

# **BUSINESS PAPER**

## **ORDINARY MEETING**

**Wednesday, 11 February, 2009  
at 6:30pm**

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**QUESTION OF WHICH NOTICE HAS BEEN GIVEN****QUESTIONS WITHOUT NOTICE**

## **AGENDA AND SUMMARY OF RECOMMENDATIONS**

### **PRESENT**

### **NATIONAL ANTHEM**

### **OPENING PRAYER/S**

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairperson:

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

### **ABORIGINAL RECOGNITION**

Statement by the Chairperson:

*"We recognise the traditional inhabitants of the land we are meeting on tonight, the Darug and Guringai Aboriginal people, and respect is paid to their elders and their heritage."*

### **AUDIO RECORDING OF COUNCIL MEETING**

Statement by the Chairperson:

*"I advise all present that tonight's meeting is being audio recorded for the purpose of assisting in the accuracy of the Minutes. The recordings may be accessed by members of the public once the Minutes have been finalised and speakers are requested to ensure their comments are relevant to the issue at hand and refrain from making personal comments or criticisms."*

### **APOLOGIES**

### **PRESENTATIONS**

The Mayor to present Herb Smith, Council's Aboriginal Community Facilitator and members of the Hornsby Aboriginal Corporation with the Premier's Excellence Award, in the Strong Communities – Family Support and Assistance category.

The Mayor to present representatives of the Environment and Corporate and Community Divisions with an award from ICLEI regarding Council's commitment to the Cities for Climate Protection Australia Program - CCP Plus.

### **DECLARATIONS OF INTEREST**

*Clause 52 of Council's Code of Meeting Practice (Section 451 of the Local Government Act, 1993) 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").*

*The Councillor or member of a Council committee must not be present at, or in sight of, the meeting of the Council or committee:*

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

*Clause 51A of Council's Code of Meeting Practice provides that a Councillor, Council officer, or a member of a Council committee who has a non 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. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").*

*If the non-pecuniary interest is significant, the Councillor must:*

- a) remove the source of conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.*

*OR*

- b) have no involvement in the matter by absenting themselves from and not taking part in any debate or voting on the issue as if the provisions of Section 451(2) of the Act apply.*

*If the non-pecuniary interest is non-significant, the Councillor must provide an explanation of why they consider that the interest does not require further action in the circumstances.*

## **CONFIRMATION OF MINUTES**

THAT the Minutes of the Ordinary Council Meeting held on 10 December, 2008 be confirmed; a copy having been distributed to all Councillors.

## **PETITIONS**

## **MAYORAL MINUTES**

## **NOTICES OF MOTION**

## **RESCISSION MOTIONS**

## **MATTERS OF URGENCY**

## **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.*

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*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*

## **GENERAL MANAGER'S DIVISION**

### **Page Number 1**

#### **Item 1 GM1/09 CONTRACTUAL CONDITIONS OF SENIOR STAFF**

THAT the Report be received and noted.

### **Page Number 3**

#### **Item 2 GM2/09 REVIEW OF INTERNAL AUDIT PLAN 2008/2009 (AS AT 31/12/2008)**

THAT

1. The contents of General Manager's Report No GM2/09 be received and noted.
2. A review of the Internal Audit Plan continue to be presented to Council on a half yearly basis.

## **CORPORATE AND COMMUNITY DIVISION**

### **Page Number 5**

#### **Item 3 CC1/09 PROPOSED FORMATION OF THE HORNSBY ARTS REFERENCE COMMITTEE**

THAT:

1. The contents of Executive Manager's Report No CC1/09 be received and noted and the draft Terms of Reference for the Hornsby Arts Reference Committee attached to the Report be adopted.
2. Council call for expressions of interest from the local community for the purpose of forming the Hornsby Arts Reference Committee.
3. The Community, Cultural and Recreation Facilities Task Force assess the expressions of interest received from the community.
4. Following the Community, Cultural and Recreation Facilities Task Force's assessment, a further report be prepared for Council's consideration

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recommending the appointment of the inaugural members of the Hornsby Arts Reference Committee.

**Page Number 8****Item 4 CC2/09 2008/09 MANAGEMENT PLAN AND BUDGET  
REVIEW - DECEMBER 2008 QUARTER**

THAT

1. The contents of Executive Manager's Report No CC2/09 be received and noted
2. The December 2008 Review of the Management Plan, including performance indicators be received and noted.
3. The recommended changes to the 2008/09 Budget detailed in the December Budget Review be adopted
4. The Hornsby Quarry GST refund be allocated to a new restricted asset titled "Hornsby Quarry and Environs Restricted Asset".

