornsby Employment Lands Study

The Hornsby ELS was adopted by Council in May 2021. The purpose of the Hornsby ELS is to support the objectives and priorities of the of the Hornsby LSPS and provide a strategic framework to facilitate and accommodate employment growth across the Shire to meet future demand. The

Hornsby ELS encompasses all employment zoned land across the Shire, including industrial precincts, commercial centres, and special use precincts.

The ELS recommends several strategies related to employment lands. The following are of most relevant to this Planning Proposal:

- *Strategy 1.6: Increase the industrial capacity of Mount Kuring-gai and Asquith.*
- *Strategy 1.7: Deliver better places of employment.*
- *Strategy 3.2: Protect the role and function of employment lands.*

The Planning Proposal seeks to implement planning control updates as recommended by the ELS and included in the adopted Implementation Action Plan.

As discussed earlier in this report, many of the short term recommendations of the Hornsby ELS were implemented through the Employment Zone Reforms. This Planning Proposal has been prepared to implement the remaining short term actions and support and complement changes made to the Hornsby LEP through the Employment Zone Reforms, consistent with the recommendations of the Hornsby ELS.

Hornsby Local Environmental Plan 2013

The Planning Proposal would amend the provisions and maps of the Hornsby LEP. These amendments would not cause incompatibility with any of the existing Hornsby LEP provisions, and have been designed with regard to the requirements of the Standard Instrument Principal Local Environmental Plan. A detailed explanation of the amendments and the intended outcomes is included in the attached Planning Proposal report.

3. Updated Hornsby Development Control Plan 2024

The Hornsby Development Control Plan 2024 (Hornsby DCP) applies to all land within Hornsby Shire and is a comprehensive framework for the development of land. The Hornsby DCP aims to outline procedures, processes and responsibilities to ensure that development is consistent with Council's vision of maintaining an environment which is sustainable and liveable.

It is recommended that updates to controls contained within the Industrial Chapter of the Hornsby DCP are progressed to support and complement changes to the Hornsby LEP proposed through this Planning Proposal and required to implement the recommendations of the Hornsby ELS.

Draft DCP amendments are attached to this report and summarised below:

Removal of floor space ratio control

Amendment 6 of the Planning Proposal seeks to increase the FSR control for land in the Dural Industrial Precinct from 0.7:1 to 1:1. This is the only industrial precinct with a 0.7:1 FSR.

Hornsby DCP Section 5.1.1 references the 0.7:1 FSR as part of guidance for the scale of future development in industrial precincts. Should the planning proposal be finalised, the reference would be redundant.

It is recommended to remove the reference to the 0.7:1 FSR control Section 5.1 of the Hornsby DCP to align with the proposed Planning Proposal amendments.

Removal of translation of building height to storeys control

Amendment 5 of the Planning Proposal seeks to increase the height limit in certain industrial areas to 20 metres, as certain industrial uses may require high clearances and different internal configurations as part of flexible designs.

Hornsby DCP Section 5.1 includes a reference table that translates maximum building heights to maximum storeys in industrial precincts.

It is recommended that the translation of the height to storeys be removed, as it is no longer reflective of modern industrial building development standards.

Removal of the site coverage controls

Hornsby DCP Section 5.1 includes site coverage controls for the Dural and Mount Kuring-Gai industrial precincts. The Hornsby ELS recommends removing the site coverage controls as a way to increase the capacity of industrial areas. Removal of these controls is recommended due to the limited supply of industrial land in the Shire and to enable greater development footprints and design flexibility.

Site coverage would continue to be managed through setback controls, which are discussed below.

Updated setback controls

Hornsby DCP Section 5.1.2 relates to building setbacks within industrial precincts in the Shire. It includes setbacks for front, rear and side setbacks, as well as for lands adjacent to sensitive areas, such as residential dwellings. The intention of industrial development setbacks is to maintain the amenity of the adjoining land uses, complement the streetscape and allow for landscaping.

