



BUSINESS PAPER

General Meeting

**Wednesday 9 September 2026
at 6:30 PM**



TABLE OF CONTENTS

AGENDA AND SUMMARY OF RECOMMENDATIONS

RESCISSION MOTIONS

MAYORAL MINUTES

Item 1	MM9/26 Formal Dedication of Roads to Council - Former at Halls Estate.....	1
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ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

GENERAL BUSINESS

Office of the General Manager

Item 2	GM19/26 June 2026 Performance Report on the 2025-2029 Delivery Program and Quarterly Budget Review Statement	3
--------	--	---

Corporate Support Division

Item 3	CS30/26 General Purpose Financial Reports - 2025/26 Financial Year.....	12
Item 4	CS44/26 Investments and Borrowings for 2026/2027 - Status for the Period Ending 31 July 2026	15
Item 5	CS45/26 Schedule of Council Meetings and Order of Business to Apply at Those Meetings - October 2026 to September 2027	18
Item 6	CS46/26 Election of Deputy Mayor	21

Community and Environment Division

Nil

Planning and Compliance Division

Item 7	PC18/26 Planning Proposal - 328A Galston Road, Galston	25
Item 8	PC19/26 Amended Voluntary Planning Agreement - 7 City View Road, Pennant Hills.....	51

Infrastructure and Major Projects Division

Nil

PUBLIC FORUM – NON AGENDA ITEMS

QUESTIONS WITH NOTICE

Item 9	QWN6/26 The Wallarobba Arts and Cultural Centre Proposal	56
--------	--	----

MAYOR'S NOTES

Item 10	MN8/26 Mayor's Notes 01 August 2026 - 31 August 2026	57
---------	--	----

NOTICES OF MOTION

Item 11	NOM13/26 New Line Road.....	59
Item 12	NOM14/26 Establishment of an Inclusion Technical Advisory Panel.....	61
Item 13	NOM15/26 Hornsby Shire Council Garden Festival.....	64

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

AGENDA AND SUMMARY OF RECOMMENDATIONS

ACKNOWLEDGEMENT OF COUNTRY

Statement by the Chairperson:

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

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

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

APOLOGIES / LEAVE OF ABSENCE / REQUEST FOR REMOTE ATTENDANCE

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 12 August, 2026 be confirmed; a copy having been distributed to all Councillors.

PETITIONS**PRESENTATIONS****RESCISSION MOTIONS****MAYORAL MINUTES****Page Number 1****Item 1 MM9/26 FORMAL DEDICATION OF ROADS TO COUNCIL - FORMER AT HALLS ESTATE****RECOMMENDATION**

THAT:

1. Council endorse the progression of the statutory process to dedicate the Halls Estate road reserves shown in DP975148, being Roscommon Road, Carrs Road, Gribbenmount Road and Bevans Road, as public roads under section 16 of the Roads Act 1993.
2. The Chief Executive Officer give the required notice under section 17 of the Roads Act 1993 and undertake the necessary advertising and notification process.
3. Subject to completion of the statutory notice period, Council publish a Government Gazette notice under section 16 of the Roads Act 1993, dedicating Roscommon Road, Carrs Road, Gribbenmount Road and Bevans Road as public roads.

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS*Note:*

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

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

GENERAL BUSINESS

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

OFFICE OF THE GENERAL MANAGER**Page Number 3****Item 2 GM19/26 JUNE 2026 PERFORMANCE REPORT ON THE 2025-2029 DELIVERY PROGRAM AND QUARTERLY BUDGET REVIEW STATEMENT****RECOMMENDATION**

THAT:

1. The June 2026 Performance Report showing progress of the 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the period ending June 2026 be received and noted.

CORPORATE SUPPORT DIVISION**Page Number 12****Item 3 CS30/26 GENERAL PURPOSE FINANCIAL REPORTS - 2025/26 FINANCIAL YEAR****RECOMMENDATION**

THAT:

1. The 2025/26 General Purpose Financial Reports be received and noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2025/26 Financial Reports.
3. The 2025/26 Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Report.
4. The Chief Executive Officer be delegated authority to fix the date of the General Meeting at which the 2025/26 Financial Reports and Auditor’s Report will be formally “presented to the public”.

Page Number 15**Item 4 CS44/26 INVESTMENTS AND BORROWINGS FOR 2026/2027 - STATUS FOR THE PERIOD ENDING 31 JULY 2026****RECOMMENDATION**

THAT the contents of Director’s Report No. CS44/26 be received and noted.

Page Number 18**Item 5 CS45/26 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2026 TO SEPTEMBER 2027****RECOMMENDATION**

THAT Council adopt the:

1. Schedule of ordinary Council meetings for the period October 2026 to September 2027 as set out in Attachment 1. of Director's Report No. CS45/26.
2. Order of business for the ordinary Council meetings to be held in the period October 2026 to September 2027 as set out in Attachment 2. of Director's Report No. CS45/26.

Page Number 21**Item 6 CS46/26 ELECTION OF DEPUTY MAYOR****RECOMMENDATION**

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.
2. If a Deputy Mayor is to be elected, Council:
 - a) Determine the period for which the Deputy Mayor is to be elected.
 - b) Determine if the election of the Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting.
 - c) Request the Returning Officer to conduct the election, using the election method determined in b) above.
3. If a Deputy Mayoral election is held, the ballot papers (if any) be destroyed following the declaration of the election.

COMMUNITY AND ENVIRONMENT DIVISION

Nil

PLANNING AND COMPLIANCE DIVISION**Page Number 25****Item 7 PC18/26 PLANNING PROPOSAL - 328A GALSTON ROAD, GALSTON**

RECOMMENDATION

THAT:

1. Council support the submission of the Planning Proposal for 328A Galston Road, Galston attached to Director's Report PC18/26 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 for a minimum of 28 days.
3. Following exhibition, a report on submission be presented to Council for consideration.

Page Number 51**Item 8 PC19/26 AMENDED VOLUNTARY PLANNING AGREEMENT - 7 CITY VIEW ROAD, PENNANT HILLS****RECOMMENDATION**

THAT:

1. The draft Deed of Variation to amend the agreed Voluntary Planning Agreement attached to Directors Report PC19/26 be placed on public exhibition for 28 days.
2. Delegate authority to the CEO (or delegate), subject to consideration of any changes following public exhibition, to execute the Deed of Variation in the form that is publicly exhibited or with minor alterations; and
3. Advise the proponent and the Department of Planning, Housing and Infrastructure of Council's decision on the Deed of Variation.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION

Nil

PUBLIC FORUM – NON AGENDA ITEMS**QUESTIONS WITH NOTICE****Page Number 56****Item 9 QWN6/26 THE WALLAROBBA ARTS AND CULTURAL CENTRE PROPOSAL****MAYOR'S NOTES****Page Number 57****Item 10 MN8/26 MAYOR'S NOTES 01 AUGUST 2026 - 31 AUGUST 2026**

NOTICES OF MOTION**Page Number 59****Item 11 NOM13/26 NEW LINE ROAD****COUNCILLOR TILBURY TO MOVE**

THAT Council:

1. Pause progression of any local planning or rezonings between Cherrybrook and Galston Gorge until the legacy issues with New Line Road are resolved.
2. Write to the NSW Minister for Roads, Minister for Transport and Minister for Planning to:
 - a) Seek committed funding from the NSW Government to Stage 1 of the upgrade to New Line Road, being the widening of New Line Road to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge
 - b) Request that any approvals for State Significant Development Applications lodged under the new Cherrybrook Precinct planning controls be deferred pending the committed funding for Stage 1 of the upgrade of New Line Road
 - c) State that Council will not progress consideration for any local planning or rezonings between Cherrybrook and Galston Gorge until the NSW Government commit funding for Stage 1 of the upgrade to New Line Road
3. Write to our neighbouring Hills Shire Council, Shadow Minister for Roads and local State MPs providing a copy of the letters and seeking their support and advocacy for the above.

Page Number 61**Item 12 NOM14/26 ESTABLISHMENT OF AN INCLUSION TECHNICAL ADVISORY PANEL****COUNCILLOR MCINTOSH TO MOVE**

THAT Council:

1. Acknowledge that a commitment to disability inclusion requires Council to address inclusion across all aspects of Council service delivery, including design and delivery of infrastructure, facilities, events, services, programs, systems, communication and information for people with disability;
2. Continue to progress actions related to disability inclusion within our community, both through the updated Disability Inclusion Action Plan (DIAP) and through a range of Council-wide initiatives;
3. Consider an action, as part of the report back to Council following the current DIAP consultations, to establish an "Inclusion *Technical Advisory Panel*"(ITAP) to comprise community members with a lived experience of disability who would provide feedback on

Council infrastructure, services and programs, in particular infrastructure design, delivery and maintenance;

4. Develop Terms of Reference for the panel to ensure that the design and delivery of future programs are informed by people with a lived experience of disability and which would specifically address access issues including public domain, Active Transport and footway priorities, design and maintenance; provision of transport and access support and connectivity; and access to community, cultural and sporting facilities.

It is acknowledged that:

Council's Disability Inclusion Action Plan is currently out for consultation with the community and contains a range of actions for Council and community partners to address inclusion in our Shire. This draft plan will be reported back to Council in a forthcoming Council meeting to endorse future actions.

Page Number 64

Item 13 NOM15/26 HORNSBY SHIRE COUNCIL GARDEN FESTIVAL

COUNCILLOR GREENWOOD TO MOVE

THAT Council:

1. Support the delivery of a Hornsby Shire Garden Festival, to be held from Friday 10 September to Sunday 12 September 2027.
2. Establish a Garden Festival Working Group to assist with the delivery of the Festival.
3. Adopt Terms of reference for the Working Group attached to this Notice of Motion.
4. Request that the Working Group report back to Council with recommendations and progress updates at three-monthly intervals, with the first update be 30 November 2026.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 FORMAL DEDICATION OF ROADS TO COUNCIL - FORMER AT HALLS ESTATE

The Halls Estate at Dural was created by Deposited Plan 975148, registered on 21 November 1881. The Plan identified several road reserves that were created before the formation of our Shire Council in 1906 and before the Local Government Act 1919.

Council records indicate that the original 33-foot road reserves at Roscommon Road, Carrs Road, Gribbenmount Road and Bevans Road remain as private subdivision roads, with title likely remaining with the original landowner or their heirs and successors. These roads are partly formed and primarily used for property access.

While Council has accepted maintenance responsibility for the formed sections of these roads for a very long period of time there is still uncertainty about the ownership status for any unformed sections. Gazettal is proposed to remove doubt about the legal status of these road reserves and formally dedicate them as public roads under section 16 of the Roads Act 1993. Section 16 (1) of the Roads Act, 1993 permits the dedication of these road reserves.

This approach would bring these roads under Council ownership and thus provide a clear legal basis to manage the roads as the roads authority. This includes consideration of any future road closures, reserve dedication or access arrangements through the appropriate statutory process.

This is a long outstanding issue for Council that we can now seek to resolve by bringing these road reserves under our ownership. Clarity of ownership will assist staff in responding to resident requests, maintenance expectations, access complaints and any proposals for future works.

By adopting this Mayoral Minute, Council can be formally recognised as the roads authority for these road reserves pursuant to the Roads Act 1993 and remove doubt surrounding their legal status.

RECOMMENDATION

THAT:

1. Council endorse the progression of the statutory process to dedicate the Halls Estate road reserves shown in DP975148, being Roscommon Road, Carrs Road, Gribbenmount Road and Bevans Road, as public roads under section 16 of the Roads Act 1993.
2. The Chief Executive Officer give the required notice under section 17 of the Roads Act 1993 and undertake the necessary advertising and notification process.
3. Subject to completion of the statutory notice period, Council publish a Government Gazette notice under section 16 of the Roads Act 1993, dedicating Roscommon Road, Carrs Road, Gribbenmount Road and Bevans Road as public roads.

Cr WARREN WADDELL

Mayor

Attachments:

There are no attachments for this report.

File Reference: F2013/00004

Document Number: D09895518

ITEM 1

**2 JUNE 2026 PERFORMANCE REPORT ON THE 2025-2029 DELIVERY PROGRAM AND
QUARTERLY BUDGET REVIEW STATEMENT**

EXECUTIVE SUMMARY

- Council is required to review its budget each quarter. At the same time, the Integrated Planning and Reporting Guidelines state that progress reports should be provided to Council on the principal activities detailed in its Delivery Program at least every six months.
- In this regard, the June 2026 Performance Report showing progress of the 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget is attached for Council's consideration.
- Progress against the adopted 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget, and the operational performance of the organisation, has been in line with the service delivery standards adopted by Council.
- Based on an inflow and outflow of funds as at 30 June 2026, the actual result for 2025/26 is a surplus of \$14K, compared to a forecast surplus of \$1.35 million in Council's 2025/26 Revised Budget. This result is net of a number of transfers from the surplus to provide funding for major projects and financial sustainability initiatives. Excluding these transfers, Council achieved an underlying surplus of \$8.36 million, which is \$7.01 million greater than the forecast surplus of \$1.35 million.
- This Report also provides Council with an update about the latest status of major projects that are of significant dollar value or of community interest.

RECOMMENDATION

THAT:

1. The June 2026 Performance Report showing progress of the 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget be received and noted.
2. Quarterly Budget Review Statement for the period ending June 2026 be received and noted.

PURPOSE

The purpose of this Report is to present for Council's consideration the June 2026 Performance Report showing progress of the 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget, as required under s406 of the Local Government Act 1993 and the Integrated Planning and Reporting Guidelines, September 2021. Details within the Performance Report cover the twelve months from 1 July 2025 to 30 June 2026. The Performance Report includes Council's Consolidated Budget Summary as at 30 June 2026.

BACKGROUND

On 11 June 2025, Council adopted the 2025-2029 Delivery Program including the 2025/26 Operational Plan and Budget. The Delivery Program and Operational Plan defines Council's priorities, actions and resource allocation. It sets out how services will be delivered, how performance will be measured and how progress towards the community's long-term vision will be achieved. This Performance Report provides an update on the progress of actions set out in the Delivery Program and Operational Plan.

DISCUSSION

OPERATIONAL COMMENT

The Delivery Program and Operational Plan encompasses a significant number of actions and capital projects. Progress against these commitments is reported quarterly, with updates provided alongside a traffic light status indicator. While the quarterly reports contain detailed information on individual actions and projects, key progress highlights are summarised under each Strategic direction in the attached Performance Report. Actions and capital projects requiring attention, placed on hold, completed, or closed are clearly identified and supported by explanatory commentary. Any projects introduced during the reporting period, including Special Rate Variation (SRV) initiatives, are also captured.

The June 2026 Performance Report (Attachment 1) presents annual and biannual results for Delivery Indicators. These medium-term measures provide an important link between service delivery and the achievement of long-term strategic outcomes, helping to track progress towards the community's vision. The report also includes updates on Business Unit Service KPIs, which measure service outputs and demonstrate how Council's day-to-day activities contribute to the community's long-term aspirations.

Eighty-one per cent (81%) of actions within the 2025–2029 Delivery Program and 2025/26 Operational Plan are either completed or on track, while 84% of planned capital projects are completed or on track.

In addition, the report provides updates on major projects, which are discussed further in the Discussion section, together with a range of operational highlights, including:

Liveable

- Opened the Crusher Plant Precinct at Hornsby Park
- Opened the new Mark Taylor Oval Pavilion at Waitara
- Appointed 11 new members to the Hornsby Aboriginal and Torres Strait Islander Consultative Committee
- Re-established the Hornsby Heritage Advisory Committee.