**Page Number 13****Item 5 CC3/09 DRAFT DISABILITY DISCRIMINATION ACT  
ACTION PLAN**

THAT

1. The contents of Executive Manager's Report No CC3/09 be received and noted
2. Council endorse the draft DDA Action Plan attached to Report No CC3/09 and place it on public exhibition for a period of 28 days.
3. At the completion of the public exhibition period, a further report be prepared for Council's consideration which summarises the results of the exhibition period and recommends the adoption of the DDA Action Plan.

**Page Number 18****Item 6 CC4/09 SOCIAL PLAN REPORT CARD: OCTOBER -  
DECEMBER 2008**

THAT the Social Plan Report Card October 2008 - December 2008 be received and noted.

**Page Number 21****Item 7 CC5/09 NOVEMBER/DECEMBER 2008 INVESTMENT AND  
BORROWING REPORT**

THAT the contents of Executive Manager's Report No CC5/09 be received and noted.

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**Page Number 25****Item 8 CC6/09 LEASE OF ARCHERY RANGE LOCATED AT  
PENNANT HILLS PARK RESERVE NO. 45012 WITH  
NORTHERN ARCHERS OF SYDNEY INC**

THAT Council, as Reserve Trust Manager,

1. Note the Contents of Executive Managers Report No. CC6/09.
2. Grant Northern Archers of Sydney Inc a further 15 year lease of part of Crown Reserve No. 45012, Pennant Hills Park, (containing an archery range) on the following basis:
  - a) The land shall only be used by the Lessee for activities associated with archery.
  - b) Rental to be at the rate of \$1,300 per annum + GST during the initial 12 months of tenure.
  - c) The rental shall be subject to annual review in accordance with the movement in the Consumer Price Index, with a market review to be undertaken every five years
  - d) The Lessee shall be responsible for the payment of all water/sewerage rates assessed in respect of the site.
  - e) The Lessee shall be responsible for the payment of all costs associated with services provided to the site including but not limited to electricity, gas, telephone, water usage, etc.
  - f) The Lessee shall indemnify Council against all claims in respect of Public Liability to an amount not less than \$20 million, with such Policy to note Council as an interested party.
  - g) The Lessee will bear 50% of costs incurred in respect of the preparation of the necessary lease documentation.
  - h) The Lessee shall be responsible for, and bear all costs incurred in, the maintenance and repair of the site.
  - i) The Lessee shall be responsible for all capital improvements on the site including maintenance and repair.
  - j) The Lessee shall maintain an active risk management program in accordance with the risk management recommendations of Archery Australia.
  - k) The Lessee's Safety Management Plan shall be reviewed annually and attached to the lease.
  - l) The Lessee shall maintain the area behind the targets as a safety area.
  - m) The Lessee shall install and maintain appropriately worded signs at all likely access points to the range.



- n) If not already undertaken, the Lessee shall extend the catch mound as outlined in the 1995 Northern Archers' Safety Proposals document.
3. Note that the granting of the further lease to Northern Archers of Sydney Inc shall be subject to the approval of the Minister administering the Crown Lands Act, 1989.

**Page Number 30****Item 9 CC7/09 REVIEW OF THE HORNSBY SHIRE HOME LIBRARY SERVICE**

THAT

1. The contents of Executive Manager's Report No CC7/09 be received and noted.
2. Training for Home Library staff be maintained, and increased where required
3. A review of the staff working area be undertaken
4. Consideration be given to utilising volunteers to undertake non professional tasks within the Home Library Service Team
5. Promotion of the Home Library Service be increased.

**Page Number 34****Item 10 CC8/09 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS**

THAT Council note that the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

**Page Number 37****Item 11 CC9/09 COUNCILLOR ATTENDANCE AT INFORMATION SEMINARS FOLLOWING LOCAL GOVERNMENT ELECTIONS IN SEPTEMBER 2008**

THAT the contents of Executive Manager's Report No. CC9/09 be received and noted.

**Page Number 40****Item 12 CC11/09 DOCUMENT ACCESS APPLICATIONS 26 NOVEMBER 2008 - 25 JANUARY 2009**

THAT the documents outlined in Attachment 2 to this Report remain exempt from release under Council's Document Access Policy.

**Page Number 46**

**Item 13 CC13/09 QUARTERLY REVIEW - OPERATIONAL PLAN  
ASSOCIATED WITH THE HORNSBY MALL STRATEGIC  
MANAGEMENT PLAN**

THAT the contents of Executive Manager's Report No. CC13/09 be received and noted.

**Page Number 49**

**Item 14 CC14/09 REQUEST FOR LEGAL ASSISTANCE - GOSFORD  
CITY COUNCIL**

THAT Council not make a contribution towards legal costs incurred by Gosford City Council in the matter of *Gosford City Council v Tauszik* [2006] NSWCCA 193.

