



BUSINESS PAPER

GENERAL MEETING

**Wednesday 13 July 2022
at 6:30PM**



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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Pastor David Nathan of The Hive Church, Hornsby opened the meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

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."

VIDEO AND AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

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

APOLOGIES / LEAVE OF ABSENCE

POLITICAL DONATIONS DISCLOSURE

Statement by the Chairperson:

"In accordance with Section 10.4 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political

donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement.

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

DECLARATIONS OF INTEREST

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

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

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

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

- at any time during which the matter is being considered or discussed by the council or committee, or*
- 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:

- 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*
- if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.*

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

explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

CONFIRMATION OF MINUTES

THAT the Minutes of the General Meeting held on 8 June, 2022 be confirmed; a copy having been distributed to all Councillors.

THAT the Minutes of the Workshop Meeting held on 29 June, 2022 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

PRESENTATIONS

RESCISSION MOTIONS

MAYORAL MINUTES

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

Note:

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

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

GENERAL BUSINESS

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

OFFICE OF THE GENERAL MANAGER

Page Number 1

Item 1 GM24/22 CAR PARKING MANAGEMENT - BROOKLYN

RECOMMENDATION

THAT:

1. Council endorse the car parking management plan and attachments outlined in this report and place it on public exhibition.
2. Council undertake consultation with the community as outlined in the report and attachments.
3. Following the exhibition period, a briefing be held with Councillors outlining community feedback. Subject to feedback, the recommended changes may then be forwarded to the Local Traffic Committee for consideration.
4. Council, in principle, endorse the use of Upper McKell Park overflow area to be used as a resident only parking for offshore residents on a user pays basis - subject to formal community acceptance of the scheme within 12 months of this report. The balance of parking for offshore residents should be provided via restricted and unrestricted on and off-street parking.

CORPORATE SUPPORT DIVISION

Page Number 10

Item 2 CS45/22 ADOPTION OF COUNCIL'S 2022/23 - 2031/32 LONG TERM FINANCIAL PLAN

RECOMMENDATION

THAT:

1. Council note the responses provided in Table 1 to the public submission received during the exhibition of the draft 2022/23 – 2031/32 Long Term Financial Plan.
2. The Long Term Financial Plan for the period 2022/23 to 2031/2032 attached to Director's Report No. CS45/22 be adopted.

Page Number 15

Item 3 CS49/22 INVESTMENTS AND BORROWINGS FOR 2021/2022 - STATUS FOR THE PERIOD ENDING 31 MAY 2022

RECOMMENDATION

That the contents of Director's Report No. CS49/22 be received and noted.

COMMUNITY AND ENVIRONMENT DIVISION

Page Number 18

Item 4 CE11/22 DRAFT DISABILITY INCLUSION ACTION PLAN

RECOMMENDATION

THAT Council:

1. Adopt the draft Disability Inclusion Action Plan as Attachment 1 to Director's Report No. CE11/22.
2. Forward a copy of the adopted Disability Inclusion Action Plan to the Disability Council of NSW.
3. Regularly report on the progress of the implementation of the Disability Inclusion Action Plan via the Annual Report and as part of Council's Integrated Planning and Reporting process.

PLANNING AND COMPLIANCE DIVISION

Page Number 22

Item 5 PC11/22 EXHIBITION OF STATE GOVERNMENT EMPLOYMENT ZONE REFORM

RECOMMENDATION

THAT Council write to the Department of Planning and Environment to acknowledge that the exhibited employment zone translation includes appropriate local provisions, as requested by Council, to respond to the context of Hornsby Shire's employment lands and is consistent with the Hornsby Employment Land Study.

Page Number 30

Item 6 PC13/22 PLANNING PROPOSAL - 679 - 685 OLD NORTHERN ROAD, DURAL

RECOMMENDATION

THAT Council not support the progression of the Planning Proposal for Nos. 679-685 Old Northern Road, Dural to permit a health services facility as an additional permitted use and increased building height under the Hornsby Local Environmental Plan 2013, for the following reasons:

1. Inconsistency with the Greater Sydney Regional Plan and the North District Plan.
2. Inconsistency with Section 9.1 Ministerial Directions.
3. Inconsistency with the Hornsby Local Strategic Planning Statement.
4. Inconsistency with the Hornsby Employment Lands Study.
5. Inconsistency with the Rural Lands Study.
6. The proposed land use is incompatible with the rural zone setting.
7. There are potential amenity impacts with the built form on adjoining properties.
8. There are potential traffic impacts on the surrounding road network.

Page Number 57

Item 7 PC14/22 PLANNING PROPOSAL - 7 CITY VIEW ROAD, PENNANT HILLS**RECOMMENDATION**

THAT:

1. Council support progression of the Planning Proposal for No. 7 City View Road, Pennant Hills attached to Director's Report PC14/22 to the Department of Planning and Environment for a Gateway determination with an addendum requiring the following amendments:
 - 1.1. Remove proposed amendments to the HLEP 2013 regarding additional permitted uses and FSR increase.
 - 1.2. Propose an amendment to the HLEP 2013 for a local provision to permit residential flat buildings, seniors housing and an increased FSR, where the development would result in the provision of a minimum 0.5:1 floor space ratio for commercial uses.
2. Subject to Gateway Determination being received, a further report be prepared for Council's consideration presenting a draft Voluntary Planning Agreement and draft Development Control Plan amendments for exhibition concurrently with the Planning Proposal.

Page Number 77**Item 8 PC15/22 HORNSBY TOWN CENTRE MASTERPLAN****RECOMMENDATION**

THAT:

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

Page Number 85**Item 9 PC16/22 SYDNEY NORTH PLANNING PANEL AND HORNSBY LOCAL PLANNING PANEL - LOCAL AND COMMUNITY PANEL MEMBERS****RECOMMENDATION**

THAT:

1. Council appoint Amanda Anderson (A Ward), Martin Dargan (B Ward), David White (C Ward) and Aiman Khan (Alternate) as community representatives on the Hornsby Local Planning Panel for a period of 3 years.

2. Council appoint Sue Weatherly (Technical Representative); Mark McCrindle (Community Representative) and Christine Newman (Alternative) as local members on the Sydney North Planning Panel (SNPP) for a period of 3 years.
3. The Planning Panels Secretariat at the Department of Planning and Environment be advised of Council's resolution.
4. Council write to outgoing panel members acknowledging their positive contribution to the Planning process in Hornsby Shire.

Page Number 90**Item 10 PC17/22 PLANNING PROPOSAL - HIGH STREET AND ASHLEY STREET, HORNSBY****RECOMMENDATION**

THAT:

1. Council endorse the progression of the High Street and Ashley Street Planning Proposal attached to Director's Report No. PC17/22 for submission to the Department and Planning and Environment for a Gateway Determination.
2. Subject to receipt of a Gateway Determination, the Planning Proposal be publicly exhibited in accordance with the consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC17/22 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for its consideration.

INFRASTRUCTURE AND MAJOR PROJECTS DIVISION**Page Number 106****Item 11 IM5/22 APPROVAL TO ATTEND INTERNATIONAL CONFERENCE FOR LESLEY TIPPING****RECOMMENDATION**

THAT Council endorse the attendance of Ms Lesley Tipping at the 2022 Australasian Road Safety Conference to present a paper on developing cross-sectoral partnerships between Local and State Governments in relation to the Motorcycle CRASH Card.

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

Page Number 109

Item 12 MN6/22 MAYOR'S NOTES 01 JUNE 2022 TO 30 JUNE 2022

NOTICES OF MOTION

Page Number 110

Item 13 NOM2/22 JOHNSTON ROAD, GALSTON - RE-PURPOSE OF COUNCIL DEPOT AND ADJACENT SITE

COUNCILLOR WADDELL TO MOVE

THAT a project cost benefit analysis be undertaken in respect of the potential future use as a light industrial factory unit complex of the Council Depot and adjacent former Pony Club site in Johnston Road, Galston, and once completed, submitted for consideration by Council.

SUPPLEMENTARY AGENDA

MATTERS OF URGENCY

1 CAR PARKING MANAGEMENT - BROOKLYN

EXECUTIVE SUMMARY

- The adoption of the Discussion Paper – Brooklyn Place Planning in 2021 outlined a working vision and strongly identified that the community saw parking as the highest priority issue to be undertaken in working toward that vision.
- Over the last 30 years, Council has commissioned in excess of 20 studies, reports, consultations or surveys on the issue of car parking management in Brooklyn.
- The Car Parking Management Study (GM21/20) and the Discussion Paper – Brooklyn Place Planning (GM31/21) are the most recent documents considering car parking management in Brooklyn.
- To improve functionality and provide equitable access to destinations within this precinct, this report recommends undertaking community consultation and implementing time restricted parking on Council managed land in various locations within the Brooklyn Village Centre. It also recommends the exclusion of trailer parking in the village centre – except Parsley Bay where trailer parking should remain, albeit timed.
- Community consultation on the development of an offshore resident only parking area in the overflow area of Upper McKell Park is recommended on a user pays basis.

RECOMMENDATION

THAT:

1. Council endorse the car parking management plan and attachments outlined in this report and place it on public exhibition.
2. Council undertake consultation with the community as outlined in the report and attachments.
3. Following the exhibition period, a briefing be held with Councillors outlining community feedback. Subject to feedback, the recommended changes may then be forwarded to the Local Traffic Committee for consideration.
4. Council, in principle, endorse the use of Upper McKell Park overflow area to be used as a resident only parking for offshore residents on a user pays basis - subject to formal community acceptance of the scheme within 12 months of this report. The balance of parking for offshore residents should be provided via restricted and unrestricted on and off-street parking.

PURPOSE

The purpose of this report is to seek Council's endorsement to exhibit proposed changes to car parking management in Brooklyn. It also seeks Council's in principle endorsement to establish a resident only parking area in the overflow parking area in Upper McKell Park, if agreed to by the community.

BACKGROUND

At its July 2021 General Meeting, Council considered a report on the community feedback on the *Discussion Paper – Brooklyn Place Planning* and resolved to:

1. *Note the survey results and summary of comments received during the exhibition of the Discussion Paper – Brooklyn Place Planning.*
2. *Endorse the guiding principles and priority actions for the development of the Brooklyn Place Plan as outlined in the Discussion Paper.*
3. *Endorse the revised “working version” of the vision for Brooklyn such that it may be further tested with stakeholders as the Brooklyn place planning process progresses.*

The “working version” of the vision for Brooklyn is:

“Brooklyn protects its unique natural environment and celebrates its rich European and Aboriginal heritage and waterfront village atmosphere. The Brooklyn village is a liveable place for people that is welcoming and vibrant for the whole community – both residents and visitors. The village centre is attractive, well maintained and provides support for local businesses. In fulfilling its function as a port and transport interchange, Brooklyn village will support all river communities to transition between river, road and rail.”

4. *Staff to hold a workshop with Councillors to discuss an approach to, and principles associated with, car parking management in Brooklyn.*

In summary, Report No. GM31/21 recognised that in order to effectively implement the Place Plan objectives in Brooklyn the first action would need to address car parking, noting this was the clear feedback of the community.

The Car Parking Management Study (CPMS) was adopted by Council in September 2020 via Report No. GM21/20. In adopting the study, Council resolved to:

1. *Adopt the Hornsby Shire Car Parking Management Study as a technical document to provide overall car parking policy direction and recommendations for Council over a 10-year horizon in accordance with General Manager’s Report No. GM21/20.*
2. *Undertake engagement with stakeholders where appropriate, to build community and stakeholder support in advance of implementation of any recommendation in the Hornsby Shire Car Parking Management Study within a precinct.*

The CPMS is a Shire wide study that sets out the challenges, objectives, principles and policies to proactively manage parking needs across the Shire, including Brooklyn. Councillors were provided with a series of informal workshops on 16 March and 18 May 2022 to outline the background, history, and current car parking practices in Brooklyn.

DISCUSSION

Over the last 30 years, over 20 reports, studies, consultations or surveys have been conducted into appropriate measures to address car parking concerns in Brooklyn. This work has been completed at

a significant cost to all rate payers in the Shire and, in essence, looked to address the issue of it, how and where to accommodate private parking on public land for offshore residents who do not have access to parking on their own land.

The historic off shore user driven decision-making process associated with car parking management in Brooklyn has resulted in an approach to car parking management that constrains access to the village centre and regional park for residents of the Shire and other visitors. Access has been constrained through the non-application of time restricted parking. In doing so, the recreational and economic potential of the village has been inhibited.

Data collected in 2021 shows that 50% of all visitors to Brooklyn are from elsewhere in the Hornsby Shire, with up to 800 vehicles per day. The data also shows that these residents are not being accommodated by current car parking management practices. A further car parking utilisation survey was undertaken in Brooklyn over an 8-day period in December 2021 and showed that 70% of parking in the off street car parks of Lower McKell Park and Dangar Road/Wharf Car Park were taken up by multi night stay parking. The data illustrates that 33% of car parking spaces in this precinct were occupied for 2-3 consecutive nights, 37% of car parks were occupied for 3-8+ consecutive nights and 30% of car parks were occupied for a single night. It would appear from this data that car storage requires a different management approach compared to car parking. This longitudinal car parking data has informed recommendations for car parking management given that the offshore community has historically argued that unrestricted car parking should be provided at the closest location to their departure point to the river. The data would suggest that the requirement for convenient access to car parking is not being used with daily frequency by 70% of car park users.

To progress car parking management in Brooklyn it is recommended that Council give equal weight to the best practice car parking management recommendations in the CPMS, its land management responsibilities for public land and alignment of the recommendations with the adopted vision and guiding principles for Brooklyn.

The recommendations put forward in this report have been informed by:

- Amended recommendations from the Car Parking Management Study
- Feedback from numerous discussions with various community groups
- Extensive historical background research
- Legal advice
- Advice from the Crown Lands Department
- Data on car parking usage throughout the previous three years
- On ground observations in Brooklyn over three years by Council's Place Managers.

The attached Issues Paper provides a background explaining why the associated recommendations have been put forward for consultation and provides:

1. Recommendations from the Car Parking Management Study 2020.
2. Vision and guiding principles adopted by Council through the Discussion Paper – Brooklyn Place Planning 2021.
3. Data on use of car parking in Brooklyn from a variety of sources.
4. Legislative requirements for the management of public land.

5. A position on Council's responsibilities with regards to car parking provision.

Much of this detailed information will be made available to the community throughout the exhibition period of the proposed changes to car parking management on Council's new HiVE consultation platform.

Proposed actions recommended for exhibition

Whilst Brooklyn is a complex place with many user groups and complex interactions, the recommended way forward for car parking management for Brooklyn is relatively simple. It is recommended that Council align best practice car parking management practices, with legislatively driven, land management requirements and the community driven vision for Brooklyn. The recommended approach is for existing off street car parking locations in Brooklyn and on street parking on the northern side of the road servicing the Upper McKell Park picnic area be time restricted. Trailers are also recommended to be excluded from parking on public land in the village centre - subject to further consultation. Ultimately to facilitate this outcome, a focus needs to be placed on providing space to accommodate car parking and car storage for offshore residents on an appropriate parcel of land – at the cost of those residents who will benefit.

Proposed resident parking model

The goal of the resident parking model is to provide space for one vehicle per rateable property for offshore residents – a total of 220 spaces.

Details of the proposed model can be found in Attachment 1.

In summary, it is proposed that offshore residents be offered space in the overflow area of Upper McKell Park to develop a resident only parking area – at their cost. This space is estimated to accommodate approximately 100 cars at grade and is estimated to cost around \$10,000 per space to construct. The space would also need to be leased from Crown Lands. The balance of resident parking would be available in unrestricted on street and (timed) off street parking – 173 and 215 parking spaces are respectively available if recommended car parking management changes are implemented. This volume of unrestricted off street and on street parking exceeds the target of 220 spaces by 53 spaces.

It is noted that when competition for parking is high, such as on weekends or holiday periods, overflow resident parking may be required in Saltpan Reserve or elsewhere. It is recommended that Council consult the community on the need for this overflow parking area during the consultation period.

Car Parking Management - Stage 1

Brooklyn Village Centre

- Consult the community on the most appropriate way to prohibit the parking of trailers, on and off street on public land, within the precinct east of the railway bridge in the Brooklyn Village Centre. Consultation will be on the total exclusion of trailers within the precinct versus street specific exclusions
- Encourage trailer owners to find trailer storage arrangements on private land. If on street trailer storage throughout west Brooklyn becomes an issue, consider implementing further “car only” or timed parking restrictions – noting the forthcoming Public Spaces (Unattended Property) Act 2021 – which will likely shorten the time that unattended property can be left on public land

Dangar Road/Wharf Car Park

- Operate the car park in a manner consistent with its operational classification under the *Local Government Act 1993* and in alignment with the recommendation in the CPMS to service businesses/industry/tourism in the village centre by implementing timed parking. (e.g. 4P – 6am to 6pm). Consult the community on the duration of restrictions and the start and finish time
- Install a car share service in the two existing unrestricted on street parking spaces outside 12 Dangar Road – subject to feedback on user demand. Consult with the community on location and volume of spaces for car share vehicles
- Consult on the need for storage lockers for ferry users and associated need for short term car parking (30 min)

Lower McKell Park

- Time restrict all off street car parking (e.g. 4P - 6am to 6pm) to meet land management requirements of Crown Land and consult with the community on the duration of restrictions and the start and finish time
- Retain existing accessible parking spaces
- Install 2 x 30-minute (6am to 6pm) spaces to facilitate loading/unloading to service park users at the eastern end of the car park
- Retain Brooklyn Mooring Co-op access to pontoons
- Consult on the need for short term storage lockers

Parsley Bay Boat Ramp

- Install approximately 3 x 30-minute parking spaces to facilitate loading/unloading on the eastern end of the break wall for non-powered watercraft (e.g., 30min – 6am to 6pm) and consult the community on the duration of restrictions and the start and finish time
- Time all car only parking in the precinct (e.g., 6P - 6am to 6pm) to meet land management requirements of Crown Land and consult with the community on the duration of restrictions and the start and finish time
- Time car and trailer parking in the northern/main trailer parking zone (e.g., 12P - 6am to 6pm) and consult with the community on the duration of restrictions and the start and finish time
- Make car and trailer parking on southern side of the site adjacent to the toilet block flexible such that it can be used by car or cars with trailers – time this section (e.g., 6P - 6am to 6pm) to support shorter boating and recreation trips and consult with the community on the duration of restrictions and the start and finish time

It is noted that the potential exclusion of trailer parking on road and elsewhere in the eastern Brooklyn village precinct will mean that capacity of the boat ramp is capped, and that overflow car with trailer parking will be limited to west of the rail bridge outside of the village centre. The impact of this approach will need to be monitored. In the longer term (Stage 2), pair a paid parking arrangement in Parsley Bay with a smart notification system that alerts incoming boat launchers to the absence of available parking prior to launching their boat.

Upper McKell Park

- Time car parking (e.g., 4P - 8:30am to 6pm) in Upper McKell Park on the no through road leading to the picnic area (northern side of road only) to meet land management requirements of Crown Land and consult with the community on the duration of restrictions and the start and finish time
- Install one new accessible car parking space at the eastern end of the formed, on street parking (northern side) to support access to the new accessible picnic shelters and public amenities
- The unformed overflow area at the western end of the Upper McKell Park near Karoola Street is not currently considered to be serving the park visitors given that it is unsealed. Commence discussions with offshore residents regarding use of this space for a resident only parking scheme – user pays. Time limit agreement to this offer to 12 months from the adoption of this report. Subject to resident support, consultation be undertaken with Crown Lands concerning the terms of any lease.

Advocacy

Advocate, in conjunction with the community, to formalise commuter parking and to enhance supply of parking (possibly a multi deck) to respond to State generated parking demands in Brooklyn e.g., moorings, Great North Walk and public transport (ferry and rail). Council is not responsible for providing parking for these uses.

Signage

Install directional signage within the village centre to improve traffic flow.

Shared zone

Install a shared zone in Lower McKell Park along Dangar Road (between heritage palms) to improve village centre walkability and pedestrian safety.

Alternative transport

Promote visitation to Brooklyn via public and active transport.

More details on the proposed changes and community consultation can be found in the attached Consultation Paper and Engagement Plan (Attachment 2 and 3).

Stage 2

Following the exhibition of the proposed changes and implementation of adopted parking controls for Stage 1 measures, a review of the efficacy of the car parking changes should be undertaken after 12 months. This will guide Stage 2 actions. Stage 2 actions may include:

- Extension of shared zone along Dangar Road from the Brooklyn Wharf to Brooklyn Road
- Paid Parking in Parsley Bay
- Investigations into additional parking supply
- Additional parking restrictions

The provision of additional parking supply in Brooklyn will be key to achieve the long-term vision for Brooklyn.

PROJECT ROLL OUT

Subject to feedback received during the exhibition period, the actions will be rolled out in a measured and staged manner throughout 2022/23 with adequate notice and signage provided in the lead in to changed parking management arrangements. The changes to car parking management will need to be accompanied by an enforcement regime to ensure that they achieve the desired outcomes.

CONSULTATION

In the preparation of this report significant consultation with the people of Brooklyn and river communities by Council's Place Managers over the last 3 years has been drawn upon along with a review of survey data and the volumes of submissions made over the last 30 years. It is noted that the executive of the Brooklyn Community Association and the Dangar Island League have been particularly forthcoming in assisting staff to understand the circumstances and context of life in Brooklyn and on the river. It is important to be clear that that their views are not necessarily reflected in the recommendations associated with this report and it is understood that there is not likely to be majority support for the recommendations contained within this report – especially from offshore residents. The recommendations put forward are consistent with legislative requirements, based on best practice, and are consistent with the adopted vision for Brooklyn.

A Consultation Paper and Engagement Plan, found in Attachments 2 and 3, will guide the feedback process during public exhibition and provides a context for the various land uses and where it is recommended community feedback be received. This consultation process will be conducted on Council's new HiVE engagement platform. It is not recommended that further consultation be undertaken on matters of legislative compliance in car parking management as Council has received advice from the relevant authorities in this regard. As such, the community will not be asked if timed parking should or shouldn't be implemented on Crown Land – for example.

Further detailed consultation and negotiation will be required regarding the potential creation of a user pays, resident only parking area in the overflow area of Upper McKell Park. In this regard, it is recommended that the community form a small working party of no more than 5 members to liaise with Council staff to progress the matter. It is recommended that Council resolve, in principle, to provide this land for this purpose so that community negotiations with Crown Lands can proceed with confidence if the community wish to progress this approach. This engagement will take place via working group meetings.

BUDGET

The implementation of Stage 1 changes to car parking management can be accommodated within recurrent Traffic budgets. Staff time will also be made available to assist the community with the negotiations with Crown Lands to secure space for a resident only parking area if there is support for this. The installation of the shared zone in Stage 1 as well as directional signage will need to be prioritised in future budgets. Stage 2 changes are not yet budgeted as the required changes are not yet understood.

Enforcement of the new car parking restrictions in Brooklyn will require either the redeployment of existing Ranger staff away from current priority enforcement precincts or the employment of additional staff. The costs of any additional staff are likely to be covered through the revenue generated from parking infringements.

POLICY

There are no policy implications associated with this report. The report recommends that Council adhere to the relevant legislation in the management of community and operational land. If the recommendations included in this report are adopted by Council, Council is functionally agreeing to make space available for one unrestricted parking space per off shore dwelling. This space will be available in a combination of on street and off street parking in the village to the east of the railway bridge. It is noted that it is not recommended that this be a formal policy position of Council – merely a guiding principle at this stage and should be subject to community feedback.

CONCLUSION

The resolution of an approach to car parking management in Brooklyn is an extremely difficult challenge given the multiple competing stakeholders and uses and limited physical space. Council has been seeking to address this issue for more than 30 years. In crafting the recommendations, attempts have been made to balance the needs of a variety of place users. Travel pattern data across the course of a week has guided the recommendations made as the data shows that not all offshore residents access parking in Brooklyn with the same frequency – which suggests that cars can reasonably be stored further away from points of departure. Officers have also considered land management requirements of Council and the adopted vision for Brooklyn.

Recommendations for car parking management are designed to support both visitors and locals. The proposed solution asserts that Council is not responsible for providing commuter parking or parking for “off Crown Reserve” uses – instead, this report and attached Issues Paper argues that Council should prioritise car parking provision for functions that it is responsible for – which is providing access to Crown Land that it manages for recreational purposes and village centre parking for businesses and visitors. The solution is also based on the principle that it is not appropriate to store private items on public land at no cost. Legal advice outlines that Council is entitled to time restrict the parking areas proposed within this report.

The solution being proposed for consultation, involves a variety of options for offshore residents parking, either free on street or in a paid, resident only parking area. Options for overnight parking in timed parking spaces have also been included, as has the potential use of long stay/overflow parking in Saltpan Reserve. The offer of leased land to establish a resident only car parking area in the overflow area of Upper McKell Park is recommended to be time limited (12 months) and should not delay the roll out of recommended car parking changes after the exhibition period. It is noted that in making the offer to make land available for private uses, that the costs of leasing, construction, management and maintenance of the asset be borne by those benefiting from its use.




RESPONSIBLE OFFICER

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

JULIE RYLAND
Strategy Manager - Strategy and Place
Office of the General Manager

STEVEN HEAD
General Manager
Office of the General Manager

Attachments:

1.  Attachment 1 - Issues Paper
2.  Attachment 2 - Consultation Paper
3.  Attachment 3 - Engagement Plan

File Reference: F2019/00117

Document Number: D08434887

2 ADOPTION OF COUNCIL'S 2022/23 - 2031/32 LONG TERM FINANCIAL PLAN

EXECUTIVE SUMMARY

- Council's draft 2023-2032 Long Term Financial Plan (LTFP) was adopted for public exhibition at the 11 May 2022 General Meeting.
- Three submissions were received during the formal exhibition period, which are summarised in the attached Table 1. The submissions have been reviewed by Council staff and no amendments to the publicly exhibited document are recommended from the submissions.
- As a consequence of the forecast decline in Council's financial positions, a range of actions are recommended to be progressed in an attempt to improve Council's projected financial sustainability.
- During the exhibition period minor changes were made to various financial worksheets and commentary in the LTFP to reflect the approval granted by the Independent Pricing and Regulatory Tribunal (IPART) of Council's one-off additional special variation application of 2.28% to 2022/23 rates income.

RECOMMENDATION

THAT:

1. Council note the responses provided in Table 1 to the public submission received during the exhibition of the draft 2022/23 – 2031/32 Long Term Financial Plan.
2. The Long Term Financial Plan for the period 2022/23 to 2031/2032 attached to Director's Report No. CS45/22 be adopted.

PURPOSE

The purpose of this Report is to provide Council with information and recommendations regarding the submissions received in respect of the public exhibition of the 2023-2032 Long Term Financial Plan (LTFP).

BACKGROUND

Under section 403 of the Local Government Act, a council is required to have an adopted 10-year Long Term Financial Plan as part of the Resourcing Strategy, which is aligned to the IP&R framework mandated by the Office of Local Government. The Resourcing Strategy is Council's explanation to the community of how it intends to perform all of its functions and is required to be updated in detail every four years.

At the General Meeting held on 11 May 2022, Council considered Director's Report No. CS33/22 and resolved that:

1. *Council adopt the draft 2022/23 – 2031/32 Long Term Financial Plan attached to Director's Report No. CS33/22 and place the document on public exhibition from 12 May to 9 June 2022.*
2. *Following the public exhibition, and before 31 July 2022, a further report be prepared for Council's consideration which outlines and responds to any submissions received during the exhibition period and recommends the adoption of Council's 2022/23 – 2031/32 Long Term Financial Plan.*
3. *The updates of Council's Asset Management Strategy and Workforce Plan attached to Director's Report No. CS33/22 be received and noted.*

DISCUSSION

Consultation on the Documents

During the exhibition period from 12 May 2022 to 9 June 22, the draft 2022/23 – 2031/32 LTFP was available electronically on the Have your Say page of Council's website.

Notice of the exhibition was included at each of Council's libraries, in the Customer Service area at the Council Chambers and in the June eNewsletter sent to 30,000 subscribers, as well as Facebook posts.

Submissions

Three submissions were received during the formal exhibition period in respect to the LTFP as well as commentary on the Workforce Plan and Asset Management Strategy. A summary of the submissions is included in the attached Table 1 with Staff recommendations / feedback shown in italics.

The main themes (and related issues) outlined in the submissions were:

- Support for the recommendation for a special rate variation to rebalance Council's finances (2 submissions).
- Support for Council supplementing the need for a special rate variation by increasing income from other areas such as user charges and fees, or from expenditure reduction.
- Requests for further information and inquiry into the processes used to compile the Asset Management Strategy and LTFP (1 submission).