Sustainable

- Launched a soft plastics buy-back initiative, enabling the community to purchase products made from soft plastics collected at the Thornleigh Community Recycling Centre
- Salt Pan Reserve, Brooklyn received a Green Space Environmental Award from the Australian Institute of Horticulture
- Introduced a purpose-built Fire Management Utility to support ecological burning and bushfire risk reduction across Hornsby Shire
- Recognised as the NSW Overall Sustainable Cities Winner at the 2025 Keep Australia Beautiful NSW Sustainable Cities Awards.

Prosperous

- Adopted the Glenorie Village Place Plan
- Adopted the Hornsby Shire Destination Management Plan
- Endorsed the Employment Lands Planning Proposal to support business growth, local investment and employment opportunities.

Collaborative

- Launched a new website to improve community access to Council information, services and support
- Joined the Welcoming Cities Network
- Adopted the Long-Term Financial Plan 2026/27–2035/36.

Capital projects

Completion of **41** capital projects, including:

- Mark Taylor Oval pavilion at Waitara formally opened in March 2026
- Upgraded playgrounds at Fearnley Park, Beecroft; Mills Park and Amor Street Park, Asquith; Charles Curtis Park, Normanhurst; Dusthole Bay, Berowra Waters and Ulolo Park, Hornsby Heights
- Irrigation renewals at Pennant Hills No. 1; Dural Park; Warrina Street Oval, Berowra and Ron Payne Park, North Epping
- Changeroom and public toilet renewal at Montview Oval, Hornsby Heights
- Expanded dog off leash park at Asquith Park
- Six new footpaths (totalling 1,805 metres)
- Two new shared paths at Bellamy Street, Pennant Hills and Quarry Road, Hornsby (totalling 930 metres)
- Local road improvements at Chandler Avenue, Cowan; Redgum Avenue, Pennant Hills and Grevillea Crescent, Hornsby Heights
- 8,500 metres of local roads pavement renewed/resurfaced
- 1,000 metres of new/reconstructed kerb and guttering.

- 1,707 metres of bushwalking trails and tracks upgraded, including an accessible loop path at Salt Pan Reserve, Brooklyn
- Conversion of two existing meeting rooms into Balts Hall, creating a new flexible multi-purpose space at Storey Park Community Centre
- Seven catchment remediation upgrades at Thornleigh, Cheltenham, Cherrybrook, Pennant Hills and Hornsby, including creek rehabilitation at Hornsby Quarry and stormwater harvesting amplification at Edward Bennett Oval, Cherrybrook.

BUDGET COMMENT

This Review includes the full year results for 2025/26, comparing actual expenditure, income and funding sources against the budget. Based on this inflow and outflow of funds as at 30 June 2026, the actual result for 2025/26 is a surplus of \$14K, compared to a forecast surplus of \$1.35 million in Council's 2025/26 Revised Budget. This result is net of a number of transfers from the surplus to provide funding for major projects and financial sustainability initiatives. Excluding these transfers, Council achieved an underlying surplus of \$8.36 million, which is \$7.01 million greater than the forecast surplus of \$1.35 million.

Transfers include:

- \$1.35 million – To Westleigh Park, consistent with the funding strategy identified in Council's Long Term Financial Plan to set aside the surplus forecast at the start of each year, if achieved up until 2030 to provide recreational opportunities on the site.
- \$3.225 million – To increase the funding available for the future embellishment of Hornsby Park, Old Mans Valley North.
- \$275K – To supplement \$305K of grant funding provided by the NSW State Government to upgrade the Heritage Steps Trailhead and Forecourt in Hornsby Park.
- \$3.5M – To the Corporate Asset Management Planning internally restricted asset account, to strengthen Council's capacity to respond to unforeseen asset failures and future renewal requirements.

The transfers above were possible due to continued better than anticipated returns from Council's investment portfolio based on interest rates remaining higher than originally forecasted. As noted in Council's adopted Long Term Financial Plan, during the year Council Officers have implemented a revised strategy to increase investment in two to five year fixed rate products with the aim of continuing to achieve greater returns in future years. Budgeted investment income has increased from 2026/27 as a result.

This 30 June 2026 result is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

Capital Works Program

The 2025/26 Capital Works Program includes budget estimates for Council's capital projects.

Advice has been sought from project managers throughout the year in respect of forecast expenditure at 30 June 2026, considering the most recent timelines for multi-year projects, with adjustments made throughout the year to reflect anticipated milestones.

At 30 June 2026 \$46.96 million has been expended on capital works, representing 91% of the revised budget of \$51.36 million.

Special Rate Variation (SRV) – Strategic Initiatives

The 2025/26 Original Budget included \$11.7 million to fund asset maintenance and renewal and to implement strategic priorities funded by the SRV, as included in the Program of Expenditure approved by IPART. The SRV includes similar allocations for the next 10 years to deliver an extensive program of priority projects to the community.

A summary of the Program of Expenditure as of 30 June 2026 is below. Further reporting regarding the SRV will be included in Council's 2025/26 Annual Report, as required by the terms of IPART's approval.

Program of Expenditure – 2025/26	Budget Allocated (\$'000)	Actual Spent (\$'000)	Restricted to carry forward (\$'000)
Asset management funding gap	3,558	3,558	0
Climate change mitigation and adaptation	160	153	7
Enhance cyber security	100	100	0
Track and trail asset management	69	28	41
Bushfire risk mitigation	666	352	314
Bushland reserve asset management	827	827	0
Hello Hornsby	80	76	4
Hornsby Park operations and maintenance	684	214	470
Public amenities	1,000	455	545
Park amenities renewal and upgrade	650	249	401
Hornsby Park asset renewals	716	226	490
Track and trail upgrade including accessibility and signage	287	287	0
Shared paths	1,393	1,393	0
Disability inclusive community centres	431	357	74
Drainage improvement works	1,000	264	736
New and upgraded play spaces	85	61	24
Total	11,706	8,600	3,106

STATUS – MAJOR PROJECTS

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

- **Foxglove Oval** – As reported in previous Quarterly Review reports to Council the current estimated cost of landfill remediation works at Foxglove Oval is \$16.38 million, with this

amount set aside in an internally restricted asset account to fund an internal loan to Domestic Waste for this purpose.

The internal loan is to be recovered through increases in Domestic Waste Annual Charges, including a 10% increase in the 2025/26 and 2026/27 financial years.

Total expenditure on this stage of the project is \$6.8 million. Year to date expenditure to 30 June 2026 is \$2.78 million compared to a year-to-date budget of \$4.97 million. The reduced spend against budget is due to consultant and auditor delays in undertaking some program tasks, along with an approved reduction in frequency associated with the monitoring program.

- **Hornsby Park** – At the 14 April 2021 General Meeting (refer to Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks) it was noted that the total estimated cost of the program of works in the Master Plan is significantly above the total level of external funding available. Council resolved to acknowledge that a financially responsible approach requires the project to be staged commensurate with available funding.

Modelling in previous versions of Council's Long Term Financial Plan indicated that exceeding the level of external funding available would reduce Council's long term financial sustainability. To protect Council from cost escalations a number of mitigation strategies have been agreed:

- The allocation of a 30% contingency for all components of the project, noting ongoing challenges in the external environment, including inflationary price increases, supply side shortages and the impact of severe weather events and natural disasters.
- Staging works over-time by splitting the project into components with discrete budgets. Some components commence only after others have been completed.
- Works contracts to include suitable termination clauses to provide the option of ceasing work if costs escalate.
- Provision of information for consideration by Executive Leadership Team members in respect to approving when work on components can commence.

The total funding provided for the bulk earthworks, stabilisation of the quarry void and embellishments is \$66.6 million (inclusive of a property acquisition for road widening).

All Stage 1 contracts have reached Practical Completion. Circulation works are at various stages, with the majority now underway and one still progressing through procurement. A contract has been awarded for Quarry Road improvements and works commenced in November 2025 with Provisional Practical Completion recorded on 27 March 2026.

The Project Team completed pre-opening works on track ahead of the public opening which took place on 28 March 2026. The opening was attended by current and past Mayors, Local MP's past and present and special guest Ms. Anna Watson MP on behalf of the Minister for Local Government NSW.

The Opening of the new Crusher Plant Precinct (first stage of the Park) generated strong and sustained community interest with high visitation on the opening day of 2,168 people and 3,002 the following day. Over the 10 days post opening, over 25,150 people were recorded on the Southern Lookout with over 14,164 passes on the Heritage Steps.

The total expenditure on this component from 1 July 2018 to 30 June 2026 is \$65.7 million. Year to date expenditure to 30 June 2026 is \$3.24 million compared to a full year budget of \$4.10 million.

- **Hornsby Park – Old Mans Valley Field of Play** - The total funding available for this stage of the project is \$24.92 million.

A Funding Deed for \$12.16 million was executed in August 2025 under the Federal Thriving Suburbs Grant. Detailed design was completed in September 2025 and the project is being delivered through multiple tender packages to manage staging, risk and market capacity, comprising service enhancements, under-boring, civil and landscaping, building and pump/jump track.

Four tender packages have been awarded with the last tender package for pump/jump track released in March 2026. Early site works commenced in January 2026, with construction works staged through 2026 and forecast to reach completion in May 2027.

The total life to date expenditure to 30 June 2026 is \$7.23 million. Financial year to date expenditure at 30 June 2026 is also \$7.23 million compared to a current year to date budget of \$7.7 million.

- **Hornsby Park – Vegetation Management** - The total funding provided for vegetation works across the site is \$6.9 million (including interest earned). The total life to date expenditure to 30 June 2026 is \$1.85 million. Financial year to date capital and operating expenditure at 30 June 2026 is \$855K compared to a year to date budget of \$448K.
- **Hornsby Park – Old Mans Valley North** - Old Mans Valley North represents a future stage of the Hornsby Park Master Plan and is currently in the planning and funding development phase. The intended scope includes a large regional water playground, community amenities, carparking, supporting infrastructure and associated public domain works.

Consistent with Council's adopted staging and risk mitigation approach for Hornsby Park, it is intended that construction of Old Mans Valley North occur following completion of the Old Mans Valley Field of Play. This sequencing is designed to manage delivery risk, market exposure and financial capacity associated with major capital works.

Funding of \$9.5 million has been identified to date, comprising \$1 million in budget savings and \$5 million reallocated from savings achieved on Foxglove Oval. As noted, \$3.225 million is also proposed to be set aside from this 30 June 2026 budget surplus. Council Officers are continuing to investigate options to supplement this funding through future development contributions as part of the upcoming review of the section 7.11 Contributions Plan.

A more detailed scope, funding strategy and delivery approach for Old Mans Valley North will be the subject of a future standalone report to Council, once the Field of Play works are underway and funding pathways are further resolved.

- **Westleigh Park** – \$40 million of funding was originally provided from the NSW Government's Stronger Communities Fund and allocated to the delivery of stage one. As noted in Deputy General Manager's Report No. IM2/21 – Master Plan for Hornsby and Westleigh Parks (considered at the 14 April 2021 General Meeting), the total estimated cost of all facilities canvassed in the Master Plan was significantly above this level of funding.

During the 2023/24 financial year Council received notification from the Office of Local Government that remaining grant funding in the order of \$36 million would be required to be returned. Council is continuing to assess its options in respect to this notification.

As noted in the Financial Risks section of Council's adopted Long Term Financial Plan, insufficient financial capacity is forecast over the next ten years to replace funding of this magnitude. Should Council be unsuccessful in retaining the grant for this project will most likely jeopardise the delivery of this initiative.

Progress continues on key enabling approvals. Council's application for Stage 1A Construction Certificate (CC) enacting the Development Consent has advanced with the CC granted in February 2026. A Heritage Consultant has also been engaged to prepare a relocation strategy for the Scarred Tree in consultation with Registered Aboriginal Parties, which supported an Aboriginal Heritage Impact Permit application that was approved by Heritage NSW in March 2026.

Concurrently, work has also progressed to prepare a tender package for the upgrade of the Mountain Bike Trails at the site, and was released in April with construction forecast to commence in August 2026

The total life to date expenditure to 30 June 2026 (excluding the acquisition costs of \$21 million funded by development contributions) is \$8.97 million. Financial year to date expenditure at 30 June 2026 is \$2.4 million compared to a year to date budget of \$2.5 million. The majority of the expenditure incurred this year was to fulfill obligations and retirement of biodiversity credits to satisfy DA conditions of consent.

The redevelopment of the site is Council's second largest project; therefore, it would be financially prudent to follow the same mitigation strategies as noted for Hornsby Park.

- **Galston Public Domain** – Council endorsed the Galston Village Public Domain Plan (Report No. IM6/24) on 10 July 2024 following public exhibition and community engagement.

A tender for construction was executed in December 2025, and works are forecast to commence subject to final approval by TfNSW and favourable weather conditions. A contract price including contingency, was awarded below the budget of \$7.1 million originally provided resulting in \$1 million of savings. These savings have been reallocated to an internally restricted asset account with the total budget reduced to \$6.1 million accordingly.

The total life to date expenditure to 30 June 2026 on this project is \$714K out of a budget of \$6.1 million from an internally restricted asset account set aside using budget surpluses achieved in prior financial years.

Year to date expenditure at 30 June 2026 is \$382K compared to a current year to date budget of \$450K.

BUDGET

This Report provides the June 2026 Quarter Review of the 2025/26 Operational Plan (Budget), which, if adopted, will achieve an actual surplus at 30 June 2026 of \$14K (\$8.36 million before transfers). The Budget result at 30 June 2026 is satisfactory in maintaining financial benchmark indicators in respect to liquidity.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council's consideration of this Report ensures that relevant statutory requirements have been met. The June 2026 Performance Report and quarterly budget review demonstrate that Council remains in a stable position to deliver local services and facilities in a financially responsible manner at 30 June 2026.

RESPONSIBLE OFFICERS

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

NICOLA DORMAN
Acting Director Corporate Support
Corporate Support Division

GLEN MAGUS
Chief Executive Officer
Office of the General Manager

Attachments:

1.  Attachment 1 - June 2026 Performance Report

File Reference: F2025/00067
Document Number: D09817473

3 GENERAL PURPOSE FINANCIAL REPORTS - 2025/26 FINANCIAL YEAR

EXECUTIVE SUMMARY

- Council's General Purpose Financial Reports for the year ended 30 June 2026 (the Financial Reports) have been completed by staff in accordance with statutory requirements and accounting standards.
- Subject to Council's approval, the Financial Reports now need to be referred for audit.
- Following receipt of the Auditor's Reports, it is proposed that the Financial Reports and Auditor's Report be "presented to the public" at the 14 October 2026 General Meeting.

RECOMMENDATION

THAT:

1. The 2025/26 General Purpose Financial Reports be received and noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2025/26 Financial Reports.
3. The 2025/26 Financial Reports be authorised for "presentation to the public" on receipt of the Auditor's Report.
4. The Chief Executive Officer be delegated authority to fix the date of the General Meeting at which the 2025/26 Financial Reports and Auditor's Report will be formally "presented to the public".

PURPOSE

The purpose of this Report is to recommend that Council's 2025/26 Financial Reports be received and noted and referred for audit.

BACKGROUND

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

DISCUSSION

Council's Financial Reports for 2025/26 have been completed by staff in accordance with the requirements of the Local Government Act, the Local Government Code of Accounting Practice and relevant Accounting Standards. It is recommended that they be referred to Council's external auditors for review.

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

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

At this stage, it is anticipated that the Reports will be "presented to the public" at the 14 October 2026 General Meeting.