**ENVIRONMENT DIVISION**

**Page Number 53**

**Item 15 EN1/09 ENVIRONMENTAL HEALTH - FOOD SAFETY  
PROGRAM 1 JULY 2008 TO 31 DECEMBER 2008**

THAT the contents of Executive Manager's Report EN 1/09 be received and noted.

**Page Number 57**

**Item 16 EN2/09 SCHOOL SPORTSGROUND EXTENSION,  
CHERRYBROOK**

THAT:

1. Council provide in-principle support for the extension of the existing sportsground and associated works within the grounds of John Purchase Public Primary School, Cherrybrook and agree to proceed to the preparation of a development application for the project.

**Page Number 62**

**Item 17 EN3/09 PARKS CAPITAL WORKS 2008-2009 DECEMBER  
QUARTER PROGRESS REPORT**

THAT:

1. The contents of Executive Manager's report EN3/09 be received and noted.

**PLANNING DIVISION**

*Nil*

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**STRATEGY DIVISION****Page Number 64****Item 18 ST1/09 DRAFT OUTDOOR DINING CODE**

THAT

1. The Draft Outdoor Dining Code be placed on exhibition for a period of 28 days, with a further report back to Council at the conclusion of the exhibition period;
2. Outdoor dining be considered for inclusion as exempt and complying development and that the Exempt and Complying Development Control Plan should be amended to include this provision;
3. The related fees as proposed for outdoor dining be included in the 2009/10 Draft Fees and Charges.

**WORKS DIVISION****Page Number 67****Item 19 WK7/09 WORKS PROGRESS REPORT - DECEMBER 2008  
QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH**

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for the period 1 October 2008 to 31 December 2008.

**Page Number 71****Item 20 WK2/09 SHEPHERDS DRIVE - CHERRYBROOK.  
PEDESTRIAN AND BICYCLE ACCESS TO CHERRYBROOK  
VILLAGE SHOPPING CENTRE**

THAT

1. Council note the requirements for public consultation, reclassification of land and rezoning if a vehicle access is provided to Cherrybrook Village Shopping Centre across Greenway Park.
2. The investigation and estimate for the pedestrian/cycleway link between Cherrybrook Village Shopping Centre and the eastern end of Greenway Park be provided to the shopping centre manager for their consideration.

**Page Number 76****Item 21 WK3/09 BUILDING CAPITAL WORKS PROGRAM 2008/2009  
- DECEMBER 2008 QUARTERLY REPORT**

THAT the contents of Executive Manager's Report No. WK3/09 be received and noted.

**Page Number 78**

**Item 22 WK4/09 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM DECEMBER 2008 HALF YEARLY REPORT**

THAT the contents of Executive Manager's Report No. WK4/09 be received and noted.

**Page Number 81**

**Item 23 WK5/09 WORKS PROGRESS REPORT - DECEMBER 2008 QUARTER - ASSETS BRANCH**

THAT the contents of Executive Manager's Report No. WK5/09 be received and the progress of the 2008/09 Assets Branch Programmes be noted.

**Page Number 90**

**Item 24 WK6/09 WORKS PROGRESS REPORT - DECEMBER QUARTER 2008 - DESIGN AND CONSTRUCTION BRANCH**

THAT the contents of Executive Manager's Report WK6/09 be received and noted.

**Page Number 94**

**Item 25 WK8/09 REVISED 2008/2009 BUS SHELTER CONSTRUCTION PROGRAMME**

THAT Council adopt the revised 2008/2009 Bus Shelter Construction Programme for the construction of new bus shelters at the following locations:

- Rembrandt Street, Carlingford
- Ray Road and Mountain Street, Epping
- Duffy Avenue and Eucalyptus Drive, Westleigh
- Duffy Avenue and Quarter Sessions Road, Westleigh
- Arcadia Road and Cobah Road, Arcadia
- 7 Jubilee Street, Wahroonga
- Waterloo Road and Devon Street, North Epping

**SUPPLEMENTARY AGENDA**

**PUBLIC FORUM – NON AGENDA ITEMS**

**MAYOR'S NOTES**

**Page Number 99**

**Item 26 MN1/09 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 2008**

**QUESTION OF WHICH NOTICE HAS BEEN GIVEN**

**QUESTIONS WITHOUT NOTICE**

## **1 CONTRACTUAL CONDITIONS OF SENIOR STAFF**

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### **PURPOSE/OBJECTIVE**

The purpose of the report is to fulfil the statutory requirements of the Local Government Act (S339) by providing Council with details of the contractual conditions of senior staff.