The submissions have been reviewed by Council staff and no amendments to the publicly exhibited document are recommended from this review.

During the exhibition period minor changes were made to various financial worksheets and commentary in the LTFP to reflect the approval granted by the Independent Pricing and Regulatory Tribunal (IPART) of Council's one-off additional special variation application of 2.28% to rates income – (refer to General Manager's Report No. GM21/22 presented to the 29 June General Meeting). The sensitivity analyses included in the LTFP were also updated based on the larger rate peg of 2.28%. These changes did not significantly alter Council's long term financial projections and recommended actions to improve future direction remain the same.

Since the LTFP was placed on exhibition there have been a range of changes to forecasted economic conditions that may have an impact on the indexes used in the LTFP to project future financial results. These changes include the interest base rate set by the Reserve Bank of Australia, higher than anticipated inflationary pressures on general goods and services, significant cost escalations in building materials and higher than anticipated price increases for fuel and utilities. Due to this rapidly changing financial environment it would be prudent to revise the indexes applied in the LTFP towards the end of this calendar year to determine if this materially changes the forecasted financial results.

BUDGET

The LTFP makes clear the future financial position of Council over the next 10 years in respect to maintaining current service levels, maintaining assets to the condition required by the community and delivering strategic initiatives agreed to by Councillors.

As noted in Director's Report No. CS33/22 the LTFP indicates a decline in financial position below acceptable levels against industry benchmarks over the term of the LTFP. This projected decline in financial position will be under further pressure potentially from:

- Construction and supply chain issues resulting in significant cost escalations across capital projects.
- Cost shifting from other tiers of government and statutory levies that exceed reasonable CPI based increases.
- The finalisation of an external independent assessment of major asset classes being roads, Drainage, Buildings and Open Space identifying in excess of \$3 million per annum needed to maintain these assets to a reasonable condition.
- Potential changes released in a draft report by IPART into the review of Domestic Waste Management Services that if approved may result in a significant financial import on Council's budget estimated at \$2.3 million.

Having regard to a declining financial position and the challenges stated above a range of actions have been outlined in the LTFP in an attempt to improve Council's future financial sustainability. These actions include:

- The need for a special rate variation to rebalance Council's finances within acceptable levels over the long term. Priority should be given to meeting asset management requirements and ensuring there is sufficient funding for recurrent services. A special rate variation is recommended in the first instance because of the quantum of funds required to provide balanced budgets. Other funding initiatives such as the generation of additional income from increases to user fees and charges should, however, be explored and implemented to potentially reduce the size of a special rate variation required.

- Undertaking community consultation with regards to the unfunded initiatives identified within Council's recently adopted Strategic and Technical documents. The consultation should assess the appetite of the community for a rate rise to pay for initiatives and should establish priorities across each of the documents.
- Carefully assessing whether there is value in creating any further strategic documents given unfunded initiatives in existing documents require at least \$8.8 million of funding (based on preliminary costing for 50% of the actions identified only).
- Continuing with Council's previously agreed position of developing Hornsby Park ahead of Westleigh Park (and reinforcing this messaging with the community). To mitigate financial risk, works at Westleigh Park should not be undertaken until it is financially appropriate to commence. The development of Westleigh Park also requires a recurrent budget for operations and asset maintenance and renewal expenditure to be identified.
- Communicating to the community the scope of works that can realistically be completed at Hornsby Park in the early stages of the life of this park and how this may differ in regard to the full scope of the master plan.
- Carefully considering the acceptance of further external grants for capital purposes. There is insufficient capacity within the LTFP to fund the associated recurrent costs from any new capital that is not already included in the LTFP. It may be in Council's best financial interests to decline capital grant funding depending on whether an evidence-based need for the project exists within Council's strategic documents and depending on the availability of budgets to fund recurrent costs.
- Reviewing other income streams such as fees and charges to ensure appropriate price setting and assessing whether price increases could be used to generate additional income.
- Continuing a freeze on Council's approved Full Time Equivalent headcount where appropriate; with no new positions to be created unless offset by an equivalent position elsewhere or specific new funding.
- Maintaining cost increases to modest levels in regard to non-labour related expenses each year.
- Continuing with financial improvement initiatives (the development of business improvement plans)
- Considering whether there is a case to rationalise underutilised assets to reduce ongoing cost requirements and/or provide one off capital funding from sale proceeds towards other capital investment decisions.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The LTFP demonstrates that the financial capacity of Council will decline over the next 10 years below acceptable financial benchmarks. To correct this declining financial capacity, a series of actions have been recommended in the LTFP to improve long term financial sustainability.

It is noted that a number of briefings will be held with Councillors during the 2022/23 financial year to progress an SRV, to address the asset management funding gap, other strategic initiatives and

declining financial capacity in future years. Updates will be provided in respect to these briefings through the Quarterly Budget Review Reports to Council.



RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

1.  Table 1 - Public Submissions
2.  Long Term Financial Plan (with mark up)

File Reference: F2022/00059
Document Number: D08409345

3 INVESTMENTS AND BORROWINGS FOR 2021/2022 - STATUS FOR THE PERIOD ENDING 31 MAY 2022

EXECUTIVE SUMMARY

- This Report provides details of Council's investment performance for the period ending 31 May 2022 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 a negative annualised return for May 2022 of -0.23% which includes a yield of -9.50% from TCorp Managed Funds. On a financial year to date basis the portfolio achieved an annualised return of 0.24% which includes a yield -4.37% from TCorp Managed Funds.

RECOMMENDATION

That the contents of Director's Report No. CS49/22 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 May 2022 is detailed in the attached document. In summary, the portfolio achieved a negative annualised return for May 2022 of -0.23%. On a financial year to date basis the portfolio achieved an annualised return of 0.24% which includes a yield of -4.37% from TCorp Managed Funds.

In respect of Council borrowings, the interest rate payable on the outstanding loan taken out in June 2013 (the last time that Council borrowed), based on the principal balances outstanding, is 5.89%. The Borrowings Schedule as of 31 May 2022 is also attached for Council's information.

BUDGET

Budgeted investment income for the year is \$3,855,180 with an average budgeted monthly income of \$321,265. The net investment income for the month ended 31 May 2022 was \$76,839 which includes an unrealised loss of -\$183,710 from TCorp Managed Funds.

Budgeted investment income year to date at 31 May 2022 was \$3,533,910. Total investment income year to date as 31 May 2022 is \$1,709,640 which includes a year-to-date net loss of \$903,129 from TCorp Managed Funds.

Approximately 55.66% of the investment income received by Council relates to externally restricted funds (e.g. Stronger Communities Grant funding and Section 7.11 and Section 7.12 development contribution funds) and is required to be allocated to those funds. All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation and Council's Investment of Surplus Funds Policy and Investment Strategy.

The returns from TCorp Managed Funds are presently experiencing significant market volatility due to uncertainty over domestic and global economic conditions. It is noted that this product has a 7-year investment horizon and will, therefore, reflect marked to market valuations monthly. Advice provided by Council's independent investment advisor, Prudential Investment Services, is to hold this investment for the 7-year timeframe as originally planned. This is due to the anticipated net positive performance returns that will be gained over the long term for this investment.

The value of our floating rate note holdings has been negatively impacted by the rising interest rate market. The yield on these investments is expected to increase when they come due for their next resets given the recent rise in the 3m BBSW rate.

CONCLUSION

The investment of Council funds and the extent of its borrowings as of 31 May 2022 is detailed in the documents attached to this Report. Council's consideration of the Report and its attachments ensures that the relevant legislative requirements and Council protocols have been met in respect of those investments and borrowings.



RESPONSIBLE OFFICER

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

DUNCAN CHELL
Chief Financial Officer
Corporate Support Division

GLEN MAGUS
Director - Corporate Support
Corporate Support Division

Attachments:

1.  HSC Investment Summary Report May 2022
2.  HSC Borrowings Schedule May 2022

File Reference: F2004/06987-02
Document Number: D08423104

4 DRAFT DISABILITY INCLUSION ACTION PLAN

EXECUTIVE SUMMARY

- Council has a legislative requirement under the NSW Disability Inclusion Act 2014 to produce a Disability Inclusion Action Plan (DIAP).
- A DIAP is designed to outline how Council will make mainstream services and community facilities more accessible to people with a disability, helping to build a more inclusive community in the Shire.
- A draft DIAP has been produced following community and staff consultation around the four key focus areas of attitudes and behaviour; liveable communities; employment, systems, and processes.
- The draft DIAP was placed on public exhibition between 20th April and 18th May 2022.
- This report seeks Council's adoption of the draft DIAP following the public exhibition period.
- Once adopted, the DIAP will form one of Council's key strategic planning documents and be reported on via the Annual Report and the Integrated Planning and Reporting process.
- Following the adoption of the DIAP, Council is required to submit a copy to the Disability Council of NSW.

RECOMMENDATION

THAT Council:

1. Adopt the draft Disability Inclusion Action Plan as Attachment 1. to Director's Report No. CE11/22.
2. Forward a copy of the adopted Disability Inclusion Action Plan to the Disability Council of NSW.
3. Regularly report on the progress of the implementation of the Disability Inclusion Action Plan via the Annual Report and as part of Council's Integrated Planning and Reporting process.

PURPOSE

The purpose of this Report is to enable Council to consider and adopt the draft Disability Inclusion Action Plan following public exhibition.

BACKGROUND

At the 13 April Ordinary/Planning Meeting, Council considered Executive Manager's Report No. CE5/22 and resolved that:

1. *"The draft Disability Inclusion Action Plan (Social Inclusion Hornsby) attached to the Director's Report No. CE5/22 be placed on public exhibition for a period of 28 days."*
2. *"Following exhibition, a report on submissions be presented to Council for its consideration."*

DISCUSSION

In line with its requirements under the NSW Disability Inclusion Act 2014 and with the assistance of ARTD Consulting, Council has produced a draft Disability Inclusion Action Plan (Attachment 1). This plan has benefitted from an extensive period of consultation from June 2021. Following the DIAP being placed on public exhibition a number of changes to the draft DIAP are recommended for Council's consideration:

Focus Area 1: Developing Positive Community Attitudes and Behaviours

- **Add the action** - Create a workplace culture in Hornsby Shire Council that is aware of the inclusion needs of people of all ages with disability and has the skills to implement the improvements to inclusion suggested by people with disability.

Focus area 2: Creating Liveable Communities

- **Add the Action** - Council continues to work towards ensuring that all pontoons and access ramps under their management are safe and accessible to all boat users.
- **Amend the action 2.2.5** - As playgrounds are renewed identify opportunities to incorporate inclusive play equipment – After the word inclusive add the words "and accessible".
- **Amend the Action 2.2.6** – Continue to encourage local business and venues to upgrade their premises to improve accessibility. Change to – "Continue to work with and encourage local business and venues to upgrade their premises to improve accessibility".

Focus Area 4: Improving Access to Services through better Systems and Processes

- **Amend the Action 4.2.2** – Investigate retaining the DIAP/Healthy Ageing Advisory committee to meet once a year. Change to "Investigate retaining the DIAP Advisory committee to meet a minimum twice a year or as necessary".

How we developed the plan

- Add a list of agencies who **participated** in the consultation process.

Need Help?

- That Council add a Persian (Farsi) translation as it is one of the top 5 languages spoken among the community in Hornsby LGA other than English according to the statistics from the Australian Bureau of Statistics. (This is to be added before submission to the Disability Council of NSW)

- *That the consultation summary report be **placed** online as a separate document*

CONSULTATION

In the preparation of this Report there was consultation with the community and staff of Hornsby Shire, Government, Non-Government Organisations, and the public.

BUDGET

Initiatives arising from the DIAP are designed to become core business of Council. Some actions contained within the DIAP will be developed as part of existing programs and will not require additional resources. In many cases new actions are identified that are additional to Council's provision of services and will require additional resources to be allocated, existing resources to be reallocated or most likely a combination of both.

Implementation of actions contained within the DIAP would occur through the development of Council's future Delivery Programs, annual budgets and Operational Plans. Implementation would be subject to the strategic priorities of Council, the availability and allocation of resources by Council.

To accelerate delivery of the DIAP, Council will seek alternative funding pathways such as applying for grants and working in collaboration with partners. Formal adoption of strategies is often a precursor to successful funding applications from providers such as the NSW and Australian government.

POLICY

The adoption and submission of the DIAP to the Disability Council of NSW is consistent with Council's legislative responsibilities under the NSW Disability Inclusion Act 2014.

CONCLUSION

Council has produced the draft Disability Inclusion Action Plan in consultation with the community and staff of Hornsby Shire, outlining the steps that Council can take to help to build a more inclusive community. The contents of the Plan should be considered as core business for local government in that they seek to ensure that all Council services and functions can be engaged with by all members of the community.


RESPONSIBLE OFFICER

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

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

STEPHEN FEDOROW
Director - Community and Environment
Community and Environment Division

Attachments:

1.  Disability Inclusion Action Plan

File Reference: F2010/00403

Document Number: D08429348

ITEM 4

5 EXHIBITION OF STATE GOVERNMENT EMPLOYMENT ZONE REFORM

EXECUTIVE SUMMARY

- The Department of Planning and Environment (DPE) is currently exhibiting reforms to the Standard Instrument (Local Environmental Order 2006) for Business and Industrial zones.
- On 12 May 2021, Council adopted the Hornsby Shire *Employment Lands Study* (ELS). It identifies key economic and employment trends, including a review of Business and Industrial zones in the *Hornsby Local Environmental Plan* (HLEP) 2013. Council also endorsed actions to amend the HLEP and Hornsby Development Control Plan (HDCP) 2013 in accordance with the recommendations of the ELS.
- Later in May 2021, DPE exhibited a position paper regarding employment zones reform. In response, Council prepared a submission expressing disappointment that the reform was released after strategic work prepared by Council in the form of its adopted ELS. The submission also expressed concern that the zone reform may not reflect local context, with a need for new local provisions to ensure a localised response.
- DPE provided initial advice regarding the transition of the HLEP into the new employment zone framework in November 2021. Council officers requested changes to align with the adopted ELS. A final draft HLEP transition was prepared by DPE in April 2022.
- DPE has placed the employment zone reform transition on public exhibition from 31 May to 12 July 2022. The Department has advised it will consider submissions in consultation with Council officers and finalise the translation, then amend the HLEP to implement the employment zone framework (scheduled for completion by the end of 2022).
- The employment zone translation for Hornsby Shire includes the requested local provisions to respond to local character and the implementation of endorsed actions from Council's ELS.
- A HDCP amendment would also be necessary to complement the translation and support an additional local provision requested by Council.

RECOMMENDATION

THAT Council write to the Department of Planning and Environment to acknowledge that the exhibited employment zone translation includes appropriate local provisions, as requested by Council, to respond to the context of Hornsby Shire's employment lands and is consistent with the Hornsby Employment Land Study.

PURPOSE

The purpose of this Report is to advise Council of draft amendments to the *Hornsby Local Environmental Plan 2013* (HLEP), currently being publicly exhibited by the Department of Planning and Environment (DPE), as part of its employment zone reform programme.

BACKGROUND

At its meeting on 10 October 2018, Council endorsed the commencement of several technical studies under the (then) Department of Planning and Environment's Accelerated Local Environmental Plan (LEP) Review Program. Under the Program, Council received \$2.5m (paid in instalments) to complete a range of technical studies, including the preparation of a Local Strategic Planning Statement (LSPS).

Council's LSPS was adopted in February 2020 and published on the NSW Planning Portal in March 2020. The *Employment Land Study* (ELS) is one of the technical studies identified under the Accelerated LEP Review Program and was prepared by a consultant, HillPDA.

The ELS identifies the key economic and employment issues affecting Hornsby Shire in the context of the North District, provides a review of the business and industrial zoned land within the Shire and includes recommendations for planning controls and directions for strategic land use that support sustainable employment growth in line with the LSPS and the North District Plan.

At its meeting on 12 May 2021, Council adopted its ELS and an associated Implementation Action Plan. Later in May 2021, the Department of Planning and Environment (DPE) placed a position paper on public exhibition that identified issues with the existing B (Business) and IN (Industrial) zones that currently form many of the employment generating zones in NSW planning instruments. In 2022, the Department placed the outcomes of the employment zone reform on public exhibition, including proposed amendments to the HLEP.

DISCUSSION

This report summarises the key elements of the employment zone reform which has now progressed to public exhibition and its implications for the HLEP 2013, including alignment with Council's ELS.

1. Introduction of Employment Reform

In May 2021, the DPE exhibited a position paper that identified issues with the existing B (Business) and IN (Industrial) zones that are currently used for employment generating zones in NSW planning instruments. These zones are set out by the Standard Instrument (Local Environmental Order 2006) (Standard Instrument LEP) and are required to be used in local environmental plans (LEPs), including the HLEP.

The position paper identified a proposed employment zone framework that would reduce the number of zones with the goal of increasing the flexibility and reducing the complexity of employment lands across NSW.

Council officers prepared a submission to DPE responding to the exhibition of the position paper. The submission raised the following concerns:

- Burdening Council resources to re-examine the recently completed ELS and undertake additional strategic planning.
- Reducing the number employment zones and challenges in transitioning the existing zones due to a lack of consideration of local constraints and providing for place-based outcomes.

- A need for local provisions to supplement the employment zones and proactively respond to the unique circumstances of the Shire's employment lands.
- Lack of coordination and integration between the proposal to change the employment zones framework and the previously exhibited proposal to broaden the complying development pathway under Building Business Back Better.

In November 2021, DPE provided Council with an initial translation of Council's B (Business) and IN (Industrial) zones to Employment zones. The translation reduced the number of employment zones from nine to six as outlined in the table below:

Current zone in HLEP 2013	Transition zone for amended HLEP 2013
B1 Neighbourhood Centre B2 Local Centre	E1 Local Centre
B3 Commercial Core	E2 Commercial Centre
B4 Mixed Use	MU1 Mixed Use
B5 Business Development B6 Enterprise Corridor	E3 Productivity Support
IN1 General Industrial IN2 Light Industrial	E4 General Industrial
IN4 Working Waterfront	W4 Working Foreshore

In response to the initial translation, Council officers requested revisions to land use permissibility and local provisions to allow a place-based approach and protect employment land uses as recommended in the endorsed actions in Council's ELS.

On 31 May 2022, DPE placed the outcomes of the employment zone reform translation on public exhibition, including amendments to the HLEP 2013.

2. Implications for the Hornsby Local Environmental Plan 2013

The main implications of the employment zone reform relate to the potential loss of place/character context with the consolidation of the B1 Neighbourhood zone and B2 Local Centre zone and inconsistent residential and employment outcomes with the consolidation of the B5 Business Development and B6 Enterprise Corridor zones. These and other minor issues are further discussed below:

Neighbourhood centre character

As outlined in the table above, the E1 Local Centre zone would replace the B1 Neighbourhood Centre and B2 Local Centre zones in Hornsby Shire. The current B1 Neighbourhood Centre zoned areas include local shops at Cowan, Galston and Normanhurst. Examples of B2 Local Centre areas include larger centres such as Pennant Hills, Cherrybrook and Asquith.

The mandatory permitted land uses in the E1 Local Centre zone would mean that uses such as hotel or motel accommodation, function centres and pubs become permissible on land previously zoned B1 Neighbourhood Centre. However, existing height and floor space restrictions under the HLEP would be retained and applicants would need to demonstrate compliance with other relevant controls (e.g.

traffic, noise and built form). The main issue would be the potential loss of differentiation in scale between a neighbourhood centre and a local centre.

In response to the initial translation provided by DPE in November 2021, Council officers requested a new objective for the E1 Local Centre zone along with a local provision in the HLEP to elevate the Commercial Centres Hierarchy from the DCP. As requested, DPE's public exhibition of the employment zone reform translation includes the intent of such a provision, extracted below.

Cl6.XX Additional considerations applying to certain centres

A new local provision is proposed which will provide further considerations for development assessment for proposals in smaller centres zoned E1 Local centre. These considerations seek to support the character of the centre, the amenity of neighbouring residences and to have regard to the role of the centre within the centres hierarchy established for the local government area.

The final wording of the local provision would be prepared in consultation with DPE and the Parliamentary Counsel's Office, which is responsible for legislative drafting.

An amendment to the HDCP would be necessary to update the commercial centres hierarchy in the DCP. A separate report would be presented to Council seeking endorsement for exhibition of an update to the centres hierarchy after the employment zone reform is finalised.

Summary: The publicly exhibited employment zone reform framework would consolidate the existing B1 Neighbourhood Centre and B2 Local Centre zone. At Council officer request, the DPE's exhibited framework includes a local provision to give effect to Council's commercial centre hierarchy, with the goal of reducing the impacts of the consolidation and allow differentiation in scale between a neighbourhood and a local centre. Council officers will continue to liaise with the DPE regarding the wording and intent of the provision.

Residential land uses in the B1 Neighbourhood Centre Zone (now E1 Local Centre)

Certain residential land uses are currently permitted in the B1 Neighbourhood Centre zone, without the need for commercial elements, including attached dwellings and residential flat buildings. The adopted ELS recommends prohibiting residential land uses (other than shop top housing) in the B1 Neighbourhood Centre zone to protect the quantum of employment zoned land in the Shire. Under the exhibited zone reform, this has been achieved by permitting only shop top housing in the B1 Neighbourhood Centre zone.

The adopted ELS recommends that Council introduce a new local provision for no net loss of commercial floor space, to ensure that shop top housing in business centre zones would not lower the amount of commercial and other employment generating land uses. Restraining residential outcomes to the shop top housing land use would assist in this outcome, though redevelopment could foreseeably reduce overall commercial yield without the ELS's recommended provision.

In response to the initial translation provided by DPE in November 2021, Council officers requested a new local provision that requires that redevelopment for residential purposes in the E1 Local Centre zone result in no net loss of commercial floor space. As requested, DPE's public exhibition of the employment zone reform translation includes the intent of such a provision, extracted below.

Cl6.XX Encourage commercial land uses within the E1 local centre

A new local provision proposed to protect and maintain the provision of commercial and other employment generating land uses in the E1 local centre zone.

The final wording of the local provision would be prepared in consultation with DPE and the Parliamentary Counsel's Office.

Summary: The publicly exhibited employment zone reform framework would limit residential accommodation options in the E1 Local Centre zone to shop top housing, in accordance with Council's ELS. At Council officer request, the DPE's exhibited framework includes a local provision to ensure future redevelopment of these areas would not result in a loss of employment lands in accordance with Council's ELS. Council officers will continue to liaise with the DPE regarding the wording and intent of the provision.

Residential land uses in the B5 and B6 zone (now E3 Productivity Support)

As outlined in the table above, the E3 Productivity Support zone would replace the B5 Business Development and B6 Enterprise Corridor zones in Hornsby Shire. Locations of B5 Business Development zones include urban services lands in the northern portions of the Hornsby Town Centre and employment precincts in Pennant Hills. Locations of B6 Enterprise Corridor zoned land include mixed commercial, office and urban service corridors along Pennant Hills Road in Pennant Hills and Thornleigh and Pacific Highway in Waitara.

The B5 Business Development and B6 Enterprise Corridor zone both currently permit residential land uses as shop top housing. The adopted ELS recommends that shop top housing be prohibited in the B5 Business Development zone, as retail and residential uses can push up rents and limit the opportunity for commercial uses. However, the ELS does not recommend prohibiting shop top housing in the B6 Business Development zone. As such, either permitting or prohibiting the land use in the E3 Productivity Support zone would be inconsistent with the ELS.

The exhibited DPE translation has proposed that all residential accommodation be prohibited in the E3 Productivity Support zone but that shop top housing continue to be permitted on lands currently zoned B6 Enterprise Corridor via the HLEP's Schedule 1 Additional Permitted Uses and associated mapping.

Summary: The publicly exhibited employment zone reform framework would consolidate the existing B5 Business Development and B6 Enterprise Corridor zone. The DPE's exhibited framework prohibits all residential land uses in the E3 Productivity Support zone, but separately permits shop top housing on lands which are currently zoned B6 Enterprise Corridor. This is consistent with Council' ELS recommendations.

Tourist and visitor accommodation in the B5 and B6 zone (now E3 Productivity Support)

The current B5 Business Development zone permits only hotel and motel accommodation and the B6 Enterprise Corridor zone permits all types of tourist and visitor accommodation. The DPE translation proposes to permit only hotel and motel accommodation in the new E3 Productivity Support zone. This would result in tourist and visitor accommodation land uses such as bed and breakfast, serviced apartments and backpackers accommodation being prohibited on land currently zoned B5 Business Development. However, a desktop review of the lands has not revealed the existence of such land uses. The overall impact of the change is likely to be minimal and any existing premises would rely on existing use rights for continued operation.

Summary: The publicly exhibited employment zone reform framework would permit hotel and motel accommodation, but not other tourist and visitor accommodation, in the E3 Productivity zone. The overall impact of the change is likely to be minimal and any existing premises would rely on existing use rights for continued operation.

Food and drink premises in Industrial Zones

As outlined in the table above, the E4 General Industrial would replace the IN1 General Industrial and IN2 Light Industrial zones in Hornsby Shire. Locations of IN1 General Industrial zones include industrial estates at Thornleigh and Mount Kuring-gai. Locations of IN2 Light Industrial zones include smaller transitional precincts at Dural and Asquith.

Food and drink premises are currently permitted in the IN2 Light Industrial zone, but prohibited in the IN1 General Industrial zone, except for kiosks. DPE has proposed that food and drink premises be permitted in the E4 General Industrial zone, which would expand permissibility of food and drink premises on land current zoned IN1 General Industrial.

The ELS notes that restaurants have the potential to displace industrial businesses, but also allow for opportunities for business meetings and social networking for workers. The adopted ELS recommends considering restricting the size of restaurants through local provisions. Council could consider such a provision in the future in response to monitoring the take-up and outcomes of the land use.

Summary: The publicly exhibited employment zone reform framework would consolidate the existing IN1 General Industrial and IN2 Light Industrial zone and permit all types of food and drink premises in the E4 General Industrial zone. This has some potential to displace industrial businesses but could provide benefits for workers and businesses. The implementation of this change will require consideration of amendments to the Hornsby Development Control Plan to potentially restrict the size of restaurants in accordance with the recommendations of Council's ELS. A separate report would be presented to Council seeking endorsement for exhibition of new controls for food and drink premises (if required) after the employment zone reform is finalised.

Function centres and Registered clubs in Industrial Zones

Function centres and Registered clubs are permitted in the IN2 Light Industrial zone but are prohibited in the IN1 General Industrial zone. DPE has proposed that they be prohibited in the E4 General Industrial zone. Prohibition of the uses would reflect the role and function of the two zones as a whole to provide urban support and industrial activities. Any existing premises would rely on existing use rights for continued operation.

Summary: The publicly exhibited employment zone reform framework would prohibit Function centres and Registered clubs in the E4 General Industrial zone. The prohibition would reflect the role and function of industrial zones.

In summary, the exhibited employment zone translation for the HLEP is generally appropriate subject to local provisions being included in the HLEP to respond to local character. The translation also gives Council the opportunity to action the following recommendations from the ELS:

- Strategy 2.2: Increase the utilisation capacity of Hornsby B5 Urban Service Land.
- Strategy 3.2: Protect the role and function of employment lands.
- Strategy 6.1: Amend the definitions in the commercial centre hierarchy recommendations.
- Strategy 6.2: Update the commercial centre hierarchy in the DCP.

NEXT STEPS

Submissions on the Employment zone reforms relevant to the HLEP are being received and compiled by DPE. A summary of submissions and recommendations will be provided to Council officers for consideration. Council officers will continue to liaise with DPE to ensure the translation of the existing

HLEP business and industrial zones into the new employment zone framework is appropriate and generally consistent with the ELS.

A separate report will be presented to Council with an amendment to HDCP Part 4 Business to update the commercial centres hierarchy and ensure consistency across Council's HLEP and HDCP once the employment zone reform is finalised.

CONSULTATION

The employment zone reform process is being led by DPE. DPE is managing the public exhibition process on the NSW Planning Portal. The amendments to HLEP were on public exhibition via the NSW Planning Portal from 30 May to 12 July 2022. Council provided a link to the exhibition material via the Your Say section of the website.

Items placed on public exhibition by DPE include:

- An explanation of intended effect.
- Online mapping to show existing and proposed zones.
- Land use tables.
- Local provisions and additional permitted land uses.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

The employment zone reform project impacts the Standard Instrument LEP, and thus the operation of the HLEP. The amendments to the HLEP would be undertaken via a self-repealing SEPP with no direct action required by Council.