Following presentation of the Reports to the public, any person may make a submission concerning the Reports within a period of seven days after the 14 October 2026 General Meeting.

It should be noted that the Audit, Risk and Improvement Committee have completed a review of the draft Financial Reports, with feedback provided to Council Officers at a committee meeting held on 31 August 2026. The draft Financial Reports have been updated to include changes from this feedback, where required.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

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

CONCLUSION

Council's referral of the 2025/26 Financial Reports for audit, and ultimately the presentation of the Financial and Auditor's Report to the public at the 14 October 2026 General Meeting, will ensure that the requirements of the Local Government Act have been met.

RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

NICOLA DORMAN
Acting Director Corporate Support
Corporate Support Division

Attachments:

1.  Draft Financial Reports 30 June 2026 Included under separate cover

File Reference: F2023/00141
Document Number: D09464965

4 INVESTMENTS AND BORROWINGS FOR 2026/2027 - STATUS FOR THE PERIOD ENDING 31 JULY 2026

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 July 2026 as well as the extent of its borrowings at the end of the same period.
- Council invests funds that are not, for the time being, required for any other purpose. The investments must be made in accordance with relevant legislative requirements and Council's policies, and the Chief Financial Officer must report monthly to Council on the details of funds invested.
- All of Council's investments have been made in accordance with the requirements of the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.
- In respect of Council's cash and term deposit investments, the portfolio achieved an annualised return for July 2026 of 4.20% which includes a negative yield of -0.90% from TCorp Managed Funds.

RECOMMENDATION

THAT the contents of Director's Report No. CS44/26 be received and noted.

PURPOSE

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

BACKGROUND

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

DISCUSSION

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

Council's investment performance for the month ending 31 July 2026 is detailed in the attached document. In summary, the portfolio achieved an annualised return for July 2026 of 4.20%, which includes a negative yield of -0.90% from TCorp Managed Funds.

The returns from TCorp Managed Funds can experience market volatility due to external economic conditions. 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 continue to hold this investment. This is due to the anticipated net positive performance returns that will be gained over the long term.

The Borrowings Schedule as at 31 July 2026 is attached for Council's information, noting that Council became debt free on 1 July 2023 with no loans entered into since. The Borrowings Schedule also discloses future lease repayments for various items of plant and equipment.

BUDGET

Budgeted investment income for the year is \$14,398,313 with an average budgeted monthly income of \$1,199,859. Net investment income for the month ended 31 July 2026 was \$1,096,523 which includes an unrealised loss of -\$20,985 from TCorp Managed Funds.

Approximately 42.57% 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 31 July 2026 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

NICOLA DORMAN
Acting Director Corporate Support
Corporate Support Division

Attachments:

1.  HSC Investments Summary Report July 2026
2.  HSC Borrowings Summary Report July 2026

File Reference: F2004/06987-02
Document Number: D09825284

5 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2026 TO SEPTEMBER 2027

EXECUTIVE SUMMARY

- In accordance with Clauses 3.2 and 8.1 of the Code of Meeting Practice, Council annually determines a schedule of meeting dates for the following year and the order of business to apply at those meetings.
- It is proposed that the practice of holding one General Meeting per month be maintained for 2026/27, with that Meeting to be held on the second Wednesday of each month (excluding January) and that Workshop Meetings continue to be held on other Wednesdays of the month, with appropriate notice being provided as required.
- It is also proposed that the existing order of business be maintained for 2026/27.

RECOMMENDATION

THAT Council adopt the:

1. Schedule of ordinary Council meetings for the period October 2026 to September 2027 as set out in Attachment 1. of Director's Report No. CS45/26.
2. Order of business for the ordinary Council meetings to be held in the period October 2026 to September 2027 as set out in Attachment 2. of Director's Report No. CS45/26.

PURPOSE

The purpose of this Report is to recommend a proposed schedule of ordinary Meeting dates for the period October 2026 to September 2027, and the order of business to apply at those meetings.

BACKGROUND

Council last considered its schedule of meetings and order of business at those meetings at the 10 September 2025 General Meeting – refer Director's Report No. CS47/25. At the Meeting, Council decided to maintain the practice of holding one General Meeting per month with that Meeting to be held on the second Wednesday of each month (excluding January) and that Workshop Meetings and informal Councillor Briefing sessions continue to be held as required, and with appropriate notice being provided, on the first, third, fourth and/or fifth Wednesdays of each month (except January).

DISCUSSION

Schedule of Meetings

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

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

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

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

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

Whilst Workshop Meetings have been held irregularly over the last few Council terms, they have been a valuable resource for previous Councils, particularly where a matter to be dealt with was quite complex and a presentation by a consultant to Council and members of the public were deemed to be useful in the decision-making process.

A proposed schedule of General Meeting and Workshop Meeting dates for the period from October 2026 to September 2027 has now been drafted and is attached to this Report. The draft schedule of Meetings proposes the existing structure of one General Meeting per month, as well as providing for Workshop Meetings as required.

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

Order of Business

A proposed order of business to apply at General and Workshop Meetings for the period from October 2026 to September 2027 has been drafted and is attached to this Report. The draft order of business maintains the existing structure with no changes proposed.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

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

CONCLUSION

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

RESPONSIBLE OFFICER

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

STEPHEN COLBURT
Manager, Governance and Customer Service
Corporate Support Division

NICOLA DORMAN
Acting Director Corporate Support
Corporate Support Division

Attachments:

1.  Schedule of ordinary Meetings - October 2026 - September 2027
2.  Council Meeting Order of Business - October 2026 - September 2027

File Reference: F2004/07032-002

Document Number: D09832220

6 ELECTION OF DEPUTY MAYOR

EXECUTIVE SUMMARY

- In accordance with Section 231 of the Local Government Act, Councillors may elect a person from among their number to be the Deputy Mayor, with the term of such office being either equal to that of the Mayoral term or for a shorter period.
- This Report provides details about the role of a Deputy Mayor and the choices that Council has about the period and method of election to such office.
- If Council decides to elect a Deputy Mayor, it will need to determine the term for which the Deputy Mayor will serve and the method of voting to be used for electing the Deputy Mayor. It will also need to appoint the General Manager (or his delegate) to conduct the election.

RECOMMENDATION

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.
2. If a Deputy Mayor is to be elected, Council:
 - a) Determine the period for which the Deputy Mayor is to be elected.
 - b) Determine if the election of the Deputy Mayor is to be by preferential ballot, ordinary ballot or open voting.
 - c) Request the Returning Officer to conduct the election, using the election method determined in b) above.
3. If a Deputy Mayoral election is held, the ballot papers (if any) be destroyed following the declaration of the election.

PURPOSE

The purpose of this Report is to provide Council with the opportunity to consider whether or not it wishes to elect a Deputy Mayor. The Report includes information about the role of the Deputy Mayor and the different methods of voting which can be used to elect a Deputy Mayor.

BACKGROUND

In accordance with Section 231 of the Local Government Act, Councillors may elect a person from among their number to be the Deputy Mayor, with such term of office being either equal to that of the Mayoral term or for a shorter period.

Prior to the March 2004 local government elections, Hornsby Council's Mayor was elected annually by the Councillors. It was also Council's practice to annually elect a Deputy Mayor. At the 2004 election, the method of electing Hornsby's Mayor is determined by residents/ratepayers across the Shire for the term of the elected Council, i.e., a popularly elected Mayor rather than by the elected Councillors on an annual basis.

Although Councillors no longer have the responsibility of electing the Mayor, it is still necessary for Council to decide whether or not to elect a Deputy Mayor and, if so, to determine the period of the term to be served by the Deputy Mayor.

DISCUSSION

The Role of Deputy Mayor

The Deputy Mayor may exercise any function of the Mayor, at the request of the Mayor, if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor. If there was to be a casual vacancy in the office of Mayor up until 18 months prior to the date specified for the next ordinary election, a count back or by-election for the position of Mayor would need to be conducted in accordance with a timetable set by the Local Government Act. If the vacancy occurred within 18 months of the next ordinary election, the vacancy would be filled by the NSW Governor appointing a Councillor nominated by the Council to be the Mayor. The Deputy Mayor would usually fulfil the duties of Mayor during the above periods until a new Mayor was elected or appointed.

Period of Election of the Deputy Mayor

Under Section 231 of the Local Government Act, Councillors may elect a Deputy Mayor for the same period as the Mayoral term or for a shorter period. As Council's Mayor is popularly elected, the current Mayoral term is until the next local government elections, currently scheduled for September 2028. Council may, therefore, determine that a Deputy Mayor be elected for the period until September 2028 or for some shorter period e.g., six months. The practice at Hornsby Council has been to elect a Deputy Mayor for a 12-month period (September to September).

Method of Election

If a Deputy Mayor is to be elected, the method of election is in accordance with Schedule 7 of the Local Government (General) Regulation 2005. A Councillor may be nominated without notice for election as Deputy Mayor provided the nomination is made in writing by two or more Councillors (one of whom may be the nominee) and the nominee consents to the nomination in writing. The nomination is to be delivered or sent to the Returning Officer. A nomination form in respect of a Deputy Mayoral Election is included as an attachment to this Report.

If only one Councillor is nominated for election as Deputy Mayor, that Councillor is elected. If more than one Councillor is nominated, an election shall be held at which the General Manager (or his nominee) is the Returning Officer. The Council must resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. Historically Council has used the open voting method to elect the Deputy Mayor. To ensure probity of the election process, the counting of votes where necessary is undertaken in the presence of the Returning Officer and at least one other staff member.

It should be noted that any recommendation on the method of election (if any) is dependant to some extent on the number of candidates – see below.

Preferential Ballot

Preferential ballot would only normally be used if there are three or more candidates. Under this system, Councillors indicate their order of preference for all candidates. If a candidate receives more than half the first preference votes (i.e., an absolute majority), he or she is declared elected. If no candidate has an absolute majority, the candidate with the lowest number of votes is excluded and his or her preferences are allocated to the other candidates and so on, until one candidate has more than half the votes. A preference for each candidate standing for election must be indicated on a ballot paper, or the ballot paper will be declared invalid.

Ordinary Ballot

Ordinary ballot would normally apply where there are two or more candidates and Council decides to proceed by secret ballot. If there are only two candidates, the candidate with the higher number of votes is elected. If the two candidates are tied, the one **elected** is chosen by lot. If there are three or more candidates, the candidate with the lowest number of votes is excluded and a fresh vote is taken and so on, until there are only two candidates. A final vote between the two candidates is then taken and the candidate with the higher number of votes is declared elected. If at any stage during a count up until two candidates are remaining, there is a tie on the lowest number of votes, the one **excluded** is chosen by lot.

Open Voting

Open voting uses the same system as ordinary ballot, except that voting is by a show of hands or similar means and not by secret ballot. This method of voting has previously been the preferred practice for Hornsby Council.

Choosing by Lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer; folded, to prevent the names being seen; mixed and then drawn at random by the Returning Officer. The candidate whose name is on the drawn slip is chosen.

Appointment of Scrutineers and Inspection of Ballot Papers and Progress of Count

Council has previously sought legal advice about the ability of Councillors to inspect ballot papers and the progress of the count as well as the ability of election candidates to appoint scrutineers. In summary, the advice was that candidates are not entitled to appoint scrutineers; an inspection of the ballot papers should not be permitted; the progress of the count should not be revealed; and the ballot papers (if any) for the Deputy Mayoral election should be destroyed after the election has been declared.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

Council needs to consider the contents of this Report and determine whether or not it wishes to elect a Deputy Mayor. If it does decide to elect a Deputy Mayor, Council will also need to determine the term of office and method of voting to be used to elect the Deputy Mayor. It will also need to request the General Manager, or his nominee, to conduct the election.

RESPONSIBLE OFFICER

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

STEPHEN COLBURT
Manager, Governance and Customer Service
Corporate Support Division

NICOLA DORMAN
Acting Director Corporate Support
Corporate Support Division

Attachments:

1.  Deputy Mayor Election - Nomination Form

File Reference: F2004/07075

Document Number: D09832229

7 PLANNING PROPOSAL - 328A GALSTON ROAD, GALSTON

EXECUTIVE SUMMARY

- An owner-initiated Planning Proposal has been received for No. 328A Galston Road, Galston to permit seniors housing on the site as an additional permitted land use.
- The Planning Proposal was placed on preliminary (non-statutory) exhibition from 15 June 2026 until 13 July 2026 (28 days). During the exhibition period, twenty-two community submissions were received, comprising twenty objections and two submissions in support. The submissions objecting to the proposal raise concerns regarding inconsistency with strategic policies, precedence for further seniors housing in rural areas, lack of environmental assessment and excessive bulk and scale.
- Transport for NSW (TfNSW), Department of Primary Industries and Regional Development (DPIRD), Sydney Water and Rural Fire Service (RFS) also provided comment. Public authority submissions did not object to the Planning Proposal.
- The Planning Proposal has been amended by the proponent to address matters raised during the preliminary exhibition and officer assessment process regarding reliance on infrastructure and services associated with the seniors housing development at 330-334 Galston Road, Galston. The amended Planning Proposal would require a permitted seniors housing development to be integrated with the adjoining seniors housing development.
- The Hornsby Local Planning Panel (LPP) considered the Planning Proposal at its meeting on 29 July 2026 and advised that it supports a recommendation to submit the Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) for Gateway determination.
- It is recommended that the Planning Proposal attached to this report be submitted to DPHI for a Gateway determination.

RECOMMENDATION

THAT:

1. Council support the submission of the Planning Proposal for 328A Galston Road, Galston attached to Director's Report PC18/26 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 for a minimum of 28 days.
3. Following exhibition, a report on submission be presented to Council for consideration.

PURPOSE

The purpose of this report is to present an owner-initiated Planning Proposal (attached) for No. 328A Galston Road, Galston to determine whether the proposal should be supported for progression to the DPHI for a Gateway determination.

BACKGROUND

Council has consistently expressed concern regarding the development of seniors housing in the rural areas made permissible under the now repealed State Environmental Planning Policy (Housing for Seniors or People with a Disability) (Seniors SEPP). The Seniors SEPP facilitated large scale seniors housing developments, not in keeping with the rural character or servicing capacity of the Shire's rural areas. The Seniors SEPP was also in conflict with the objectives of the North District Plan and its actions to limit urban development to urban areas and ensure the values of the Metropolitan Rural Areas are protected.

The site adjoins an existing seniors housing facility at 330-334 Galston Road, Galston established under the former rules of the Seniors SEPP. On 8 December 2008 the NSW State Government issued a Site Compatibility Certificate (SCC) for 330 – 334 Galston Road, Galston. The SCC allowed for a future development application for a seniors housing facility.

On 23 February 2012, the former Sydney West Joint Regional Panel approved development application DA/850/2011 (JRPP No. 2011SYW096) for 'demolition of existing structures and construction of a seniors housing development comprising 96 self-contained dwelling-houses and a community facility to be completed in 6 stages.' This application has been subsequently amended through multiple revisions and the number of dwellings reduced to 88 dwellings.

On 7 March 2018, an application for a new SCC was lodged with the NSW State Government. The application proposed to extend the previous SCC approval onto the site to allow for an expanded seniors housing development. This application was refused by the Sydney North Planning Panel (SNPP) as the application did not demonstrate that the site is suitable for a more intensive use and the proposed development was not compatible with the surrounding environment and land use. The Panel identified that approval of an SCC application could be granted if sewer and stormwater infrastructure was adequate, the bulk and scale was compatible and adequate setbacks and landscaping were provided.