### **DISCUSSION**

The appointment/re-appointment of the current Senior Staff took effect on the following dates for the periods shown:

General Manager	18/10/2006	5 years
Executive Manager Works	4/2/2006	5 years
Executive Manager Corporate & Community	11/7/2005	5 years
Executive Manager Environment	11/8/2008	5 years
Executive Manager Planning	11/8/2008	5 years
Executive Manager Strategy	14/2/2006	3 years

The contracts signed are consistent with those previously advised to Council 11 July 2007 General Manager's Report No.GM08/07. With respect to the General Manager, Executive Manager Environment and Executive Manager Planning the contracts are in accordance with the standard contract now issued by the Department of Local Government (Circular No.06-37).

### **BUDGET**

There are no budget implications.

### **POLICY**

There are no Policy implications.

### **CONSULTATION**

There has been no consultation with respect to this Report.

### **TRIPLE BOTTOM LINE SUMMARY**

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The General Manager, Mr Robert Ball.

**RECOMMENDATION**

THAT the Report be received and noted.

ROBERT BALL  
General Manager  
General Manager Division

**Attachments:**

There are no attachments for this report.

File Reference: F2004/09307  
Document Number: D01084351

## **2 REVIEW OF INTERNAL AUDIT PLAN 2008/2009 (AS AT 31/12/2008)**

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### **EXECUTIVE SUMMARY**

A six monthly report is presented to Council on the progress of the Internal Audit (IA) Plan. Report GM 10/08 presented to Council's Ordinary Meeting on 13/08/2008 set out the progress details of the 2007/08 IA Plan as at June 2008. It also provided details of the proposed 2008/09, 2009/10 and 2010/11 Plans.

Progress outlined in this report as at December 2008 resulted in a 45% completion rate.

### **PURPOSE/OBJECTIVE**

To review the progress made within the 2008/09 Internal Audit Plan as at December 2008.

### **DISCUSSION**

A full review schedule of the Internal Audit function to date is attached, together with progress made, and additional items incorporated since the last report.

A completion rate of 45% has resulted as at December 2008. This has been influenced by work carried forward from the previous year and some additional items including an internal investigation, assistance in the conversion of Council's delegations register to the electronic records system and an additional audit assignment.

The Internal Audit Bureau has conducted further system IT audits for the Council On-line Syndicate Councils during the last quarter. It is envisaged that the review of and implementation of the associated recommendations will impact on the final completion rate of the 2008/09 IA Plan.

### **BUDGET**

There are no budget implications arising from this report.

### **POLICY**

There are no policy implications arising from this report.

### **CONSULTATION**

Detailed consultation was conducted, where applicable, with the ICAC, the General Manager, Executive Managers, Branch Managers and other appropriate staff during investigations and audits.

The internal auditors and the Service Management Group members from the Council On-line Syndicate Councils together with representatives from the Internal Audit Bureau have also been consulted during the planning and implementation of the associated system IT audits.

**TRIPLE BOTTOM LINE SUMMARY**

The Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting on Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

**RESPONSIBLE OFFICER**

Mr Brian Thompson, Internal Auditor.

**RECOMMENDATION**

THAT

1. The contents of General Manager's Report No GM2/09 be received and noted.
2. A review of the Internal Audit Plan continue to be presented to Council on a half yearly basis.

ROBERT BALL  
General Manager  
General Manager Division

**Attachments:**

1. Internal Audit Plan 2008/09 - Schedule

File Reference: F2004/06186  
Document Number: D01086930



### **3 PROPOSED FORMATION OF THE HORNSBY ARTS REFERENCE COMMITTEE**

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#### **EXECUTIVE SUMMARY**

The Hornsby Shire Council Cultural Plan 2008-2010 (refer Report No CC79/08) recommends the establishment of an Arts Reference Committee for the purposes of improving communication between Council and members of the cultural community.

A draft Terms of Reference for the Committee was considered at the November 2008 meeting of the Community, Cultural and Recreation Facilities Task Force. The Task Force requested that a report be prepared for Council's consideration recommending that the draft Terms of Reference be adopted and that the Reference Committee be formed by inviting expressions of interest from the community.

The Task Force also recommended the appointment of Councillor Chopra as the Chairperson of the Committee, with Councillor Hutchence as an alternate representative if Councillor Chopra was unable to attend a meeting.

#### **PURPOSE/OBJECTIVE**

The purpose of this Report is to present the recommendations of the Community, Cultural and Recreation Facilities Task Force, in respect of the formation of the Hornsby Arts Reference Committee, for Council's consideration.

#### **DISCUSSION**

At the August 2008 Ordinary Meeting, Council considered Report No CC79/08 and adopted a Hornsby Shire Council Cultural Plan 2008/2010. The Plan included as an objective the formation of a Hornsby Arts Reference Committee to improve communication between Council and members of the cultural community.