It is noted that Parramatta City Council's comprehensive LEP is currently in its finalisation stage. The comprehensive LEP would formalise the transition of Epping from the HLEP into the Parramatta LEP. This process is anticipated to be completed by the end of 2022, before changes associated with the employment zone reform are made. Accordingly, DPE's exhibited planning controls for the portion of Epping currently within the HLEP application area reflect the anticipated Parramatta LEP planning controls.

Council officers will monitor the progression of the Parramatta LEP finalisation in coming months. In the event of a delay, Council officers will work with DPE to minimise the complexity and duration of impacts on the HLEP.

The draft amendments to the HDCP are required to achieve consistency with proposed local provisions to be implemented in the HLEP via the employment zone reform process. Inclusion of the updated centres hierarchy from the ELS into the HDCP will be reported to Council separately for endorsement for exhibition.

CONCLUSION

The employment zone reform being progressed by DPE will replace the existing eight Business and four Industrial zones under the Standard Instrument LEP with five employment zones and three new zones under different categories.

It is recommended that Council write to the Department of Planning and Environment to acknowledge that the exhibited employment zone translation is generally appropriate subject to local provisions




being included in the Hornsby Local Environmental Plan 2013 to respond to the unique circumstances of Hornsby Shire's employment lands.

RESPONSIBLE OFFICER

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

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  DPE Hornsby LEP 2013 Final Translation
2.  HSC Submission - Employment Zones Reform
3.  Implementation Action Plan - Employment Lands Study

File Reference: F2018/00162#05
Document Number: D08395793

6 PLANNING PROPOSAL - 679 - 685 OLD NORTHERN ROAD, DURAL

EXECUTIVE SUMMARY

- An owner-initiated Planning Proposal has been received which seeks to amend the *Hornsby Local Environmental Plan (HLEP) 2013* to permit a health services facility as an additional permitted land use at Property Nos. 679-685 Old Northern Road, Dural. It also seeks to increase the maximum building height on the site from 10.5 metres to 14 metres.
- The Planning Proposal is attached. Supporting documents, concept plans, ecological, social, traffic, heritage and infrastructure reports are available on Council's website.
- A Letter of Offer to enter a Voluntary Planning Agreement has been submitted, with community benefits including accessibility and traffic works in the area. These items have not been formally considered by Council and would be subject to future negotiations.
- In accordance with Council practice, the proposal was placed on preliminary (non-statutory) exhibition from 27 April to 13 May 2022. Council received three submissions raising objections based on traffic, infrastructure and amenity issues. Submissions from The Hills Shire Council and Transport for NSW were also received outlining matters to be addressed.
- It is recommended that Council not support progression of the proposal to Gateway determination due to inconsistencies with the North District Plan, Ministerial Directions, Local Strategic Planning Statement, Employment Lands Study and Rural Land Study. There are also site-specific merit issues relating to traffic, road infrastructure, landscaping and built form.

RECOMMENDATION

THAT Council not support the progression of the Planning Proposal for Nos. 679-685 Old Northern Road, Dural to permit a health services facility as an additional permitted use and increased building height under the Hornsby Local Environmental Plan 2013, for the following reasons:

1. Inconsistency with the Greater Sydney Regional Plan and the North District Plan.
2. Inconsistency with Section 9.1 Ministerial Directions.
3. Inconsistency with the Hornsby Local Strategic Planning Statement.
4. Inconsistency with the Hornsby Employment Lands Study.
5. Inconsistency with the Rural Lands Study.
6. The proposed land use is incompatible with the rural zone setting.
7. There are potential amenity impacts with the built form on adjoining properties.
8. There are potential traffic impacts on the surrounding road network.

PURPOSE

The purpose of this Report is to present an owner-initiated Planning Proposal for property Nos. 679-685 Old Northern Road, Dural for Council to determine whether the proposal should be supported for progression to the Department of Planning and Environment for a Gateway Determination.

BACKGROUND

On 28 July 2020, a pre-lodgement planning proposal meeting was held to discuss the lodgement of a Planning Proposal seeking to allow a 'health care facility' as an additional permitted use on the rural zoned site. The concept design proposed a health services facility development comprising four storeys, three basement parking levels and a building height of 18.5m. At the meeting, Council officers discussed the strategic work being undertaken by Council, including the Local Strategic Planning Statement (LSPS), Employment Lands Study, the Economic Development and Tourism Study and the (then draft) Rural Lands Study.

The proponent was provided formal advice noting concerns with respect to the inconsistency with Council's strategic plans and overall strategic merit of the proposal to change planning controls to permit an additional permitted use on the rural zoned property. The advice also noted that the height, bulk and scale of the proposal as indicated in concept plans would represent an over development of the site.

In April and July 2021, informal meetings were held between the proponent and Council officers. Advice to the proponent included requirements to address the strategic need for health services in the locality and evaluation of other appropriately zoned sites, consistency with State and local strategic plans, consultation with The Hills Shire Council and analysis of impacts on Round Corner, traffic and parking issues and the public benefit of the proposed changes to planning controls.

On 9 December 2021, a further pre-lodgement planning proposal meeting was held to discuss the lodgement of an amended Planning Proposal seeking to allow a 'health care facility' as an additional permitted use and an increase in the maximum building height to 14 metres on the rural zoned site. The concept design proposed a health services facility comprising three storeys, two basement parking levels and a building height of 14m. At the meeting, Council officers discussed the findings and recommendations of key strategic documents endorsed by Council, including the Local Strategic Planning Statement (LSPS), Employment Lands Study, the Economic Development and Tourism Study, and the (now finalised) Rural Lands Study.

The proponent was provided formal advice noting concerns with respect to the inconsistency with State and Council strategic plans and overall strategic merit of the proposal to change planning controls to permit an additional permitted use on the rural zoned property.

A presentation was provided by the proponent to Councillors at an informal workshop on 6 April 2022. At the workshop, the proponent identified that the Planning Proposal is appropriate as it would respond to the need for health-related services within metropolitan rural lands of Hornsby and The Hills Shire and would be compatible with the emerging character of the Round Corner Town Centre and surrounding area.

The planning proposal was subsequently submitted to Council on 8 April 2022.

DISCUSSION

This report considers the merits of the Planning Proposal (attached) in relation to State and local planning policies and the potential impacts of the proposal. Preliminary consultation and submissions received are also summarised.

1. The Site

The site comprises two allotments, identified as Lot 3 DP395437, Property Nos. 679-681 Old Northern Road, Dural and Lot 1, DP120004, Property Nos. 683-685 Old Northern Road, Dural. The site is located on the eastern side of Old Northern Road, and to the south of the Round Corner Town Centre (within The Hills Shire).

The site is rectangular in shape with an area of approximately 3,471m². The site has a frontage of 48.85 metres to Old Northern Road and a depth of 90 metres. The site experiences a fall of 10% from the Old Northern Road frontage to the eastern, rear corner boundary.

Property Nos. 679-681 Old Northern Road contains a two-storey dwelling house and in-ground swimming pool. Property Nos. 683-685 Old Northern Road contains a single storey dwelling house centrally located within the allotment.

The site contains vegetation predominantly within the southern portion of the property and within the frontage along Old Northern Road, comprising a combination of native and exotic species including Southern Blue Gum (*Eucalyptus bicostata*) and Smooth-barked Apple (*Angophora costata*). Remnant vegetation along Old Northern Road and within adjacent private lands has been mapped as Sydney Turpentine Ironbark Forest (STIF) which is listed as a Critically Endangered Ecological Community under the *NSW Biodiversity Conservation Act 2016*.

Site access for pedestrians and vehicles is via Old Northern Road along the western boundary of both allotments. Vehicle access to the allotments is via two separate driveways at Nos. 679-681 and Nos. 683-685 Old Northern Road. An existing pedestrian footpath located along the Old Northern Road frontage and a pedestrian refuge island located directly to the west of the subject site provide pedestrian access to, and from, the Round Corner Commercial Centre and adjoining properties. An existing bus stop accommodating regular Sydney Bus Services is located directly south-west of the subject site.

Adjoining land uses include a veterinary hospital to the north (Nos. 687-689 Old Northern Road), a seniors housing development to the east (Nos. 705-717 Old Northern Road) and dwelling houses to the south (Nos. 675-677 Old Northern Road). To the west of the site, within The Hills Local Government Area, the existing vacant land (Nos. 488-494 Old Northern Road, Dural) is zoned B2 Local Centre and R3 Medium Density Residential and permits a maximum building height of 18m. Development consent for a mixed-use development accommodating two-storeys of retail/commercial space and two basement level carparks on the site was approved in 2021.

A heritage listed dwelling (Heritage item No. 347) is located at Nos. 671-673 Old Northern Road to the south of the site.

2. The Planning Proposal

The Planning Proposal seeks to amend the HLEP by:

- Amending Schedule 1 – Additional Permitted Uses, to permit the development of a health services facility at Nos. 679-685 Old Northern Road, Dural.
- Amending the Additional Permitted Uses map to identify the site.
- Amending the Maximum Building Height map to reflect a maximum building height of 14 metres for the site.

The concept plans submitted with the application include a three-storey, diversified health services facility comprising the following:

- 19 specialist consulting rooms.
- A 16-room medical centre.
- Pathology collection area.
- Medical imaging centre.
- 172m² of ancillary retail space.
- Medical laboratories.
- Day surgery with 4 operating rooms.
- 20 recovery bays.
- 15 short stay beds.
- An ambulance bay.
- Two basement car parking levels accommodating 164 motor vehicles spaces.

The proposed vehicular access to, and from, Old Northern Road would comprise a left-only entrance driveway at the northern frontage of the site and a left-only exit driveway at the western frontage of the site, separated by a 29m wide vegetated nature strip. The concept plan indicates an internal road where vehicles would cross the front of the building then one-way traffic would circulate in an anti-clockwise direction around the building, crossing the front of the building again to reach the exit driveway. Drop off areas are proposed at the western frontage of the building with access to the basement car park and loading dock to the rear at the eastern building elevation.

The proposal identifies that over 30 trees are located on site, of which 24 would be removed to deliver the concept plan.

A letter of offer to enter a voluntary planning agreement has been submitted with the planning proposal, with public benefits comprising public domain and pedestrian accessibility works. These works are proposed to be integrated with the surrounding public domain works associated with development at No. 660 Old Northern Road, Dural and Nos. 488-494 Old Northern Road, Dural (within The Hills LGA). The following items of public benefit are identified:

- A footpath along the frontage of the site, as well as footpath upgrades along the eastern side of Old Northern Road north of the site to connect the existing signalised pedestrian crossing at the Kenthurst Road intersection.
- Road works along Old Northern Road, including the refurbishment of the pedestrian refuge island directly to the west of the site.
- Street planting along the eastern side of Old Northern Road between the site and Kenthurst Road intersection.
- Relocation of the existing bus shelter to the south of the site.

Supporting documentation and technical studies submitted in support of the proposal include:

- Architectural Plans (Health Projects International, 8 April 2022)
- Site Survey (Richard & Loftus, 22 February 2022)
- Urban Design & VIA (Architectus, December 2019)

- Landscape Plan (John Chetham & Associates, 25 January 2022)
- Sieving Assessment (Architectus, 2 February 2022)
- Market Assessment (Health Projects International, 8 March 2022)
- Agricultural Viability Assessment (Edge Land Planning, March 2022)
- Traffic & Transport Assessment (The Transport Planning Partnership, 9 March 2022)
- Arboricultural Assessment (EcoLogical Australia, 7 April 2022)
- Flora & Fauna Assessment (EcoLogical Australia, 16 December 2021)
- Aboriginal Heritage Assessment (Extent Heritage, 18 January 2022)
- Heritage Impact (Extent Heritage, 4 February 2022)
- Acoustic Assessment (Norrebro Design, 7 February 2022)
- Preliminary Site Inspection (Geotechnique Pty Ltd, 22 December 2021)
- Civil Plans & Stormwater Assessment (CHRISP Consulting, 14 February 2022)
- Bushfire Advice (EcoLogical Australia, 16 December 2021)
- Infrastructure & Services Assessment (Diversi Consulting, 18 November 2021)
- Economic Viability Impact Assessment (Atlas Urban Economics, March 2022)
- Voluntary Planning Agreement (Healing ONR, 2 March 2022)
- Strategic Planning Framework (Keylan Consulting, March 2022)
- Design Statement (Health Projects International, 18 February 2022)
- Stakeholder Consultation – (Various)
- Sewage Report (CHRISP Consulting, 2 March 2022)

The Planning Proposal is attached to this report and the above listed documents can be viewed at <https://www.hornsby.nsw.gov.au/property/build/policies/planning-proposals/Planning-Proposal-for-679-685-Old-Northern-Road,-Dural>.

The concept plans have been submitted to seek to demonstrate that the proposed use could reasonably be accommodated on the site. Should the Planning Proposal be progressed, the development of a health services facility would not be limited to the design shown on the concept plans. Development would be the subject of a future development application.

3. Strategic and Statutory Context

Relevant policies and legislation are discussed below. The proponent has submitted a Strategic Planning Framework Assessment which suggests that the proposal demonstrates strategic merit with reference to aspects of the Greater Sydney Region Plan, the North District Plan, Section 9.1 Local Planning Directions, the Hornsby Local Strategic Planning Statement, Hornsby Employment Land Study and the Hornsby Rural Land Study. The proponent's comments are outlined below where they differ from Council's assessment of strategic merit.

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

A Metropolis of Three Cities – the Greater Sydney Region Plan (GSRP) has been prepared by the NSW State Government to guide land use planning decisions for the next 40 years (to 2056). The North District Plan (NDP) is a guide for implementing the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning.

The plans set key strategies and actions for accommodating Sydney's future population growth and identifies several objectives or planning priorities under five key themes including infrastructure and collaboration, liveability, productivity, sustainability and implementation.

The planning priorities of NDP and objectives of the GSRP most relevant to the proposal are addressed below. These are addressed in order of relevance.

Planning Priority N10: Growing investment, business opportunities and jobs in strategic centres

In the North District Plan, under *Planning Priority N10: Growing investment, business opportunities and jobs in strategic centres*, there is one action that Council is required to consider in land use planning that are relevant to the proposal:

- Action 43. *Strengthen Hornsby through approaches that: (in part):*
 e. support health-related land uses and infrastructure around Hornsby-Ku-ring-gai Hospital

This action aligns with Objective 22 of the Greater Sydney Region Plan that seeks investment and business activity in centres.

Proponent Assessment: The proponent states that the proposed health services facility would be a compatible land use within an identified town centre (Round Corner) according to The Hills Shire LSPS. The proposed health services facility would assist in meeting an identified shortfall in health-related services for an ageing and growing rural population in the Metropolitan Rural Area (MRA), and benefit the trading potential of the Round Corner Town Centre and surrounding land uses.

Response: Council's Employment Land Study addresses the above action through directions to support sustainable growth, particularly around the Hornsby Town Centre. The location of the proposed health services facility in Dural would decentralise a health-related land use away from the area around the Hornsby Ku-ring-gai Hospital which is inconsistent with the Greater Sydney Region Plan, North District Plan and its actions for growing investment, business opportunities and jobs in strategic centres.

Planning Priority N9: Growing and investing in health and education precincts

In the North District Plan, under *Planning Priority N9: Growing and investing in health and education precincts*, there is one action that Council is required to consider in land use planning that are relevant to the proposal:

- Action 29. *Facilitate health and education precincts that:*
 a. create the conditions for the continued co-location of health and education facilities, and services to support the precinct and growth of the precincts

This action aligns with Objective 21 of the Greater Sydney Region Plan seeks to develop internationally competitive health, education, research and innovation precincts.

Proponent Assessment: The proponent submits that although the proposal does not form part of an identified health precinct, it responds to an identified gap of day surgeries and hospitals in the market within the Round Corner/Dural locality. Due to Round Corner's poor public transport connectivity to

established health precincts within Hornsby and The Hills Shire LGAs, the surrounding aged care and seniors housing land uses and an undersupply of acute private hospital beds within the region, the proposed development would result in a more equitable distribution of health services throughout Hornsby Shire.

Response: Council's Employment Land Study addresses the above action through directions to create a health and social services precinct in and around the Hornsby Ku-ring-Gai Hospital. The location of the proposed health services facility in Dural would locate an incompatible land use away from the designated Hornsby health and social services precinct resulting in an isolated development removed from vital services and limiting connectivity to associated land uses. Accordingly, the proposal is inconsistent with the North District Plan and its actions for creating conditions to grow and invest in health and education precincts with appropriate services and facilities.

Planning Priority N18: Better managing rural areas

In the North District Plan, under *Planning Priority N18: Better Managing Rural Areas*, there are two actions that Council is required to consider in land use planning that are relevant to the proposal:

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.*

This action aligns with Objective 29 of the Greater Sydney Region Plan that seeks to ensure that the environmental, social and economic values in rural areas are protected and enhanced.

Proponent Assessment: The proponent acknowledges that the site is located within land identified as the Metropolitan Rural Area (MRA), however suggests that the site is within the urbanised footprint of Round Corner Town Centre which has low scenic value and existing site constraints with limited opportunities for agricultural land uses. The proponent also suggests that the site is no longer able to meet its 'highest and best use' due to the shift to urban development in the locality. Further, the Planning Proposal would not result in a precedent for similar developments in the vicinity due the rural zoning being retained.

Response: Council has recently finalised a Rural Lands Study that has addressed the above actions through a place-based planning approach (see below under the heading Rural Lands Study). Council's assessment notes that the site is not located within the Round Corner Town Centre and the proposed health services facility on a rural zoned property is inconsistent with the GSRP and the North District Plan as it would not enhance the values of the rural area and does not limit urban development to urban areas.

The proponent's Strategic Framework Assessment has addressed a number of other planning priorities in the NDP and objectives of the GSRP which are of lesser relevance to the Planning Proposal – this can be viewed at <https://www.hornsby.nsw.gov.au/property/build/policies/planning-proposals/Planning-Proposal-for-679-685-Old-Northern-Road,-Dural>.

Section 9.1 Local Planning Directions

Section 9.1 of the *EP&A Act* allows the Minister for Planning (the Minister) to provide direction to Council in relation to the preparation of draft local environmental plans. The directions considered for the planning proposal commenced on 1 March 2022.

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 (e.g. the Greater Sydney Region Plan). The direction requires a planning proposal to be consistent with a Regional Plan released by the Minister for Planning.

Proponent Assessment: The proponent notes that the planning proposal is consistent with the Greater Sydney Region Plan, and as a result would be consistent with this Direction.

Response: Council's assessment identifies that the Planning Proposal would result in a health services facility on rural zoned land in proximity to the Round Corner Town Centre, with limited access to infrastructure and associated services in a pedestrian catchment.

The location of the proposed health services facility in Dural would decentralise a health-related land use away from the area around the Hornsby Ku-ring-gai Hospital and would not give effect to the North District Plan and its actions for growing investment, business opportunities and jobs in strategic centres.

The Planning Proposal is inconsistent with the Planning Priorities of the Greater Sydney Region Plan and North District Plan, particularly those related to Objective 21 (develop internationally competitive health, education, research, and innovation precincts) and Objective 29 (ensure that the environmental, social, and economic values in rural areas are protected and enhanced).

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 proponent has submitted indicative concept plans to identify the potential built form envisaged on the site to be facilitated by the proposed changes to planning controls. Further, the proponent notes that they are open to preparing a site specific DCP following a Gateway Determination as the current provisions within the Hornsby DCP 2013 do not provide appropriate built form controls for a health services facility on the site.

The proponent acknowledges that the planning proposal is inconsistent with this Direction, however they consider the inconsistency to be minor in nature and justifiable as it provides greater certainty on the form and function for future development on the site.

The proposal seeks a health services facility as an additional permitted use as it would provide certainty of the future use on the site without adding the land use to the permissible uses in the RU2 zone generally or rezoning the site. Additional site specific development controls would be appropriate to address matters relating to build form, site access, setbacks and design.

The inclusion of a health services facility as a permitted land use in rural zones would not be recommended due to built form incompatibility, lack of appropriate services and infrastructure within

the vicinity, and issues related to conflicting land uses. Further, it would be inconsistent with the outcomes of the Rural Lands Study (see discussion below under the heading Rural Lands Study).

Rezoning of the site to a business zone (in which health services facilities are currently permitted in the HLEP) would also not be appropriate, as this would provide greater opportunities for development of a range of commercial activities within an otherwise rural area. Allowing a business zoned site within the broader surrounding rural zoned lands would result in land use conflicts with adjoining properties, including interfacing issues and amenity impacts.

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 contain provisions that facilitate the conservation of items of heritage significance to the area.

The property is not listed as a heritage item and is not located within a Heritage Conservation Area (HCA) under Schedule 5 of the Hornsby Local Environmental Plan (HLEP) 2013. The property is however, located within the vicinity of:

- Heritage item No. 347 - House at Nos. 671-673 Old Northern Road, Dural
- Heritage item No. 488 – Roadside Trees, Old Northern Road
- Archaeological item No. A12 (*The Hills Shire LEP 2019*) – Old Northern Road, between Dural and Wisemans Ferry

The proponent submitted a Statement of Heritage Impact and Aboriginal Heritage Assessment which identifies that the future development of the site would have no direct impact on any local heritage items in the vicinity or impacts on significant historic views and settings.

Council's heritage evaluation of the proponent's technical reports and description of proposed changes to the subject site concurs that the planning proposal would have no direct impact on the significant aspects of the adjacent heritage or archaeological items. Accordingly, the planning proposal is consistent with this 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 would affect, or are located in proximity to, bushfire prone land.

The proponent submitted a Bushfire Advice Statement which identifies that the site is not identified as bushfire prone land and as a result this direction is not applicable.

It is acknowledged that the site is not identified as bushfire prone land however, it is located approximately 89m north-east and 110m north-west of land identified as a bushfire risk buffer zone. Should a gateway determination be issued, the NSW Rural Fires Service would be consulted prior to undertaking community consultation to determine whether the proposal is acceptable with respect to bushfire risk and whether further information, such as a bushfire risk assessment is required.

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 proponent submitted a Preliminary Site Investigation which identifies the subject site has potential for contamination and further investigation would be required to ensure the site is appropriate for the proposed use and to ensure consistency with this direction.

The site is located 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 technical report and associated documentation identify that the concept plans submitted with the proposal indicate extensive excavation across the site for the purposes of underground parking which would likely mitigate any potential contaminants onsite.

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).*
- *The Right Place for Business and Services – Planning Policy (DUAP 2001).*

Proponent Assessment: The proponent acknowledges that the locality of the site and surrounding Round Corner Town Centre is disconnected from proposed health-related land use precincts, namely the Hornsby Ku-ring-gai Hospital and Health precinct (Hornsby Shire) and the planned Rouse Hill Hospital (The Hills Shire), without public transport connections. However, the planning proposal would allow a health services facility within an accessible catchment for local residents of Round Corner enabling ageing in place, improved walkability and diversity of employment opportunities and services within the broader area.

Response: It is acknowledged that the planning proposal would increase permissible commercial density within a walkable catchment of the Round Corner Town Centre and a serviced Sydney Bus line. However, a health services facility would encourage and be largely reliant on private vehicle usage to access the services provided.

The planning proposal for an out of centre, vehicle generating land use is generally inconsistent 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 not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

Proponent Assessment: The proponent indicates that the planning proposal is consistent with this direction because the proposal does not seek to rezone the site from a rural zone, and the increase in maximum building height on the site relates to the locality within an existing town centre (i.e. Round Corner Town Centre) and it is not inconsistent with the surrounding urban context. Further, the proponent submitted an Agricultural Viability Assessment that identifies that the site is no longer

suitable for intensive agriculture due to its land size, topography, soil quality and locality on the fringe of an existing town centre.

Response: It is acknowledged that the planning proposal does not propose a rezoning. However, it proposes a health service facility as an additional permitted use on a rural zoned lot. Health services facilities are currently permitted in business zones.

A health services facility as an additional permitted use would have a similar impact to a rezoning of the site to business as it would facilitate an urban use and an increase in the density of development permitted on the site. Accordingly, the planning proposal is generally 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. These matters are considered under the themes of Liveable, Sustainable, Productive and Collaborative.

Under the theme of 'Productive', the LPSP identifies that Council will investigate options to enhance the provision of the local health and education services and ensure that any new health and education facilities and services are delivered alongside any expected growth. For health facilities in particular, the LSPS states:

"Locating health and other social infrastructure within the Hornsby Town Centre has a number of advantages including proximity to larger health providers, high accessibility for people of all ages and abilities and clustering services that cater to people's needs at different stages of life."

Further, the relevant priorities and actions in the LSPS include:

- Action SA11: Finalise the Rural Lands Study
- Action SP8: Maintaining and enhancing the environmental, economic and scenic values of the Metropolitan Rural Areas of Hornsby
- Action PP3: Focussing economic development in and around existing centres and employment precincts in the Shire, with a key focus on the strategic centre

Proponent Assessment: In addressing Action SP8, the proponent suggests that the site is unable to deliver an agricultural land use, as it is located within an urbanised area of the rural lands with low visual significance, and the site-specific proposal would result in a better planning outcome for the area.

Response: The Rural Lands Study has recently been finalised and will inform future amendments to the LSPS which include identification of landscape areas and new actions relating to managing rural lands. Although it is acknowledged that rural activities may not be sustainable on the site, the George's Creek landscape area does not recommend further urban or commercial land uses within rural zoned land (see below under the heading Rural Lands Study).

Proponent Assessment: In addressing Action PP3, the proponent suggests that the majority of Hornsby's resident workforce is employed outside of the Shire which impedes on the lifestyle of commuting residents. As health services are to be provided alongside future areas of population growth and public transport connectivity to identified health precincts within the Hornsby Ku-ring-Gai Hospital and Rouse Hill Hospital is poor, the planning proposal would meet an identified shortfall in

the locality, contribute to urban revitalisation of the town centre and boost the health sector for Hornsby Shire.

Response: Actions relating to focusing economic development in, and around, strategic centres (PP3) are supplemented by the recommendations and actions outlined in the adopted Employment Land Study (discussed further below). Although it is acknowledged that a significant portion of the Hornsby Shire resident workforce is employed outside the local government area, the ELS recommends that health service facilities be developed around Hornsby Ku-ring-gai Hospital, to ensure services are located in designated growth areas (Hornsby Town Centre) and that appropriate access is facilitated in well serviced areas of the Shire.

A site-specific planning proposal for a health services facility on rural zoned is generally inconsistent with LSPS actions.

The proponent has addressed a number of other priorities of the Hornsby LSPS which are of lesser relevance to the Planning Proposal, however they are included in the attached document for consideration.

Employment Lands Study

Council's *Employment Lands Study* (ELS) provides a strategic framework to facilitate and accommodate future employment growth within Hornsby Shire in the context of the North District Plan. The ELS was endorsed by Council in May 2021.

The ELS identifies health care and social services as a standout growth industry for Hornsby Shire over the ten-year period to 2016, with a concentration of this land use type focused around key employment centres including Hornsby and Asquith. The ELS also identifies that Hornsby Shire has experienced an ageing of the population, comprising 84% of the net growth in the LGA, which would increase the demand for health-related services to be provided in and around Hornsby's commercial centres and hospital precincts.

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

- Strategy 4.2: Support the growth of agriculture, manufacturing and tourism
- Strategy 4.4: Partnerships with the health and social services industry
- Strategy 5.1: Road networks are appropriate to accommodate growth

Proponent Assessment: The proponent's Agricultural Viability Assessment identifies that the site has been sterilised by its size, slope, and surrounding urban uses, as well as the underlying property value shift due to its existing residential use. It is suggested that redevelopment of the site would assist address land conflict issues in the locality and expansion of the Round Corner Town Centre.

Response: The ELS recommends protecting and supporting the productivity of rural lands, including undertaking meaningful engagement with local producers and industries to determine pathways to further support the productivity of rural lands as part of the Rural Land Study and Economic Development and Tourism Strategy. The Planning Proposal to permit a health services facility on a rural zoned lot would introduce a large-scale commercial operation into a low scale area with a rural context and not align with the Council's strategic approach to rural lands and economic development.

Proponent Assessment: In addressing Strategy 4.4, the proponent suggests that the future redevelopment of the site as a health services facility may facilitate partnerships between the health and social services industry sectors.

Response: The ELS recommends focusing health and social service industries in, and around, the current Hornsby Hospital site, to encourage a concentration of health-related land uses that are accessible and well serviced. The Planning Proposal intends to provide a diversified health services facility on rural zoned lands within Dural/Round Corner area, approximately 8.6 kilometres west of the Hornsby Hospital. This location is decentralised from compatible land uses resulting in an increased reliance on motor vehicle use and travel for associated services.

Proponent Assessment: The proponent's Traffic and Transport Assessment concludes that the traffic generated by the proposed development would have a minor impact on the surrounding road network relative to the substantial development and growth expected in the areas, including level of service ratings at all intersections.