In 2018, the former Greater Sydney Commission (GSC) commenced an investigation into planning challenges with the former Seniors SEPP in response to representations made by The Hills and Hornsby Councils raising concerns with the proliferation of seniors housing developments in rural areas. A report prepared by the GSC, titled *Investigation into the cumulative impacts of Seniors Housing in the rural areas of The Hills and Hornsby local government areas*, found that, although ageing is happening across NSW, the use of the Seniors SEPP to develop rural land for seniors housing is concentrated in few LGAs. Close to 19% of the State's SCC applications were made in Hornsby and The Hills areas between October 2009 and September 2018.

On 29 July 2020, in response to Council's representations, the Department of Planning, Housing and Infrastructure excluded the application of the Seniors SEPP from the Metropolitan Rural Areas in the Greater Sydney Region including RU4 land zones. Therefore, seniors living development is no longer permitted in the RU4 zone which includes the site.

On 25 June 2025, Council provided pre-lodgement advice for seeking to add seniors housing as an additional permitted use (APU) to Schedule 1 of the Hornsby Local Environmental Plan 2013

(Hornsby LEP) for land at the site. Council's advice identified that any Planning Proposal would need to address the strategic merit of the proposal in relation to:

- The previous Site Compatibility Certificate that was refused by the Sydney North Planning Panel in 2018;
- A Metropolis of Three Cities – the Greater Sydney Region Plan;
- The North District Plan;
- Hornsby Council's Local Strategic Planning Statement;
- Local Housing Strategy; and
- Rural Lands Strategy.

On 15 June 2026, a Planning Proposal was lodged for the site and is the subject of this report.

After an initial assessment and preliminary exhibition as discussed in this report, Council officers identified matters that should be addressed prior to progression of the proposal to DPHI for Gateway determination and sought amendments. The updated Planning Proposal which is the subject of this report is attached.

DISCUSSION

This report considers the merit of the Planning Proposal in relation to State and local planning policies and the potential impacts of the proposal. Details of preliminary consultation and submissions received are also summarised.

1. The site

The site, known as 328A Galston Road, Galston, has a total site area of 2,212.9m². The site is regular in shape and generally level with a frontage to Galston Road of 37m. The site contains a detached single storey residence. Vehicular access is provided through the existing driveway crossover from Galston Road.

The eastern portion of the site is within the Bushfire Prone Land Map. It is not identified as flood prone.

The site is zoned primarily RU4 Primary Production Small Lots with the frontage of the site zoned SP2 Infrastructure. The site has the following development standards applicable under the Hornsby Local Environmental Plan 2013 (Hornsby LEP):

- Building height – 10.5m
- Minimum Lot Size – 20,000m²

The southeastern part of the site, adjoining Galston Road, contains remnant roadside trees mapped as Sydney Turpentine Ironbark Forest (STIF), which is a Critically Endangered Ecological Community (CEEC) pursuant to the Biodiversity Conservation Act 2016. The trees are generally within the portion of the site zoned SP2 Infrastructure.

The nearest heritage listed item is identified as No. 437 - *Galston Branch Library (former church)*, located at No. 375 Galston Road, Galston, which is located approximately 600m to the west of the site.

2. Local context

Adjoining land uses immediately adjacent the site include:

- 330-334 Galston Road, Galston (north and west) is currently under construction for a seniors housing development (DA/850/2011 as amended) comprising 88 self-contained dwellings, basement parking and associated community facilities.
- Two battle axe driveway handles adjoin the site on its eastern boundary and provide access to 324 Galston Road and 326-328 Galston Road, Galston.

Land uses within the surrounding context:

- 326-328 Galston Road, Galston (approx. 150m north) is used for intensive horticulture with several large growing sheds.
- 324 Galston Road, Galston, contains a large, detached dwelling house with detached outbuildings.
- 322 Galston Road, Galston (east) contains a large, detached dwelling house with detached outbuildings.
- Land on the southern side of Galston Road contains a mix of small to large rural lots and a mix of dwelling houses and agricultural land uses.
- Land to the west of the approved seniors housing development is zoned R2 Low Density Residential and has a minimum lot size of 500m².

The site is approximately 550m east of the Galston Shopping Village Complex located west of the intersection of Galston Road and Arcadia Road. The centre is zoned E1 Local Centre, with maximum building heights of 8.5m. The local shopping centre includes a variety of retail and services including a supermarket, post office, bank, newsagency, pharmacy and butcher.

3. The Planning Proposal

Through the assessment and initial exhibition process, Council officers identified that the Planning Proposal and its supporting documentation relied upon the integration of a future development with the adjoining seniors housing development, specifically regarding internal road connections, sewer management and flood management. However, the Planning Proposal did not include a mechanism to require integration, creating uncertainty in how a future development would manage these issues.

The proponent was requested to revise the Planning Proposal and its objectives to require that a seniors housing development on the site be integrated with the existing seniors housing development at 330-334 Galston Road.

In response, the proponent amended the objective of the Planning Proposal to the following:

The objective of this Planning Proposal is to amend the Hornsby Local Environmental Plan 2013 to add an additional permitted use within Schedule 1 of HLEP 2013 to apply to 328A Galston Road, Galston (Lot 21 DP 851940), for the purposes of seniors housing, to enable the expansion of and integration with the existing seniors housing development at 330 Galston Road. This outcome will also be facilitated through the consolidation of both allotments into a single landholding, ensuring 328A forms part of the same legal parcel as the existing seniors living development approved under DA/850/2011, as amended.

The proponent also updated the proposed additional permitted use to the following:

11) Use of certain land at Galston

1. This clause applies to land identified as "Area 11" on the Additional Permitted Uses Map.

2. *Development for the purpose of seniors housing is permitted with development consent.*
3. *Development consent must not be granted to development under subclause (2) unless the consent authority is satisfied that—*
 - a) *the development forms part of a single integrated seniors housing development with the seniors housing development on adjoining land; and*
 - b) *vehicular access, sewer infrastructure and other essential services are provided on an integrated basis across the combined development.*

The Planning Proposal notes that this is an indicative clause and that, should the Planning Proposal be finalised, final wording would be prepared in consultation with DPHI and Parliamentary Counsel's Office, in line with the NSW Government's LEP Making Guidelines.

The Planning Proposal is supported by concept plans which provide three options for the seniors housing development. The concept plans provide between six to ten independent living units within a two-storey building form with a front setback that is generally consistent with the adjoining seniors housing development. Vehicle access could be provided through the adjoining building's basements with car parking generally provided to the rear.

The concept designs and other supporting reports suggest that development on the site would be integrated with the neighbouring seniors housing facility at 330-334 Galston Road approved under DA/850/2011. This would maintain the established front boundary setback with internal vehicle access.

Supporting documentation and technical studies submitted in support of the proposal (and available to view on Council's website) include:

- Planning Proposal Cover Letter (Planning Ingenuity)
- Compliance and Design review (McLaren Traffic Engineering)
- Concept Plan Option 1 (McNally Architects)
- Concept Plan Option 2 (McNally Architects)
- Concept Plan Option 3 (McNally Architects)
- Services Advice Report (CUBO Consulting Pty Ltd)
- Preliminary Bushfire Report (Bushfire Consultancy Australia)
- Traffic and Parking Impact Scheme (McLaren Traffic Engineering)
- Flood Assessment Report (CUBO Consulting Pty Ltd)
- Preliminary Site Investigation (Douglas Partners)
- Acoustic Report (Marshall Day Acoustics)
- Tree Plans DA/850/2011 (Deep Rainforest)
- Tree Location and Protection Plans DA/850/2011
- TfNSW Response for the pre-lodgement (TfNSW)

- Sydney Water Response for the pre-lodgement (Sydney Water).

4. Strategic and statutory context

Policies and legislation relevant to the Planning Proposal are discussed below.

Greater Sydney Region Plan – A Metropolis of Three Cities

A Metropolis of Three Cities – the Greater Sydney Region Plan (Region Plan) has been repealed and replaced by the Sydney Plan. However, as this repeal occurred during the assessment of the planning proposal and to provide consistency, an assessment of the Greater Sydney Regional Plan and the North District Plan is provided below.

The Region Plan sets broad priorities and actions to accommodate Sydney's future population growth and sets key targets such as housing supply, infrastructure planning, liveability, sustainability and productivity. The Region Plan outlines objectives to achieve these priorities.

The table below summarises objectives from the Region Plan that are relevant to the Planning Proposal and a consideration of the Planning Proposal's consistency.

Objectives/ Strategies	Response
O29: Environmental, social and economic values in rural areas are protected and enhanced <i>Strategy 29.1: Maintain or enhance the values of the Metropolitan Rural Area using a place-based approach to deliver targeted environmental, social and economic outcomes</i> <i>Strategy 29.2: Limit urban development to within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills and east of The Northern Road, Luddenham.</i>	The site is primarily zoned RU4 Primary Production Small Lots and is mapped within the Metropolitan Rural Area (MRA). The site is not within an investigation area. Strategy 29.1 aims to enhance or maintain the values of the MRA. During the public exhibition of this Planning Proposal, comment was sought by DPIRD. DPIRD acknowledged the importance of preserving productive agricultural land in line with the strategic framework. However, DPIRD identified that development of the subject site would not contribute to further fragmentation within the local area as the site is bounded by seniors housing on two sides, Galston Road and two access handles. The agricultural viability of the site is also compromised by the isolation from surrounding developments, roads and housing which will inhibit any future consolidation for agricultural use. The existing surrounding seniors housing land use establishes a defined 'edge' to the surrounding rural areas. The position of the site means that a change in the land use would carry that 'edge' to Galston Road, not encroach further. Adequate setbacks to adjoining land that can accommodate productive rural land uses would limit potential land use conflict that future seniors housing would have with adjoining rural or agricultural uses. The Planning Proposal would result in a transition away from the rural-residential land use on the fragmented lot and create a defined edge to the urban form to the rural lands. Given the fragmented and residential nature of the site and

Objectives/ Strategies	Response
	immediate surrounds, negligible opportunity for agricultural land uses on the site, and minimal change in potential land use conflict, the Planning Proposal would not result in a substantial change in the broader rural context or values of the area, and would not be inconsistent with the objective.
O37: Exposure to natural and urban hazards is reduced <i>Strategy 37.1: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.</i>	The proposal is supported by a Preliminary Bush Fire Assessment Report prepared by Bushfire Consultancy Australia, and a Flood Assessment Report prepared by Cubo Consulting both demonstrating that appropriate risk management can be achieved. This is discussed further in the body of this report.

North District Plan

The North District Plan (District Plan) is a guide for implementing the strategic objectives and directions outlined in the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning.

The District Plan has focuses on Infrastructure and Collaboration, Liveability, Productivity and Sustainability. These are divided into Directions, Planning Priorities and Actions that align with the strategic direction of the Region Plan.

Planning priority N18 identifies the need to better manage rural areas under the Sustainability focus.

N18 is supported by the following actions:

Action 69: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.

Action 70: Limit Urban Development to within the Urban Area.

The site is located within land mapped as the MRA.

The proponent has indicated that there are no current agricultural uses on the site or immediate adjacent areas. No. 326-328 Galston Road, which is to the north of the site and beyond the existing seniors housing site, contains agricultural land uses and the proposed change would not result in additional impacts or land use conflict.

The site is a small allotment approximately 2,200m² which is significantly less than the minimum lot size development standard of 20,000m². The site is also constrained by the seniors housing to the north and west, Galston Road to the south and the two access handles to the east which isolates the site and limits the opportunity for amalgamation for future rural land uses. The site represents a lack of rural land use potential due to the site-specific constraints.

Advice from DPIRD has been received that while preserving productive agricultural land is important, the Planning Proposal is not expected to contribute to further fragmentation of the local area due to this isolation.

Action 70 aims to limit urban development to urban areas. The immediate surrounds of the subject site is an urban form through the seniors housing currently under construction. Progression of this Planning Proposal would effectively create a uniform boundary of the urban form to the adjoining rural lands, resulting in a minimal change in the rural and urban boundary and changes in land use conflict. This integration of the site with the neighbouring seniors housing development would establish an interface to neighbouring rural properties within proximity to the Galston centre and impacts could also be mitigated by setbacks and landscaping.

Planning Priority N18 states rural residential development is not an economic value of the District's rural areas and further rural residential development is generally not supported. This is consistent with Council's view in its Local Housing Strategy and Rural Lands Strategy. However, as detailed in this report, there is limited opportunity for productive rural land uses on the site and a minor expansion of an existing seniors housing development is considered appropriate in this instance.

On balance, the Planning Proposal is not considered to be inconsistent with the District Plan as it is a fragmented rural residential lot which, due to its size and isolation, forms the urban-rural edge of the Galston Village. While it would result in an expansion of a land use that is not encouraged in rural areas, that expansion is minor, confined to a fragmented site and demonstrated to have minimal impact on overall rural character. For these reasons, the Planning Proposal is not considered to be inconsistent with the objectives of Planning Priority N18 or its actions.

It is also noted that NSW Government policy regarding the MRA may be changing, as the draft Sydney Plan focuses instead on the urban footprint. This topic is discussed further below.

Sydney Plan

The Sydney Plan was finalised and released by DPHI on 13 August 2026 and replaces the Metropolis of Three Cities – the Greater Sydney Region Plan and North District Plan. The Sydney Plan has been prepared by the NSW Government and provides a strategic framework to guide land use planning decisions to 2046. It is the current region plan for Greater Sydney. The Sydney Plan's Response 11: Manage land uses beyond the urban growth area includes three relevant strategic outcomes:

- Urban development is contained within the urban growth area.
- Environmental and conservation lands outside the urban growth area are maintained.
- Land use conflicts are minimised, supporting productive industries and communities.

While the site is not identified within an urban growth area, nor is it environmental or conservation land, the Planning Proposal's outcomes would limit land use conflict by allowing for a defined boundary between the urban built form and adjoining rural lands.

The site accommodates rural residential land use on a fragmented lot surrounded on two sides by a seniors housing development under construction, with a low likelihood of delivery of agricultural land uses due to the lot size and isolation. For the reasons discussed above, the transition of an isolated rural residential property to the proposed land use is not considered to be a significant expansion to the urban footprint.

The Sydney Plan identifies that future land uses must consider the required infrastructure and compatibility with existing settings. The Planning Proposal would be consistent with the established setting as it would be incorporated and consolidated with the approved seniors housing development.

The Planning Proposal has been amended to update the objective and proposed additional permitted use to require any future development on the site to be integrated with the adjoining seniors housing

development. This means that the Planning Proposal would be limited to seniors housing on the site that integrates with the neighbouring development. This would utilise existing infrastructure, including existing internal roads and private sewerage infrastructure.

Therefore, the Planning Proposal is generally consistent with the Sydney Plan.

Section 9.1 Local Planning Directions

Section 9.1 of the *EP&A Act* allows the Minister for Planning and Public Spaces (the Minister) to provide direction to Council in relation to the preparation of draft local environmental plans.

The Planning Proposal has been considered against the following Directions relevant to the proposal:

Direction 1.1 – Implementation of Regional Plans

The objective of the direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. The direction requires a planning proposal to be consistent with a Regional Plan released by the Minister for Planning. A planning proposal may be inconsistent if that inconsistency is of minor significance and if it achieves the overall intent of the Region Plan and does not undermine the achievement of the region plan's vision, land use strategy, goals, directions or actions.

As discussed above, the Planning Proposal would result in a rurally zoned lot to be developed as seniors housing, the lot is constrained, surrounded by urbanised land uses and confirmed by DPIRD to not have agricultural potential. While this is not a preferred land use in a rural area, the Planning Proposal is not considered to undermine the overall intent of the Plan and is not considered to be inconsistent with the Region and District Plans.