Under the current DCP controls, the Mount Kuring-Gai and Dural industrial precincts have greater minimum setback requirements than other industrial precincts within the Shire. It is proposed to reduce the front and rear setback controls for the Mount Kuring-Gai industrial precinct to 5m. It also proposed to reduce the rear setback for the Dural industrial precinct to 5m. The reduced setback of 5m would continue to allow for sufficient landscaping with an appropriate transition into surrounding bushland.

Similar to removing the site coverage controls, reducing the setback requirements would enable greater development footprints and design flexibility. While the setback requirements for these precincts would be reduced, it would still allow for sufficient landscaping to complement the appearance of new buildings.

A new front setback control is proposed to be introduced for development fronting Sefton Road Thornleigh. Where a new building has a frontage to Sefton Road and the building is proposed to be over 10.5m in height, the minimum front setback requirement would increase depending on the maximum height of the development. The increased setback is to allow for additional landscaping and reduce the visual mass of building when viewed from Sefton Road.

Updated landscaping controls

The Hornsby DCP section 5.1.3 relates to landscaping in industrial areas. It requires landscaping that complements the appearance of buildings, along with screening. It does not currently require deep soil areas, which are typically required to support taller trees.

To manage the potential impacts of changes to height and site coverage, it is recommended to introduce a new minimum soil depth control and update controls related to landscaping used for screening. These controls will provide greater support for landscaped areas with vegetation capable of reaching mature heights in keeping with the scale of new industrial development.

CONSULTATION

Local Planning Panel Advice

The Planning Proposal was referred to the Hornsby Local Planning Panel for advice on 30 July 2025, in accordance with Section 2.19(1)(b) of the EP&A Act. Section 2.19(1)(b) requires the Local Planning Panel to provide advice on a Planning Proposal before Council considers whether to forward it to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination.

The Panel advised that it supports the progression of the Planning Proposal for a Gateway Determination, noting the importance of protecting and promoting the use of industrial land. The Panel also noted the importance of progressing DCP amendments to support the Planning Proposal and protecting the amenity of surrounding areas and interfaces.

Planning Proposal Consultation Strategy

Should the Planning Proposal receive a positive Gateway Determination, the consultation would follow the requirements of the Determination, the Hornsby Shire Community Engagement Plan and the public exhibition requirements of the Local Environmental Plan Making Guidelines.

Consultation for the Planning Proposal would include:

- Letters to affected and adjoining property owners.
- Advertisement on Council's 'Your Say Hornsby' website.
- Advertisement in Council's electronic newsletter.
- Consultation with public authorities identified in the Gateway Determination. A copy of the Planning Proposal and relevant supporting material would be provided.

BUDGET

Costs associated with the preparation of the Planning Proposal are covered through the Strategic Landuse Planning operational budget.

POLICY

Section 2.19(1)(b) of the EP&A Act requires that the Local Planning Panel must give its advice on the Planning Proposal before Council considers whether or not to forward it to DPHI for a Gateway determination. The Planning Proposal was referred to the LPP and the Panel advised it supports the progression of the proposal for a Gateway Determination.

CONCLUSION

The report presents a Planning Proposal which seeks to implement the short term recommendations of Council's adopted Employment Lands Study and Implementation Action Plan.

There is a community benefit to undertaking the proposed amendments to the Hornsby LEP and DCP which would encourage greater employment opportunities and economic activity in local centres and facilitate greater utilisation the Shire's industrial land required to meet future demand.

The Planning Proposal has strategic merit due to its consistency with the Greater Sydney Region Plan, North District Plan, Section 9.1 Local Planning Directions, the Hornsby LSPS and the Hornsby Employment Lands Study.

Accordingly, it is recommended that Council support the progression of the Planning Proposal for submission to DPHI for Gateway Determination and the associated DCP amendments for exhibition with the Planning Proposal.




RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Planning Proposal
2.  Hornsby DCP Part 5 – Draft Amendments
3.  Equivalent Zone Table, NSW Government

File Reference: F2018/00162#05
Document Number: D09173648

6 REVIEW OF POLICIES – PLANNING AND COMPLIANCE DIVISION

EXECUTIVE SUMMARY

- Council's Policy "*Review, Adoption and Alteration of Council Policies*" requires each Division of Council to review all policies under their control and recommend any changes to Council in the first and their third year of each term.
- The Planning and Compliance Division is responsible for 5 policies which are recommended to be retained, and officers have prepared a new Enforcement Policy for consideration and adoption by Council.
- The Policies relating to the Planning and Compliance Division have been reviewed and recommendations made for each Policy based on current service needs and legislative changes.

RECOMMENDATION

THAT Council adopt the new Enforcement Policy and recommendations contained in the table in Director's Report No. PC15/25 in respect of each of the current Policies under the jurisdiction of the Planning and Compliance Division.

PURPOSE

The purpose of this Report is to present the outcomes of a review of Policies under the jurisdiction of the Planning and Compliance Division and to seek Council's endorsement of the recommended actions in response to the review and a new Enforcement Policy.

BACKGROUND

Council's Policy "*Review, Adoption and Alteration of Council Policies*" requires each Division of Council to review all policies under their control and recommend any changes to Council in the first and their third year of each term.

The following definition applies in respect to the term Policy:

A "**Policy**" is a document which is:

1. Required or allowed by legislation to be determined by resolution of Council.
2. A broad statement of objectives, protocols or principles in relation to specific activities/issues of Council, the merits of which require it to be determined by resolution of Council.
3. A collection of rules, regulations, codes and standards relating to a particular subject and designed to provide guidance to Council staff and external parties about how business is done with Council, the merits of which require it to be determined by resolution of Council.

New draft policies and draft alterations to existing policies which are submitted to a Council meeting in conjunction with a report and are adopted, automatically become formal Policies of Council.

The Planning and Compliance Division is responsible for 5 policies and officers have prepared a new Enforcement Policy for consideration by Council.

DISCUSSION

A review of the current Policies under the jurisdiction of the Planning Division has been undertaken and a listing, together with a summary of proposed amendments, is contained below. The Policies which are proposed to be amended are attached. Where amendments are proposed, they are shown on the attached copy of each document, with deletions shown by ~~strike through~~ and additions shown by underlining.

Policy	Comment and Recommendation
Planning Division	
Policy – Property Numbering POL00365	The content and intent of this document remains relevant and should be retained. Recommendation – That this Policy be retained and updated to reference relevant Australian Standards.
Policy – Feral Cat POL00290	The content and intent of this Policy remains relevant and should be retained. Recommendation – That this Policy be retained with no updates.

Policy	Comment and Recommendation
Policy – Keeping of Animals POL00162	The content and intent of this Policy remains relevant and should be retained. Recommendation – That this Policy be retained with minor edits to update the wording in Part 4 to clarify that pigs should only be kept for rural or agricultural purposes and should be set back from water courses to protect the environment for consistency throughout the document.
Policy – Smoke Free Environment POL00291	The content and intent of this Policy remains relevant and should be retained. Recommendation – That this Policy be retained with no updates.
Policy – Proposed Council Developments POL00235	The content and intent of this document remains relevant and should be retained. Recommendation – That this Policy be retained with no updates.

New Enforcement Policy

In addition to the above existing Policies, a new Enforcement Policy has been prepared (copy attached). Over recent years, community complaints have significantly increased. This has limited the time and resources available for officers to investigate high-risk, high-priority matters, such as significant vegetation clearing or pollution incidents.

The NSW Ombudsman recommends councils adopt a policy clearly outlining how officers will respond effectively, fairly and consistently to allegations of unlawful activity and ensure enforcement action is proportionate to the severity of the non-compliance.

Council officers have reviewed enforcement policies from over 20 comparable councils. The draft Enforcement Policy aligns with NSW Ombudsman guidelines and has been prepared in consultation with Council's legal team.

The draft Policy introduces a risk-rating process for complaints, categorising them from Low to High. Low-risk matters may be recorded with no further action or, at most, result in a fine. High-risk matters could result in formal notices, show-cause actions, or criminal prosecution.