Response: The ELS notes that several road networks within Hornsby Shire are at or nearing capacity resulting in congestion, limiting vehicle movement efficiency and commercial growth. The ELS recommends a Transport and Traffic Study be undertaken to identify priority areas and work with Transport for NSW to assist in easing the capacity on key road networks, including New Line Road. The site adjoins the State arterial road of Old Northern Road under the jurisdiction of Transport for NSW (TfNSW) and the proposed health services facility would result in increased vehicular movements to and from the site, along Old Northern Road and increase pressure on the Dural Road network more broadly.

The Planning Proposal would result in an outcome that is inconsistent with the ELS.

Rural Lands Study

The Rural Lands Study (RLS) has been prepared to set the strategic direction for the rural lands within Hornsby Shire. It addresses actions in the North District Plan to use place-based planning to maintain the values of the area and deliver targeted environmental, social and environmental outcomes. The RLS was finalised by Council in June 2022.

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 Study identifies 13 landscape areas and a character statement for each.

The site is located within the Georges Creek landscape area, which comprises land within the suburbs of Dural and Glenhaven, bounded by Old Northern Road, New Line Road and Hastings Road. The character statement for Georges Creek is:

'Georges Creek winds through this landscape area and provides a densely treed backdrop which lends a green and rural feel to the area. In this location, remnant native vegetation is tall, and the dominant vegetation communities are Blackbutt Gully Forest, Turpentine Ironbark Forest and Blue Gum High Forest.'

'There is a wide variety of land uses in this landscape area, including urban services (garden centre, auto repairs), retirement living, and rural lifestyle properties. These activities are clustered along Old Northern Road and New Line Road, across from the South Dural Service Centre. The feel along main roads is one of mixed uses, while travelling down smaller local roads gives a sense of arrival in a rural lifestyle area.'

'The landscape area abuts nearby urban areas of Glenhaven and Castle Hill. The open space and scattered vegetation, marks a transition to Hornsby Shire's rural area.'

The Study recommends preserving non-urban breaks between villages by avoiding ribbon development on major roads. This may include collaboration with the Hills Shire Council to manage the boundary between the landscape area and urban areas, as well as updating the DCP to include design details for retail and commercial development adjoining Old Northern Road to ensure it is sympathetic to surrounding landscape.

The Study also recommends that Georges Creek landscape area be retained for productive agricultural land and that additional land uses be introduced to support primary production activities including agribusinesses, rural industry and tourism.

Proponent Assessment: The proponent states that the site is sterilized by surrounding urban development and the proposed redevelopment would be compatible with the locality and support the expansion of the Round Corner Town Centre. The proponent contends that a health services facility on the site would provide a pedestrian accessible service in close proximity to a local centre, while also supporting a need for health services within the rural areas of Hornsby and The Hills Shires.

Response: In accordance with the Rural Lands Study, a 'health services facility' is not recommended as a permitted use in conjunction with agricultural activities in the Georges Creek landscape area. It is further noted that The Hills Shire Council has indicated that the planned expansion site at Nos. 488-494 Old Northern Road, Dural will service future retail demand in the area, no further expansion is planned for the Round Corner Town Centre and suitably zoned land that permits a health services facility is located either within the Round Corner Town Centre or around the Rouse Hill Hospital site.

A site-specific planning proposal for a health services facility is inconsistent with the Rural Land Study.

Economic Development and Tourism Strategy 2021-2026

The *Economic Development and Tourism Strategy 2021-2026* has been prepared to provide Hornsby Shire Council, in its role as a promoter and a facilitator of economic development, with a well-articulated plan of action to support the vibrancy, diversity and sustainability of the Hornsby Shire. The Strategy was endorsed by Council in May 2021.

As highlighted in the Strategy, Hornsby Shire currently hosts approximately 9000 jobs in Health Care and Social Assistance sector, provided by over 1000 businesses. The local employment capacity in the Health Care and Social Assistance sector is approximately 0.8 – which suggests that the new jobs created by the development would benefit local people working in the sector who are currently travelling outside of the Shire to work. The industry added value of Health Care and Social Assistance is more than \$600 million per annum - which is 12% of total industry added value – highlighting the importance of the sector to the local economy.

However, the Economic Development and Tourism Strategy recommends several actions for health-related land uses and the Hornsby Shire rural lands. The following are most relevant to the Planning Proposal:

- Action 2.12: Investigate opportunities for a university campus and / or broader education and health hub to be incorporated into the Hornsby Town Centre revitalisation.
- Action 3.3: Support Hornsby Shire's rural and river communities through delivery of the Rural Lands Strategy – including, potentially, the development of a separate Destination Management Plan.

Proponent Assessment: The proponent acknowledges that the health care and social assistance sector is one of the most important employment and value-adding industries for Hornsby Shire's

economy and is a foundation for future economic growth and development in the LGA. The proponent suggests that the proposed health services facility aligns with the Strategy as it will *“generate further economic value, boost employment opportunities and provide sustainable growth in the health care sector to support economic growth of the LGA”* including 180 additional full-time jobs and annual economic activity of \$34.9 million in output.

Response: The proposal seeks to establish a health services facility which may build on the economic strengths of the Health Care and Social Assistance sector within Hornsby Shire. However, the proposal would be counterproductive to supporting opportunities to grow a health hub/precinct within the Hornsby Town Centre and would introduce a large-scale commercial operation into an area with a low scale and rural context.

The proposal would result in an outcome that is inconsistent with the Economic Development and Tourism Strategy.

Hornsby Local Environmental Plan 2013

The proposal does not propose to change the zoning of the site from RU2 Rural Landscape or SP2 Infrastructure – Road. The objectives of the RU2 (Rural Landscape) zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To encourage land uses that support primary industry, including low-scale and low-intensity tourist and visitor accommodation and the provision of farm produce direct to the public.*
- *To ensure that development does not unreasonably increase the demand for public infrastructure, services or facilities.*

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.*

There are a range of land uses permitted in the RU2 zone that are considered compatible with the zone objectives. These include (but are not limited to) aquaculture, animal boarding or training establishments, community facilities, dwelling houses, eco-tourist facilities, extractive industries, farm buildings, garden centres, intensive livestock agriculture, intensive plant agriculture, roadside stalls, bed and breakfast accommodation and farm stay accommodation. The SP2 land is identified in the HLEP Land Acquisition map for road widening.

The Planning Proposal seeks to add the site to Schedule 1 – Additional Permitted Uses to permit a health services facility on the site, which is currently prohibited within the RU2 and SP2 land uses zones. The definition for health services facility is provided below.

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following –

- a) *A medical centre.*

- b) *Community health service facilities.*
- c) *Health consulting rooms.*
- d) *Patient transport facilities, including helipads and ambulance facilities.*
- e) *Hospital.*

The Planning Proposal also seeks to

- Amend the Additional Permitted Use map to identify the site.
- Amend the Height of Buildings map to increase the maximum building height from 10.5m to 14m.

This proposal would not require a change to the zoning or application of Floor Space Ratio for the site, however a change to development standards for height would occur. 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 2013

The Hornsby Development Control Plan 2013 (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* and *Part 2 Rural*.

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 4 – Business: Includes controls concerning the scale, setbacks, landscaping, traffic management work and vehicle access and parking for business lands. Although this does not directly apply to the site, the controls within this section can be considered as a guide for the proposed land use.

Should a gateway determination be issued, further consideration of site specific HDCP controls for the health services facility would be required. HDCP controls would be necessary to control the built form, scale, vehicular access and landscape outcome of a future development.

4. 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

Old Northern Road is a classified State arterial road under the jurisdiction of Transport for NSW (TfNSW). The requirements of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) should be considered as the proposed land use (commercial premise) is identified as a traffic-generating development under Clause 104 and the subject site adjoins a road

that is subject to Clause 101(2a) of the Infrastructure SEPP. Concurrence with TfNSW would be required for the proposal to progress.

A portion of the proposed development site (Nos. 679 – 681 Old Northern Road) along the front, north-western portion of the site is zoned SP2 Infrastructure and is identified for road widening on Council's Land Reservation Map for the purpose of Classified Road. The proposal does not propose any works to occur within the SP2 portion of the site. However, further consultation with TfNSW would be required regarding the proposed timing, works involved and design requirements along the site frontage for road widening.

The proponent's Traffic and Transport Assessment considers traffic generation of the proposed development with estimated hourly vehicle movements during the morning peak, afternoon peak and Saturday peak using the TfNSW Trip Generation Surveys – Medical Centres Analysis Report. Based on these figures, it is estimated that the proposed development would generate between 117 and 131 vehicles per hour during peak periods. Concern is raised with the adopted trip generation rates for the proposed development based on TfNSW's Trip Generation Surveys – Medical Centres Analysis Report. A higher trip generation rate such as that cited for the Dural Medical Centre is more appropriate and the submitted Traffic Report should be updated accordingly because it is more representative of a health facility outside a commercial centre/urban setting.

The proponent's Traffic and Transport Assessment also provides future traffic growth using estimates based on TfNSW's 'Sydney's Travel and Forecast Model' (STFM) and the potential impact on the surrounding road network using SIDRA Intersection modelling. The proponent's modelling assumes that majority of visitors/customers for the site would arrive from the north, via Kenthurst Road and Old Northern Road, and exit the site southbound via Old Northern Road and utilising various routes to travel northbound. Estimated traffic generated by approved developments (at Nos. 488-494 Old Northern Road and 669 Old Northern Road) utilising the surrounding Old Northern Road network have also been considered within future modelling scenarios.

The proponent's analysis concludes that the resulting unrelated background growth in traffic from surrounding approved developments at Nos. 488-494 Old Northern Road and 669 Old Northern Road, as well as generalised population growth in the Round Corner area, would result in the road network nearing capacity. The proponent states that the additional traffic generated by the proposed development is expected to have a minor impact on the road network. This assessment undervalues the localised impacts of the proposed development, particularly the flow on effect of left-in/left-out access to the site on surrounding streets such as Franlee Road and Stonelea Circuit.

Should a Gateway Determination be issued, the proponent should be requested update their Traffic and Transport Assessment with revised traffic generation for the site using the recommended trip rates from TfNSW Trip Generation Surveys – Medical Centres Analysis Report.

Parking

The proponent's concept plans and traffic assessment suggests the provision of 164 car parking spaces as part of the future development.

The car parking requirements for the indicative concept plan have been assessed against the Hornsby DCP 2013, The Hills DCP 2012 and the RMS Guide to Traffic Generating Developments 2002, as parking rates for a health services facility are not specifically prescribed under any of the applicable planning instruments or guides. The proponent's Traffic and Transport Assessment proposes that a total of 170 car parking spaces would be required according to applicable parking rates. The proponent notes the use of a combination of parking rates for associated land uses,

including medical centre, health consulting rooms, retail and day surgery, prescribed within the Hornsby and The Hills DCP's. The proponent also notes that parking rates within the RMS Guide were not used as the only appropriate land use (private hospital) defined number of beds as a factor for the parking rate formula.

The proponent has recommended the shortfall of 6 car parking spaces is acceptable as the retail parking provisions would accommodate retail staff only and anticipate that the retail uses would be utilised by patients, visitors and staff of the proposed health services facility. Due to the limited opportunities for on-street parking in the vicinity of the subject site, reductions in parking supply would be considered post-Gateway as part of a refinement of the proposal.

Vehicular Access

The indicative concept design proposes the construction of a left-only entrance driveway at the northern frontage of the site and a left-only exit driveway at the western frontage of the site, separated by a 29m wide vegetated nature strip. The concept plan indicates an internal road where vehicles would cross the front of the building then one-way traffic circulating in an anti-clockwise direction around the building. Drop off areas are proposed at the western frontage of the building with access to the basement car park and loading dock to the rear at the eastern building elevation.

The Traffic and Transport Assessment identifies the proposed development would be a Class 3 parking facility that would need to be designed as a Category 4 Access according to the Australian Standards 2004 Parking Facilities, which specifies a 6-8m entry and exit width with a separation between driveways of 1-3m. Accordingly, the proposed entrance and exit driveways have been designed in accordance with Australian Standards.

Concerns are raised with the proposed planning and design of the separate driveways, cross over of traffic at the front of the site and the anti-clockwise vehicular movement leading to another cross over of traffic at the front if the site before reaching the exit driveway. Should a Gateway Determination be issued, the proponent would be requested to amend the concept design to allow a consolidated left-in/left-out driveway located near the southern boundary of Nos. 679-681 Old Northern Road with a 1-3m separation (in accordance with Australia Standards) and further detail on how a vehicle may safely circulate using the proposed internal road design.

Built form and Scale

The proponent has submitted Indicative Architectural Plans, an Urban Design and Visual Impact Statement, Landscape Plan and Design Statement providing an overview of the proposed health services facility development at the site. The proponent's indicative concept design includes:

- A three-storey building with a maximum building height of 14 metres.
- Two-below ground levels of basement carparking accommodating 164 car spaces.
- A left in-only entrance driveway and left-out only exit driveway with a perimeter driveway surrounding the whole building.
- Indicative only building setbacks for all boundaries.

The proposed increase in maximum building height to 14 metres is considered excessive and inconsistent with the surrounding character and rural setting of the southern side of Old Northern Road. In conjunction, the indicative building setbacks for all boundaries would indicate setback encroachments and site coverage that would exceed provisions for rural zoned lots outlined in Part 2.1.1 and 2.1.2 of the HDCP. Further, the proposed perimeter driveway surrounding the building,

setback encroachments of the basement level carpark areas and on-slab planter boxes would limit the opportunity for deep soil planting or achieving a landscape setting on the site.

The resulting development would have direct amenity impacts on the adjoining dwelling houses to both the north-east and south-west of the site, as well as articulation to the Old Northern Road frontage. These amenity impacts include, but are not limited to, reduced solar access at Nos. 675-677 Old Northern Road, compromised privacy and views for low density dwelling houses in close proximity to the site, limited design excellence considerations and increased noise generation and light spill for sensitive receivers adjoining the site.

A community submission raises concern with the amenity impacts on adjoining properties, incompatibility with surrounding character and land uses on the eastern side of Old Northern Road, overdevelopment of the site, increased impervious surfaces and possible precedence for similar developments within the rural areas of Hornsby Shire.

Based on the submitted plans and technical reporting, the proposed development is excessive in height for a rural zoned lot, has unacceptable developmental and amenity impacts and is generally considered to be an overdevelopment of the site.

Should a Gateway Determination be issued, the proponent should be requested to amend the following:

- Provide an appropriate design and setback response for amenity and landscaping.
- Increase deep soil opportunities within all landscape setback areas.
- Reduce amount of on slab planting.
- Retain significant trees on site.
- Reduce hard surfaces surrounding the building by revision of traffic and parking arrangements.
- Improve streetscape frontage streetscape, including single vehicular entry/ egress, boundary treatments and increased depth of planting within front boundary setback.

Heritage

The property is not listed as a heritage item or located within a Heritage Conservation Area (HCA) listed under Schedule 5 of the HLEP.

The property is however located within the immediate vicinity to:

- Heritage item No. 347 – House at No. 671-673 Old Northern Road, Dural.
- Heritage item No. 488 – Roadside Trees, Old Northern Road.

The proponent has submitted a Heritage Impact Statement (HIS) and Aboriginal Heritage Assessment (AHA) discussing impacts. Both the HIS and AHA identify that the planning proposal and proposed development design would have no significant impact on the adjacent heritage items or any aboriginal heritage discovered during development.

Considering changes to the subject site would have no direct impact on the significant aspects of the adjacent heritage items, the subject Planning Proposal is acceptable in accordance with the heritage provisions outlined in Part 9.4 of the HDCP.

Natural environment

The site contains some vegetation including native and exotic species. Native species include Spotted Gum (*Corymbia maculata*) and Southern Blue Gum (*Eucalyptus bicostata*) with Smooth-barked Apple (*Angophora costata*) within the road reserve on Old Northern Road. This patch of vegetation provides habitat and connectivity with other patches of vegetation in the area.

Remnant vegetation is found along Old Northern Road and within adjacent private lands (including within Franlee Road) to the east which has been mapped as Sydney Turpentine Ironbark Forest (STIF) which is listed as a Critically Endangered Ecological Community under the NSW Biodiversity Conservation Act 2016.

The proponent's Flora and Fauna Report identifies that the proposal would remove an estimated 0.08 ha of planted native and 0.06 ha of exotic vegetation. It is understood that a Tree Application (No. 37/2021) has previously been approved for removal of five trees in the site, identified in the proponent's Arboricultural Impact Assessment (AIA) as T13, T19, T22, T25 and T26. The AIA identifies that a further 26 trees were assessed on site, with an additional 19 trees required to be removed to accommodate the proposed concept design on site. Several other trees are recommended for retention, further investigations and root mapping during development application stage.

The proposal does not require the removal or modification of a significant area of vegetation or habitat, is generally consistent with the Biodiversity element of HDCP 2013 and would not have a significant impact on matters listed under the NSW Biodiversity Conservation Act 2016. However, Tree 1 (*Angophora costata*) identified in the AIA is the single native canopy species identified for potential retention and priority should be given to its retention as the only native canopy tree to be retained on the site.

The proponent's Indicative Landscape Plan identifies the intention to create a green corridor on the site through a combination of additional street plantings and use of a mix of natives and native cultivars throughout the site. However, however deep soil planting opportunities are limited. Consideration should be given to retaining the existing green corridor along the rear, eastern boundary providing a vegetated buffer between the subject and adjoining sites. Due to the limited opportunities to offset the removal of trees on site with new native plantings, there may be scope to consider additional provisions within a VPA to offset tree loss.

Land Contamination

The rural land use zoning of the subject site indicates that agricultural/horticultural activities may have occurred on site.

The proponent has submitted a Preliminary Site Investigation discussing the potential land contamination on the site. The Preliminary Site Investigation identifies that the site has potential for contamination due to past and present activities, and that sampling and testing could be carried out during development application stage to address potential contaminants.

Should a Gateway Determination be issued, sampling and testing would need to be undertaken prior to lodgement of any development application. A Detailed Site Investigation and a Remedial Action Plan, if remediation is required to make the site suitable for the proposed use, would be required as part of any future development application.

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 Sewage Letter and Report providing the following four sewage management options:

- Sewage Management Option 1 – Installation of an on-site septic tank system with a pressurised rising main to be installed along the eastern verge of Old Northern Road which would cross Old Northern Road towards an existing gravity sewer main on the western side.
- Sewage Management Option 2 – Installation of an onsite septic tank system with a pressurised rising main which would cross Old Northern Road towards an existing pressurised rising main on the western side.
- Sewage Management Option 3 – Installation of gravity main network which would cross Old Northern Road towards the western side.
- Sewage Management Option 4 – Installation of gravity main network to be installed along the eastern verge of Old Northern Road which would cross Old Northern Road towards an existing gravity sewer main within Kenthurst Road.

The Sewage Letter and Report recommends that Sewage Management Option 1 or 3 be investigated further for inground services and feasibility.

Should a Gateway Determination be issued, a feasibility study for the preferred sewage management option would be requested, including a feasibility letter from Sydney Water demonstrating connection to Sydney Water infrastructure is achievable. It is noted that other developments of a similar scale within the vicinity of the subject site have been unable to connect to Sydney Water infrastructure.

Further, concurrence from Transport for NSW would also be required for any proposed sewerage infrastructure works within the subject verge, road reserve, or that would impact on the operation and condition of Old Northern Road.

Stormwater Management

The proponent has submitted Civil Plans and Stormwater Assessment identifying the following three stormwater management options:

- Stormwater Management Option 1 – Installation of a 70m³ maximum on-site detention tank along the rear, south-eastern boundary and discharged via a level spreader within the site at approved pre-development flows.
- Stormwater Management Option 2 – Installation of an on-site detention tank with a maximum 1200mm depth along the rear, south-eastern boundary and discharged via a level spreader within the site at approved pre-development flows.
- Stormwater Management Option 3 – Discharged through a trapezoidal drainage swale along a proposed easement through the adjoining rear properties, at 705-717 and 719-729 Old Northern Road, Dural, into an existing drainage basin (the existing drainage basin may require a size increase to accommodate additional stormwater from the site).

Stormwater Management Option 3 would be the preferred option, with the easement to drain water to be created in favour of the proposed development site up to the existing natural watercourse. However, if an easement through the adjoining properties cannot be obtained, the remaining two options may be considered. The design of the on-site detention system would be required to be in accordance with Council's Specification for On-Site Stormwater Detention and the permissible discharge rate would be restricted to the 5 year ARI storm for the pre development site conditions for all storms up to the 50 year ARI storm.

A community submission raises concerns with stormwater management option 3, as no agreement has been reached with the owner of the adjoining property at Nos. 705-717 Old Northern Road, Dural.

Should a Gateway Determination be issued, an agreement with the adjoining properties affected by the proposed easement would be required for consideration by Council's engineers.

Acoustics

A health-related land use on the rural zoned allotment would adjoin sensitive residential receivers to the north-east and south-west of the site. The proposed development would include retail tenancies with outdoor seating, as well as 23-hour hospital services accommodating an ambulance bay.

The proponent has submitted an Acoustic Assessment that identifies the acoustic criteria stipulated in the relevant codes and guidelines can be met at the proposed location in terms of noise emissions towards adjacent properties. The Assessment found that the existing noise levels were generally high and any future mechanical plant could be acoustically treated to achieve compliance. A full Acoustic Assessment Report would be required for the Development Application Stage.

However, the measurements and assumptions contained in the Acoustic Assessment for the proposed development do not consider the implications of the operation of the health services facility and its impacts on surrounding sensitive receivers during potential night-time operation.

Should a Gateway Determination be issued, an Acoustic Report prepared in accordance with the Noise Policy for Industry, inclusive of long-term noise monitoring in locations representative of all sensitive receivers and noise impacts with the adjacent road corridor, would be requested for consideration.

CONSULTATION

Preliminary Notification by the proponent

The proponent has undertaken engagement activities during the preparation of the Planning Proposal, as described in the proponent's Stakeholder Consultation document. The document includes several letters of support received from Adventist Healthcare, Thompson Health Care, Centuria Healthcare, Mind Connections Specialist Health Services, Dural Chamber of Commerce, Maronite Church, Dural Veterinary Clinic and the property owners at No. 671 and Nos. 675-677 Old Northern Road, Dural. Key matters identified in the letters of support provided include:

- The location of the proposal would assist the ageing population in the area.
- The proposed development would address a service gap and contribute to business growth in Dural and surrounding area.
- The proposed development would reduce waiting period for urgent health needs and travel times/distances in The Hills District.
- The proposed public domain improvements would improve connectivity between adjoining properties and the Round Corner Town Centre.
- Consideration should be given to parking and traffic infrastructure.
- Potential for negative construction impacts.
- Built form should respond to amenity and aesthetics of adjoining properties.

Preliminary Notification by Council

In accordance with the *Hornsby Community Participation Plan*, preliminary exhibition of owner imitated planning proposals is undertaken prior to consideration by Council or the Department of Planning and Environment (DPE). 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 27 April 2022 until 13 May 2022. The proposal was available for viewing on Council's Have Your Say and Planning Proposal webpages. Letters were sent to over 650 property owners within Hornsby and The Hills Shire inviting comment on the proposal. Public authorities invited to comment as part of the preliminary notification included The Hills Shire Council, Transport for NSW (RMS) and Sydney Water.

In response, 3 community submission were received objecting to the proposal in its current form. Submissions were also received from Transport for NSW and The Hills Shire Council. The issues are summarised below.

Community Submissions

One submission raises concern with the stormwater management options that propose to discharge stormwater over the adjoining property at Nos. 705-717 Old Northern Road, Dural. The submissions notes that no agreement has been reached between the two property owners.

An additional two submissions raise concerns and issues with the following aspects of the planning proposal:

- Amenity impacts, including proposed building height, on properties adjoining or within the vicinity.
- Incompatibility with surrounding character and land uses on the eastern side of Old Northern Road.
- Precedence for similar developments within the rural areas of Hornsby Shire.
- Traffic implications related to the development on the site.
- Pedestrian access and safety within the area, particularly for school children accessing the proposed bus stop within the frontage of the site.
- Inadequate public transport and associated services for customers and residents in the area.
- Additional impacts on the inadequate electrical supply infrastructure within the area.
- Impacts on sensitive receivers from increased noise and lighting generation related to a health services facility.
- Lack of sewage infrastructure for the site.
- Environmental impacts due to the proposed removal of significant trees on site.
- Overdevelopment of the site and increased hard stand surfaces.

Public Authority Submissions

Submissions from public authorities outline matters that should be addressed if the planning proposal were to proceed to Gateway determination.

Transport for NSW

TfNSW raises concerns with the Planning Proposal as follows:

- The application of trip generation rates for the planning proposal, using the RMS Trip Generation Surveys Medical Centres – Analysis Report, are not representative or appropriate for adoption at the site and a higher rate should be applied.
- TfNSW is not supportive of the proposed two separate driveways and would prefer a consolidated left-in/left-out driveway located near the southern boundary of Nos. 679-681 Old Northern Road with a separation in accordance with Australia Standards.
- The proposed relocation of the existing south-bound bus stop to the frontage of the subject site is not appropriately justified. TfNSW notes that a bus stop indentation should be considered and investigated given the existing southbound passing lane fronting the site is anticipated to be utilised by traffic once it is extended south to the Franlee Road intersection.
- While the proposal expects development traffic would arrive from the north based on the catchment area, any traffic generated from the south would travel northbound along Old Northern Road and make a U-turn in Stonelea Circuit resulting in any development traffic turning right out of Stonelea Circuit exacerbating existing traffic and safety issues in the area.
- The use of Sydney's Strategic Travel Forecast Model (STFM) data for estimated future traffic growth should not be referenced in the traffic report because it was provided for a different past project under an Access Agreement.
- The future year scenarios modelling does not account for a future scenario where surrounding approved developments and Old Northern Road/Franlee Road intersection upgrades have not been completed, limiting scope of the impact of the subject development traffic.

Should a Gateway Determination be issued, TfNSW requests the following amendments to the Indicative Architectural Plans and Traffic and Transport Assessment be provided during public exhibition for further consideration:

- Indicative Concept Plans:
 - Sufficient details regarding relocation of existing road infrastructure (i.e. sign posts, traffic signal posts, street lights, power poles, construction of retaining walls, etc.) to accommodate the proposed footpath along the Old Northern Road frontage between Kenthurst Road and the subject site.
 - A consolidated left-in/left-out driveway with a separation in accordance with Australia Standards. Sufficient details and sight distance assessment is required with respect to any proposed driveway.
 - Appropriate justification for the proposed bus relocation and further details regarding the design of the bus stop area.
 - Minimised opportunity for any right-turn movements into/out of the site by upgrading the pedestrian refuge to a barrier kerb and constructing a concrete median within the chevron markings on Old Northern Road in vicinity of the site.
- Traffic and Transport Assessment:
 - Table 5.1 of the Traffic and Transport Assessment should be updated with revised traffic generation for the site using recommended trip rates.

- STFM data used in Appendix C should be deleted regardless if growth rates on the surrounding road network have seen minimal change since the provision of the STFM data in 2019.
- An additional modelling scenario should be undertaken for future year scenarios without considering cumulative traffic generated from approved developments to assess the impact of 35% of the subject development traffic using existing priority-controlled Old Northern Road/Franlee Road intersection on a standalone basis.
- SIDRA modelling files for the five intersections on surrounding road network modelling should be provided to TfNSW.

The Planning Proposal documentation indicates that initial consultation with TfNSW has commenced. However, TfNSW's submission notes no record of consultation with the proponent regarding the Planning Proposal.

The Hills Shire Council

The Hills Shire Council (THSC) raises concerns with the appropriateness of the site for the proposed land use, having regard for other sites that may already be zoned to permit a health services facility.

THSC acknowledges that The Hills LSPS identifies Round Corner as a town centre and the planned expansion site at Nos. 488-494 Old Northern Road, Dural will service future retail demand in the area. THSC also confirms that no further expansion is planned for the Round Corner Town Centre.

THSC notes that a planned hospital is to be delivered at Rouse Hill, approximately 8.8 km west of the subject site, which is expected to service the health-related needs for much of the growth in new release areas and potentially a catchment within the Hornsby Shire. THSC's precinct planning is investigating ways to support the delivery of the hospital and it requested that the proponent give consideration to locating health facilities land uses within close proximity to the proposed Rouse Hill Hospital.

THSC raises concerns with the potential traffic implications of the planning proposal development on the capacity of Old Northern Road and the surrounding road network, including traffic travelling from Box Hill and North Kellyville Growth Centres on Kenthurst Road and vehicular movements accessing the site from the south on Stonelea Court, Kenthurst Road and Maple Street.