Direction 1.4 – Site Specific Provisions

The objective of the direction is to discourage unnecessarily restrictive site-specific planning controls. The direction prescribes that a planning proposal must either:

- a) *Allow that land use to be carried out in the zone the land is situated on, or*
- b) *Rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in the zone*
- c) *Allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*

The Planning Proposal seeks to allow for seniors housing as an additional permitted use on the site with no change to the underlying RU4 zone. This type of amendment is consistent with other additional permitted use provisions contained within HLEP 2013 and would not be inconsistent with this Ministerial direction.

The Planning Proposal has been amended to require any future development of seniors housing be integrated and consolidated with the adjoining seniors housing development. This is not considered to be an onerous requirement, noting that the main reason to support the Planning Proposal is that this is a minor expansion of an existing seniors housing development. Furthermore, the Planning Proposal is reliant on the adjoining seniors housing development for a consolidated vehicle access and sewer infrastructure. Given the concerns from NSW Government agencies, this is a reasonable requirement to limit the size and type of development to the capacity of available infrastructure.

The controls within the HDCP such as scale, setbacks, landscaping and design details would be appropriate to guide any future seniors housing development and no site specific DCP controls are required.

The Planning Proposal is consistent with this direction.

Direction 3.2 - Heritage Conservation

The objective of the direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The direction requires planning proposals to contain provisions that facilitate the conservation of items of heritage significance to the area.

The proposed additional permitted use would have a negligible heritage impact. There are no heritage listed items within the immediate vicinity of the site.

The Planning Proposal is consistent with this direction.

Direction 4.1 - Flooding

The objectives of the direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts both on and off the subject land. The direction applies to planning proposals that are flood prone.

While the site is not mapped as flood prone on Council's mapping, the Planning Proposal is supported by a flood report that identifies that the current overland flow path of the site traverses east to west behind the existing dwelling house. It recommends measures to redirect this flow to protect the future development and downstream and upstream properties.

The Planning Proposal has been amended to require the integration of any future development with the adjoining seniors housing development. This would require the consideration of integrated flood mitigation measures as part of a future development application.

The Planning Proposal is consistent with the direction.

Direction 4.3 - Planning for Bushfire Protection

The objective of the direction is to protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses and encouraging sound management of bushfire prone areas. The direction applies to planning proposals that will affect or are located in proximity to bushfire prone land.

The site is identified as partially bushfire prone and the Planning Proposal includes a Preliminary Bushfire Assessment Report prepared by Bushfire Consultancy Australia.

The report outlines how all three concept plans can comply with Planning for Bushfire Protection and adequately manage the bushfire hazard.

Should the proposal proceed to Gateway determination, DPHI may require consultation and confirmation by the Rural Fire Service.

Direction 4.4 - Remediation of Contaminated Land

The objective of the direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered. The direction prescribes that a change of use/zoning cannot be made unless the planning proposal authority has considered whether the land is contaminated and any suitable mitigation measures if required.

The site is in a rural zone and appears to have been previously used for agriculture. The *Managing Land Contamination: Planning Guidelines – SEPP 55 Remediation of Land* indicate that agricultural activities may result in land contamination.

The Preliminary Site Investigation report considers that the risk of significant contamination is low and any contamination can be readily remediated to render the site suitable for the proposed future use.

Should the Planning Proposal be successful, a future development application would be accompanied by a Detailed Site Investigation and subsequent Remedial Action Plan where contamination is identified. Any identified contamination would be assessed as per the requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021.

Direction 5.1 - Integrating Land Use and Transport

The objective of the direction is to ensure that urban structures, building forms, land use locations, development designs, subdivisions and street layouts achieve planning objectives regarding improving access, increasing transport choice, reducing travel demand and distance travelled and supporting public transport operation.

The objective requires planning proposals to be consistent with the aims, objectives and principles of:

- Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and
- The Right Place for Business and Services – Planning Policy (DUAP 2001).

Given the site's proximity to the Galston Village centre, on balance, the Planning Proposal would be consistent with the Direction.

Direction 9.1 – Rural Zones

The objective of the direction is to protect the agricultural production value of rural land. The direction prescribes that a planning proposal does not rezone land from a rural to a residential, business, industrial, village or tourist zone and does not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). It does not define 'within an existing town or village'.

The Planning Proposal seeks to permit the seniors housing land use on a rural zoned lot. It does not seek to rezone the site to an inconsistent zone.

The site in its current form does not support rural uses as identified within the submission received from DPIRD, stating the following:

The proposed development is not expected to contribute to further fragmentation of the local area, as the subject site is bounded by seniors housing construction on two sides, Galston Road, and access handles for two northern lots. Its agricultural viability is also compromised by its isolation from surrounding development, roads and housing, which will inhibit any future consolidation for agricultural use.

The proposed use does not remove any opportunity for development in accordance with the permitted uses under the RU4 Primary Production Small Lots zone. However, it would reduce the likelihood of productive agricultural and rural land uses on the site in the future.

Given rezoning is not proposed, and the character and proximity to the Galston Village centre and the adjacent seniors housing development under construction, the Planning Proposal would not be inconsistent with the Direction.

Direction 9.2 – Rural Lands

The objectives of the direction are to protect the agricultural production value of rural land and to minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses.

As detailed above the site is not considered to be viable agricultural land and the site is already a fragmented site due to the surrounding land uses and site isolation.

The Planning Proposal would not be inconsistent with the Direction.

Hornsby Local Strategic Planning Statement

Hornsby's 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.

Under the theme 'Sustainability', the LSPS identifies priority SP8 to maintain and enhance the environmental, economic and scenic values of the Metropolitan Rural Areas of Hornsby. This is supported by actions SA11 and SA12 which require the finalisation of the Rural Lands Study and to continue to partner with the Greater Sydney Commission to advocate for changes to State planning policy to deliver an appropriate outcome for seniors housing that will protect rural lands.

In 2022, Council finalised the Rural Lands Study which is addressed below.

The LSPS states that *'proliferation of seniors housing in our rural area does not represent a strategic approach to the sustainable development of these areas'*.

As detailed throughout this report, the site is not suitable for productive rural land uses. Concept plans detail how a future seniors housing development can be designed to avoid rural land use conflicts. While it is not a preferred land use in rural areas, the Planning Proposal is limited to an integrated expansion of the larger existing surrounding seniors housing development.

Hornsby Local Housing Strategy 2020

The Hornsby Local Housing Strategy (LHS) provides a 20-year vision for housing in Hornsby Shire. It is focused on residential accommodation and managing growth so that it is sustainable and supports liveability and affordable living for Shire residents over the next 20 years.

The LHS forecasts a growth of the Shire's population to reach 179,582 by 2036. This represents an increase of nearly 32,000 people between 2016 and 2036. This results in the need for an additional 14,879 new homes by 2036.

Additionally, the LHS confirms the demand for residential aged care and seniors housing will continue as the Shire has a larger and will continue to have a larger percentage of the population aged above 65 compared to the rest of Sydney.

The LHS acknowledges that Council discourages seniors housing within the rural areas, which is consistent with the LSPS.

The Planning Proposal is inconsistent with the LHS, as it promotes seniors housing within rural lands. However, given that the Planning Proposal is effectively a minor intensification of the approved seniors housing development, this is not considered to be a significant inconsistency.

Hornsby Rural Lands Strategy 2022

The Hornsby Rural Lands Strategy (RLS) has been prepared to set the strategic direction for the rural lands within Hornsby Shire. It addresses actions in the District Plan to use place-based planning to

maintain the values of the area and deliver targeted environmental, social and environmental outcomes.

The place-based planning approach involves the identification of landscape areas and a character statement for each. A landscape area is a place with shared characteristics such as landform, vegetation, land uses and other unique qualities. The place-based approach enables the Study to provide recommendations specific to each landscape area, having regard to the unique landscape qualities and opportunities.

The Strategy has identified 13 landscape areas, and the subject site is located within the Galston Plateau landscape area. The area comprises a variety of land uses within the suburb of Galston and includes the Galston Village and Fagans Park. The character statement for Galston Plateau included in the Rural Lands Strategy is:

'This landscape area is defined by low, rolling hills and valleys, featuring the significant Turpentine-Ironbark Forest vegetation community. In and around Galston, there is a sense of being at a high point, with wide skies and a sense of openness associated with rural places. Galston acts as a local service centre for the surrounding rural area, as well as supporting a small local population in the village.'

'Galston's immediate surrounds include several churches, and the well-known Fagan Park, a 55-hectare reserve and local tourist attraction which includes a bushland reserve and local walking track alongside botanic gardens.'

The RLS recommends the Galston Plateau investigate the potential for rural villages to accommodate some additional housing and recognise and protect productive agricultural land. It recommends limiting further fragmentation and exploring opportunities for rural businesses to value add with activities that are ancillary to, and support, agricultural production.

The Planning Proposal has identified that the subject site is already a fragmented site that has limited opportunity to provide productive agriculture uses due to the size of the land, the seniors housing development to the north and west and the state classified road to the south. There is also limited opportunity to consolidate the land with other lots to provide productive agriculture uses as the site is bordered by two Right of Carriageways to the east.

The Planning Proposal identifies that it is consistent with the RLS to the extent that the site is not suited for rural uses and that the proposed permissibility of seniors housing would not compromise the capabilities of adjoining rural lands nor create issues of rural land use conflict.

The RLS does not support seniors housing within the Metropolitan Rural Area. However, as discussed above, the Planning Proposal would essentially allow for a minor extension of the existing approved seniors housing development, rather than a major or substantial development encroaching into the rural area.

On balance, the Planning Proposal's extension of an urban use on the Galston Village centre's periphery would have a negligible effect on the landscape area in this context given its relation to the existing seniors housing development and the existing isolated rural residential property on the lot.

Hornsby Local Environmental Plan 2013

The proposal does not propose to change the zoning of the site from RU4 Primary Production Small Lots or SP2 Infrastructure - Road.

The objectives of the RU4 Primary Production Small Lots zone are:

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage land uses that support primary industry and align with the rural character of the area, including agritourism and tourist and visitor accommodation.
- To ensure that development does not unreasonably increase the demand for public infrastructure, services or facilities.

There are a range of land uses permitted in the RU4 zone that are considered compatible with the zone objectives. These include (but are not limited to) agritourism, animal boarding or training establishments, cellar door premises, centre-based child care facilities, community facilities, dual occupancies (attached), dwelling houses, eco-tourist facilities, environmental facilities, extractive industries, farm buildings, garden centres, group homes, home-based child care, intensive livestock agriculture, intensive plant agriculture, landscaping material supplies, open cut mining, plant nurseries, recreation facilities (indoor and outdoor), roadside stalls, rural industries, rural supplies, rural workers' dwellings, secondary dwellings, tourist and visitor accommodation and veterinary hospitals.

As detailed in the body of this report, the site is not considered to be viable productive rural land and is already a fragmented and isolated site, as identified by DPIRD. The Planning Proposal would be consistent with the zone objectives by minimising land use conflicts by creating a defined urban form on the periphery of the Galston Village centre.

The objectives of the SP2 Infrastructure - Road zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The SP2 land is identified in the Hornsby LEP Land Reservation Acquisition Map for road widening and the concept plans do not propose development in that land.

The Planning Proposal seeks to add the site to Schedule 1 – Additional Permitted Uses to permit seniors housing on the site, as part of an integrated development with the neighbouring seniors housing site. This land use is prohibited within the RU4 and SP2 land uses zones. The definition for seniors housing is provided below.

Seniors housing means a building or place that is—

- a residential care facility, or
- a hostel within the meaning of State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5, or
- a group of independent living units, or
- a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for—
- seniors or people who have a disability, or

- f) *people who live in the same household with seniors or people who have a disability, or*
- g) *staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital.*

Note.

Seniors housing is a type of residential accommodation—see the definition of that term in this Dictionary.

Should a Gateway Determination be issued, the proposed amendment to Schedule 1 should not apply to that part of the land that is zoned SP2 (Infrastructure – Road).

Hornsby Development Control Plan 2024

The Hornsby Development Control Plan 2024 (HDCP) applies to all land within Hornsby Shire and is a comprehensive framework for the development of land. The HDCP 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. Future development applications would be considered in the context of the provisions of the HDCP.

The relevant Parts of the HDCP that would be applicable to the Planning Proposal are *Part 1 – General, Part 2 Rural and Part 7 Community*.

Part 1 – General identifies controls concerning the Built Environment (such as car parking and effluent disposal), Natural Environment (such as biodiversity and stormwater management) and hazards (such as bushfire and flooding).

Part 2 – Rural also applies to the subject land and identifies controls concerning the scale and design of rural dwellings/buildings and controls for rural land uses such as agriculture and tourism.

Part 7 – Community applies to the proposed additional permitted use and provides guidelines for community development which includes seniors housing.

Assessment of the three concept plans indicates that the Planning Proposal is capable of complying with the prescriptive measures of the HDCP.

5. Impacts of the proposal

The potential impacts of the Planning Proposal are discussed below, along with the supporting documentation and technical studies submitted by the proponent in support of the proposal.

Traffic and access

Galston Road is a classified State arterial road under the jurisdiction of Transport for NSW (TfNSW). Therefore, the provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021 are applicable. The site has a frontage to a classified road and that is subject to the provisions of Clause 2.119, which applies to development on land that fronts a classified road.

The frontage of the subject site is zoned SP2 Infrastructure and is identified on the HLEP 2013 Land Reservation Acquisition Map (Sheet LRA_008B) for the purpose of Classified Road. The proposal does not propose works within the SP2 Infrastructure portion of the site.

In response to the June 2025 pre-lodgement, TfNSW stated that an additional vehicle crossing to Galston Road would not be supported.

The proponent has since amended the concept plans to allow for internal vehicle access to the adjoining seniors housing development currently under construction through an extension of the approved basements. No additional vehicle crossings to Galston Road have been proposed.

The traffic report identifies that the proposal would result in approximately 3-5 vehicle trips during peak hours which would have negligible impacts to the local road network.

Following lodgement, the Planning Proposal was referred to Transport for NSW (TfNSW) for comment. In response, TfNSW raised no objections to the Planning Proposal noting that the revised concept plans addressed its previous concerns.

Parking

The proponent's concept plan suggests the delivery of 12 to 13 car parking spaces would be required to service the proposed seniors housing development. These may be delivered as an extension of an existing approved basement or at grade car parking spaces to the rear of the built form accessed through the site.

The location of the required car parking can be determined through a future development application, however the Planning Proposal has demonstrated that the site can provide sufficient car parking.

Pedestrian and Active Transport Accessibility

The neighbouring seniors housing development requires a dedicated shuttle bus to be provided for the use of residents of the development and the bus must be able to carry a minimum 12 passengers. This dedicated bus service could also be available to the future residents of the subject site to allow the seniors housing development to be connected to essential services. A 1.5m wide footpath along the frontage of the site and connection of the development to the footpath is also required, which would link pedestrian access to the Galston Village, and is capable of being extended to service the site.

The Planning Proposal would require that a seniors housing development be integrated with the neighbouring development. The Planning Proposal explains that future residents would have access to these facilities.

Therefore, any future development application could have adequate and acceptable pedestrian and transport links.