At its November 2008 meeting, the Community, Cultural and Recreation Facilities Task Force considered the process through which Council would convene the Committee. The Task Force reviewed and approved the draft Terms of Reference for the Committee which detailed the process of establishing the Committee by calling for expressions of interest from the community. The draft Terms of Reference for the Committee are attached to this Report for the consideration of Council and are recommended for adoption.

Further to this, the Task Force also considered Council's involvement with the Committee and recommended that Councillor Dilip Chopra be appointed as the Chairperson of the Committee with Councillor Michael Hutchence as an alternate Chairperson if Councillor Chopra is unable to attend a meeting. It is noted that Councillors or Council staff may attend meetings of the Committee as requested or as observers.

**BUDGET**

The budget implications associated with the formation of this Committee have been noted and accommodated in the Hornsby Shire Cultural Plan 2008-2010. There are no budgetary implications associated with the adoption of the Terms of Reference associated with the Hornsby Arts Reference Committee.

**POLICY**

The contents of this Report seek to implement the recommendations of the Hornsby Shire Cultural Plan 2008-2010. In adopting the attached Terms of Reference, Council is establishing a policy framework within which it will undertake ongoing community consultation in relation to cultural development.

**CONSULTATION**

Consultation has been undertaken in the preparation of this Report with the Community, Cultural and Recreation Facilities Task Force

**TRIPLE BOTTOM LINE SUMMARY**

A Triple Bottom Line assessment is not required of this Report as it reports on the implementation of an adopted chapter of the Social Plan.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Community Services Branch - David Johnston. He can be contacted on telephone 9847 6800. For further information please contact Council's Coordinator Cultural and Community Facilities, Ms Samantha Colbert, on 9847 6548, Monday to Friday 9.00 am to 5.00 pm.

**RECOMMENDATION**

THAT:

1. The contents of Executive Manager's Report No CC1/09 be received and noted and the draft Terms of Reference for the Hornsby Arts Reference Committee attached to the Report be adopted.
2. Council call for expressions of interest from the local community for the purpose of forming the Hornsby Arts Reference Committee.
3. The Community, Cultural and Recreation Facilities Task Force assess the expressions of interest received from the community.
4. Following the Community, Cultural and Recreation Facilities Task Force's assessment, a further report be prepared for Council's consideration recommending the appointment of the inaugural members of the Hornsby Arts Reference Committee.

SAMANTHA COLBERT  
Coordinator - Cultural and Community  
Facilities  
Corporate and Community Division

DAVID JOHNSTON  
Manager - Community Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Hornsby Arts Reference Committee - Draft Terms of Reference

File Reference: F2004/06058  
Document Number: D01071484

#### 4 2008/09 MANAGEMENT PLAN AND BUDGET REVIEW - DECEMBER 2008 QUARTER

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##### **EXECUTIVE SUMMARY**

The General Manager is required to report to Council each quarter as to performance against Council's current Management Plan and Budget, including revised estimates of income and expenditure.

The Management Plan Quarterly Review document for the second quarter of 2008 (July to December) is attached.

A deterioration of confidence in the global economy and, as a consequence, a downturn in development activity and significant cuts to the official cash rate has substantially reduced income from development applications and investments. Having regard to an opening budget deficit at December of \$343K, and significant estimated decreases in budgeted development application income of \$857K and investment income of \$346K, staff have reviewed the Budget and proposed the deletion and/or deferral of items of operating and capital expenditure for the remainder of 2008/09. A full list of proposed December Budget Review changes is provided in detail within this Report.

The 2008/09 Original Budget forecast a deficit at 30 June 2009 of \$94K. The 2008 September Review included negative budget changes of \$249K, whilst the December Review recommends positive Budget changes of \$343K. Approval of the recommendations would, therefore, foreshadow a balanced Budget at 30 June 2009.

The Net Operating and Capital result after internal funding movements for the second quarter resulted in a favourable variance of \$837K compared to the second quarter Budget. This variance for the second quarter has largely been the result of timing, expenditure not accrued or recognised when compared to Budget and phasing of the annual budget. Major Budget variances for each Division are provided in the attached Quarterly Review document.

It is noted that Council was successful in the Administrative Appeals Tribunal in respect of its entitlement to a GST refund relating to the acquisition of the Hornsby Quarry. As it is anticipated that further substantial costs will be required to progress with options for the Hornsby Quarry, it is considered financially prudent that the refund be allocated to a Hornsby Quarry and Environs Restricted Asset account.

It is recommended that Council adopt the proposed budget changes incorporated in the December 2008 Budget Review and allocate the Hornsby Quarry GST refund to a restricted asset account titled "Hornsby Quarry and Environs."