The submission notes that the comments are from technical officer level and have not been reported to the elected Hills Council for a formal view or resolution.

Proponent consultation during assessment

Following lodgement of the Planning Proposal, the proponent has sought clarification from Council regarding certain aspects of the proposal, including requesting a copy of the submissions received during the preliminary exhibition period. Submissions were unable to be provided due to the ongoing assessment of the planning proposal. However, the proponent was provided a summary of the key matters raised in the five submissions received for consideration.

The proponent was given the opportunity to lodge a response to the submission summary and on 15 June 2022, a letter was received (copy attached to this report) which addresses the matters raised in community and agency submissions. The proponent states that the majority of issues raised have already been addressed through the original documents submitted with the Planning Proposal or can be addressed post-Gateway Determination/Development application stage and reiterates that their

position that the proposal has clear site-specific and strategic merit for progression to Gateway Determination.

STATUTORY CONSIDERATIONS

The preparation of a Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to proceed with the Proposal to Gateway Determination, the DPE would confirm whether any technical studies are required and relevant parts of the Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 2.4 of the EP&A Act allows the Minister and the Director-General to delegate functions to a Council and/or an officer or employee of a Council. When submitting a Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- To make and determine not to make an LEP
- To defer inclusion of certain matters
- To identify which matters must be considered and which stages of the plan making process must be carried out again

Should Council resolve to progress the planning proposal, it is recommended that Council identify that it intends to delegate the plan making functions to the General Manager.

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 Local Planning Panel must give its advice on the Planning Proposal before Council considers whether or not to forward it to the Minister or Greater Sydney Commission in accordance with Section 9.1 clause (2)(b1) of the EP&A Act.

Local Planning Panel Advice

A briefing was provided to Hornsby's Local Planning Panel on 25 May 2022. The Panel considered the strategic merit of the proposal including concerns regarding the consistency of the proposal with state and local strategic plans and the precedent for rural lands. The Panel also noted site-specific concerns, including built form impacts and scale and intensity of the development, the lack of opportunities for deep soil landscaping and character impacts. The Panel also considered that there were issues with traffic and access to the site and noted that suitability zoned sites were already available in close proximity within the Hills Shire.

The Panel advised that it does not support the progression of the Planning Proposal to Gateway Determination because it does not have strategic merit or site specific merit.

CONCLUSION

This report presents an owner-initiated Planning Proposal for 679-685 Old Northern Road, Dural. The Planning Proposal seeks to:

- Amend Schedule 1 of the *Hornsby Local Environmental Plan 2013* to permit a health services facility as an additional permitted use

- Increase the maximum building height from 10.5 metres to 14 metres

Preliminary exhibition of the proposal resulted in 3 community submissions generally objecting to the proposal due to traffic, amenity impacts and built form. Transport for NSW and The Hills Shire Council also submitted responses generally raising concerns with the proposal.

Based on the assessment of the proposal, it is considered that the proposal lacks strategic merit due to inconsistencies with the Greater Sydney Regional Plan, North District Plan, Section 9.1 Ministerial Directions, the Hornsby LSPS, the Hornsby Employment Land Study, and the Hornsby Rural Lands Study and should not be progressed. It is also considered that the proposal lacks site-specific merit due to impacts on surrounding traffic infrastructure, amenity impacts and built form.

The Local Planning Panel has reviewed the proposal and advised that progression of the proposal is not supported.

Accordingly, it is recommended that Council not support the progression of the Planning Proposal for submission to the Department of Planning and Environment for Gateway Determination.



RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Katherine Vickery - who can be contacted on 9847 6744.

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Attachments:

1.  PP/2/2022 - Planning Proposal - 679-685 Old Northern Road, Dural - PP 2022 -1256
2.  Response to Submissions - 679-685 Old Northern Road Dural - PP/2/2022

File Reference: PP/2/2022
Document Number: D08415571

7 PLANNING PROPOSAL - 7 CITY VIEW ROAD, PENNANT HILLS

EXECUTIVE SUMMARY

- An owner-initiated Planning Proposal has been received for property No. 7 City View Road, Pennant Hills. The proposal seeks to amend the *Hornsby Local Environmental Plan (HLEP) 2013* to permit a residential flat building and/or seniors housing mixed use development as an additional permitted use and increase the floor space ratio (FSR) on the site from 1.5 to 2.7:1.
- The Planning Proposal is attached. Additional supporting documents, including concept plan, ecological, social, traffic, heritage and architectural reports are available on Council's website.
- A Letter of Offer to enter a Voluntary Planning Agreement has been submitted, with community benefits including open and community space, affordable housing and traffic works. The offer has not been formally considered and would be subject to negotiations.
- In accordance with Council practice, the Planning Proposal was placed on preliminary (non-statutory) exhibition from 14 April 2022 to 4 May 2020. During this period 11 submissions were received, generally raising concerns with traffic, access and character. Concerns raised related to traffic and access may be addressed post-Gateway determination.
- It is recommended that the Planning Proposal be progressed for Gateway determination, subject to inclusion of a local provision instead of the additional permitted land use and increased FSR requested by the proponent. This would achieve the outcomes described in the Planning Proposal and is consistent with Council's approach to planning controls in centres to encourage mixed use developments where employment floorspace is retained.

RECOMMENDATION

THAT:

1. Council support progression of the Planning Proposal for No. 7 City View Road, Pennant Hills attached to Director's Report PC14/22 to the Department of Planning and Environment for a Gateway determination with an addendum requiring the following amendments:
 - 1.1. Remove proposed amendments to the HLEP 2013 regarding additional permitted uses and FSR increase.
 - 1.2. Propose an amendment to the HLEP 2013 for a local provision to permit residential flat buildings, seniors housing and an increased FSR, where the development would result in the provision of a minimum 0.5:1 floor space ratio for commercial uses.
2. Subject to Gateway Determination being received, a further report be prepared for Council's consideration presenting a draft Voluntary Planning Agreement and draft Development Control Plan amendments for exhibition concurrently with the Planning Proposal.

PURPOSE

The purpose of this report is to present an owner-initiated Planning Proposal (attached) for No. 7 City View Road, Pennant Hills to determine whether the proposal should be supported for progression to the Department of Planning and Environment for a Gateway determination.

BACKGROUND

Council has received a planning proposal request for land at No. 7 City View Road, Pennant Hills (the site). The Planning Proposal seeks the following amendments to *Hornsby Local Environmental Plan 2013* (HLEP):

- Amend Schedule 1 of the *HLEP* to permit a residential flat building and seniors housing, where part of a mixed use development, as an additional permitted use on the site.
- Increase the permissible FSR on the site from 1.5:1 to 2.7:1.

The Planning Proposal has been the subject of informal discussions and pre-lodgement meetings over the past four years. Advice to the proponent has been consistent across all meetings, including that the following matters would need to be addressed in any planning proposal:

- Consistency with State Planning Framework (Region Plan and North District Plan).
- Consistency with Employment Lands Study.
- Relationship of site to remainder of City View precinct.
- Analysis of traffic, parking, urban design and environmental impacts.
- Public benefit of the proposed changes to planning controls.

The Planning Proposal was lodged on 4 April 2022, with a presentation provided to Councillors at an informal workshop on 6 April 2022. At the workshop, the proponent identified that the Planning Proposal was required to facilitate redevelopment of the site for the following reasons:

- The current office premises have been vacant for an extended period, signalling a need to redevelop for alternate uses.
- Residential land uses are permissible on the site, but not achievable under the 'shop top housing' land use due to the sloping nature of the land.
- There is a potential disconnect between the current permissible height of approximately seven storeys and the current floor space ratio (FSR) controls (i.e. height cannot be achieved within the current FSR).

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. Preliminary consultation outcomes are also summarised.

1. The Site

The site is identified as Lot 3 DP 732565, No. 7 City View Road, Pennant Hills. The site is located on the eastern side of City View Road at the northern end of Wongala Crescent, to the east of the intersection of City View Road and Boundary Road. It is approximately 50 metres south of the intersection of Pennant Hills Road and City View Road and approximately 400 metres southwest of Pennant Hills station.

The site is an irregular-shaped allotment with an area of approximately 6,500 sqm with a frontage of approximately 60 metres to City View Road and 125 metres to Boundary Road. The site experiences a substantial fall from City View Road to the southern boundary where it borders the alignment of the North Shore railway line. The fall is 20% (or 1:5 grade), falling approximately 26 metres over 130 metres.

The site is currently occupied by a vacant office building that ranges between three and five stories. The site area of the office building (i.e. building footprint) is approximately 2,600 sqm. The gross floor area of the office building is approximately 7,300 sqm. The remainder of the site contains vegetation along its north-western, south-western and south-eastern boundaries, including Blue Gum High Forest trees.

Pedestrians and vehicular access is via City View Road at the north-eastern boundary of the site. Vehicle access is via a driveway which is shared with the neighbouring office and residential buildings at No. 423 Pennant Hills Road.

The proponent has advised that the boundary along the North Shore railway line is affected by a 20 metre sewer easement.

Adjoining land uses include two office buildings and a residential flat building to the northeast, serviced apartments to the northwest, dwelling houses to the south west and the north shore railway line to the south east.

2. The Planning Proposal

The Planning Proposal seeks to amend the HLEP by:

- Amending Schedule 1 of the *HLEP 2013* to permit the residential flat building and seniors housing, where part of a mixed use development, as an additional permitted use on the site.
- Increase the permissible FSR from 1.5:1 to 2.7:1.

The existing height limit of 23.5m (approximately seven stories) is not proposed to change.

The concept plans submitted with the application include a seven-storey mixed use development comprising the following land uses:

- Residential: 9,700 sqm (77 units).
- Seniors: 3,400 sqm (28 units).
- Commercial: 3,448 sqm (mixed retail and office).
- Community: 571 sqm.

A 700 sqm public 'pocket park' and associated pedestrian access are shown on the north-western portion of the site. The current vehicle and pedestrian access from City View Road would be maintained, with service vehicle access into the site from Boundary Road.

The proposal includes a draft site-specific development control plan (draft DCP). The draft DCP seeks to translate elements of the concept proposal to design controls. The draft DCP considers themes such as design, access, parking and sustainability. This report considers elements of the draft DCP as they relate to impacts associated with the concept design. The draft DCP has not been considered in detail as fundamental elements of the Planning Proposal may change through the assessment process. The contents, language and controls associated with a site-specific DCP would be considered in the future should the Planning Proposal receive a Gateway determination.

A letter of offer to enter a voluntary planning agreement (VPA Offer Letter) has been submitted with the Planning Proposal. Since lodgement, Council requested clarification regarding the affordable housing component of the VPA Offer Letter. Clarification was received on 9 May 2022, confirming the following items of public benefit:

- Affordable housing (approx. five per cent of future residential accommodation).
- Pocket park (700 sqm).
- Communal space (500 sqm).
- Civic amenity improvements such as acoustic walls and nearby pedestrian amenity improvements.

Certain aspects of the VPA Offer Letter are discussed in this report based on initial review. The terms and contents of a VPA would be negotiated following a Council resolution regarding the Planning Proposal. Subject to Gateway Determination being received, a report would be prepared for Council's consideration presenting a draft Voluntary Planning Agreement exhibition concurrently with the Planning Proposal.

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

- Arboriculture Impact Assessment (Travers Bushfire and Ecology).
- Architectural Statement and Plans (Fender Katsilidis).
- Biodiversity Assessment Report (Travers Bushfire and Ecology).
- Community Engagement Report (Elton Consulting/WSP).
- Draft Site Specific DCP (GYDE Consulting).
- Economic Assessment (HillPDA Consulting).
- Heritage Impact Statement (City Plan Heritage).
- Landscape Concept (Arcadia).
- Pre-DA Report for ESD Services (EMF Griffiths).
- Proposed LEP Maps (Hatch Roberts Day).
- Services Infrastructure Report (Northrop).
- Social Infrastructure Report (Elton Consulting / WSP).
- Traffic and Transport Impact Assessment (Stantec).
- Urban Design Report (Hatch Roberts Day).
- Voluntary Planning Agreement Offer (EG/Mills Oakley).
- The Planning Proposal is attached to this report and the above listed documents can be viewed at <https://www.hornsby.nsw.gov.au/property/build/policies/planning-proposals/planning-proposal-for-7-city-view-road,-pennant-hills>.

3. Strategic and Statutory Context

Relevant policies and legislation are discussed below.

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

A Metropolis of Three Cities – the Greater Sydney Region Plan (Regional Plan) has been prepared by the NSW State Government to guide land use planning decisions for the next 40 years (to 2056). The North District Plan is a guide for implementing the Regional Plan at a District level and is a bridge between regional and local planning.

The plans set strategies and actions for accommodating Sydney's future population growth and identifies key targets such as dwelling numbers, infrastructure planning, liability, sustainability and productivity.

Importantly, housing should not compromise a centre's primary role to provide goods and services and potential employment functions over time.

The District Plan also identifies the potential for urban renewal opportunities across the North District that could allow for the alignment of growth and infrastructure investment. One such opportunity would be leveraging the investment in NorthConnex on Pennant Hills Road. Corridor investigations can provide for a longer-term strategic context while other planned precincts within the corridor are investigated and planned.

Under *Planning Priority N6: Creating and renewing great places and local centres, and respecting the District's heritage*, there are two actions that Council is required to consider in land use planning relevant to the proposal:

- Action 19. *Using place-based and collaborative approach through planning, design, development and management, deliver great places by:*
 - a) *Prioritising a people-friendly public realm and open spaces as a central organising design principle.*
 - b) *Recognising and balancing the dual function of streets as places for people and movement.*
 - c) *Providing fine grain urban form, diverse land use mix, high amenity and walkability in and within a 10-minute walk of centre.*
 - d) *Integrating social infrastructure to support social connections and provide a community hub.*
 - e) *Recognising and celebrating the character of a place and its people.*
- Action 22. *Use place-based planning to support the role of centres as a focus for connected neighbourhoods.*

The site is located within 400m of Pennant Hills Station. The North District Plan identifies Pennant Hills as a local centre with bus and rail networks linking to strategic centres. Local centres are highlighted by the North District Plan as a focal point of neighbourhoods, providing essential access to day-to-day goods and services and are an important part of a 30-minute-city. Local government is encouraged to consider local conditions through place-based planning that provides for centres around transport interchanges to grow and evolve. Local centres are also noted to have an important role in providing a range of local jobs and services.

Section 9.1 Local Planning Directions

Section 9.1 of the *EP&A Act* allows the Minister for Planning (the Minister) to provide direction to Council concerning the preparation of draft local environmental plans. The directions considered for the Planning Proposal commenced on 1 March 2022.

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 (e.g. the Greater Sydney Region Plan). The direction requires a planning proposal to be consistent with a Regional Plan released by the Minister for Planning.

The Planning Proposal would result in increased residential density in proximity to the Pennant Hills Local Centre, allowing for efficient access to infrastructure and services in a pedestrian catchment. Public transport infrastructure at Pennant Hills allows for easy access to major employment hubs at Hornsby, Epping, and Macquarie Park, potentially enforcing the employment role of the strategic centres. It may also promote urban renewal along Pennant Hills Road, leveraging the competition of NorthConnex and subsequent reduction in competing freight movements along the corridor.

The Planning Proposal document considers consistency with the relevant Planning Priorities of the North District Plan. On balance, the Planning Proposal is shown to be consistent with the Planning Priorities, particularly those related to access to infrastructure and services, housing diversity and site renewal.

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.*
- 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 requested additional permitted uses (residential flat building and seniors housing) are proposed without imposing further development standards in addition to those already contained in the HLEP.

Planning proposals must not contain or refer to drawings showing details of the proposed development. The draft DCP contains multiple site specific provisions to give effect to the concept plan. The draft DCP would be considered alongside the Planning Proposal as a post Gateway determination matter. It would not be referenced directly in an amendment to the HLEP. Therefore, progression of the Planning Proposal would not limit a future development application to the concept plans. The final development may have a different design, dwelling mix, landscaping proposal or materials and finishes.

The Planning Proposal is generally consistent with the 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 contain provisions that facilitate the conservation of items of heritage significance to the area.

The property is not listed as a heritage item or located within a Heritage Conservation Area (HCA) listed under Schedule 5 of the *Hornsby Local Environmental Plan (HLEP) 2013*.

The property is however located within the immediate vicinity to:

- Heritage Item No. 139, Bushland.
- The Beecroft-Cheltenham Heritage Conservation Area (HCA) "C2."

A review of the proponent's technical reporting and description of proposed changes to the subject site indicates that the Planning Proposal would have no direct impact on the significant aspects of the adjacent heritage item or HCA, and that preservation of the natural vegetation and trees would be addressed and mitigated through a future development application process.

The Planning Proposal is generally consistent with the direction.

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).
- The Right Place for Business and Services – Planning Policy (DUAP 2001).

The Planning Proposal would increase permissible residential and/or commercial density within a walkable catchment of the Pennant Hills Town Centre. This location would encourage public and active transport alternatives to private vehicle usage and similarly encourage the development of residential and employment lands in other accessible locations.

The Planning Proposal is generally consistent with the direction.

Direction 6.1 - Residential Zones

The objectives of the direction are to encourage a variety of housing types for existing and future housing needs, make efficient use of accessible infrastructure and services and minimise the impact of residential development on the environment and resource lands.

The direction requires that planning proposals broaden the choice of the housing market, make more efficient use of infrastructure and services, reduce land consumption for housing and be of good design. Planning proposals are to be for land that is or can be adequately serviced and not reduce residential density.

The Planning Proposal would provide opportunities for a variety of housing types (residential apartments and seniors housing units) in an area within walking distance of the Pennant Hills local centre and railway station.

The concept design indicates approximately 105 units, split between apartments and independent seniors living units, with the ultimate dwelling types and mix subject to a future development application.

The Planning Proposal is generally consistent with the direction.

Direction 7.1 - Business and Industrial Zones

The objectives of the direction are to encourage employment growth in suitable locations and to protect employment land in business and industrial zones and support the viability of identified centres.

Planning proposals are required to retain the areas and locations of existing business and industrial zones, not reduce the potential floorspace for employment uses, and align with employment areas in accordance with employment strategies.

The B5 Business Development zone currently permits shop top housing, which must have commercial or medical facilities at ground level. Under current controls, a seven storey 'shop top housing' development would hypothetically result in approximately 1,500 sqm of employment floorspace.

The proposed additional permitted use of residential flat building and seniors living, as part of a mixed use development, has been requested so that the entire ground floor would not be required to be used for commercial or medical facilities. Instead, the commercial component would be developed over numerous levels to suit the slope of the site, with the concept design indicating approximately 3,500 sqm of commercial land use split across multiple floors mid-building.

The provision of 3,500 sqm of commercial floor space as indicated in the concept plan would be greater than that required under current controls and would be more responsive to the sloping nature of the site than shop top housing.

The Planning Proposal is generally consistent with the direction. However, a planning proposal cannot tie a future development to a concept design. The implications of this are discussed below under the heading 'Impacts of the Proposal'.

Hornsby Local Strategic Planning Statement

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

Relevant actions in the LSPS include:

- Action PA2: Complete the Pennant Hills Town Centre Review.
- Action CA3: Commence a review of the Pennant Hills Road Corridor subsequent to the opening of NorthConnex.

The LSPS references NSW Future Transport 2056 and its identification of City shaping, City serving and Centre serving corridors. These corridors provide regional and local access for residents and businesses, supporting the efficient movement of people and goods. Pennant Hills Town Centre is identified in the context of the completion of NorthConnex, which would provide opportunities for different types of land uses and business investments. The town centre is identified as needing revitalisation and renewal, with a review of the Pennant Hills Town Centre and corridor presenting an opportunity for a place-based planning approach aimed at improving amenity within the corridor. The Planning Proposal for this site may act as a catalyst for the revitalisation of the town centre.

Although the Planning Proposal would be progressed outside of the town centre and corridor review, it would not impede the upcoming reviews. The unique nature of the City View area as a discrete precinct would not give a precedent for other rezonings along the corridor or within the town centre. There is no change requested to the underlying zone or building heights, with the proposed land uses

comparable to existing permitted land uses (e.g. residential accommodation is permitted through the shop top housing land use).

The Planning Proposal would allow for delivery of similar uses that are permitted on the site, responding to constraints associated with the slope of the site. Any future review would need to consider the mixed use nature of the site and surrounding City View Road properties, the objectives of the B5 Business Development and overall land use permissibility. These factors would not substantially change based on the Planning Proposal.

Hornsby Local Housing Strategy 2020

The Hornsby Local Housing Strategy 2020 (LHS) outlines Council's 20-year vision and priorities for housing in Hornsby Shire, responding to the Regional and North District plans. The LHS is consistent with the strategic priorities identified in Council's LSPS and CSP and was approved by the then Department of Planning, Industry and Environment in May 2021.

The LHS identifies potential future housing opportunities through a review of Pennant Hills Road Corridor, the Pennant Hills Town Centre and medium density housing investigations. These projects would be led by Council and identify the potential for additional housing growth in the future.

The proponent has identified that the Planning Proposal would assist meet the future housing demand gap identified by the LHS, consistent with Council's intention for master planning in the Pennant Hills Town Centre area.

The objectives of the LHS include identifying opportunities for more housing diversity, particularly for single and smaller households and the growing elderly population. These types of dwellings are preferred close to transport and services, rather than in more isolated areas. The LHS also identifies a need for more affordable housing for key workers and single-parent families. The location of additional housing density is guided by the LHS objective 'Protect sensitive areas from development, and ensure new housing does not detract or erode an area's local character.' In particular, a place-based approach to planning is encouraged, being mindful of the characteristics and streetscape design of low density neighbourhoods. Although the Planning Proposal would increase density adjacent to a low density neighbourhood, apartments are already permitted on the site via the shop top housing land use. As such, the additional density would increase the overall footprint of potential future development, rather than introduce a character-altering land use.

Overall, the Planning Proposal is consistent with the objectives of the LHS relating to encouraging housing diversity and density near areas that are accessible.

Employment Lands Study

Council's *Employment Lands Study* (ELS) provides a strategic framework to facilitate and accommodate future employment growth within Hornsby Shire in the context of the North District Plan. The ELS was endorsed by Council in May 2021.

The ELS identifies Pennant Hills as a Local Centre, focusing on the area immediately surrounding Pennant Hills Station and local shops.

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

- Strategy 1.2: Revitalise Pennant Hills to Thornleigh Corridor.
- Strategy 1.5: Implement minimum non-residential FSR controls.
- Strategy 2.2: Increase the utilisation capacity of Hornsby B5 Urban Service Land.

- Strategy 3.2: Protect the role and function of employment lands.

Pennant Hills Local Centre is envisioned to transition into a higher order centre to complement Hornsby Town Centre with a greater provision of business and office space. The ELS recommends retaining and intensifying the B5 Business Development as an essential urban support zone that facilitates employment uses.

Of note, the ELS recommends prohibiting shop top housing in the B5 Business Development zone. At its May 2021 meeting, Council endorsed the recommendation as part of an implementation plan to be progressed in the short term (i.e. within two years). This action has not yet been progressed, but when completed, would prohibit residential land uses on the site. Progression of the Planning Proposal would maintain residential land use permissibility on the site in the form of mixed use commercial, residential flat building or seniors housing land uses.

The City View Road precinct has a different character to other B5 Business Development zoned areas. It does not contain traditional urban services/industrial development but contains a mix of residential, commercial and accommodation land uses. On balance, allowing for residential land uses on the site as part of a mixed use development that is within the walking catchment of the Pennant Hills Local Centre would be in keeping with the existing character of the immediately surrounding area, whilst retaining a commercial component.

The concept design submitted with the Planning Proposal would result in less commercial floorspace than currently exists on the site, but more than is currently permissible under a shop top housing development. However, the land use mix described in the concept design would not be mandated under the additional permitted use described in the Planning Proposal. Therefore, there is potential for the Planning Proposal to result in an outcome that is inconsistent with the ELS. The implications of this are discussed below under the heading Impacts of the Proposal.

Hornsby Local Environmental Plan 2013

- The proposal does not request a change to the zoning of the site from B5 Business Development. The objective of the zone is:

To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.

The zone permits a range of commercial, service, logistics and infrastructure land uses, with limited retail and residential land uses also permitted. The current residential land use permitted is shop top housing, defined as:

Shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

The Planning Proposal seeks to add the site to Schedule 1 – Additional Permitted Uses to permit a residential flat building and seniors housing on the site, as part of a mixed use development.

The Planning Proposal also seeks to make the following changes to HLEP mapping:

- Amend the Additional Permitted Use map to identify the site.
- Amend the Floor Space Ratio map to increase the floor space ratio from 1.5:1 to 2.7:1.

This approach would not require a change to the current zoning of the site or the current height limit, which is 23.5m or approximately 7 storeys.

As noted above, the proposed FSR and additional permitted use amendments would not mandate a minimum quantum of employment land uses described in the concept design. The Planning Proposal may result in a development with a land use mix that is substantially different to that described in the Planning Proposal. An alternative amendment to the HLEP which introduces an additional local provision is recommended rather than the additional permitted use requested by the proponent.

Hornsby Development Control Plan 2013

The Hornsby Development Control Plan 2013 (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.

As part of the Planning Proposal, the proponent has prepared a draft DCP for the site as a work in progress document. The purpose of the draft DCP is to provide site specific controls for the site. The objectives and provisions generally seek to formalise the outcomes of the concept design, such as:

- Locations of active frontages.
- Minimum floor areas for office premises, community and café/retail use.
- Setbacks.
- Landscaping, including rooftop gardens.
- Open space provision.
- Vehicle access and parking provision.
- Sustainability.

The proponent has indicated that the draft DCP could be exhibited and adopted alongside the Planning Proposal, in the post-Gateway period. Should Council resolve to submit the Planning Proposal to the Department of Planning and Environment (DPE) for Gateway determination, the draft DCP would be exhibited with the Planning Proposal.

Adoption of a site specific DCP similar to that submitted by the proponent would give some additional certainty to development outcomes. However, it is important to note that DCPs do not carry the same statutory weight as LEP amendments.

4. 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.

Delivery of employment floorspace

The concept plans submitted with the application include a seven-storey mixed use development comprising the following land uses:

- Residential: 9,700 sqm (77 units).
- Seniors: 3,400 sqm (28 units).
- Commercial: 3,448 sqm (mixed retail and office).
- Community: 571 sqm.

The proponent has clarified that affordable housing contribution referenced in the Planning Proposal and supporting documentation would be between five and seven per cent of all dwellings. This would be part of the 77 residential and 28 seniors units (105 units total). Pending negotiation and acceptance of a planning agreement, a future development would deliver between five and seven affordable housing units. These would likely be a mix of general residential and seniors-specific units.

As shop top housing is currently a permitted land use, the site could be redeveloped principally for residential land uses with a single floor of commercial premises. Assuming a seven-story building under the current 23.5 m height control, this would result in about 1,500 sqm of commercial land uses and around 8,000 sqm of residential land uses. As such, the concept design associated with the Planning Proposal would result in about twice as much employment generating space than the minimum hypothetical design. While this result is referenced in a draft site-specific DCP, it is not referenced in the proposed HLEP amendment. A much smaller commercial component could be permissible under the proposed HLEP amendment.

Therefore, an alternative mechanism is recommended for consideration. HLEP Part 6 Additional Local Provisions allows for more refined development outcomes than additional permitted uses. A local provision could be prepared that permitted residential flat buildings and seniors housing land uses and an increased floor space ratio, if a set proportion of the development included commercial premises. Under the proponent's concept plan, a development would deliver approximately 3,500 sqm (or 20%) as commercial premises.

An additional local provision would better achieve the benefits and outcomes described in the Planning Proposal and is consistent with Council's approach to planning controls in centres encouraging mixed use developments where they retain adequate employment floorspace. It would explicitly link the additional yield associated with the increased FSR to community benefits associated with the delivery of employment floorspace and would not require an amendment to the additional permitted use and FSR map.

Traffic and Local Road Network

The Transport Impact Assessment (TIA) provided by the proponent compares traffic impacts of the following scenarios:

- The existing built form of a 1.3:1 FSR office premises, if fully occupied.
- Hypothetical maximum of a full office premises development with an FSR of 1.5:1.
- 2.7:1 FSR mixed use concept design.

Traffic impacts are described in terms of traffic generation under these scenarios at peak periods. Modelling of the Pennant Hills Road/City View Road intersection was not undertaken.

Overall, the TIA projects that the concept design would have the following impacts on traffic in and out of the site compared to the existing built form and hypothetical maximum office premises scenarios.