Built form and scale

The proponent has submitted concept plans providing three potential options for a seniors housing development. The three concept plans include the following elements across each concept design:

- 6-10 independent living units
- Two storey built form
- Indicative only building setbacks for front, side and rear site boundaries
- Car parking provided behind the building line or within an extended basement
- Maintain the front boundary setback as approved under DA/850/2011

The concept plans detail how the bulk and scale of the future seniors housing could be consistent with the approved bulk and scale of the neighbouring seniors housing development. Therefore, the established character of the seniors housing development, which encloses the site on two sides, would be maintained and would create a defined edge to the urban built form.

The Planning Proposal does not propose any additional height or FSR controls to the site and any future development application would be limited by the height of buildings development standard which permits a building height of 10.5m.

The HDCP contains prescriptive measures for setbacks and contains provisions for landscaping and deep soil which further guides a future development application.

Therefore, if supported, there are sufficient planning requirements within the HDCP to guide a future development application to provide adequate separation and built form to limit land use conflicts and the rural character of the locality.

It is also acknowledged that Sydney Water has indicated that a maximum of 98 units across the combined seniors housing development would be permitted for wastewater purposes and no additional units would be permitted. This gives certainty that the development on the site would be limited to a maximum of 10 units, thus controlling the density of the development.

The Planning Proposal has been amended to update the objective and the proposed additional permitted use to require the integration of any future development on the subject site with the adjoining seniors housing development. This would require the vehicle access to the subject site to be within the internal access from the adjoining seniors housing development. As such, a single vehicle access point would service the combined site, aligning with the requirement of TfNSW.

Based on the submitted plans and technical reports, the concept plan appears to be capable of delivering an acceptable built form with manageable amenity impacts. A future development application would be supported by technical reporting that reflected a refined design and alignment with the Hornsby DCP.

Heritage

The property does not contain a heritage listed item, is not located within the immediate vicinity of a heritage listed item and is not within a heritage conservation area (HCA).

The proposed additional permitted use would have a negligible heritage impact.

Natural environment

The southeastern part of the site contains remnant roadside trees mapped as Sydney Turpentine Ironbark Forest (STIF). These are located adjacent to Galston Road within the SP2 Infrastructure portion of the site.

While an arborist report has not been provided with this Planning Proposal, it is noted that the concept plans are sufficiently setback to retain these trees.

The impacts to these trees would be assessed with any future development application and appropriate tree protection conditions can be imposed to mitigate any impacts.

It is noted that the Planning Proposal references the potential for trees to be removed on adjoining properties requiring further investigation if required, however no specific trees are identified. The Planning Proposal states that no trees are required to be removed and this notation is considered an advisory note. Any impacts to trees on adjoining land would be addressed at a future Development Application stage.

Land Contamination

The Planning Proposal's Preliminary Site Investigation indicates that the risk of significant contamination is low and any contamination can be readily remediated to render the site suitable for the proposed future use.

Given the rural history of the site and surrounds, a future development application would be accompanied by a Detailed Site Investigation and subsequent Remedial Action Plan where contamination is identified.

Sewage Management

The subject site is located within the Metropolitan Rural Area of Sydney and is not connected to reticulated sewerage infrastructure provided by Sydney Water.

The proponent has submitted a Services Advice Report for the site which advises the following:

- In approving DA/850/2011, the neighbouring seniors housing development, the applicant was required to install a sewer pumping station and private rising main to service the 88 dwellings.
- The onsite pumping station has a storage capacity of approximately 90m³.
- The system is designed to cater for 154 residents and 10 staff and is estimated to produce 24,600L/day which equates to 150L/day per person.
- When the site reaches full occupation, the pumping station will discharge at a rate of 7.98L/s for up to 52 minutes each day. The system has capacity to hold up to 3.65 days' volume.
- The Planning Proposal proposes to connect to the existing sewerage system at No. 330-334 Galston Road and is likely to generate 8 additional dwellings (on average) or 16 residents resulting in an additional 2,400L/day of sewerage.
- The additional dwellings would reduce the emergency storage duration of the system to 3.33 days and increase the total pump run time to 56.39 minutes per day.

This Services Advice Report was referred to Sydney Water who indicated that there is capacity within the sewer pumping station, however further consultation was required. This adequately addresses one of the reasons why the 2018 SCC was refused by SNPP.

Support from Sydney Water for the increased density will be critical to Council supporting the Planning Proposal. This may be addressed through a Gateway condition.

Flooding

Council's flood mapping does not identify the site as flood affected. However, the adjoining seniors housing site is mapped. The approved development consent for the neighbouring site includes detailed flood mitigation measures, including swales diverting water. As designed, these measures would route flood water through the rear of the site.

The submitted Flood Assessment Report indicates that these mitigation measures can be rearranged to divert overland flows around the Planning Proposal's concept plans. As noted above, this would require integration of the site and the adjoining seniors housing development.

A detailed flood report would need to be submitted with any future development application for further assessment; however, Council's engineers are generally satisfied that a future development application can be designed to not adversely impact flood behaviour, can be made suitable for future occupants and would not impact upstream or downstream properties.

Stormwater Management

The future development to amalgamate the sites would require the subject site to connect to the approved stormwater system of the seniors housing development pursuant to DA/850/2011.

DA/850/2011 contains a below ground on-site detention (OSD) tank with a capacity of approximately 944m³ and a stormwater treatment train. The proposed development would increase impervious area runoff to the existing OSD by approximately 6% which may exceed the capacity of the controls.

Any future development application would have to address this, noting there may be an option for a smaller, building specific OSD provided within the subject site which may comply with Council's requirements.

Bushfire

The submitted Preliminary Bushfire Report identifies that the concept plans would have a Bushfire Attack Level (BAL) assessed as 'BAL-low'.

Any future development application would require a final bushfire report to address the final architectural design within a future development application.

Acoustics

Seniors housing a sensitive noise receiver and Galston Road being a classified road is identified as a noise generating road.

State Environmental Planning Policy (Transport and Infrastructure) 2021 requires noise sensitive development to assess the acoustic impacts when in proximity to a classified road.

The submitted acoustic report provides a general assessment of the seniors housing development and concludes that a future development can comply with the acoustic requirements, subject to the final architectural design.

This matter would be addressed as part of a future development application.

Waste Management

The waste management of the seniors housing development would be conjoined with the waste management of the approved and under construction seniors housing development at No. 330-334 Galston Road, Galston. This would be addressed in any future development application.

Public Benefit

The Proponent has identified the following public benefit for the Planning proposal:

- *Delivery of seniors housing to positively contribute to the availability of residential accommodation for an aging population;*
- *Utilisation of existing parcels of land for residential accommodation within proximity to the Galston Shopping Village complex and the social infrastructure of Galston;*
- *Improvement of health and wellbeing of community members and future occupants;*
- *Foster social interaction between residents of the Living Choice facility;*
- *Allowing for the orderly and economic development of the land; and*
- *Increased activation and natural surveillance of the public domain.*

Council notes that a future integrated development application would require an extension of the footpath required for the adjoining seniors living development to be extended along the frontage of the site, providing a continuous footpath to Galston Village.

Furthermore, a future DA would require adequate landscaping along the frontage and side boundary of the site creating a defined boundary separating the urban form to the rural lands.

A future DA would be subject to Council's Section 7.11 Development Contributions Plan 2020-2030 which would require development contributions of \$20,000 per seniors living unit to be used to provide local infrastructure to the community.

The Planning Proposal is considered to have sufficient public benefit given the minor expansion of the existing seniors living development.

6. Preliminary Notification

In accordance with the Hornsby Community Participation Plan, preliminary exhibition of owner-initiated Planning Proposals is undertaken prior to consideration by Council or the Department of Planning, Housing and Infrastructure (DPHI). The notification is not intended to fulfil the requirements of the *EP&A Act* for public exhibition, but rather to obtain feedback from the local community and relevant agencies to assist Council in deciding whether to support progression of the Planning Proposal to gateway determination.

The proposal was placed on preliminary (non-statutory) exhibition from 15 June 2026 until 13 July 2026. The proposal was available for viewing on Council's Have Your Say and Planning Proposal webpages. Letters were sent to over 400 property owners within Hornsby inviting comment on the proposal. Public authorities invited to comment included Transport for NSW (TfNSW), Sydney Water, Rural Fire Service (RFS) and Department of Primary Industries and Regional Development (DPIRD).

In response, twenty-two community submissions were received, comprising twenty objections including three community groups and two submissions in support.

Community Submissions

The submissions raise concerns regarding:

- Inconsistency with Council's policy positions against seniors housing in rural areas
- Inconsistency with strategic policies, specifically the Region Plan, District Plan, LSPS and RLS which do not encourage additional urban developments in the rural areas
- Precedence for further seniors housing development in rural areas
- Lack of assessment of tree and biodiversity impacts, specifically the STIF community at the front of the site
- Potential for removal of trees on adjoining land
- Potential for additional vehicle accesses to service the site
- The proposed bulk and scale being out of character for the rural area
- Privacy impacts to adjoining properties
- Adequate access to public transport
- Potential flood and stormwater impacts to downstream properties
- Previous non-compliances from the developer
- The Additional Permitted Use is not consistent with other additional permitted uses within Schedule 1 of the Hornsby Local Environmental Plan 2013.

The merits of the matters raised in community submissions have been addressed in the body of the report with the exception of the following:

Precedence

Eighteen submissions raise concerns that supporting this Planning Proposal would set a precedent for further planning proposals seeking additional permitted use (APU) for seniors housing in rural areas.

Comment:

Council's strategies do not support or promote seniors housing in the rural areas. The Planning Proposal relates to land with significant site-specific constraints. While it does not align with the broader strategic framework relating to seniors housing in rural areas, the impact is minor and does not reflect a change in the strategic position.

In this instance, the existing seniors housing that is currently under construction on the adjoining site represents an existing urbanised low-rise character of the area. The minor extension of the development into the subject site would create a defined border of the urban built form on the periphery of the Galston Village centre and further expansion of the seniors housing development would not be supported onto adjoining or surrounding properties.

Further, any future planning proposal relating to new or existing seniors housing facilities would be assessed on their strategic and site-specific merit.

Additional Permitted Uses

Twelve submissions raise concerns that this Planning Proposal would not be consistent with the other APUs contained within Schedule 1 of the Hornsby Local Environmental Plan 2013 (HLEP 2013).

Comment:

The proposal has demonstrated that there is sufficient strategic and site-specific merit to support the Planning Proposal to Gateway determination for further assessment of the proposed land use. Although an indicative APU clause has been provided, as noted above, should the Planning Proposal proceed, final wording would be prepared in consultation with DPHI and Parliamentary Counsel's Office, in line with the NSW Government's LEP Making Guidelines

Should the proposal be submitted to Gateway and DPHI support progression, an additional statutory public exhibition would be required. Submitters would be notified of that exhibition and provided an opportunity to make a submission.

Previous advocacy to refuse SCC applications

Two submissions raise concern that supporting this Planning Proposal overturns the previous 2018 SCC refusal by the SNPP as well as Council's previous work to deter seniors housing in rural areas.

Comment:

It is noted that the SCC application was refused for the following reasons:

- *Has not demonstrated that the site is suitable for more intensive development*
- *Has not demonstrated the proposed development is compatible with the surrounding environment and land use having regard to (at least) the criteria specified in clause 25(5)(b) of the SEPP (Housing for Seniors or People with a Disability) 2004.*

In refusing the SCC application, the SNPP acknowledged that an application could be supported if the below issues had been adequately addressed.

1. *The stormwater and sewer for the increased density can be satisfactorily serviced. This has not been demonstrated in the application before the panel. Further, the Panel does not consider that a pump-out system is satisfactory for this density of development.*
2. *The FSR of the proposal should be no greater than 0.2:1 and the building height no greater than 8m measured to the ceiling of the highest habitable floor to ensure that the bulk and scale of the built form is compatible with the rural environment and character of the area.*
3. *The built form layout avoids the urban street and residential subdivision pattern which is a characteristic of the current proposal, which would be incompatible with rural character.*
4. *The proposal is able to achieve compliance with Planning for Bushfire Protection 2006 and the requirements of the NSW Rural Fire Service.*
5. *Adequate setbacks and landscaping are provided towards Galston Road which demonstrate compatibility with the rural setting.*

In refusing the SCC application, the SNPP acknowledged that an application could be supported if the above issues had been adequately addressed.

The Planning Proposal has sought to address the issues identified in the 2018 SCC refusal and has provided additional technical information regarding infrastructure servicing, bushfire protection and built form outcomes by detailing that:

- Adequate provision of stormwater and sewer provisions have been provided, subject to further consultation with Sydney Water;
- The bulk and scale would be defined by the maximum building height development standard of the HLEP and Council's DCP setback controls and can be compatible with the surrounding seniors housing development;
- The built form is required to be integrated with the adjoining seniors housing development and would therefore be compatible with the established character within the immediate locality;
- The proposal can comply with Planning for Bushfire Protection, subject to a final bushfire report and approval from the RFS; and
- Adequate setbacks and landscaping can be achieved to ensure compatibility with the rural landscape.

Therefore, the proposal has adequately addressed the previous reasons for refusal of the 2018 SCC application and on balance is considered acceptable. As detailed in the body of this report, support of this Planning Proposal would not create a precedent for further seniors housing developments within the rural areas. This Planning Proposal is only supported due to the merits of this specific site in relation to the neighbouring seniors housing development and its ability to consolidate an already fragmented and isolated site that is incapable of use as productive agricultural land.

Previous non-compliances

A submission raises concerns regarding the development of No. 330-334 Galston Road where the current seniors housing development is being constructed. These relate to construction outside the approved hours, traffic movements from construction vehicles, the footpath having to be reconstructed and tree removal.

Comment:

Council has previously investigated the development and required the development to be constructed in accordance with the approved plans and conditions of consent.

Should the Planning Proposal proceed and construction commence on the site, the same regulatory framework and compliance responsibilities would apply.

Privacy impacts

A submission raises concerns that independent living units would create privacy impacts to adjoining properties.

Comment:

Given the required setbacks and separation provided by the two access handles and Galston Road, it is considered that the development could be designed to mitigate privacy impacts to adjoining properties. The closest dwelling is approximately 70m to the west and 50m to the south, which would further reduce the potential for adverse privacy impacts.

Strategic Bushfire Study

A submission raises concerns that a Strategic Bushfire Study (SBS) has not been prepared, and that a future bushfire report may require additional vegetation removal.

Comment:

The Planning Proposal was referred to the RFS for comment. The RFS did not identify that a SBS was required at this stage, however, it advised that a Final Bushfire Report should be submitted post-Gateway.

Public Authority Submissions

Public authority submissions from TfNSW, Sydney Water, DPIRD and RFS are summarised below, with Council officer comments. No objections were received. Based on the submissions, it is recommended that, should the Planning Proposal advance to a Gateway Determination, the determination require further consultation with the agencies including Sydney Water and RFS, in line with the NSW Government's LEP Making Guidelines.

Transport for NSW

TfNSW acknowledged that the Planning Proposal has incorporated previous TfNSW recommendations by proposing a shared vehicular access arrangement with the approved seniors housing development at 330–334 Galston Road. This avoids an additional direct vehicle access point to Galston Road which is TfNSW's preferred option.

Sydney Water

Regarding the Planning Proposal, Sydney Water's submission advises the following:

Regarding water servicing:

- The proposal site lies within the Dural Elevated Water Supply Zone.
- Preliminary assessment indicates servicing is available to the site.

Regarding wastewater servicing:

- The proposal site is located adjacent to the Galston Priority Sewerage Program (PSP), which is currently at capacity.