The draft Policy also outlines how officers may exercise discretion during investigations and how procedural fairness will be provided to any person whose rights or interests are likely to be affected by a decision.

It is recommended that Council adopt the Enforcement Policy to outline a responsive and proportionate approach to enforcement. The Policy will assist Council officers follow an enforcement process that is robust, complies with legislative responsibilities and the principles of good administration including the allocation of limited resources to compliance activities. The Policy encourages an appropriate response that takes account of the nature of the offence, the harm caused and the offender.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

Details of the review undertaken of each current Policy are summarised in this Report. The new Enforcement Policy and draft alterations to existing policies automatically become formal Policies of Council when adopted.

CONCLUSION

The review of Policies under the jurisdiction of the Planning and Compliance Division has been undertaken with the view to amend and retain documents as Policies if they add value to Council's operations and to ensure that Policies are not simply a restatement of legislation, standards, etc, that Council is otherwise expected to follow.

The Planning and Compliance Division is responsible for 5 policies which are recommended to be retained, and officers have prepared a new Enforcement Policy for consideration and adoption by Council.







RESPONSIBLE OFFICER

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

JAMES FARRINGTON

Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Policy - Enforcement
2.  Policy - Conflict of Interest
3.  Policy - Feral Cats
4.  Policy - Keeping of Animals
5.  Policy - Property Numbering
6.  Policy - Smoke Free Environment

File Reference: F2013/00250

Document Number: D09175097

7 REHABILITATION OF HORNSBY QUARRY TO HORNSBY PARK

ASKED BY COUNCILLOR TILBURY

TO THE General Manager:

Could the General Manager please detail the entire financial spend on the rehabilitation of Hornsby Quarry to Hornsby Park to date (up to and including any projected spend before the official opening later this year)? Please include all grants secured, developer contributions, general funds and any other funding sources.

Attachments:

There are no attachments for this report.

File Reference: F2021/00171
Document Number: D09184643

8 MAYOR'S NOTES 01 JULY 2025 TO 31 JULY 2025

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

Wednesday 2nd July 2025 – The Mayor attended the Centenary Assembly at Pennant Hills Public School.

Thursday 3rd July 2025 – The Mayor attended a photo shoot to mark the opening of Berry Park Playground, Mount Colah, and Mills Park Playground, Asquith.

Thursday 3rd July 2025 – On behalf of the Mayor, Deputy Mayor Councillor McIntosh attended the opening ceremony and blessing of St Patrick's Catholic Primary School, Asquith.

Thursday 3rd July 2025 – The Mayor attended MAD (Music and Drama) Night at Asquith Boys High School, Asquith.

Saturday 5th July 2025 – The Mayor attended a paddle session on the water with the Hawkesbury River Dragon Boats Club, Brooklyn.

Monday 7th July 2025 – The Mayor attended the Northern District Cricket Club's 100th Annual General Meeting at Hornsby RSL.

Tuesday 8th July 2025 – The Mayor attended a photoshoot to mark the opening of the new dog park at the Brickpit, Thornleigh.

Friday 11th July 2025 – The Mayor attended the Middle East Area of Operations Commemoration, hosted by the Berowra RSL Sub-Branch, Berowra.

Saturday 12th July 2025 – The Mayor attended the Twilight Markets one year anniversary at Hornsby Mall.

Saturday 12th July 2025 – The Mayor attended the Hornsby Gang Show at Abbotsleigh Senior School Campus, Wahroonga.

Sunday 13th July 2025 – The Mayor attended Vishva Hindu Parishad of Australia's closing function of VHP Children's Camp at Baden-Powell Activity Centre, Pennant Hills.

Monday 14th July 2025 – The Mayor attended Hornsby Ku-Ring-Gai Local Business Awards at Hornsby RSL.

Wednesday 16th July 2025 – The Mayor hosted two Citizenship Ceremonies in the Council Administration Building, Hornsby.