Scenario	AM	PM
Existing office premises 1.3:1 FSR (fully occupied)	116 trips	88 trips
Hypothetical 1.5:1 FSR office premises (max under existing controls)	156 trips	117 trips
Concept plan 2.7:1 FSR (mixed use residential, office and community)	102 trips	80 trips

As described by the TIA, the concept plan would have a net reduction in the amount of trips generated by the site, when compared to the existing 1.3:1 FSR office building and a hypothetical office building built to the maximum permitted 1.5:1 FSR.

The reductions would largely be driven by reductions to 'In' trips during the AM peak and 'Out' trips in the PM peak. Conversely, there would be a smaller increase in 'Out' AM peak and 'In' PM peak trips. The increases could feasibly worsen the potential operation of the Pennant Hills Road/City View Road intersection, with the TIA noting that concept plan could result in an additional 44 vehicles per hour turning right from Pennant Hills Road into City View Road (approx. two to three additional vehicles on average per cycle, up from an observed one vehicle per cycle). Additional trips would be in the same direction as those generated by the surrounding residential land uses and could result in longer queues. The TIA indicates that the opening of NorthConnex in late 2020 may have improved operation of the Pennant Hills Road/City View Road intersection, with increased capacity for traffic movements.

The high level information presented in the current TIA is suitable for an initial pre-Gateway analysis as it demonstrates that the impacts of the concept design's land use mix would reduce traffic overall, compared to both existing and maximum permissible office premises developments. The specific impacts of NorthConnex are unknown, but may have resulted in additional capacity at the Pennant Hills Road/City View Road intersection.

The TIA indicates that this could be considered further at the development application stage. More detailed intersection analysis should be a requirement of the Gateway determination and be completed before the public exhibition of the draft HLEP amendment. Modelling and intersection analysis should be based on current traffic flow on Pennant Hills Road and cumulative traffic generation potential of adjoining development in the precinct. This is required to justify the FSR and land use mix suggested by the proponent, including determining the impact of the increase of 'Out' AM peak and 'In' PM peak trips on local road network operation, particularly the Pennant Hills Road/City View Road intersection.

It is acknowledged that there may be improved capacity at the intersection since the opening of NorthConnex. Additional feedback regarding the proposal and performance of the intersection would also be sought directly from Transport for NSW (TfNSW) as part of post-Gateway activities.

Should a Gateway Determination be issued, the proponent should be requested to model the conditions Pennant Hills Road/City View Road intersection, including queue lengths and Level of Service during peak hours, with scenarios for existing, concept design and cumulative impacts.

Parking and access

The proponent's concept design suggests the delivery of 187 car parking spaces as part of future development. Council's DCP would require 210 parking spaces and TfNSW's guidelines would require 206 car parking spaces. Parking rates are derived based on demand generated by residential, seniors living, commercial and community land uses.

Council's DCP defers to State Environmental Planning Policy (*Housing for Seniors or People with a Disability*) 2004 (now part of the *Housing State Environmental Planning Policy*), for seniors housing parking rates. Those rates are 0.5 spaces per bedroom and are equivalent to Council's general residential rate for two and three bedroom units. Affordable housing units have not been identified separately and the TIA does not suggest that affordable housing would have a reduced car parking provision compared to other residential land uses.

The proponent has recommended a reduction due to proximity to the Pennant Hills Local Centre, associated transport options and the TIA's preliminary green travel plan to encourage a reduction in private vehicle travel. Reductions in parking supply would be considered post-Gateway as part of a refinement of the draft DCP.

The concept design retains the existing City View Road driveway as the primary access to the site. This access is approximately 30m from the Pennant Hills Road/City View Road, or around 5 car lengths. The TIA has observed inefficiencies in the signal phasing and orientation of the intersection. Additional 'Out' AM peak and 'In' PM peak traffic may put existing pressure on queue lengths at the intersection.

The proponent's concept design identifies a service entrance at Boundary Road that would accommodate vehicles up to 12.5 m and allow for forward movement in and out of the site. Community submissions have identified service vehicle traffic on Boundary Road as a potential traffic and safety issue. The proponent's TIA has indicated that service vehicle traffic would be relatively low (e.g. in the order of a trip a day).

Given that parking and vehicle access are described in the proponent's draft DCP, it is recommended that additional information be provided by the proponent post-Gateway, including:

- Swept path analysis of the proposed service vehicle entrance, demonstrating potential impacts on on-street car parking.
- Consideration of traffic impacts between vehicles (especially heavy vehicles) and pedestrians on Boundary Road.
- Consideration of queue lengths at the Pennant Hills Road/City View Road intersection on the operation of the site's City View Road driveway operation at peak periods.
- Justification for a reduced car parking rate associated with a site-specific DCP.

Natural environment

The site contains an existing building with landscaped gardens and stands of trees with limited understorey and groundcovers. Vegetation on the site has been mapped by ELA (2017) as characteristic of Blue Gum High Forest (BGHF) which is listed as a Critically Endangered Ecological Community under the NSW *Biodiversity Conservation Act 2016*. The site is included in the HLEP's current Terrestrial Biodiversity Map.

A Biodiversity Assessment Report (BAR) has been submitted with the Planning Proposal. The report notes the proposal would remove an estimated 0.121 ha of Blue Gum High Forest, 1 hollow-bearing tree (2 hollows) and 17 trees. The report also notes several serious and irreversible impact entities likely to be affected by the proposal including BGHF, Regent Honeyeater, Swift Parrot and several microbats.

A Preliminary Arboricultural Impact Assessment (AIA) has been submitted with the Planning Proposal. It notes that 71 trees have been surveyed on the site, but additional stands of trees to be retained have not been surveyed. 17 trees have been identified for removal with several additional trees noted for further investigation as part of detailed design.

Most trees proposed for removal are due to the development footprint with some identified for removal due to poor health. In considering the trees proposed for removal, four are considered significant trees. Due to the conservation significance of the BGHF community, it would be ideal to retain these mature individual trees and the value they provide to the local ecological community.

The following are recommended as part of a future development application, should the Planning Proposal be finalised:

- Biodiversity Development Assessment Report in accordance with s.7.7 of the BC Act, including a demonstration of the efforts to avoid or minimise impacts on biodiversity values.

- Arboricultural Impact Assessment must consider the impacts of basement construction and infrastructure on retained trees and their long-term viability, including a discussion on the potential for retention of large and mature trees on the site.
- Consideration of the objectives and prescriptive measures in the Trees, Vegetation and Biodiversity parts of HDCP.

Social infrastructure

The Social Infrastructure Review (SIR) provided by the proponent considers how the Planning Proposal aligns with government social infrastructure directions for the area and the benefit of social infrastructure provided by a future development to the local Pennant Hills community.

The SIR states that the following social infrastructure would be delivered as part of the concept design:

- Open space: A pocket park of around 700sqm that would be publicly accessible.
- Communal space: Approximately 500 sqm of floor space would be available for community use.
- Affordable commercial office space: A further 250sqm of floor space is provided for use by start-up businesses at discounted rents.

The proponent has clarified that between five and seven per cent of all apartments could be provided as affordable housing (e.g. five to seven units).

The proponent's VPA Offer Letter suggests a VPA would be the mechanism for the delivery of social infrastructure. The terms of the VPA, including ownership and management measures, would be negotiated with the proponent. This offers flexibility in the delivery of infrastructure, with the potential for a range of mechanisms, including easements, works in kind or monetary contributions for works on or off the site. The VPA offer letter suggests that a planning agreement would be linked to amendments to HLEP, meaning that it would effectively be finalised prior to an HLEP amendment, with a clear outcome for Council and the community.

Alternatively, Council may seek for provision of the infrastructure to be accounted for in a local provision. Such an approach would provide transparency, but may limit flexibility if off-site infrastructure is preferred. It may also conflict with the Section 9.1 Direction related to site specific provisions.

The SIR identifies the following surrounding facilities which would support the site:

- Pennant Hills facilities (approx. 500 m from the site) including:
 - Pennant Hills Community Centre and library, which includes several halls and meeting rooms.
 - Wollundry Park which includes a small, local grassed area and play equipment and is the closest passive open space to the site.
- The Pennant Hills Leisure and Learning Centre (approx. 800 metres from the site);
- Pennant Hills Park (approx. 1km from the site) with district level active and passive recreation facilities.
- Several child care centres.

The SIR also notes Council plans to expand the Pennant Hills Community Centre into a multipurpose district hub, as described in Council's *Community and Cultural Facilities Strategic Plan 2020-2040*.

The SIR assumes the following average household sizes for the concept design:

- General residential apartment: 2.2 persons per unit.
- Seniors living apartment: 1.3 persons per unit.

These household sizes would result in approximately 205 people living on the site if the concept design were delivered. The SIR indicates that this would generate demand for around 30 sqm of community/library space. The SIR has indicated that an open space benchmark of 15 per cent of the land area is used for the site, resulting in demand for about 970 sqm of open space.

Council's priorities for the provision of open and community spaces, as per *Play Plan* and *Community and Cultural Facilities Strategic Plan* encourage improving the quality of such facilities in centralised locations. *Play Plan* recommends additional embellishment of local parks, such as Wollundry Park at Pennant Hills. Likewise, the *Community and Cultural Facilities Strategic Plan* recommends expansion of the Pennant Hills Community Centre and Library.

Smaller facilities, such as those proposed by the concept plan, are specifically not recommended by the *Play Plan* and *Community and Cultural Facilities Strategic Plan*. Whilst a positive outcome on the site, the pocket park is unlikely to represent a local park that Council would accept as owner or caretaker. Instead, investment in existing facilities would improve community benefit outcomes. This would be achieved through development contributions associated with future development on the site. The VPA Offer Letter could be pursued to assist delivery of Council's strategic social infrastructure objectives.

Heritage

The property is not listed as a heritage item or located within a Heritage Conservation Area (HCA) listed under Schedule 5 of HLEP.

The property is however located within the immediate vicinity to:

- Heritage Item No. 139, *Bushland*.
- The Beecroft-Cheltenham Heritage Conservation Area (HCA) "C2."

The proponent has submitted a Heritage Impact Statement (HIS) discussing impacts.

The HIS identifies that any future changes to the vegetation within the subject site would be mitigated through the use of outdoor community spaces and greenery. It identifies that any future development application would also seek to conserve as much as possible of the existing vegetation within the site.

Considering changes to the subject site will have no direct impact on the significant aspects of the adjacent heritage item or HCA, and that preservation of the natural vegetation and trees would be addressed and mitigated through a future development application process, the subject Planning Proposal is acceptable in accordance with the heritage provisions outlined in Part 9.4 of the HDCP.

CONSULTATION

Preliminary Notification

The proponent has undertaken engagement activities, as described in the proponent's Community Engagement Report. Activities include phone and email contacts with the Pennant Hills District Civic Trust and nearby commercial buildings, as well as letterbox drops and doorknocking of 16 nearby

residential dwellings. In its Community Engagement Report, the proponent has committed to ongoing community and stakeholder engagement. Key themes identified in the Community Engagement Report include:

- Support towards renewal of City View Road precinct.
- Pedestrian safety impacts.
- Tree retention.
- Parking and traffic.
- Potential for negative construction impacts (e.g. noise and dust).
- Positive views regarding the proposed community centre.
- Potential to negatively impact property values.
- Amenity and aesthetics.
- Desire to retain Pennant Hills as a business area.
- Support for the engagement process.

In accordance with the *Hornsby Community Participation Plan*, a preliminary exhibition of owner-initiated planning proposals is undertaken before consideration by Council or DPE. 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 the progression of the Planning Proposal to gateway determination.

The Planning Proposal was placed on preliminary (non-statutory) exhibition from 14 April 2022 until 4 May 2022. The proposal was available for viewing on Council's website and letters were sent to approximately 70 nearby property owners inviting comments on the proposal. Public authorities invited to comment as part of the preliminary notification included TfNSW and the Rural Fire Service (RFS).

In response, 11 community submissions were received, including a submission from the Pennant Hills District Trust and two submissions from a one community member. Community responses generally objected to the Planning Proposal. A submission was received from TfNSW. No submission was received from the RFS.

Most submissions raise concerns regarding potential impacts on local traffic and on-street parking demand. Issues were raised regarding congestion at the Pennant Hills Road/City View Road intersection and the potential for additional traffic on Wongala Crescent and other local streets due to workers and visitors looking for on-street parking. The narrow width of local roads was identified as a constraining factor.

Other concerns and issues raised include:

- Existing trees and other vegetation has high character and environmental value, including habitat for native fauna.
- The building as described is too tall, with character, privacy and overshadowing issues.
- The lack of dedicated visitor parking and proposed reduced resident parking rate, which would worsen on-street car parking availability.
- Additional residential density will undesirably alter the character of the neighbourhood.

- The existing City View Road driveway presents congestion and road safety issues that will be made worse by the described development.
- The proposed pocket park is not supported as it would remove the existing natural vegetation area.

These topics are considered in the discussion of impacts in Section 4. They would be considered further as part of the post-Gateway process. Additional information would be requested following a Gateway determination, including traffic/access impacts. The community would be presented with an additional opportunity to comment on the Planning Proposal at that time, including any additional reporting or changes to the proposal.

TfNSW has provided initial comment regarding the proposal and has indicated that additional traffic modelling is required at the City View Road/Pennant Hills Road intersection as part of post-Gateway reporting. TfNSW also noted the in-progress Employment Zone Reform project being led by DPE as well as potential parking and access issues that align with Council officer analysis above. Given the proximity of the site to Pennant Hills Road, which is operated by TfNSW, additional comment would be requested should the Planning Proposal process advance further.

Consultation Strategy – post-Gateway

Should the Planning Proposal receive a Gateway determination, the consultation would follow the requirements of the Gateway Determination, the *Hornsby Shire Community Engagement Plan 2021* and the Public Exhibition requirements of the Local Environmental Plan Making Guidelines 2021.

Consultation for the Planning Proposal would include:

- **Advertisements in local Publications:** An advertisement would be placed in the Hornsby Kuringai Post identifying the purpose of the Planning Proposal and providing a web-link to where the Planning Proposal can be viewed.
- **Advertisement on the Council website:** The Planning Proposal would be exhibited on Council's website (<https://www.hornsby.nsw.gov.au/council/noticeboard/your-say/have-your-saycontent/current-exhibitions>).
- **Letters to affected owners:** A letter would be sent to landowners who adjoin or are in close proximity to the sites.
- **Displays at the Council Administration Buildings and local libraries:** The Planning Proposal would be displayed at the Council Chambers, 296 Pacific Highway, Hornsby, and the Hornsby and Pennant Hills Library.
- **Consultation with Authorities:** A copy of the Planning Proposal and relevant supporting material will be provided to the public authorities identified in the Gateway Determination.

STATUTORY CONSIDERATIONS

The preparation of a Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to proceed with the Proposal to Gateway Determination, DPE would confirm whether any technical studies are required and relevant parts of the Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 2.4 of the EP&A Act allows the Minister and the Director-General to delegate functions to a Council and/or an officer or employee of a Council.

When submitting a Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- To make and determine not to make an LEP.
- To defer the inclusion of certain matters.
- To identify which matters must be considered and which stages of the plan making process must be carried out again.

Should Council resolve to progress the Planning Proposal, it is recommended that Council identifies that it intends to delegate the plan making functions to the General Manager.

Subject to Gateway Determination being received, a further report would be prepared for Council's consideration presenting a draft Voluntary Planning Agreement and draft Development Control Plan amendments for exhibition concurrently with the Planning Proposal.

BUDGET

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

POLICY

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

Local Planning Panel Advice

A briefing was provided to the Hornsby Local Planning Panel on 25 May 2022. The Panel considered that the proposal had strategic merit and site specific merit, subject to the outcomes of the proposed post Gateway studies, proposed design principles to be included in HDCC controls, and satisfactory VPA for public benefits as discussed in the officer's report, to be exhibited with the Planning Proposal.

The Panel advised that it supports the progression of the proposal for a Gateway determination, with implementation through an additional local provision and post Gateway investigations as discussed above.

CONCLUSION

This report presents an owner-initiated Planning Proposal for 7 City View Road, Pennant Hills. The Planning Proposal seeks to:

- Amend Schedule 1 of the *Hornsby Local Environmental Plan 2013* to permit the residential flat building and seniors housing land use, where part of a mixed use development, as an additional permitted use on the site.
- Increase the permissible FSR on the site from 1.5:1 to 2.7:1.

Preliminary exhibition of the proposal resulted in a total of 11 community submissions, generally objecting to the proposal due to traffic and character concerns.

Based on the assessment of the proposal as submitted, it is considered that the Planning Proposal has sufficient site and strategic merit to be considered for submission to DPE for a Gateway determination, with the following amendment:

- Reference to a new additional permitted use and 2.7:1 FSR for the site be removed
- New Local Provision that would permit residential flat buildings, seniors housing and an increased FSR for the site, if the development would result in the delivery of a minimum 0.5:1 floor space ratio for commercial uses:

The Local Planning Panel has reviewed the Planning Proposal and advised that progression of the Planning Proposal is supported, with the amendment.

Accordingly, it is recommended that Council support the progression of the Planning Proposal for submission to DPE for Gateway determination with this amendment.


RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Katherine Vickery - who can be contacted on 9847 6744.

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Attachments:

1.  PP/1/2022 - Planning Proposal - 7 City View Rd, Pennant Hills_PP-2022-908

File Reference: PP/1/2022
Document Number: D08419347

8 HORNSBY TOWN CENTRE MASTERPLAN

EXECUTIVE SUMMARY

- This report presents the draft Hornsby Town Centre (HTC) Masterplan for public exhibition. The masterplan has been prepared to strengthen the role of the HTC as the major strategic urban and commercial centre of the Shire as recognised in the North District Plan.
- Council identified the opportunity to revitalise the town centre with additional job opportunities and long-term future housing provision by initiating the HTC Review project in 2019.
- The HTC Review project is a key initiative of the adopted Hornsby Local Housing Strategy to provide housing in our major centre and protect the predominant character of our low density suburbs to retain large lots, an established tree canopy and a bushland or garden setting.
- The draft HTC Masterplan has been prepared by a multidisciplinary consultant team led by Cox Architecture. Since commencement of the project in 2019, various technical studies and preliminary consultation has been undertaken which have informed the draft Masterplan.
- The draft Masterplan outlines a strategic framework to facilitate the revitalisation of the HTC through the provision of 4,500 new dwellings and creation of 5,000 new jobs by 2036.
- The project aligns with the strategic priorities and actions of State and local strategic plans to create a connected centre, facilitate future housing provision, promote design excellence, reduce urban sprawl and promote active transport and new public places and spaces.
- It is recommended that the draft HTC Masterplan (comprising the Hornsby Town Centre Recommendations Report and supporting technical studies) attached to this report be placed on public exhibition.

RECOMMENDATION

THAT:

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

PURPOSE

The purpose of this report is to present the draft HTC Masterplan to Council and seek endorsement for public exhibition.

BACKGROUND

The draft *North District Plan* (NDP) was released by the Greater Sydney Commission in 2017. It identified Hornsby as a Strategic Centre and established State government housing supply and job creation targets for Hornsby to 2036.

In response to the draft NDP and to ensure future housing provision is consistent with Council policies to focus growth in established housing precincts and the HTC, Council initiated the *Hornsby Town Centre East-Side Review*. It included a strategic analysis of planning controls and the demand and feasibility of commercial/retail development on the east side of the HTC.

In March 2018, the NDP was finalised by the Greater Sydney Commission, providing a 20-year plan to manage growth while enhancing the liveability, sustainability and productivity of the North District. The HTC is recognised as a Strategic Centre within the NDP. The NDP identifies dwelling and employment targets for councils in the North District for the short, medium and longer term.

The scope of the HTC Review was expanded in 2019 to include land in the Town Centre on the west side of rail line and the Review became a deliverable under the Hornsby Accelerated LEP Review Program. The HTC Review project area boundary encompasses business zoned land to the east and west of the rail line as well as the rail land itself and vacant residential land immediately south of the Hornsby RSL Club. The aims of the *Hornsby Town Centre Review* are to develop a structure plan to provide for projected growth, strengthen the economic, employment and housing capacities of the HTC, improve public domain and activate the Hornsby commercial core.

In March 2019, Councillors participated in a visioning workshop facilitated by SJB Planning Consultants to establish a vision and guiding principles for the Hornsby Town Centre Review project. The vision that was established by Council at the workshop (which has since been adopted in the LSPS) is:

'A place for people that reflects the uniqueness of the bushland setting, integrated around key public spaces, where the city meets the bush. An active, thriving centre that exhibits economic diversity, design excellence, liveability and sustainability.'

A set of guiding principles was also established for the project and similarly adopted in the LSPS. Once the vision and principles were established, an open tender for consultant services to undertake the Hornsby Town Centre Review was advertised from November 2018 to February 2019. At its meeting on 8 May 2019, Council endorsed the selection of consultants Cox Architecture to undertake the HTCR.

The multidisciplinary consultant team led by Cox Architecture includes:

- Cox – Urban Design and Planning.
- Tract – Landscape Architecture.
- Urban Apostles – Social and Community Planning.
- Brickfields Consulting – Social and Community Planning.
- Hectare Abraham architects – Heritage Planning.
- JLL – Economic Planning.

- WSP – Project Management, Transport Planning and Modelling and Sustainability.

DISCUSSION

This report presents the outcomes of the Hornsby Town Centre Review.

1. Hornsby Town Centre

The HTC plays a critical role in providing employment, social and retail services for residents both within and surrounding the Hornsby local government area. It is located on a major transport node and has good connectivity to other areas of Sydney and the Central Coast via the local and regional road network and rail network.

Council continues to have obligations to provide opportunities for housing to meet State government dwelling targets. Council's priorities are that low density areas are protected and that homes contribute to smaller environmental footprints. This necessitates higher density and well-connected centres to reduce urban sprawl and congestion to address the impacts of climate change. Council has committed to the Hornsby Town Centre Review for long-term future housing provision in accordance with the priorities and actions from the North District Plan, Council's Local Strategic Planning Statement, Local Housing Strategy and Employment Land Study, as discussed below.

North District Plan

Planning Priority N10 relates to Growing Investment, business opportunities and jobs in strategic centres and includes the following action:

43. Strengthen Hornsby through approaches that:

- a) *Encourage revitalisation of the commercial core.*
- b) *Better integrate Westfield Hornsby into the centre and make the area more attractive.*
- c) *Attract mixed-use development west of the railway line, encourage a stronger integration with the centre, and encourage the development of a lively eat street and restaurant precinct.*
- d) *Unlock development potential of strata-constrained areas east of the centre.*
- e) *Support health-related land uses and infrastructure around Hornsby-Ku-ring-gai Hospital.*
- f) *Improve walking and cycling connections between Hornsby Station and the Hospital.*
- g) *Reduce the impact of traffic movements on pedestrians.*
- h) *Promote walking, cycling and public transport to and within the centre.*
- i) *Prioritise public domain upgrades, place-making initiatives and a new civic space.*

The NDP identifies that Council's planned reconfiguration of the bus terminal and centre renewal will better connect the centre and provide an opportunity for revitalisation. It further notes that the rehabilitation of Hornsby Quarry and expansion of Hornsby Park will provide new open space for recreation within walking distance of the centre.

Hornsby Local Strategic Planning Statement

The Hornsby Local Strategic Planning Statement (LSPS) was adopted in February 2020 and includes the following priorities and actions specific to the progression of the Hornsby Town Centre Review:

- LP1. Protecting the character of our low density neighbourhoods.

- *LA2. Focus future housing opportunities in the Hornsby Town Centre.*
- *LA15. Finalise the Hornsby Town Centre Review and incorporate relevant findings and recommendations into a future update to the Hornsby Local Housing Strategy.*
- *LA19. Consider the potential for the night-time economy in the Hornsby Town Centre Review, Economic Development and Tourism Strategy, Pennant Hills Place Plan and other opportunities across the Shire.*
- *PP1. Revitalisation of Town Centres throughout the Shire.*
- *PA1. Complete the Hornsby Town Centre Review.*
- *CP3. Delivering substantial improvements to the function, design and accessibility of State infrastructure assets within town centres throughout the Shire.*
- *CA6. Continue to collaborate with key partners on the Hornsby Town Centre Review.*

Hornsby Local Housing Strategy 2020

The Hornsby Local Housing Strategy was adopted by Council in November 2020 and includes the following objectives specific to the progression of the Hornsby Town Centre Review:

- *Obj 2 - Ensure new housing development minimises environmental impact and promotes ecologically sustainable development.*
- *Obj 3 – Protect sensitive areas from development and ensure new housing does not detract or erode an area's local character.*
- *Obj 5 - Promote sustainable locations for housing growth close to transport which support the role of centres, have adequate infrastructure and maximise opportunities through collaboration.*

Employment Land Study

The Employment Land Study was adopted by Council in April 2020 and includes the following strategies specific to the progression of the Hornsby Town Centre Review:

- *Strategy 1.1- Prioritise employment growth in the Hornsby Town Centre.*
- *Strategy 4.1 – Attract knowledge intensive jobs in the Hornsby Town Centre.*

2. Hornsby Town Centre Review

The draft Masterplan is evidence based as informed by preliminary stakeholder and community engagement, background literature and technical studies. The draft HTC documents are attached to this report and include:

- *Recommendations Report:* Contains the key elements of the masterplan and recommendations. Summarises the key aspects of the masterplan based on the recommendations of each of the supporting technical documents.
- *Landscape and Public Domain:* In-depth analysis of strategies and opportunities to revitalise the public domain, *including* linkages within and beyond the HTC and creation of a network of open spaces.
- *Transport Plan:* Technical supporting document which documents transport modelling undertaken and *identifies* a framework for traffic improvements, intersection upgrades,

provision of well-located bus, train, commuter parking, cycling and pedestrian modes and linkages.

- *Net Zero Carbon Precinct Strategy for Building Design:* Technical supporting document which outlines a strategy to deliver high performing, low emission buildings in the HTC to support Council's target of net zero emissions by 2050.
- *Economic Development and Employment Land Uses:* Technical supporting document which provides an analysis of the economic and employment land use potential within the HTC.
- *Stakeholder Engagement Plan and Outcomes:* Provides a summary preliminary stakeholder consultation and a co-design workshop held in 2019.

3. Hornsby Town Centre Recommendations

Council's vision is to create a thriving Town Centre that reflects its bushland setting, exhibits economic diversity, design excellence, liveability and sustainability. The key features of the masterplan include:

- Residential towers for greater housing choice through provision of opportunities for 4,500 new dwellings (including provision for just over 10%, or approximately 470, affordable housing dwellings).
- Support for employment through opportunities for 5,000 new jobs.
- A new multi-purpose community facility including a library.
- A network of green and connected public spaces that reinforce the bushland Shire identity including:
 - A new Town Square adjacent to Hornsby Mall (near the water fountain).
 - A new open space Park on the corner of Burdett and George Street.
 - Expansion and reconfiguration of Cenotaph Park.
 - A new Plaza on rail land in Jersey Street.
- A new pedestrian connection across the rail corridor linking the new Burdett Street Park and Coronation Street and providing additional access to the station platforms at the northern end.
- Reconfiguration and splitting of the bus interchange away from Station Street with north and west bound buses accessed via the new plaza in Jersey Street and south and east bound buses accessed on George Street.
- Opportunity for a hotel and seniors housing at Hornsby RSL.
- Better connections for walking and cycling including improved links to Hornsby Park.

The successful delivery of the Masterplan and provision of public spaces will require collaboration and agreement with the State Government and land owners.

CONSULTATION

Preliminary Consultation in 2020

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

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

Public Exhibition 2022

The draft HTC Masterplan is recommended to be placed on public exhibition for a period of two months. The community would be informed about the draft Hornsby Town Centre masterplan through the following channels:

- Advertisement on Council's website.
- Use of web-based community engagement platform "The Hive" to share information and collect feedback.
- Promotion via Council's e-Newsletter and Social Media (Facebook).
- Advertisements in newspapers and promotion in Mayor's message.
- Advertisement with the Rates Notice to land owners in Hornsby Shire.
- Notification letters/emails to:
 - Local State and Federal members of Parliament.
 - Land owners and occupants of residential and commercial properties within or adjoining the Hornsby Town Centre Study area boundary.
 - Relevant State agencies (including TfNSW).
 - Chambers of Commerce, Community Groups, and Industry Groups.
 - Adjoining Councils.
 - People who made a submission during the preliminary consultation of the project.
 - People who have registered for updates on 'all topics' under the Accelerated LEP Review.
- Distribution of promotional material such as post cards and flyers in Hornsby Mall.
- Drop-in sessions at a "pop-up" space in Hornsby Library.
- Mesh fencing advertisement on Peats Ferry Road.
- Digital Footbridge advertisement.
- Hard copy information sheets to be available in Council libraries.