- In 2022, Sydney Water, Living Choice, and Cubis Consultants agreed to a private pump to Sydney Water sewer arrangement for the seniors housing development at 328 Galston Road to service 88 units.
- Our preliminary assessment indicates that the further increase of 10 units proposed will be able to be supported, subject to the restrictions imposed under the original pump to sewer arrangement.
- Any further increase upon the new total of 98 units will not be supported as significant capital investment would be required to increase system capacity.

Rural Fire Service

The RFS reviewed the Preliminary Bush Fire Assessment Report submitted in support of the Planning Proposal and raises no objection at this stage. A finalised bush fire assessment report in relation to the proposal must address the required provisions for Special Fire Protection Purpose developments as detailed in *Planning for Bush Fire Protection 2019* and would require further assessment post Gateway.

Department of Primary Industries and Regional Development (DPIRD)

The DPIRD submission acknowledged the importance of preserving productive agricultural land in line with the strategic framework. However, DPIRD identified that development of the subject site would not contribute to further fragmentation within the local area as the site is bounded by seniors housing on two sides, Galston Road and two access handles. The agricultural viability of the site is also compromised by the isolation from surrounding developments, roads and housing which will inhibit any future consolidation for agricultural use.

CONSULTATION

Local Planning Panel Advice

The Planning Proposal was referred to the Hornsby Local Planning Panel (LPP) for advice on 29 July 2026, in accordance with Section 2.19(1)(b) of the EP&A Act. That section requires the Local Planning Panel to provide advice on a Planning Proposal before Council considers whether to forward it to the DPHI for a Gateway determination.

The LPP advised it supports a report to Council recommending submission of the Planning Proposal be submitted to DPHI seeking Gateway determination, with certain requirements. The LPP identified that an appropriate mechanism is required to ensure the future development on 328A Galston Road is integrated with the approved seniors housing development at 330-334 Galston Road.

The proponent has subsequently amended the Planning Proposal to address this advice and the final wording of the mechanism would be subject to further consultation with the Department of Planning, Housing and Infrastructure during Gateway determination.

The LPP also agreed that, should a Gateway determination be successful, it should require further consultation with the RFS and Sydney Water.

The updated Planning Proposal aligns with the advice of the LPP.

Planning Proposal consultation strategy

Should the Planning Proposal receive a positive Gateway determination allowing for public consultation, the following consultation activities would be undertaken:

- Letters to affected and adjoining property owners and those that made submissions to the non-statutory exhibition of the proposal
- Advertisement on Council's 'Your Say Hornsby' website
- Advertisement in Council's electronic newsletter
- Consultation with public authorities, including TfNSW, DPIRD, Sydney Water and RFS, as well as others identified in the Gateway determination.

BUDGET

Costs associated with this Planning Proposal are covered through the application fee. The matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY

The Local Planning Panels Direction – Planning Proposals requires that the LPP must give its advice on the Planning Proposal before Council considers whether or not to forward it to the Minister in accordance with Section 9.1 clause (2)(b1) of the EP&A Act.

As detailed above the LPP provided advice which supported a report to Council recommending the submission of the Planning Proposal to DPHI for a Gateway determination.

CONCLUSION

The report presents an owner-initiated Planning Proposal for No. 328A Galston Road, Galston. The Planning Proposal seeks to:

- Amend Schedule 1 – Additional Permitted Uses, to permit seniors housing at No. 328A Galston Road, Galston as part of an integrated development with the neighbouring seniors housing development; and
- Amend the Additional Permitted Uses map to identify the site.

During the preliminary exhibition period, twenty-two community submissions were received, comprising twenty objections and two submissions in support.

Based on the assessment of the proposal including consideration of submissions and agency comments, it is considered that the Planning Proposal has sufficient strategic merit and should be progressed. On balance, the site's specific characteristics, including its fragmented nature, limited agricultural capability and direct integration with the adjoining approved seniors housing development, provide sufficient site-specific justification for the proposal to progress to Gateway determination.

Accordingly, it is recommended that Council support the progression of the Planning Proposal for submission to the DPHI for Gateway determination.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Katherine Vickery, Director, Planning and Compliance who can be contacted on 9847 6744.

KATHERINE VICKERY

Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Planning Proposal 328A Galston Road Galston

File Reference: PP/1/2026

Document Number: D09826443

8 AMENDED VOLUNTARY PLANNING AGREEMENT - 7 CITY VIEW ROAD, PENNANT HILLS

EXECUTIVE SUMMARY

- On 8 March 2024, the Hornsby Local Environmental Plan was amended to allow an additional permitted use for seniors living and residential flat buildings at 7 City View Road Pennant Hills to implement an endorsed owner-initiated planning proposal. The Planning Proposal was estimated to result in approximately 105 dwellings on the site.
- The Planning Proposal was supported by a Voluntary Planning Agreement (VPA) which provided the contribution of four affordable housing dwellings dedicated to Council in perpetuity, construction of a public access way between City View Road and Boundary Road and a contribution of \$450,000 towards improvements in the Pennant Hills Town Centre. Council entered into this VPA on 16 January 2024.
- Since that time, the proponent lodged an expression of interest to the State Government's Housing Delivery Authority (HDA) for development of the site for approximately 160 dwellings. This was subsequently declared State Significant Development (SSD) under the HDA pathway.
- In declaring the SSD, the HDA advised the applicant that progression of the SSD application would need to involve a discussion with Council on development contributions/public benefit from the uplift in dwellings.
- On 22 June 2026, the proponent wrote to Council requesting the VPA be amended to increase the number of dedicated affordable units from four to seven.
- A Deed of Variation has been negotiated with the proponent to amend the agreed VPA and it is recommended that the Deed of Variation be placed on public exhibition for 28 days.

RECOMMENDATION

THAT:

1. The draft Deed of Variation to amend the agreed Voluntary Planning Agreement attached to Directors Report PC19/26 be placed on public exhibition for 28 days.
2. Delegate authority to the CEO (or delegate), subject to consideration of any changes following public exhibition, to execute the Deed of Variation in the form that is publicly exhibited or with minor alterations; and
3. Advise the proponent and the Department of Planning, Housing and Infrastructure of Council's decision on the Deed of Variation.

PURPOSE

The purpose of this report is to present a draft amended VPA associated with the redevelopment of 7 City View Road for endorsement for exhibition.

BACKGROUND

On 8 March 2024, the Hornsby Local Environmental Plan was amended to allow an additional permitted use for seniors living and residential flat buildings at 7 City View Road Pennant Hills in response to an endorsed and finalised owner-initiated Planning Proposal.

The Planning Proposal was supported by a Voluntary Planning Agreement (VPA) which provided the contribution of four affordable housing dwellings dedicated to Council in perpetuity, construction of a public access way between City View Road and Boundary Road and a contribution of \$450,000 towards improvements in the Pennant Hills Town Centre. Council entered into this VPA on 16 January 2024.

Since that time, the proponent lodged an expression of interest to the State Government's Housing Delivery Authority (HDA) for development of the site for approximately 160 dwellings with lower floor commercial premises and 5% key worker dwellings in perpetuity.

On 8 August 2025 the HDA recommended to the Minister that the project be declared State Significant Development (SSD). In declaring the SSD, the HDA advised the applicant that progression of the SSD application would need to involve a discussion with Council on development contributions/public benefit from the uplift in dwellings.

On 22 June 2026, the proponent wrote to Council requesting the VPA be amended to increase the number of affordable housing dwellings dedicated to Council in perpetuity from four to seven. The increase is in response to the SSD application which increases the number of units from approximately 105 identified in the Planning Proposal concept plans to approximately 145 to 160 units under the SSD application.

DISCUSSION

To legally amend the agreed VPA, a Deed of Variation is required. A Draft Deed of Variation is attached to this report and discussed below.

1. Existing Agreed VPA

The agreed VPA was supported in conjunction with Planning Proposal PP/1/2022 which proposed to permit a residential flat building and seniors living as an additional local provision on the site. The concept plans proposed a mix of residential, seniors living, commercial and community floor space.

The agreed VPA provides for the following:

Affordable housing

The VPA states that four units would be dedicated to Council in perpetuity for affordable housing, with a value of \$3,700,000. Dwellings would be dedicated within 15 business days of an occupation certificate being granted for the development.

The dwellings would:

- Consist of four units (comprising one two-bedroom dwelling and three dwellings consisting of a mix of studio and one-bedroom units).
- Meet the size and solar access requirements of the Apartment Design Guide;

- Include one parking space for each dwelling, unless it can be demonstrated that no parking space is required; and
- Be identified specifically at the development assessment stage.

Through-site link

The VPA states that a through site link from City View Road to Boundary Road would be constructed as part of a future development, with an easement allowing public access at all times. The site of the crossing currently contains multiple informal tracks, indicating demand for more formal access. Delivery of the through-site link would improve pedestrian connectivity for residents, workers and visitors associated with the development and the surrounding community.

Establishment of the easement would be the responsibility of the developer. Establishment of the easement would be required to be completed prior to an occupation certificate being issued.

Monetary contributions to Pennant Hills Town Centre infrastructure

The VPA states that the developer will make a monetary contribution to the provision of open space, community facilities and civic improvements within the Pennant Hills Town Centre. The monetary contribution is to be \$450,000 (excluding GST) and would be delivered prior to the issue of an occupation certificate.

As noted in the 13 July 2022 Council report, multiple strategies adopted by Council have identified opportunities for improvements to community infrastructure within the Pennant Hills Town Centre, including the *Play Plan* and *Community and Cultural Facilities Strategic Plan*.

Development contributions

The VPA confirms that it does not exclude the application of Section 7.11 or 7.12 fees for future development. As such, the contributions associated with the VPA would be over and above those associated with those plans.

2. Proposed amendment to the VPA

The proponent proposes a Deed of Variation to amend the agreed VPA by increasing the number of affordable housing dwellings dedicated to Council in perpetuity from four to seven. The value of the units would be \$5,200,000 and the dwellings would be dedicated within 15 business days of an occupation certificate being granted for the development.

The Deed of Variation does not propose changes to the other agreed items, including the through-site link easement and monetary contribution of \$450,000 towards the Pennant Hills Town Centre. Development contributions would also be applicable to any future development.

The proposed amendment is in response to an uplift in development potential on the site through an SSD application. The concept plans submitted to DPHI for the SSD application proposes approximately 145-160 residential units and commercial floor space.

For comparison, the existing planning agreement was anticipated to deliver four affordable housing units of approximately 105 total units (approximately 4%). The Deed of Variation would deliver seven affordable housing units of approximately 145 to 160 units (approximately 4-5%).

The SSD application is currently under assessment by the Department of Planning, Housing and Infrastructure (DPHI). Support for the Deed of Variation does not imply support for, or approval of, the SSD application which is still subject to an independent assessment by DPHI.

3. Acceptability of Planning Agreement

Council's *Planning Agreement Policy 2024* provides that Planning Agreements should meet the acceptability test set out in the Practice Note issued by the Department of Planning.

Council previously assessed the agreed VPA's acceptability within Directors Report No. PC/19/23 at its meeting on 9 August 2023.

The proposed amendment to the agreed VPA through the Deed of Variation would not alter the acceptability of the VPA. Overall, the Deed of Variation represents an increase in community benefit and an appropriate method for delivery of Council's strategic priorities. As such, the Deed of Variation satisfies the acceptability test and is consistent with Council's Policy on Planning Agreement

CONSULTATION

The Draft Deed of Variation proposes to amend the agreed VPA and is required to be placed on public exhibition for a period of 28 days in accordance with Section 7.5 of the Environmental Planning and Assessment Act 1979 and Clause 204 of the Environmental Planning and Assessment Regulation 2021.

Upon completion of the public exhibition and consideration of any submissions, the delegated authority (Chief Executive Officer) can execute the Deed of Variation to amend the Voluntary Planning Agreement.

BUDGET

Costs associated with the amendment to the Planning Agreement are covered by the proponent.

POLICY

Council's Planning Agreement Policy (2024) provides an overview of the planning agreement process for Council, providing a clear explanation of the steps and obligations relating to the preparation of a planning agreement. These obligations relate to Councillors, Council officers and landowners. The Policy supports State legislation, regulation and guidelines.

CONCLUSION

The Deed of Variation proposes to increase the number of affordable housing dwellings dedicated to Council in perpetuity from four to seven.

As written, the Deed of Variation would provide benefits to the community supported by Council's adopted strategies.

It is recommended that the Deed of Variation be placed on public exhibition for at least 28 days.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Manager, Strategic Landuse Planning – Michael Rogers, who can be contacted on 9847 6137.

KATHERINE VICKERY

Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Deed of Variation

File Reference: PP/1/2022
Document Number: D09828805

9 THE WALLAROBBA ARTS AND CULTURAL CENTRE PROPOSAL

ASKED BY COUNCILLOR TILBURY TO THE CHIEF EXECUTIVE OFFICER:

1. What community consultation was undertaken for the Wallarobba Arts and Cultural Centre project, after the draft plans for the project were prepared and prior to the resolution for Council to prepare a DA for the project?
2. What formal heritage assessment has been undertaken, and why has Council's Heritage Committee not been formally involved in the consideration of the current proposal for the Wallarobba Arts and Cultural Centre project?
3. Has any economic modelling been done on the Wallarobba Arts and Cultural Centre project, that is estimated to cost \$11,000,000?

Attachments:

There are no attachments for this report.

File Reference: F2024/00346-002

Document Number: D09895403

10 MAYOR'S NOTES 01 AUGUST 2026 - 31 AUGUST 2026

Saturday 1st August 2026 – The Mayor attended the Rasika Dance Academy's "Chandralekha"– A Dance Musical, Parramatta

Monday 3rd August 2026 – The Mayor visited Bionyeri, Hornsby

Wednesday 5th August 2026 – The Mayor attended an interview about Hornsby Park with the Sydney Weekender, Hornsby

Thursday 6th August 2026 – The Mayor attended the Homelessness Week Working Lunch, Hornsby

Thursday 6th August 2026 – The Mayor attended the opening of Ulolo Community Park, Hornsby Heights

Saturday 8th August 2026 – The Mayor attended the Bike North 30th Anniversary, West Ryde

Sunday 9th August 2026 – The Mayor attended the 30th Anniversary Celebration of Joint Worship Services at Cherrybrook Uniting Church, Cherrybrook

Sunday 9th August 2026 – The Mayor attended the marking of the commencement of MTB works at Westleigh Park, Westleigh

Monday 10th August 2026 – The Mayor attended the completion of the Pennant Hills to Epping shared path, Beecroft

Monday 10th August 2026 – The Mayor attended the Hawkesbury and Nepean River Users Group meeting, Pitt Town

Tuesday 11th August 2026 – The Mayor attended the Barge Open Day, Berowra Waters

Wednesday 12th August 2026 – The Mayor visited the Thornleigh Squash and Fitness Centre, Thornleigh

Thursday 13th August 2026 – The Mayor attended the Launching of the Sydney Plan, Sydney

Thursday 13th August 2026 – The Mayor attended the GPA Monthly Meeting, Glenorie

Saturday 15th August 2026 – The Mayor attended the Celebration of India's Independence Day (MASI), Pennant Hills

Sunday 16th August 2026 – The Mayor attended the Tulu Koota Sydney Premier League 2026 Launch, Thornleigh

Sunday 16th August 2026 – The Mayor attended the Victory in Pacific and Vietnam Veterans Day Service, Berowra

Tuesday 18th August 2026 – On behalf of the Mayor, Councillor Greenwood and Councillor McIntosh attended, the Health Professional Breakfast – Dementia in the Community, North Willoughby

Wednesday 19th August 2026 – The Mayor attended the Pennant Hills High School 2026 CAPA Festival, Pennant Hills

Tuesday 25th August 2026 – The Mayor attended the Arcadian & Galston Residents Association Meeting (AGRA), Galston

Wednesday 26th August 2026 – The Mayor hosted three Citizenship ceremonies in the Administration Building, Hornsby

Thursday 27th August 2026 – The Mayor attended the Ku-ring-gai PAC & The Hills PAC Awards Ceremony, Waitara

Thursday 27th August 2026 – The Mayor attended the Chamber Christmas in August, Hornsby

Saturday 29th August 2026 – The Mayor attended the Galston 500, Galston

Monday 31st August 2026 – The Mayor attended the Rotary Club – District Pride of Workmanship Evening, Waitara

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.