##### **PURPOSE/OBJECTIVE**

The purpose of this Report is to enable Council to review its performance against the targets set in the 2008/09 Management Plan, and review actual and budgeted income and expenditure over the second quarter of the 2008/09 financial year.

## **DISCUSSION**

On 11 June 2008, Council adopted its Management Plan 2008/09 - 2010/11 including the Budget for 2008/09 and Fees and Charges for 2008/09. The Management Plan sets out the manner in which Council intends to align its business goals in accordance with its intent of "Creating a Living Environment" and is divided into the following six strategic themes:

- Working with our community
- Conserving our natural environment
- Contributing to community development through sustainable facilities and services
- Fulfilling our community's vision in planning for the future of the Shire
- Supporting our diverse economy
- Maintaining sound corporate and financial management

In conjunction with these themes, corporate indicators and targets were identified and are included in the attached Quarterly Review document along with the Budget position as at the end of December 2008.

The December 2008 Review includes the second quarter financial results for 2008/09, and compares actual expenditure and income from 1 July 2008 to 31 December 2008 against the budget for this same period. The Net Operating and Capital result after internal funding movements at December 2008 resulted in a favourable variance of \$837K compared to the December Budget. This variance has largely been the result of budget timing, accrued expenditure not recognised when compared to budget and phasing of the annual budget.

The 2008/09 Original Budget forecast a deficit at 30 June 2009 of \$94K. The 2008 September Review included negative budget changes of \$249K, whilst the December Review recommends positive Budget changes of \$343K, which produces a foreshadowed balanced Budget at 30 June 2008.

The major issues associated with the December 2008 Budget Review are detailed below.

### **Development Application Income Reduction of \$857K**

A downturn in development activity has resulted in Council expecting to receive a significant reduction in development application income over the 2008/09 financial year. This will require Council to reduce budgeted development application income by \$1.107M. Reduced labour expenditure budgets in the Planning Division totalling \$250K will partly offset this amount resulting in a net deficit of \$857K. It is unlikely that the situation with this income source will improve this financial year and may well extend over several years due to a deteriorating economy. The reduction in development application income will need to be further considered as part of the 2009/10 Budget preparations.

### **General Fund Investment Income Reduction of \$346K**

The Reserve Bank of Australia has reduced the cash rate from 7.25% in March 2008 to 4.25% in December 2008. Economic forecasts to June 2009 have indicated that the cash rate will further reduce to between 2.5% and 3.0%. With Council's investment portfolio significantly weighted in term deposits to protect the principal invested, and due to the performance of the capital guaranteed products, it is estimated that income from investments will be reduced this financial year by \$692K (noting that approximately 50% or \$346K relates to Section 94 funds with the remaining \$346K relating to General Funds).

Economic publications have indicated no immediate signs of a recovery in the financial markets and with global confidence at a low it may take several years for Council's investment income to improve. Reductions in the official cash rate will further decrease Council's return from term deposits. The reduction in investment income will need to be further considered as part of the 2009/10 Budget preparations.

### **Balanced Budget Initiatives**

In the September 2008 Quarterly Budget Review (see Report No. CC100/08) it was noted that the General Manager had requested each Division to review their expenditure in subsequent reviews in an attempt to move the 2008/09 Budget to a surplus position thus improving Council's Available Working Capital. Having regard to the significant budget decreases in the income items detailed above, this review has required considerable net reductions in expenditure from Council's 2008/09 Budget to return a balanced budget. These budget changes are identified below in detail. In one instance an alternative option is provided for Council consideration in an attempt to reduce expenditure.

Requests for Budget changes in this Report total a net -\$343K, for which Council approval is sought. Budget changes which affect the net Budget position are included in the quarterly consolidated financial reports whilst contra Budget adjustments, subject to relevant criteria, are authorised by ExCo on a monthly basis as required.

The December 2008 Quarter Budget changes proposed are as follows:

- \$64K – Increased contract expenditure allocated to a voltage adjustment project in the Administration Building.
- \$857K – Reduction in development application income (net of labour savings)
- \$692K – Reduction in investment income (50% Section 94, 50% General Funds)
- -\$346K – Reduction in Section 94 transfer to restricted asset due to reduced investment income
- -\$37K – Reduced consultants - Human Resources Branch
- -\$35K – Reduced employee training and travelling costs
- -\$125K – Reduced employment costs
- -\$15K – Reduced pre-employment medical expenditure
- -\$3K – Reduced advertising - Human Resources Branch
- -\$95K – Reduced budget for NSW Fire Brigade Levy.
- -\$230K – Better than budget Financial Assistance Grant
- -\$250K – Insurance rebate received and reduced premium.
- -\$120K – Increase rate income from the issue of supplementary rate assessments
- -\$45K – Reduction in footpath reconstruction expenditure
- -\$40K – Additional footpath and road restoration income
- -\$30K – Deferral of elective routine maintenance on Administration Centre lifts
- -\$20K – Reduction in allocation for replacement of survey equipment - equipment purchase deferred.
- -\$35K – Additional income from Brickpit Sports Stadium.
- -\$180K – Reduction in budget transfer to restricted asset for Town Centre drainage works - this will delay the planned commencement of this project for a further year.
- -\$100K – Deferred purchase of third street sweeper
- -\$50K – Reduction in street sweeping services (i.e. maintain 2007/08 service levels)
- -\$100K – Reduction in maintenance of developer built stormwater assets