Tuesday 22nd July 2025 – The Mayor attended the Westleigh Tennis Club's 2025 AGM, Westleigh.

Wednesday 23rd July 2025 – The Mayor attended a book presentation at Galston Valley Railway, Galston.

Thursday 24th July 2025 – The Mayor attended Lisa Harnum Day 2025 at Hornsby Westfield.

Saturday 26th July 2025 – The Mayor attended Epping Scout Group's 100 years celebration of Epping Scout Hall, Epping.

Sunday 27th July 2025 – The Mayor attended National Tree Day 2025, at Jane Starkey Park, Thornleigh.

Wednesday 30th July 2025 – The Mayor attended the Official Opening of Kangaroo Point to Brooklyn Boardwalk, Brooklyn.

File Reference: F2004/07053-002

Document Number: D09176675

ITEM 8

9 PROPERTIES 79-87 MALTON ROAD, BEECROFT**COUNCILLOR TILBURY TO MOVE**

THAT Council write to the NSW Minister for the Environment and local State Members of Parliament outlining Council's previously expressed view concerning the potential State conservation significance of property Nos. 79-87 Malton Road, Beecroft and requesting consideration of submissions by residents requesting the State Government seek to purchase the land.

Note from Councillor

I have received representations from a number of residents requesting Council support them in advocating for the State Government to purchase property Nos. 79-87 Malton Road, Beecroft to ensure the environmental qualities of the land are preserved for future generations. I understand the property is currently being marketed for sale.

Lands within the Byles Creek catchment have been the subject of significant community interest over many decades. With the assistance of specialist consultants, Council has undertaken numerous environmental and planning reviews of the area.

The property is currently undeveloped however, as indicated in the residents' correspondence, a development application has been approved by the NSW Land and Environment Court for subdivision into 5 allotments. Through the Court process, Council was successful in mediating for 52 percent of the land to be dedicated to Council as bushland when the subdivision is completed. However, residents raise concerns about the impacts associated with the construction of a dwelling on each residential allotment in the future.

In 2015, during the assessment of the application, Council wrote to the then Minister for the Environment and local State members outlining the high biodiversity values of the land with habitat suitable for a range of threatened flora and fauna. Council noted the potential State conservation significance of the land and accordingly, suggested it would be suitable for the NSW Government to acquire.

In response, the then Minister for the Environment commented that in the event the land became available for purchase, it would be unlikely to be assessed as a priority for acquisition as there are other priorities that align with statewide reservation objectives.

More recently, in response to community concerns about the impact of development on Byles Creek, in 2020, Council resolved to undertake the Byles Creek Land Acquisition Review to assess the environmental and social values of the Byles Creek corridor to inform the strategic approach towards land acquisition within the catchment.

The Review concluded the current extent of the RE1 – Public Recreation zoning is appropriate, and no additional land is required to be acquired by Council other than lots already identified, to protect

the biodiversity values and ecosystem functionality of the corridor. Accordingly, property Nos. 79-87 Malton Road, Beecroft has retained its residential zoning and no Council funds have been set aside for its purchase.

Since then, Council has continued to work to ensure the environmental qualities of the catchment are protected. The Byles Creek Planning Study and associated Planning Proposal were prepared by Council in close consultation with our community with the objective of protecting the environmental, social and aesthetic qualities of this unique area of the Shire by minimising impacts of development.

Unfortunately, earlier this year, the State Government advised it did not support important amendments to our planning controls including environmental zoning changes and adjustment to subdivision requirements aimed at recognising the sensitive nature of the environment.

The State Government has clearly indicated is priority to promote housing supply. However, this objective should be balanced with the protection of the natural environment. The planning work undertaken by Council has appropriately sought to ensure development is undertaken in a way that seeks to protect the Byles Creek corridor. In combination with this work, the marketing of the property Nos. 79-87 Malton Road for sale and change of government provide an appropriate opportunity to request the State Government consider the submissions by residents and confirm its position on pursuing the potential purchase of the land.

Attachments:

There are no attachments for this report.

File Reference: F2024/00305

Document Number: D09183127