File Reference: F2004/07053-002

Document Number: D09893636

11 NEW LINE ROAD

COUNCILLOR TILBURY TO MOVE

THAT Council:

1. Pause progression of any local planning or rezonings between Cherrybrook and Galston Gorge until the legacy issues with New Line Road are resolved.
2. Write to the NSW Minister for Roads, Minister for Transport and Minister for Planning to:
 - a) Seek committed funding from the NSW Government to Stage 1 of the upgrade to New Line Road, being the widening of New Line Road to dual carriageway between Hastings Road and Purchase Road, including the widening of the Pyes Creek Road Bridge
 - b) Request that any approvals for State Significant Development Applications lodged under the new Cherrybrook Precinct planning controls be deferred pending the committed funding for Stage 1 of the upgrade of New Line Road
 - c) State that Council will not progress consideration for any local planning or rezonings between Cherrybrook and Galston Gorge until the NSW Government commit funding for Stage 1 of the upgrade to New Line Road
3. Write to our neighbouring Hills Shire Council, Shadow Minister for Roads and local State MPs providing a copy of the letters and seeking their support and advocacy for the above.

Note from Councillor

On 7 August 2026, the State Government announced it had finalised the State-led rezoning of the Cherrybrook Precinct. The rezoning has the potential to accommodate 10,000 new homes across Hornsby and The Hills Local Government Areas.

This Council, at its meeting on 10 December 2025, considered the State's rezoning proposal for Cherrybrook and endorsed a submission supporting the principles of additional housing in proximity to the Cherrybrook Metro Station but identified concerns with the funding and delivery of infrastructure.

Among other things, the submission recommended that legacy issues with New Line Road be resolved and funding allocated by the State Government to fix the existing road network issues. There is potential for significant cumulative traffic impacts along New Line Road given Cherrybrook Station is the closest Metro station for many rural areas to the north.

Despite decades advocacy from the community and Council, previous Federal and State Government funding commitments have not resulted in action on the required upgrade to New Line Road.

Without committed funding for action by the State Government to upgrade New Line Road, any

approvals for State Significant Development Applications lodged under the new Cherrybrook planning controls should be deferred. The already congested and particularly unsafe section of New Line Road between Hastings Road and Purchase Road needs to be upgraded before adding more vehicles to the road system.

Further, Council should pause any rezoning proposals in our rural area between Cherrybrook and Galston Gorge until there is committed action to upgrade New Line Road. The State Government sets obligations for Council to do local strategic planning, but this should not happen to the detriment of our community due to lack of supporting infrastructure and crucial road upgrades which are long overdue by the State Government.

Attachments:

There are no attachments for this report.

File Reference: F2004/09785-003

Document Number: D09895128

12 ESTABLISHMENT OF AN INCLUSION TECHNICAL ADVISORY PANEL

COUNCILLOR MCINTOSH TO MOVE

THAT Council:

1. Acknowledge that a commitment to disability inclusion requires Council to address inclusion across all aspects of Council service delivery, including design and delivery of infrastructure, facilities, events, services, programs, systems, communication and information for people with disability;
2. Continue to progress actions related to disability inclusion within our community, both through the updated Disability Inclusion Action Plan (DIAP) and through a range of Council-wide initiatives;
3. Consider an action, as part of the report back to Council following the current DIAP consultations, to establish an "Inclusion *Technical Advisory Panel*"(ITAP) to comprise community members with a lived experience of disability who would provide feedback on Council infrastructure, services and programs, in particular infrastructure design, delivery and maintenance;
4. Develop Terms of Reference for the panel to ensure that the design and delivery of future programs are informed by people with a lived experience of disability and which would specifically address access issues including public domain, Active Transport and footway priorities, design and maintenance; provision of transport and access support and connectivity; and access to community, cultural and sporting facilities.

It is acknowledged that:

Council's Disability Inclusion Action Plan is currently out for consultation with the community and contains a range of actions for Council and community partners to address inclusion in our Shire. This draft plan will be reported back to Council in a forthcoming Council meeting to endorse future actions.

Note from Councillor

Disability is part of the human experience. About 1 in 5 Australians has a disability, which increases to more than 50% of Australians over the age of 65. Around 80% of disabilities are acquired and 80% of the 5.5 million people with disability in Australia have one or more non-visible disabilities. In Hornsby Shire nearly 5% of the people living here – about 7,000 people – need help in their day-to-day lives due to disability. Nearly 14,000 carers provide unpaid assistance to older people, people with disability and those with long-term illnesses.

Council prioritises consultation with interested and affected residents and ratepayers on all aspects of

Council's delivery program. It is both a specific and an ongoing aspect of all parts of Council's delivery of services.

Council recognises that we have an underlying social responsibility to remove barriers from our services, programs, employment opportunities and the infrastructure and public spaces we manage for all in our community. We also specifically recognise our role in both protecting and promoting the rights of people with disability and in fostering social inclusion across our Shire.

Council's commitment to supporting people living with disability, their families and carers is unquestioned and we have received acknowledgement for our work in supporting broad social inclusion programs such as "Hello Hornsby" alongside actions related to specific conditions such as the Hornsby Dementia Alliance and our work to be recognised as a Dementia Friendly Community. All of these programs have a focus on removing barriers to participation.

In addition to these commitments to social inclusion and resilience, Council has endorsed our commitment to Active Transport in our Shire, as a natural extension of our Walking and Cycling Strategy, which was adopted in 2021. Critically, a commitment to Active Transport is a commitment for all members of our community. An inclusive and accessible public domain is the foundation of a liveable community. Across all levels of government, and despite a plethora of legislative requirements, people with disability report that they still experience barriers in the public domain. These include difficulties with accessible drop-off/pick-up, parking and public transport; difficulty accessing lifts; lack of accessible footpaths, pram ramps and crossings; signage, navigation and wayfinding issues; along with public toilets and places to rest.

Participation beyond Hornsby Shire –

There is acknowledgement that there are shared challenges faced by councils everywhere in balancing accessibility requirements with the delivery of quality urban design outcomes.

Most recently North Sydney Council have established a regional working group of technical specialists and subject matter experts with both lived and professional experience with disability. This group comprises Councils within the Northern Sydney Regional Organisation of Councils (NSROC) group along with the City of Sydney. The *Access and Inclusion Technical Working group* is specifically looking at the urban design challenges for people with low vision and blindness as it relates to relevant Australian Standards in delivering functional safety while supporting practical urban design outcomes. Our Senior Project Planner, Infrastructure Planning has become a member of this group and her technical expertise will be of great value to our Hornsby Inclusion Technical Advisory Panel (ITAP).

Council's Role -

Hornsby Council has strong experience in utilising external advisory panels and community representatives to supplement the existing expertise and experience of our staff. This has been utilised in the areas of heritage, arts/culture, waste and a range of other areas to great effect. In 2019, Council established the Design Excellence Panel to formally evaluate and critique design aspects of proposed development in Hornsby Shire and provide recommendations on how the development can better achieve design excellence. This panel includes technical experts in the fields of architecture, urban design, and landscape design.

It is therefore highly appropriate that Council provides a forum for people with a lived experience of disability, including hidden disabilities, to provide specific advice and recommendations to Council on

how we can achieve access excellence. Council staff can demonstrate significant technical expertise in this area, most particularly in the area of public domain and infrastructure, but we need the local knowledge and lived experiences of people living with disability to inform our processes. In addition to issues of physical access, we need to address other issues such as ensuring that our communication and information conforms to print and digital accessibility standards; that our community events provide information to enable people with disability to plan their participation; and that our consultation and engagement processes support the specific needs of all participants.

Council has a responsibility to act on these issues and to ensure that the voices of people living with disability are heard in the design and delivery of all our services. This is about Council demonstrating our commitment to the principle of *"Nothing About Us Without Us"* – an advocacy statement that has had an impact on disability rights around the world, including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Beyond our responsibility to act in the best interests of people with disability across our Shire, Council has a key responsibility to ensure the process for design and development of all types of infrastructure and services delivers value for money and contributes towards ensuring Hornsby Shire is inclusive for all. Utilising the experience of people with a lived experience of disability at the outset of project planning will go a long way to ensuring inclusivity is reflected in all that we deliver.

Attachments:

There are no attachments for this report.

File Reference: F2021/00196

Document Number: D09895417

13 HORNSBY SHIRE COUNCIL GARDEN FESTIVAL**COUNCILLOR GREENWOOD TO MOVE****THAT Council:**

1. Support the delivery of a Hornsby Shire Garden Festival, to be held from Friday 10 September to Sunday 12 September 2027.
2. Establish a Garden Festival Working Group to assist with the delivery of the Festival.
3. Adopt Terms of reference for the Working Group attached to this Notice of Motion.
4. Request that the Working Group report back to Council with recommendations and progress updates at three-monthly intervals, with the first update be 30 November 2026.

Note From Councillor

The Hornsby Shire Council area is widely known and historically branded as the 'Bushland Shire.' This branding is understandable as approximately 71% of our Shire is natural bushland, which our Local Government Area (LGA) prides itself on protecting, managing, maintaining and preserving.

However, our Hornsby Shire is so much more than bushland. Resident Feedback from the Public Exhibition of the General Manager's Report No. GM9/26 *Draft Destination Management Plan 2026* (DDMP 2026) clearly shows, for our Shire residents, there is a distinction between the Bushland Shire 'brand' and an outward facing brand for the Shire that seeks to attract visitors. Submissions on the DDMP 2026 indicate strong support for a growing visitor economy that is balanced, place-based and provides benefits for the local community.

Hornsby Shire local community is already in an enviable position in relation to its wellbeing status. The recent 2025 *SGS Cities & Regions Wellbeing Index* ranked Hornsby LGA as the top performer in Australia for overall wellbeing, placing our Shire 4th overall nationally in their analysis.

The development and implementation of a Hornsby Shire Council Garden Festival (Hornsby Garden Festival) will expand our Hornsby Shire 'Place Branding' beyond the 'Bushland Shire' brand.

By design, the proposed Garden festival will include other authentic and diverse nature-based and outdoor place engagement, and, in doing so, celebrate nature's beauty, community connection and wellbeing in the Hornsby Shire.

A shift towards more authentic and localised experiences, emphasising the unique qualities of the Hornsby Shire destination and its community, will cause tourists to seek deeper engagement with local businesses and communities rather than a mass tourism experience.

The Hornsby Garden Festival would be designed to act as a living bridge between the community and the unique bushland identity of the Hornsby Shire. The festival would incorporate established local

parks and gardens and transform local places into vibrant, living horticultural galleries that invites residents and visitors to wander, explore, and connect with nature.

This proposal suggests the Hornsby Garden Festival should be held on September 10, 11, and 12, 2027, this aligns with the well-established and popular *Beecroft in Bloom* event and the vibrant spring bloom season. This timing will enhance community participation and the appreciation of nature.

It is suggested that there should be four components to the Hornsby Garden Festival:

1. **Structural Hubs & Wandering Paths**

The Hornsby Mall Gallery: Transformation of the central pedestrian mall into an immersive **Spring Plant and Flower Market**. Vibrant marketplace, lined with elevated spring bloom installations in mobile container gardens, showcasing locally grown blooms and plants, botanical ceramics, and artisanal foods. A place where regional nurseries, local specialist growers of the unusual and different plants from within the Hornsby Shire retail directly to the public.

- a) **Hornsby Open Gardens:** Open Gardens (at least 7-10 open Gardens) across the Hornsby Shire. These private gardens are opened to offer an intimate look into personal horticultural spaces, allowing visitors to explore unique spring plant and perennial collections, sustainable urban residential designs, and sprawling rural landscapes. These gardens will inspire, educate, and raise funds for charity.
- b) **Bushland Trail Walks:** Self-guided walks in local spaces such as the Gardens of Many Nations, Fagan Park, which covers 10 hectares and has 11 themed gardens, including Japanese, Dutch, Chinese and Mediterranean; the Fagan Park Children's Forest and Netherby Cottage Garden; Lisgar Gardens (hidden valley flora); the Lillian Fraser Gardens and the Beecroft Station Gardens, highlighting heritage camellias and spring annuals. Also Hornsby Quarry Heritage Steps and Pyes Creek Swing bridge loop walk at Cherrybrook.

2. **Immersive Features and Engagement**

- a) One example is Beecroft in Bloom a much-loved community event in Beecroft which includes the following:
 - Flower & Plant Sales: Potted colours, seedlings, and fresh floral arrangements in the Village Arcade and Beecroft Place.
 - Floral Demonstrations: Expert-led arrangement sessions at Beecroft Place.
 - Community Art: Student art and colouring-in competitions showcased throughout the village shops.
- b) Flora Discovery Passport: Suggest a physical/digital map encouraging visitors to wander through all local activation sites, collecting stamps at various garden installations to unlock rewards from local businesses.

3. **Community Engagement/Education**

- a) Pop-up educational spaces within the Hornsby Library offering practical advice on creating wildlife-friendly gardens, composting, and conserving native Hornsby flora.
- b) Gardening book display, Hornsby Library.

4. Decentralised Zones

- a) Backyard Biodiversity Hub: Pop-up space within the Mall offering practical advice on composting, worm farming and pruning Hornsby flora.
- b) Netherby Cottage, Fagan Park.

Other potential competitor garden events have been identified and where there is a competitor event in NSW near or upon the dates chosen for this proposed Garden Festival event, these competitor events do provide options on other dates, so allowing choices to enable attending the Hornsby Garden Festival.

There are a number of benefits in implementing the Hornsby Garden festival. The Garden Festival meets several *HSC Destination Management Plan 2026* objectives:

- Pro-active Council leadership role in facilitating/coordinating Garden Festival
- Place Branding expanded beyond the 'Bushland Shire' brand to include other authentic and diverse nature-based and outdoor place engagement
- Curated Experiences: visual, social, cultural, environmental and walking
- Visitor Economy Growth: Targets high value, experience driven visitor markets
- Activation of events, programming, pop-ups, markets and cultural activities
- Relatively low-cost event with resultant high level economic, social, cultural and tourism benefits for Hornsby Shire Council.
- Supports and strengthens local business and collaboration networks.

Key costs for a Garden Festival relate to supporting event infrastructure associated with delivery of the Hornsby Mall Gallery: Spring Plant and Flower Market. In this regard I am advised that Council has received a Permit/Plug/Play grant that aims to streamline event approvals and internal processes; and investing in event infrastructure that reduce the burden and cost of event activations for our community. This grant funded infrastructure would support the delivery of the Spring Plant and Flower Market.

The grant also provides support to assist two community led events (one of which to be held in September 2027), to trial and provide feedback on the new streamlined approvals processes and templates. The Garden Festival would be an ideal event to trial through the grant.

Attachments:

1.  Hornsby Garden Festival Working Group - Proposed Terms of Reference

File Reference: F2007/01404-02

Document Number: D09895623