- -\$74K - Reduction in Parks Capital works (N.B. This will involve deletion of the following projects: Warrina Street Oval seating \$20K, West Epping Oval seating \$15K, Ron Payne Oval fencing \$30K, Storey Park fencing \$9K)
- -\$26K - Reduction in Bushland and Biodiversity Branch hazard reduction and mitigation programme

(N.B. An alternative option for Council to consider is that the Parks Capital projects and Bushland and Biodiversity Branch programme listed for reduction could be replaced by the deletion of the Hayes Oval amenities building project at \$100K)

It is noted that the September 2008 Quarter Budget changes were:

- \$67K - Increased salaries expense and operating costs - (Arts Cultural Community Development Officer - refer Council Report No CC79/08) and Community Centres and Halls Booking Officer – refer Council Report No CC70/08).
- \$25K - Increased contract expenditure (new grass cutting contract)
- \$80K - Hornsby Pool Capital Improvement works
- \$35K – Increase in consultant expenditure (to complete Cadastre verification project)
- \$9K – Increase expenditure for pedestrian link through Chilworth Reserve – (refer to Report No PLN17/08)
- \$18K – Decreased/Subsidised Rental Income – George Street property
- \$15K – funding for a Community Safety Plan

### **Hornsby Quarry GST Refund**

It is noted that Council was successful in the Administrative Appeals Tribunal in respect of its entitlement to a GST refund relating to the acquisition of the Hornsby Quarry. The Australian Taxation Office (ATO) has not lodged an appeal against the decision and Council has subsequently been refunded with the sum of \$2,409,888. As it is anticipated that further substantial costs will be required to progress with options for the Hornsby Quarry, it is considered financially prudent that the refund be allocated to a Hornsby Quarry and Environs Restricted Asset account which could be used for future costs associated with the Hornsby Quarry.

### **BUDGET**

This Report provides the second quarter review of the 2008/09 Budget

### **POLICY**

There are no specific policy implications in respect of this Report.

### **CONSULTATION**

All Divisions and appropriate staff have had input into this review.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council's decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

**RESPONSIBLE OFFICER**

The officers responsible for preparation of this Report are Julie Williams - Manager, Corporate Strategy and Glen Magus - Manager, Financial Services. They can be contacted on 9847-6790 and 9847-6635 respectively.

THAT

1. The contents of Executive Manager's Report No CC2/09 be received and noted
2. The December 2008 Review of the Management Plan, including performance indicators be received and noted.
3. The recommended changes to the 2008/09 Budget detailed in the December Budget Review be adopted
4. The Hornsby Quarry GST refund be allocated to a new restricted asset titled "Hornsby Quarry and Environs Restricted Asset".

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

JULIE WILLIAMS  
Manager, Corporate Strategy  
Strategy Division

**Attachments:**

1. December 2008 - 2nd Quarter Review

File Reference: F2007/01487  
Document Number: D01081547



## 5 DRAFT DISABILITY DISCRIMINATION ACT ACTION PLAN

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### **EXECUTIVE SUMMARY**

On 13 October 2004, Council adopted the Strategic Plan for People with a Disability as part of its 2005-2010 Social Plan. One of the Actions in the Strategic Plan states:

*That Council, in accordance with the Disability Discrimination Act 1992, develop a Disability Discrimination Act Action Plan to proactively address access to services and facilities throughout the Shire, and enhance the inclusion of people with a disability in the wider community.*

Following appropriate consultation with stakeholders within Council, staff in the Social Planning Team of the Community Services Branch have developed a Draft Disability Discrimination Act (DDA) Action Plan in accordance with the resolution of Council. A copy of the draft Plan is attached to this Report.

It is recommended that Council place the draft DDA Action Plan on public exhibition for 28 days. During that period, comments will be actively sought from the community and peak disability groups and a further report summarising community feedback will be provided for Council's consideration at the May 2009 Ordinary Meeting.

### **PURPOSE/OBJECTIVE**

The purpose of this Report is to recommend that Council place the draft DDA Action Plan on public exhibition.