Ongoing State Agency Consultation

Consultation with key stakeholders and a range of State Government Departments and Agencies (including Transport for NSW) is important to ensure the transformation of the scale envisioned for the HTC can be achieved. Successful delivery of the key outcomes will require partnership and collaboration throughout the life of the project.

NEXT STEPS

Following the exhibition and consideration of feedback, the consultant team in consultation with Council officers would:

- Prepare a report to Council on submissions, considering any amendments to the masterplan in response to matters raised.
- Prepare a report on the recommended amendments to the DCP and HLEP to give effect to the final masterplan.
- Finalise an Infrastructure Costs Schedule and prepare a Development Contributions Plan and other strategies to levy development to fund local and State infrastructure within the Town Centre.
- Exhibit DCP / LEP amendments, and the Development Contributions Plan.
- Prepare an Implementation Plan to set out the approach to realising the masterplan.

BUDGET

The budget for this project is covered under the Accelerated LEP Review program.

POLICY

The Hornsby Town Centre Review project aligns with the actions in the NDP, LSPS, and Housing Strategy. The Masterplan provides a strategic framework to revitalise the HTC. An Implementation Plan will be prepared by the consultant team following exhibition to outline framework and steps to implement the masterplan. A Planning Proposal would be required to implement the elements of the masterplan. This would involve future reports to Council and public exhibition as part of Planning Proposal process.

Council will continue to work closely with key stakeholders within HTC and a range of State Government Departments and Agencies. It is recognised that successful delivery of the key outcomes will require partnership and collaboration throughout the life of the project.

CONCLUSION

This report presents a draft Hornsby Town Centre masterplan for endorsement for public exhibition.

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

The project aligns with the strategic priorities to revitalise the Hornsby Town Centre, concentrate future housing supply in the centre to satisfy dwelling targets, promote design excellence and to protect the landscape character of low density neighbourhoods.

It is recommended that the draft masterplan be placed on public exhibition for a period of two months to seek feedback from the community and relevant stakeholder groups. Following exhibition, a report on submissions will be reported to Council for consideration of issues and next steps.

RESPONSIBLE OFFICER







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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

ITEM 8

Attachments:

1.  Draft Hornsby Town Centre Review Recommendations Report
2.  Draft Landscape and Public Domain Report
3.  Draft Transport Plan
4.  Draft Net Zero Carbon Precinct Strategy for Building Design
5.  Draft Economic Development and Employment Land Uses Report
6.  Draft Stakeholder Engagement Outcomes Report

File Reference: F2018/00321-002

Document Number: D08428364

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

EXECUTIVE SUMMARY

- Planning Panels were introduced by the State Government with the aim of ensuring the process for the assessment and determination of development applications (DAs) with a high corruption risk, sensitivity or strategic importance is transparent and accountable.
- Council has a role in determining the appointment of the community representatives on the Hornsby Local Planning Panel (HLPP) and local members on the Sydney North Planning Panel (SNPP).
- In February 2022, Council resolved to commence an expression of interest process to appoint new community Planning Panel members. In response to the advertisement for nominations, 13 submissions were received. In May 2022, interviews of a short list of preferred candidates were conducted by a working group of Councillors and Council officers.
- It is recommended that Council appoint new local and community members on the SNPP and HLPP effective from 1 August 2022 for a period of 3 years.

RECOMMENDATION

THAT:

1. Council appoint Amanda Anderson (A Ward), Martin Dargan (B Ward), David White (C Ward) and Aiman Khan (Alternate) as community representatives on the Hornsby Local Planning Panel for a period of 3 years.
2. Council appoint Sue Weatherly (Technical Representative); Mark McCrindle (Community Representative) and Christine Newman (Alternative) as local members on the Sydney North Planning Panel (SNPP) for a period of 3 years.
3. The Planning Panels Secretariat at the Department of Planning and Environment be advised of Council's resolution.
4. Council write to outgoing panel members acknowledging their positive contribution to the Planning process in Hornsby Shire.

PURPOSE

The purpose of this report is to seek Council's endorsement to appoint new community representatives on the Hornsby Local Planning Panel (HLPP) and local members on the Sydney North Planning Panel (SNPP).

BACKGROUND

In February 2022, Council resolved to undertake an expression of interest process to appoint new community representative panel members for a period of 3 years.

The SNPP consists of five members, with three members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council. The HLPP consists of a chair and two independent experts appointed by Council from a Minister-endorsed pool of qualified people, plus a community representative.

Applications for the community representative positions on the Panels originally closed on 15 April 2022 and seven submissions were received. The list of applicants was presented at a Councillor Workshop on 28 April 2022. Some Councillors noted that there may be other suitable applicants to participate on the Panels and suggested that it would be appropriate to provide additional time for the making of submissions to ensure Council has the widest pool of candidates possible to select members to represent the community. Accordingly, the expression of interest period was extended for two weeks until 13 May 2022 and a further six submissions were received making a total of 13 responses.

At a Councillor Workshop on 18 May 2022, it was generally agreed that interviews should be conducted with preferred candidates. A working group of the Mayor and Councillors Tilbury, McIntosh and Heyde was nominated to participate with Council officers in interviews. Interviews were conducted on 26 May 2022. The interview panel agreed on recommended members for the Regional Panel but did not reach agreement on the preferred nominees for the Local Panel from an identified short list of 4 candidates.

The short list of candidates was presented to Councillors at a Councillor Workshop on 1 June 2022. The recommended candidates for the SNPP were noted. A range of views were expressed concerning the HLPP candidates and there was not general agreement. However, the majority of Councillors indicate their preference for a recommendation for consideration to appoint a community member to for each Ward on the Local Panel and an alternate. It was noted that a report would be presented to the July Council meeting to seek formal endorsement of the preferred list of Panel members.

DISCUSSION

This report discusses the process for the evaluation of the expressions of interest received for the community member positions on the HLPP and SNPP.

Hornsby Local Planning Panel

The NSW Government - Panel Member Selection Guide for Councils, requires that Council sates that a sufficient number of community representatives should be appointed so that the panel can operate efficiently, even if a community representative is unable to attend for any reason, and so that community representatives can be periodically rotated (as required by clause 1.3.1.c of the Ministerial direction).

Council received thirteen applications for community member positions on the HLPP. Some of these applicants also sought positions on the SNPP. One applicant withdrew their nomination as it was advised they were in the process of moving outside the Shire.

To assist selection of community members on Council's HLPP, the selection panel evaluated candidates based on demonstrated experience, understanding of local issues and service to the Hornsby community. Evaluated was also based on whether applicants would have a sound knowledge of Panel processes and their ability to adhere to a Code of Conduct and Operational Procedures.

After the evaluation of candidates' application material, the selection panel could not reach agreement on the preferred nominees for the Local Planning Panel. However, 4 short listed candidates were identified that were considered appropriate for further consideration by all Councillors. There was not unanimous agreement that all 4 candidates were appropriate for nomination to the Panel.

A workshop was held with Councillors on 1 June 2022, where the advantages and disadvantages were outlined of appointing nominees as a pool of candidates to be rotated each meeting or, using the current Ward based approach with an alternative to attend in the circumstances a Ward representative cannot attend a meeting.

Councillors present at the workshop indicated a range of views and there was not general agreement. However, the majority of Councillors indicate their preference for a recommendation for consideration to appoint nominees using a Ward approach as follows - Amanda Anderson (A Ward), Martin Dargan (B Ward), David White (C Ward) and Aiman Khan (alternate).

A summary of the recommended members and alternate and their background is provided below.

Amanda Anderson – A Ward	<ul style="list-style-type: none"> • Experience in planning, development and engagement • Program Development Manager Transport for NSW • Resident of Galston
Martin Dargan – B Ward	<ul style="list-style-type: none"> • Business management experience and candidate in 2022 Council elections • Chairman Westleigh Water Board Alliance and member Westleigh Progress Association
David White – C Ward	<ul style="list-style-type: none"> • Registered architect • Current member of the SNPP • Membership of the Beecroft/Cheltenham Civic Trust
Aiman Khan – B Ward (Alternate)	<ul style="list-style-type: none"> • Graphic Designer, photographer and local business owner • Member of Hornsby Dawah Community Centre • Resident of Normanhurst

It is recommended that the Planning Panels Secretariat at the Department of Planning and Environment be advised of all appointments to the local planning panel and alternate.

Sydney North Planning Panel

Of the community nominations received, eight applications indicated that they would like to participate as a community or technical representative member on the Sydney North Planning Panel.

The selection panel generally agreed on recommended nominees for the Sydney North Planning Panel as being Sue Weatherly (Technical Representative), Mark McCrindle (Community Representative) and Christine Newman (Alternative). At the workshop held with Councillors on 1 June 2022, the preferred nominees were noted and there was no further discussion on the candidates.

A summary of the recommended members and alternate and their background is provided below.

Sue Weatherly (Technical Representative)	<ul style="list-style-type: none"> • Director City Strategy at Georges River Council • Previously Planning Director at Ryde and Parramatta • Fellow Planning Institute of Australia • Resident of Hornsby
Mark McCrindle (Community Representative)	<ul style="list-style-type: none"> • Social researcher, demographer and trend analyst • Master of Arts and Bachelor of Science (Psychology) • Chair Pacific Hills Group of Schools • Resident of Dural
Christine Newman (Alternative)	<ul style="list-style-type: none"> • Population health specialist • Short Course in NSW Planning System • Member of the Westleigh Progress Association • Resident of Westleigh

It is recommended that the Planning Panels Secretariat at the Department of Planning and Environment be advised of all appointments to the regional planning panel and alternate.

PROBITY CHECKS

Probity checks are required for all panel members. Council must arrange probity checks for community representatives. These checks should include at a minimum:

- Public register of real estate agents check.
- Bankruptcy record check.
- National Police check (ACIC).

Council has engaged The PRM Group & PharmacyID to undertake probity checks on all community nominees. The appointment of the nominees to the Planning Panels will be subject to applicants satisfying the criteria of the probity check. It is anticipated that the probity checks will be completed prior to the Council meeting.

BUDGET

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

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The current term of office for panel members of the Hornsby Local Planning Panel and the community members of the Sydney North Planning Panel expires on 31 July 2022.

It is recommended that Council endorse three local members and one alternate to the Hornsby Shire LPP for a 3 year term. It is also recommended that Council endorse two local members and one alternate chosen by the selection panel for appointment to the SNPP.

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

RESPONSIBLE OFFICER

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

JAMES FARRINGTON

Director - Planning and Compliance

Planning and Compliance Division

Attachments:

There are no attachments for this report.

File Reference: F2017/00295

Document Number: D08430055

10 PLANNING PROPOSAL - HIGH STREET AND ASHLEY STREET, HORNSBY

EXECUTIVE SUMMARY

- This Council initiated Planning Proposal seeks to amend the *Hornsby Local Environmental Plan 2013* to increase the maximum building height for Properties No. 2 and No. 4 High Street Hornsby to 12 storeys (38.5 metres), and to increase the maximum building height for Properties Nos. 7, 9, 11, 15, 17 and 19 Ashley Street Hornsby and Nos. 2 and 4 Webb Avenue, Hornsby to 20.5m (6 storeys) for seniors housing development only.
- The Planning Proposal is consistent with the urban density recommendations of the draft *Hornsby Town Centre Masterplan* (HTC Masterplan) and would facilitate the club, hotel and residential concepts of a previous Planning Proposal submitted by the RSL in 2016.
- The Planning Proposal is being progressed to meet a condition of the approval of the *Hornsby Local Housing Strategy 2020* (LHS) and to comply with Council's grant funding agreement under the *NSW Public Spaces Legacy Program* (PSLP).
- On 25 May 2022, the Local Planning Panel reviewed and provided advice on the Planning Proposal in accordance with the Local Planning Panels Direction. The Panel supported progression to Gateway subject to appropriate building height transition controls to surrounding residential development for the Ashley Street and Webb Avenue sites.
- The Planning Proposal is attached to this report and is supported draft building height transition and setback amendments to the *Hornsby Development Control Plan 2013*.
- The Planning Proposal would satisfy the Department's Housing Strategy condition and is consistent with all applicable objectives and priorities of NSW State Strategic plans, Section 9.1 Ministerial Directions and Council Strategic land use plans.

RECOMMENDATION

THAT:

1. Council endorse the progression of the High Street and Ashley Street Planning Proposal attached to Director's Report No. PC17/22 for submission to the Department and Planning and Environment for a Gateway Determination.
2. Subject to receipt of a Gateway Determination, the Planning Proposal be publicly exhibited in accordance with the consultation strategy identified in this report.
3. Council endorse the amendments to the Hornsby Development Control Plan attached to Director's Report No. PC17/22 for exhibition concurrently with the Planning Proposal.
4. Following exhibition, a report on submissions be presented to Council for its consideration.

PURPOSE

The purpose of this Report is to present a Council initiated Planning Proposal consistent with the draft Hornsby Town Centre Masterplan and conditions of the Department of Planning and Environment's approval of the Hornsby LHS and grant funding under the PSLP.

BACKGROUND

2016 RSL Club Planning Proposal

In May 2016, a Planning Proposal was submitted on behalf of the Hornsby RSL Club to increase building heights and permit additional land uses on its landholdings in Hornsby, including the club premises at No. 4 High Street, and its land at Ashley Street and Webb Avenue. At that time, the Planning Proposal did not include Property No. 2 High Street (the Hornsby War Memorial Hall).

Following preliminary exhibition and a Gateway Determination in June 2017, the proposal was amended and formally exhibited in early 2018. Council's assessment concluded the Proposal raised traffic related issues unresolvable through the Planning Proposal in isolation and the Club requested withdrawal of the proposal in May 2019. At its meeting on 14 August 2019, considered Director's Report No. PL22/19 and resolved (in part) that:

- *Council not proceed with the Hornsby RSL Club Planning Proposal and associated draft DCP amendments and write to the Minister to advise of this decision made under delegation.*
- *The Hornsby Town Centre Review Study Area be extended to include the Hornsby RSL Club land holdings at property Nos. 7-19 Ashley Street and 2-4 Webb Avenue, Hornsby.*

Hornsby Town Centre Review

In 2018, Council initiated the *Hornsby Town Centre Review* (HTC Review) in response to the release of the draft *North District Plan* (NDP) and the initial outcomes of an earlier review of the planning controls and development feasibility of the Hornsby east side. In accordance with Council's resolution in August 2019, the HTC Review study area includes the sites subject to this planning proposal.

The aims of the *Hornsby Town Centre Review* are to develop a structure plan that would provide for projected growth, strengthen the economic, employment and housing capacities of the HTC, improve the public domain and activate the commercial core. The principal outcome of the HTC Review is the *draft Hornsby Town Centre Masterplan* (HTC Masterplan).

The HTC Masterplan identifies that the land subject to this Planning Proposal is part of the "Western heritage" mixed-use development precinct and establishes No. 4 High Street for 'Entertainment and dining' activities. The Masterplan recommends increasing the maximum building height for Site 13 (Nos. 2 and 4 High Street) to 38.5m (12 storeys) and Site 14 (Hornsby RSL owned land at Ashley Street and Webb Avenue) to 20.5m (6 storeys). The HTC Masterplan is the subject of a separate report for consideration by Council at its July meeting.

DISCUSSION

This report presents the High Street and Ashley Street Planning Proposal for endorsement to seek a Gateway Determination to enable formal community consultation. It also presents associated amendments to the HDGP, to be exhibited concurrently with the Planning Proposal, after a Gateway Determination is received.

The objectives of the Planning Proposal are to:

- Initiate the activation and revitalisation of the HTC according to the mixed land uses and development densities identified in the draft HTC Masterplan.
- Facilitate development of RSL Club landholdings at High Street, Ashley Street, and Webb Avenue, Hornsby as identified in the 2016 RSL Planning Proposal.
- Meet the approval requirements of the Hornsby LHS and grant funding under the NSW PSLP.

1. THE SITES

No. 2 and No. 4 High Street, Hornsby

Property No. 2 High Street, Hornsby contains the existing heritage listed Hornsby War Memorial Hall (Heritage Item No. 483) which is owned by the Hornsby War Memorial Hall Committee Incorporated. It has an area of 987.5sqm, a frontage of 18m and depth of 48m. Its northern boundary is along Ashley Lane and its southern and western boundaries adjoin the RSL club premises at No. 4 High Street.

Property No. 4 High Street, Hornsby is the existing Hornsby RSL Club premises and a rear at-grade car park. The Lot has an area of 6,698qm, a frontage of 40m and depth of 146m along Ashley Street. Its irregular northern boundary adjoins No. 2 High Street and Ashley Lane and its western boundary adjoins Nos. 14-18 Ashley Street. A secondary frontage to the Club premises and the main entrance to the rear carpark are along Ashley Street.

Both sites are Zoned B4 – Mixed Use and no change is proposed to the Zone or permissible land uses.

RSL land at Ashley Street and Webb Avenue, Hornsby

Properties Nos. 7,9,11,15,17 and 19 Ashley Street Hornsby and Properties No. 2 and 4 Webb Avenue Hornsby are all owned by the Hornsby RSL Club and are vacant except for No.19 Ashley Street, which is occupied by a dwelling house.

The Ashley Street and Webb Avenue lots are contiguous (there is no Property No. 13 Ashley Street) and have combined area of approximately 5,492sqm. As a consolidated development site, they would have three street frontages - Ashley Street (northern) at 90m, Forbes Street (eastern) at 60m and Webb Avenue (southern) at 90m. The western boundary would adjoin No.21 Ashley Street which has a secondary rear frontage to Webb Avenue and is occupied by a dwelling house.

The lots are Zoned R3 - Medium Density Residential and no change is proposed to the Zone or permissible land uses.

2. THE PLANNING PROPOSAL

The Planning Proposal would facilitate an extension to the existing club, a hotel and residential apartments at No. 4 High Street and a 6 storey seniors housing development on the Ashley Street/Webb Avenue sites.

Seniors housing is already permitted on the site, as the land is zoned R3 Medium Density Residential which allows seniors housing under the *Hornsby Local Environmental Plan 2013* (HLEP). The Housing SEPP also allows seniors housing in the R3 zone.

Accordingly, there would be no change to the current zoning or permissible uses, but an increase in height limits under the HLEP would be required as follows:

Clause 4.3 Height of Buildings

Amending the maximum height of buildings clause (4.3 Height of buildings) to allow a maximum building height of 20.5m (6 storeys) for seniors housing development only in 'Area 1' shown on the

Height of building Map (retaining the existing maximum 10.5m building height for all other R3 permitted land uses).

Height of Building Map

Amending the maximum building height control for Property No. 2 High Street, Hornsby (Lot 1 DP 585721) and No. 4 High Street Hornsby (Lot 2 DP 817649) to increase the maximum building height from 26.5m (8 storeys) to 38.5 metres (12 storeys)

Amending the Height of building map to define and show Properties Nos. 7,9,11,15,17 and 19 Ashley Street Hornsby (Lots 1,2,3,4,5,6 DP222907) and Properties Nos. 2 and 4 Webb Avenue (Lots 7 and 8 DP 222907), Hornsby as 'Area 1'.

3. DEVELOPMENT CONTROL PLAN AMENDMENTS

Draft development control plan amendments have been prepared to support the planning proposal. The relevant Parts of the Hornsby Development Control Plan (HDCP) that would be applicable to the Planning Proposal are Part 3 – Residential for the land at Ashley Street and Webb Avenue and Part 4 – Business for the land in High Street, Hornsby.

Draft HDCP amendments to minimise the potential amenity impacts of a 12 storey development at No. 2 and 4 High Street and a 6-storey seniors housing development on the RSL sites in Ashley Street and Webb Avenue, would be exhibited with the Planning Proposal. They include building height transition controls, additional setbacks for upper levels and location restrictions for main entrances and parking away from residential land uses to minimise the potential impact of Club development and seniors housing on surrounding lower density residential land uses. The draft HDCP amendments are attached to this report.

Should the proposal receive a Gateway Determination, the proposed HDCP amendments to reflect the new height standards and building height transition and setback provisions would be exhibited concurrently with the Planning Proposal.

4. STRATEGIC AND STATUTORY CONTEXT

Relevant policies and legislation are discussed below.

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

The *Greater Sydney Region Plan - 'A Metropolis of Three Cities'* and the *North District Plan* establish the strategic planning framework for accommodating Sydney's future population growth and identify key State and local targets such as dwelling numbers, infrastructure planning, liveability, sustainability, and productivity.

The sites subject to this planning proposal are located within the Hornsby Town Centre which is identified as a Strategic Centre in the *North District Plan* (NDP). The Planning Proposal gives effect to the objectives and actions of the State and local strategic planning framework by enabling sustainable transport focused development opportunities that would contribute to State and local housing and jobs targets. The key State Government planning priorities Council is required to consider with regards the Planning Proposal are:

- *NDP: Planning Priority N5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.*
- *Action 19 c. - providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centre.*

The proposal aims to deliver dwelling supply and choice by encouraging shop-top housing and seniors housing in an established and growing town centre that has existing services, shops and recreation facilities and provides a range of job opportunities.

The sites are located in close proximity to existing bus and train services (approximately 150m) and other services and infrastructure, such as Hornsby Hospital and Council's library and cultural centre as well as primary and secondary schools.

The Planning Proposal includes a building height incentive for seniors housing on land at Ashley Street and Webb Avenue in the HTC to encourage and facilitate seniors housing supply overall and to provide seniors housing location and dwelling type choice in the Shire.

- *NDP: Planning Priority N6: Creating and renewing great places and local centres, and respecting the District's heritage.*
- *Action 21c.- managing and monitoring the cumulative impact of development on the heritage values and character of places.*

The proposal aims to provide for development that reflects an appropriate balance of commercial, residential and community uses that will contribute to the rejuvenation of the Hornsby Town Centre and reinforce and strengthen its viability as a commercial core. The proposed building heights are consistent with the urban structure and concepts identified in the draft HTC Masterplan.

The War Memorial Hall at No. 2 High Street, Hornsby, is a prominent building within the Hornsby Town Centre and is of historical, aesthetic, and social heritage significance. Its heritage value is in its history and function, association with the Cenotaph on Peat's Ferry Road and the adjacent to the RSL Club, its International Style architecture and glass façade, its ongoing use, internal memorial fixtures and layout of its rooms.

The sites subject to the Planning Proposal are also in proximity to the Peats Ferry Road and Mount Errington Precincts of the *Hornsby West Side Heritage Conservation Area (HCA)*.

Potential heritage impacts related to the proposed building height of 12 storeys at No. 2 High Street and at the adjacent No. 4 High Street, would be managed through the existing heritage provisions of the Hornsby LEP and the Desired Outcomes and Prescriptive Measures of *Part 9.2 – Heritage Items* of the *Hornsby Development Control Plan 2013 (HDCP)*. The HDCP provisions adopt a 'whole of building' approach, apply to building exteriors and interiors, and require that the setting of an item is considered in any development nearby.

- *NDP: Planning Priority N10: Growing investment, business opportunities and jobs in strategic centres.*

The additional building heights to allow expanded Club facilities, a hotel development and housing would assist with meeting the short term (construction) and long term (operation) job targets outlined in the *North District Plan* and in the Hornsby LSPS.

The proposal may also have an attractor and multiplier benefit to the local economy as the HTC is not currently serviced with high quality accommodation, function centre or conferencing facilities and an additional residential population would stimulate local goods and services demand.

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 Local Planning Directions relevant to this Planning Proposal that Council must follow include:

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 (e.g. the Greater Sydney Region Plan). The direction requires a planning proposal to be consistent with a Regional Plan released by the Minister for Planning.

The Planning Proposal would result in increased commercial and residential density in proximity to the Hornsby Town Centre, which is a major transport node. The consistency of the Planning Proposal with the Regional Plan and North District Plan is discussed above.

Direction 3.2 – Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The War Memorial Hall at No. 2 High Street is listed as Heritage Item No. 483 in Schedule 5 – Environmental Heritage of the *Hornsby Local Environmental Plan 2013*.

The Planning Proposal does not propose heritage amendments to the HLEP. Potential heritage impacts related to the proposed building height of 12 storeys at No. 2 High Street and at the adjacent No. 4 High Street, would be managed through the existing heritage provisions of the Hornsby LEP and the Desired Outcomes and Prescriptive Measures of *Part 9.2 – Heritage Items* of the *Hornsby Development Control Plan 2013* (HDCP). The HDCP provisions adopt a 'whole of building' approach, apply to building exteriors and interiors, and require that the setting of an item is considered in any development nearby.

The sites are also in proximity to the Peats Ferry Road and Mount Errington Precincts of the *Hornsby West Side Heritage Conservation Area* (HCA). Existing controls within the Hornsby LEP and the HDCP would ensure development on the subject sites does not adversely impact the heritage values of the Precincts.

Direction 5. 1- Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts improve access to housing jobs and services by active transport, reduces travel demand by car and supports public transport.

The proposal provides increased density to enable and encourage residential, registered club and visitor accommodation uses in close proximity to Hornsby Railway Station and bus interchange (approximately 150m).

The *Hornsby Town Centre Review Recommendations*, March 2022 and Transport Plan identify a range of public infrastructure improvements associated with the growth of the HTC to 2036. They include enhanced access to public transport, permeability, and linkage recommendations, and upgrading community facilities and open spaces. The development enabled through this Planning Proposal would be serviced long-term by these improvements and will contribute to their provision through monetary contributions as established and required in infrastructure and development contributions planning that is being undertaken as part of the overall Town Centre Review.

Traffic issues are further discussed below under the heading Traffic and Local Road Network.

Direction 6.1 – Residential Zones

The objectives of the direction are to encourage a variety of housing types for existing and future housing needs, make efficient use of accessible infrastructure and services and minimise the impact of residential development on the environment and resource lands. The direction requires that planning proposals broaden the choice of the housing market, make more efficient use of infrastructure and services, reduce land consumption for housing and be of good design. Planning proposals are to be for land that is or can be adequately serviced and not reduce residential density.

The proposal provides additional building heights for seniors housing only on vacant land zoned R3 – Medium Density and for a large site zoned B4 - Mixed Use, providing a supply incentive to satisfy growing housing diversity demand in a location in close proximity to services, transport, retail and entertainment opportunities. The proposal has been informed by the HTC Masterplan indicative building envelopes which respond to the surrounding context and building hierarchy.

Existing and proposed additional provisions in the *Hornsby Development Control Plan* (HDCP) with regards to urban form would ensure that the design of new development on the subject sites is consistent with the urban form identified in the HTC Masterplan, responds to design excellence requirements, and minimises amenity impacts. The draft HDCP amendments include building height transition controls, additional setbacks for upper levels and location restrictions for main entrances and parking away from residential land uses. Certain provisions of the Housing SEPP would also apply to the seniors housing development on the RSL land at Ashley Street and Webb Avenue in relation to accessibility and living standards.

Direction 7.1 Business and Industrial Zones

The objectives of the direction are to encourage employment growth in suitable locations and to protect employment land in business and industrial zones and support the viability of identified centres.

Planning proposals are required to retain the areas and locations of existing business and industrial zones, not reduce the potential floorspace for employment uses, and align with employment areas in accordance with employment strategies.

The proposal aims to deliver development that reflects an appropriate balance of commercial, residential and community uses that will contribute to the rejuvenation of the Hornsby Town Centre and reinforce and strengthen its viability as a commercial core.

The additional building heights to allow expanded Club facilities, a hotel development and shop top housing as well as other permissible land uses, would assist with meeting the short term (construction) and long term (operation) job targets outlined in the draft North District Plan and in local strategic plans.

The proposal may also have an attractor and multiplier benefit to the local economy as the HTC is not currently serviced with high quality accommodation, function centre and conferencing facilities.

Hornsby Local Strategic Planning Statement

The *Hornsby Local Strategic Planning Statement* 2020 (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.

The LSPS identifies the HTC as a major commercial centre that it will play a critical future role in providing employment, social and retail services for residents both within and surrounding the Hornsby LGA. The HTC will provide up to 3,500 new dwellings and the bulk of commercial floorspace to meet the Shire's long-term housing and job targets.

Relevant actions and priorities in the LSPS include:

Liveable Priorities

- Action LA2. Focus future housing opportunities in the Hornsby Town Centre.
- Action LA15. Finalise the Hornsby Town Centre Review and incorporate relevant findings and recommendations into a future update to the Hornsby Local Housing Strategy

Productive Priorities

- Priority PP3. Focusing economic development in and around existing centres and employment precincts in the Shire, with a key focus on the strategic centre.
- Priority PP5. Prioritising local employment opportunities, and improvements to services, amenities, and infrastructure to support the future population.

The Planning Proposal is consistent with the LSPS and its planning priorities and actions. It would provide development densities that would encourage an appropriate balance of commercial, residential and community uses that would give effect to and reinforce the economic and commercial centre role and function of the HTC. It would also provide housing, jobs and services in mixed use developments and facilitate seniors housing supply and choice close to transport and services and initiate the activation and revitalisation the HTC according to Council's vision for it as '*A place for people that reflects the uniqueness of the bushland setting, integrated around key public spaces, where the city meets the bush. An active, thriving centre that exhibits economic diversity, design excellence, liveability and sustainability.*'

Hornsby Local Housing Strategy 2020

The *Hornsby Local Housing Strategy 2020* (LHS) outlines Hornsby's 20-year vision and priorities for housing an increase of 32,000 people requiring 14,879 new homes by 2036. It identifies that the majority of new homes will be provided in existing housing precincts, the Hornsby Town Centre (HTC) and the Cherrybrook Station Precinct.

The following HLHS local planning priorities are most relevant to the planning proposal:

- LP1. Protecting the character of our low-density neighbourhoods.
- LP6. Providing housing in the right locations that meets the needs of our community with regard to housing type and mix, design, sustainability, affordability and safety.

The proposal aims to deliver dwelling supply and choice by encouraging shop-top housing and seniors housing in an established and growing town centre that has existing services, shops and recreation facilities and provides a range of job opportunities. The Planning Proposal will provide the opportunity for realisation of 164 dwellings (including 110 seniors dwellings) and 1440sqm of commercial floor space plus a hotel.

The sites are located in close proximity to existing bus and train services (approximately 150m) and other services and infrastructure, such as Hornsby Hospital and Council's library and cultural centre as well as primary and secondary schools.

The Planning Proposal includes a building height incentive for seniors housing. This is generally consistent with the outcomes of the *Hornsby Seniors Housing Demand and Supply Review* which was endorsed by Council in 2020. The Review recommends that planning for Hornsby Shire's growing 65+ population should include looking at appropriate locations for independent seniors living units and aged care facilities, as well as other housing options outside age-segregated seniors living.

Local Action 2 (LA2) of the Strategy is to focus future housing opportunities in the Hornsby Town Centre which would supply 3,500+ new homes by 2036, mostly in the form of high-density apartments.

A condition of the Department's approval of the *Hornsby Housing Strategy 2020* is that Council submit a planning proposal with any relevant controls required to support rezoning part or all of the HTC Masterplan area to the Department for Gateway determination by or before December 2022.

The Planning Proposal is being progressed at the same time as the HTC Masterplan report going to Council so that the exhibition of the HTC Masterplan can proceed while the Planning Proposal also progresses to formal exhibition.

Employment Lands Study

Council's *Employment Lands Study* (ELS) provides a strategic framework to facilitate and accommodate future employment growth within Hornsby Shire in the context of the North District Plan. The ELS was endorsed by Council in May 2021.

The ELS identifies that Hornsby Town Centre lacks a clear economic identity, that Council should progress a masterplan for the centre and that development within the centre should contribute to the civic, cultural, retail and economic requirements of the district.

Hornsby Town Centre Review

The *Draft North District Plan* (NDP) was released in 2017. It identified Hornsby as a Strategic Centre and established the State government's housing supply and job creation targets for Hornsby to 2036.

In response to the NDP, and to ensure growth would be consistent with Council policies to focus growth in established housing precincts and the HTC, Council initiated the *Hornsby Town Centre East-Side Review*. It included a strategic analysis of planning controls and the demand and feasibility of commercial/retail development on the east side of the HTC.

The scope of the HTC Review was expanded in 2019 to include land in the Town Centre on the west side of rail line including the land subject to this planning proposal, and the Review became a deliverable of Hornsby's Accelerated LEP Review Program. The aims of the broader *Hornsby Town Centre Review Study* are to develop a structure plan that would provide for projected growth, strengthen the economic, employment and housing capacities of the HTC, improve public domain and activate Hornsby's commercial core. Review studies include economic development feasibility and urban form analyses, transport, traffic, parking and circulation modelling, housing demand and supply analysis and infrastructure capacity.

The principal outcome of the HTC Review is the *Draft Hornsby Town Centre Masterplan* (HTC Masterplan) which is outlined and discussed in the *Hornsby Town Centre Review Recommendations March 2022* report. The Masterplan is supported by technical studies and includes a series of recommendations and interventions to facilitate the revitalisation of Hornsby as a growing strategic centre, to accommodate change and to deliver diversity and density.

Properties No. 2 High Street and No. 4 High Street are identified as Site 13 in the Masterplan, and Properties Nos. 7,9,11,15,17 and 19 Ashley Street together with Nos. 2 and 4 Webb Avenue, as Site 14. The HTC Masterplan recommends retaining the existing zoning and land uses for all the sites subject to this Planning Proposal and identifies No. 4 High Street for 'Entertainment and dining' activities (Figure 19). Recommendations include revising the planning controls to increase mixed land use density for all the sites in the Planning Proposal (Figure 51) and increasing the maximum building height for Site 13 to 38.5m (12 storeys) and Site 14 to 20.5m (6 storeys) (Figure 50).

Hornsby Local Environmental Plan 2013

The proposal does not involve a change to the zoning of the sites or to provide for any additional permitted land uses. The proposed amendments to the LEP relate to the height of buildings only.

The current zoning of the High Street properties is B4 – Mixed Use. The objectives of the zone are as follows:

- *To provide a mixture of compatible land uses.*
- *To integrate sustainable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

The zone permits a range of uses, including registered clubs, hotel or motel accommodation and shop top housing. The increased height proposed would allow the economic and orderly development of the site to its potential.

The current zoning of the Ashley Street and Webb Avenue sites is R3 – Medium Density Residential. The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The zone permits a range of residential uses, including seniors housing. The increased height proposed would only apply to development for the purposes of seniors housing.

Hornsby Development Control Plan 2013

The *Hornsby Development Control Plan 2013* (HDCP) applies to all land within Hornsby Shire and is a comprehensive framework for the development of land. The HDCP aims to outline procedures, responsibilities, and processes consistent with Council's vision of maintaining an environment which is sustainable and liveable.

The relevant Parts of the HDCP that would be applicable to the Planning Proposal are Part 3 – Residential for the land at Ashley Street and Webb Avenue and Part 4 – Business for the land in High Street, Hornsby.

As discussed above, draft HDCP amendments to minimise the potential amenity impacts of a 12 storey development at Nos. 2 and 4 High Street and a 6-storey senior's development on the RSL sites in Ashley Street and Webb Avenue, have been prepared and are attached to this report. They include building height transition controls, additional setbacks for upper levels and location restrictions for main entrances and parking away from residential land uses to minimise the potential impact of Club development and seniors housing in on surrounding lower density residential land uses.

Should the proposal receive a Gateway Determination, the DCP controls would be exhibited concurrently with the Planning Proposal.

5. IMPACTS OF THE PROPOSAL

The potential site-specific impacts of the Planning Proposal are discussed below.

Built Form and Solar Access

The proposed new building heights for the land in this Planning Proposal are based the heights identified for Nos. 2 and 4 High Street (Site 13) and the RSL vacant land in Ashley Street and Webb Avenue (Site 14) in the HTC Masterplan 2022 which was, in turn, informed in part by the concepts in the 2016 RSL Planning Proposal.

The RSL Planning Proposal Indicative Design Concept at Attachment 2(a) includes a preferred design scheme and built form, supported by planning principles, shadow diagrams and proposed HDCP controls. The preliminary shadow analysis shows that properties in the area surrounding the proposed RSL Club's development would not receive an unreasonable amount of additional overshadowing and would maintain a minimum of 2 hours of solar access per day. The residential towers above the RSL Club, and the seniors housing development depicted in the Concept Plan complied with the minimum requirements of the Apartment Design Guide.

A planning proposal cannot tie a future development to a concept design. Along with the application of the Apartment Design Guide to any future Development application, draft HDCP amendments to minimise the amenity impacts of 12 storey development at Nos. 2 and 4 High Street on Nos.14 -18 Ashley Street, a 3-storey residential flat building to the west of No. 4 High Street and No. 11 William Street, Hornsby a 3-storey residential flat building to its north, would be exhibited with the Planning Proposal. The amendments include prescriptive controls for podium heights, building height and setbacks and will complement the existing controls for the Hornsby West Side.

Draft HDCP amendments applicable to a seniors housing development on the RSL sites in Ashley Street and Webb Avenue Hornsby would also be exhibited with the Planning Proposal. The amendments require a building height transition to lower density surrounding existing development, provide additional setback controls and would complement the existing controls for 6 Storey residential flat buildings in the HDCP.

The increases in building heights for the High Street and Ashley Street properties remain consistent with the transition in heights across the Hornsby West Side. Heights in the centre of the precinct range from 25 storeys, down to 20 storeys fronting Peats Ferry Road, transitioning to 12 storeys on the north side of Ashley Lane. The proposed building height of 12 storeys at Nos. 2 and 4 High Street and 6 storeys at Ashley Street and Webb Avenue continue the transition to the interface with residential zones.

Heritage

The War Memorial Hall at No. 2 High Street is listed as Heritage Item No. 483 in Schedule 5 – Environmental Heritage of the *Hornsby Local Environmental Plan 2013*. It is a prominent building within the Hornsby Town Centre and is of historical, aesthetic, and social heritage significance. Its heritage value is in its association with the Cenotaph on Peats Ferry Road and the adjacent to the RSL Club, its International Style architecture and glass façade, its ongoing use, memorial fixtures and layout of its rooms and its design by local architect Ross Innes Aynsley.

Issues with regards to the impact of the 2016 RSL Planning Proposal on the significance of the Hall were raised during its preliminary exhibition and Council's pre-Gateway assessment. A condition of the Gateway Determination of 14 June 2017 required that a heritage assessment be prepared to identify to what extent the proposed development would affect the heritage item and in November 2017 an amended Statement of Heritage impact by Archnex Designs was prepared. It concluded that the heritage impacts of the proposal related to its setting and that the Planning Proposal did not have

impacts in terms of the fabric of the item. The assessment is at Attachment 1(b) to the Planning Proposal.

As a result of the heritage assessment, the RSL Club indicated that they would amend the Planning Proposal to retain the current maximum building height control of 26.5 metres for the extent that No. 4 High Street adjoined the southern boundary of 2 High Street, to provide an appropriate relationship (in terms of maximum height) to the Hornsby War Memorial Hall.

The RSL Planning Proposal was withdrawn before the amended Planning Proposal was finalised.

The HTC Masterplan illustrates a range of possible urban form outcomes for Site 13 (No. 2 and No. 4 High Street) within the 12-storey recommended new maximum height limit across both sites. They all include a two-storey built form in the location of the War Memorial Hall indicating that the proposed additional building height does not mean that the Memorial Hall would be demolished and developed and that its retention at the ground level alongside or as part of a new development is practicable.

Potential heritage impacts related to the proposed building height of 12 storeys at No. 2 High Street and at the adjacent No. 4 High Street, would be managed through the existing heritage provisions of the Hornsby LEP and the Desired Outcomes and Prescriptive Measures of Part 9.2 – Heritage Items of the *Hornsby Development Control Plan 2013* (HDCP). The HDCP provisions adopt a 'whole of building' approach, apply to building exteriors and interiors, and require that the setting of an item is considered in any development nearby and that a height transition is provided to sensitive interface areas.

The sites are also in proximity to the Peats Ferry Road and Mount Errington Precincts of the *Hornsby West Side Heritage Conservation Area* (HCA). Existing controls within the Hornsby LEP and the HDCP would ensure development on the subject sites does not adversely impact the heritage values of the Precincts.

Traffic and Local Road Network

Many of the previously unresolved traffic issues related to the 2016 RSL Planning Proposal concerned the proposed additional building height and land uses. There were also concerns with how redevelopment would occur at the RSL and Community Car Park site at William Street, Hornsby. That site is not included in this Planning Proposal.

The *Hornsby Town Centre Review* capacity study and traffic modelling includes the 2016 RSL Planning Proposal's concepts. Modelling was based on gross floor area and potential overall development yield and not broken down to hotel, residential flat building, or seniors housing land uses. The land uses vary with regards to required parking rates, the number of vehicles they would add to the local road network, and their trip generation and distribution local traffic impacts.

Hotel uses in the HLEP require 1 parking space per room and have varying occupancy rates, often peaking at weekends and holiday periods. Seniors housing only requires 0.5 car space per bedroom and does not usually add substantially to AM or PM traffic volume peaks. It is likely, therefore that the development enabled through the Planning Proposal would generate less parking demand and less additional local traffic at completion than modelled.

The *Hornsby Town Centre Review Transport Plan 2022* identifies the land included in the Planning Proposal as Stage 1 (0-5 years) development sites within the Western Precinct. The plan models intersection performance and carrying capacity for the whole HTC at full 2036 Masterplan development and identifies that the local road network would need to accommodate an increase in traffic of 15 per cent to 20 per cent in the AM peak and 40 per cent to 50 per cent in the PM peak.

A series of transport and infrastructure improvements to support the new urban structure and plan for the envisaged density and vehicle trip increases are recommended as part of the HTC Review. Looking holistically at traffic generation and management across the whole Town Centre, rather than for the site in isolation, means the following is able to be achieved to overcome issues with the network:

- Increased mode share for active transport.
- Removing buses from Station Street with a split and relocated bus interchange.
- Reinforcing George Street (rather than Peats Ferry Road) as the major traffic route with intersection upgrades and road widening to improve traffic flow.
- Implementation of approximately 40 intersection, road network, public transport or active transport improvements across the Town Centre.
- Improved pedestrian connections between the Station and commercial and residential areas on the west side.

The improvements are contributions costed against development of the entire Town Centre (including the subject sites) and have been staged according to projected development uptake and yield to 2036.

CONSULTATION

Consultation and outcomes undertaken with council, state agencies or authorities to date.

The development of the HTC Masterplan, which includes the sites in this Planning Proposal, was informed by consultation with a number of state agencies and authorities. The consultation has been in the form of letters, emails, presentations at meetings and a Co-Design workshop. Agencies involved over time included:

- Department of Planning and Environment.
- Greater Cities Commission.
- Transport for NSW.
- Sydney Trains.
- NSW Health.
- NSW TAFE.
- NSW Education.

Most recently, the Planning Proposal was discussed with representatives from the Department of Planning and Environment as part of the initial scoping/pre-lodgement stage.

Previous exhibition

Preliminary exhibition of the 2016 RSL Club Planning Proposal indicated that traffic was the main issue with the proposal. Council subsequently resolved not to progress with the RSL planning proposal until the traffic issues could be considered as part of the entire Hornsby Town Centre Masterplan, which has now been drafted for exhibition.

Since preliminary exhibition of the RSL proposal, further discussions with the community about the Hornsby Town Centre in its entirety has included:

- Pop up sessions in Hornsby Mall.
- Exhibition of the Town Centre Vision and Principles as part of the LSPS exhibition.
- Land owner drop-in sessions.
- A Co-Design workshop with agency stakeholders.

Consultation Strategy

The following consultation strategy is consistent with The *Hornsby Shire Community Engagement Plan 2021* and the Public Exhibition requirements of the Local Environmental Plan Making Guidelines 2021. It may be amended by the requirements of the Gateway Determination.

Consultation for the Planning Proposal will include:

- Advertisements in local Publications: An advertisement would be placed in the Hornsby Kuringai Post identifying the purpose of the Planning Proposal and providing a web-link to where the Planning Proposal can be viewed.
- Advertisement on the Council website: The Planning Proposal would be exhibited on Council's website (<https://www.hornsby.nsw.gov.au/council/noticeboard/your-say/have-your-saycontent/current-exhibitions>).
- ENews An advertisement would be placed in Council's electronic newsletter.
- Letters to affected owners: A letter would be sent to landowners who adjoin or are in close proximity to the sites.
- Displays at the Council Administration Buildings and local libraries: The Planning Proposal would be displayed at the Council Chambers, 296 Pacific Highway, Hornsby, and the Hornsby Library.
- Consultation with Authorities: A copy of the Planning Proposal and relevant supporting material will be provided to the public authorities identified in the Gateway Determination, including Transport for NSW – Roads and Maritime Services; Transport for NSW – Sydney Trains; relevant authorities for the supply of water, electricity and the disposal and management of sewage; as well as NSW Police, and NSW Fire Service.

STATUTORY CONSIDERATIONS

As part of the Gateway Authorisation process, Section 2.4 of the EP&A Act allows the Minister and the Director General to delegate functions to a Council and/or an officer or employee of a Council. When submitting a Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation).

Authorisation delegates the following plan making powers to Council: *Hornsby Shire Council Advice No. 01/20 Local Planning Panel Briefing Date 27/5/2020:*

- To make and determine not to make an LEP.
- To defer inclusion of certain matters.
- To identify which matters must be considered and which stages of the plan making process must be carried out again.

Should Council resolve to progress the planning proposal, it is recommended that Council identifies that it intends to delegate the plan making functions to the General Manager.

BUDGET

This Planning Proposal is being progressed to meet the conditions associated with the Hornsby Housing Strategy and also the conditions of grant funding awarded to Council under the *NSW Public Spaces Legacy Program*. A total of \$4 million has been allocated under the program towards the construction and delivery of a new elevated walkway in Pyes Creek Bushland, learn to Ride Playspace in Ruddock Park and improvements to the Brooklyn Foreshore. Part of the funding agreement is that Council must exhibit a Planning Proposal that contributes to additional housing supply by 31 December 2022.

The matter has no direct financial impact upon Council's adopted budget or Long Term Financial Plan.

POLICY

The Local Planning Panels Direction – Planning Proposals requires that the Local Planning Panel give its advice on the Planning Proposal before Council considers whether to forward it to the Minister or Greater Sydney Commission.

Local Planning Panel Advice

A briefing was provided to Hornsby's Local Planning Panel on 25 May 2022. The Panel considered that the proposal had strategic merit and site specific merit, subject to the proposed design principles to be included in DCP controls, as discussed in the officer's report.

The Panel advised that it supports the progression of the planning proposal for a gateway determination, with appropriate controls for height transitions for the Ashley Street site.

CONCLUSION

The report presents a Planning Proposal for Properties Nos. 2 and 4 High Street, Hornsby, Properties Nos. 7,9,11,15, 17 and 19 Ashley Street Hornsby and Properties Nos. 2 and 4 Webb Avenue, Hornsby.

The Planning Proposal seeks to amend the HLEP maximum building height control (Height of Buildings Map) from 26.5 metres (8 storeys) to 38.5 metres (12 storeys) for Nos. 2 and 4 High Street, Hornsby, and amend the maximum height of buildings clause (4.3 Height of buildings) and the Height of Buildings Map to allow a maximum building height of 20.5m (6 storeys) for seniors housing development only (retaining the maximum building height for all other R3 permitted land uses on the land at 10.5 metres) for Properties Nos. 7,9,11,15,17 and 19 Ashley Street and Properties Nos. 2 and 4 Webb Avenue, Hornsby.

The proposal has strategic merit due to its consistency with the *Greater Sydney Regional Plan, North District Plan, Section 9.1 Ministerial Directions* and the Hornsby LSPS and *Hornsby Housing Strategy* and should be progressed. Clear community benefit has been identified to justify changes to planning controls in terms of job creation, housing supply and revitalisation of Hornsby's commercial core.

The proposal is being progressed to meet the conditions associated with the approval of the *Hornsby Housing Strategy 2020* and grant funding awarded to Council under the *NSW Public Spaces Legacy Program*. Part of the funding agreement is that council must exhibit a Planning Proposal that contributes to additional housing supply by 31 December 2022.

Accordingly, it is recommended that Council support the progression of the Planning Proposal for submission to the Department of Environment and Planning for Gateway Determination.



RESPONSIBLE OFFICER

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

KATHERINE VICKERY
Manager - Strategic Landuse Planning
Planning and Compliance Division

JAMES FARRINGTON
Director - Planning and Compliance
Planning and Compliance Division

Attachments:

1.  Planning Proposal - High Street and Ashley Street Hornsby
2.  Draft Hornsby Development Control Plan Amendments

File Reference: F2018/00321-002
Document Number: D08430462

11 APPROVAL TO ATTEND INTERNATIONAL CONFERENCE FOR LESLEY TIPPING

EXECUTIVE SUMMARY

- Approval is sought for Ms Lesley Tipping, Road Safety Officer – Traffic Engineering and Road Safety to attend the 2022 Australasian Road Safety Conference in Christchurch, New Zealand from the 27th to the 30th of September 2022.
- Ms Tipping has authored a paper which will be presented at the conference. Acceptance of this presentation by an international panel of reviewers is a significant achievement which demonstrates Ms Tipping's work in road safety.
- Upon return, Ms Tipping will prepare a report for Council summarising learnings from the conference, including relevant projects that may be implemented and recommend behavioural campaigns, research and potential treatments in relation to road safety.

RECOMMENDATION

THAT Council endorse the attendance of Ms Lesley Tipping at the 2022 Australasian Road Safety Conference to present a paper on developing cross-sectoral partnerships between Local and State Governments in relation to the Motorcycle CRASH Card.

PURPOSE

The purpose of this Report is to request approval of Road Safety Officer, Ms Lesley Tipping to attend the 2022 Australasian Road Safety Conference in Christchurch, New Zealand from 27-30 September 2022. This conference will bring together road safety stakeholders and decision-makers from Australasia and international jurisdictions to facilitate collaboration and information sharing.

BACKGROUND

Hornsby Shire Council launched the Motorcycle CRASH Card in 2016 in response to an increasing number of motorcycle casualties within the Local Government Area (LGA). The Card provided an excellent tool to engage directly with motorcyclists about road safety, including safe riding practice, motorcycle clothing (MotoCAP), helmet use and rider training. It also provided an opportunity to partner with key stakeholders (NSW Emergency Services) to address the issue holistically.

In 2021, the Victorian Department of Transport – Road Safety Victoria partnered with Council to deliver their own version of the Motorcycle CRASH Card to riders across the state of Victoria.

Multi-sectoral partnerships provide the opportunity to collaborate and share information, concepts, and resources. Developing and maintaining multi-sectoral partnerships across jurisdictions are especially important in road safety, particularly when developing new and untested initiatives, where there are complex road safety challenges, or when targeting a specific cohort of road users. The success of the Motorcycle CRASH Card is evidence of a collaborative and effective partnership between two jurisdictions attempting to resolve a complex road safety challenge for a cohort of road user which has traditionally been resistant to traditional safety messaging. This presentation will explain the development and implementation of the Crash Card by Hornsby Shire Council using extensive stakeholder engagement and outline the opportunities for collaboration between the Council and Victoria's Department of Transport as it adopts the concept for a local audience.

DISCUSSION

Ms Tipping has authored one paper which has been accepted for presentation at the conference. This paper will address developing cross-sectoral partnerships between local and state government and will show case the work of Council to an international audience. It is titled:

- Developing Cross-sectoral Partnerships between Local and State Governments – Motorcycle CRASH Card (D08438455)

In presenting this paper and attending the conference both Council and the community will benefit from the information presented on the benefits of the partnership as well as the learnings and outcomes.

BUDGET

Item	Cost	Source
Conference registration cost	\$1374.25 - NZD (early Registration fee for ACRS member)	Conference website
Airfare Sydney-Christchurch	Paid for by Ms Tipping	
Airport transfer shuttle return	\$38	Web search
Accommodation – 3 nights	\$507	Discounted rate through Harding Conferences

Total	\$1,919.25 NZD	
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POLICY

This Report has been prepared in accordance with the requirements of Council's Interstate and Overseas Travel Determination.

CONCLUSION

Council's endorsement is sought for Road Safety Officer, Ms Lesley Tipping to attend the 2022 Australasian Road Safety Conference in Christchurch, New Zealand from 27-30 September 2022. Ms Tipping has authored one paper which will be presented at the conference. Acceptance of this presentation by an international panel of reviewers is a significant achievement which demonstrates Ms Tipping's work in road safety. Upon return, Ms Tipping will prepare a report for Council summarising learnings from the conference, including relevant projects that may be implemented and recommend behavioural campaigns, research and potential treatments in relation to road safety. This conference is usually held in Australia and attended by Ms Tipping when possible. There are no additional costs associated with the conference being held in New Zealand.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Deputy General Manager – Robert Stephens, who can be contacted on 9847 6665

ROBERT STEPHENS

Deputy General Manager - Infrastructure and
Major Projects
Infrastructure and Major Projects Division

Attachments:

There are no attachments for this report.

File Reference: F2007/01020

Document Number: D08438336

12 MAYOR'S NOTES 01 JUNE 2022 TO 30 JUNE 2022

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

Wednesday 1st June 2022 – The Mayor hosted four Citizenship Ceremonies in the Council Chambers at Hornsby Shire Council in Hornsby.

Saturday 4th June 2022 – The Mayor attended the 50(+2) Years Golden Kangaroos Band Concert and Anniversary Dinner at The Epping Club in Epping.

Saturday 18th June 2022 – On behalf the Mayor, Deputy Mayor, Councillor Tilbury attended the "Celebrate Deerubbin" - A Festival of the Hawkesbury River at Brooklyn.

Sunday 19th June 2022 – On behalf the Mayor, Deputy Mayor, Councillor Tilbury attended the Scouts NSW, Sydney North Region, Annual Report Presentation and Afternoon Tea at 1st Lane Cove Scout Hall in Lane Cove.

Monday 20th June 2022 – On behalf the Mayor, Deputy Mayor, Councillor Tilbury attended the Hornsby Ku-Ring-Gai Community Transport 35th Anniversary of Incorporation at Turramurra Uniting Church in Turramurra.

Wednesday 22nd June 2022 – On behalf the Mayor, Deputy Mayor, Councillor Tilbury attended the Launch of Hornsby Salvo's New Community Kitchen and Community Morning Tea at Hornsby Salvo's in Hornsby.

Saturday 25th June 2022 – The Mayor attended the Glenorie Rural Fire Brigade 75th Celebrations at Glenorie Rural Fire Station in Glenorie.

Saturday 25th June 2022 – The Mayor attended the Pennant Hills High School Winter Carnival at Pennant Hills High School in Pennant Hills.

Saturday 25th June 2022 – The Mayor attended the Rotary Club of Beecroft 50th Changeover Dinner at Pennant Hills Golf Club in Beecroft.

Sunday 26th June 2022 – The Mayor attended the Rotary Club of West Pennant Hills and Cherrybrook Changeover Lunch at Springfield House in Dural.

Wednesday 29th June 2022 – The Mayor attend the Women's Shed Hornsby Ku-ring-gai and PCYC Hornsby Ku-ring-gai Badminton Championships 2022 at the Women's Shed Hornsby Ku-ring-gai in Waitara.

File Reference: F2004/07053
Document Number: D08440390

13 JOHNSTON ROAD, GALSTON - RE-PURPOSE OF COUNCIL DEPOT AND ADJACENT SITE

COUNCILLOR WADDELL TO MOVE

THAT a project cost benefit analysis be undertaken in respect of the potential future use as a light industrial factory unit complex of the Council Depot and adjacent former Pony Club site in Johnston Road, Galston, and once completed, submitted for consideration by Council.

Note from Councillor

The village of Galston and surrounding area was once serviced by businesses offering support to the primary rural activities generally associated with agribusiness. All of those support businesses have left the area due to the absence of appropriate accommodation or sites. Some businesses have gone altogether, some exist in neighbouring Dural and some persevere with home-based arrangements.

Council's recently completed Local Strategic Planning Statement and underlying strategies including the Employment Lands Study and Economic Development Strategy recognise the need to preserve, and where possible, grow employment related land uses to service local need and provide for business growth within the Shire.

The nominated sites, sensitively developed, have potential to help Council create additional sustainable revenue into the future. The Council Depot and adjacent land is an appropriate location to provide this essential facility. The site is surrounded by similar infrastructure already comprising both industrial uses - substation for the pressurised sewer and wastewater facility and an industrial storage facility; community uses - Rural Fire Service volunteer facility; and has appropriate buffers from residential areas.

A feasibility study which includes a cost benefit analysis should consider amongst its options a staged release of factory unit space that could be sold or leased. In addition, Council itself could utilise units as and if required and it is anticipated that the study would consider Council's own operational needs for space. The results of the study should also consider what steps Council will need to undertake to realise a successful project. The types of businesses expected to lease these units would be community support services such as, mechanic, lawn mower sales and service, auto electrician, bee services, tyre services, fabrication, etc.

Council's Delivery Program indicates an important need to achieve more effective and efficient use of Council properties. This Notice of Motion seeks to provide clarity to one opportunity, and I have been advised that the work required can be completed subject to allocating existing resources with a revision of existing projects.

Attachments:

There are no attachments for this report.

File Reference: F2014/00284
Document Number: D08435611

ITEM 13