### **DISCUSSION**

There is no statutory requirement for Council to produce a DDA Action Plan. In producing such a Plan, Council is seeking to actively manage the built environment under Council's care and control to ensure that this environment is accessible by people with a disability. Such an approach ensures that all people in the community can fully participate in community life without the loss of dignity that can arise through ill considered design solutions.

The objectives of the DDA are:

- (a) *to eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of:*
  - (i) *work, accommodation, education, access to premises, clubs and sport; and*
  - (ii) *the provision of goods, facilities, services and land; and*
  - (iii) *existing laws; and*
  - (iv) *the administration of Commonwealth laws and programs; and*

- (b) *to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and*
- (c) *to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.*

Section 61 of the DDA makes comment in relation to DDA Action Plans and states that:

*The action plan of a service provider must include provisions relating to:*

- (a) *the devising of policies and programs to achieve the objects of this Act; and*
- (b) *the communication of these policies and programs to persons within the service provider; and*
- (c) *the review of practices within the service provider with a view to the identification of any discriminatory practices; and*
- (d) *the setting of goals and targets, where these may reasonably be determined against which the success of the plan in achieving the objects of the Act may be assessed; and*
- (e) *the means, other than those referred to in paragraph (d), of evaluating the policies and programs referred to in paragraph (a); and*
- (f) *the appointment of persons within the service provider to implement the provisions referred to in paragraphs (a) to (e) (inclusive).*

The draft DDA Action Plan has been formulated using the above provisions as its basis. Over the years, and outside of the development of the DDA Action Plan, Council has progressively amended its procedures to improve accessibility outcomes for the community. These measures include, but are not limited to, activities such as:

- An annual progressive upgrading of Community Halls and Amenities Buildings to make them accessible to people with a disability.
- Referral of all Development Applications for buildings which are open to the public, to the Community Services Branch for comment on Access and Mobility issues.
- Design of Kerb Ramps to comply with AS1428.1 for new works, and where possible, given budgetary constraints, the progressive upgrading of older non-complying kerbs (usually on the recommendation of the Hornsby Shire Access Committee).

The draft DDA Action Plan recommends the continuance of these measures, along with new initiatives to improve accessibility outcomes for people with a disability living in, or traversing the Hornsby Shire. This draft Action Plan, if adopted by Council following public exhibition, will be submitted to the Australian Human Rights Commission where it may be used as a defence in the event of a disability discrimination complaint being made against Council.

Further, the DDA Action Plan aims to make Hornsby Shire Council a “best practice” organisation in relation to constructing and modifying the built environment to accommodate the needs of people with a disability.

### **BUDGET**

Many of the measures nominated within the draft DDA Action Plan can be funded from within recurrent budgets. Others measures are recommended for funding in future budgeting processes. Grant funding has also been identified to fund a number of the other initiatives listed in the Plan.

### **POLICY**

Council’s Access and Equity Policy is relevant to this Report.

### **CONSULTATION**

Consultation has taken place with the following persons and/or organisations:

- Ms Suzanne Colbert – CEO Australian Employers Network on Disability.
- Hornsby Shire Access Committee.
- Mr James Farrington – Manager Town Planning Services.
- Mr Rodney Pickles – Manager Assessment Team 2.
- Ms Diane Campbell – Team Leader Bushland & Biodiversity Planning & Management.
- Mr Lawrence Nagy – Manager Traffic & Road Safety Branch.
- Mr Chon-Sin Chua – Manager Assets Branch, Works Division.
- Ms Dana Spence – Coordinator Parks Assets, Environment Division.
- Mr Scott Hewitt – Manager Aquatic & Recreational Facilities Branch.
- Ms Michelle Edmunds – Manager Community Relations Branch.
- Ms Cheryl Etheridge – Manager Library & Information Services Branch.
- Ms Josephine Lloyd – Coordinator Community Outreach – Library & Information Services Branch.
- Mr Robert Holliday – Manager Waste Management Services Branch.
- Mr Ian Harwood – Operations Supervisor, Waste Management Services Branch.
- Mr Rodney Drummond – Manager Commercial Property.
- Mr Andrew Leahy – Team Leader Learning & Development Team.
- Ms Julie Manning – Learning & Development Officer, Learning & Development Team.
- Ms Susan Downing – Acting Coordinator Social Planning & Policy Community Services Branch.
- Ms Jayne Boardman – Coordinator Over 55 Services, Community Services Branch.
- Mr Malcolm Wallace – Community Development Officer Access & Inclusion, Community Services Branch.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

**Working with our community.**

The outcomes associated with this proposal have been obtained through working closely with the community. Consultation has been thorough, and has involved a number of relevant stakeholders.

**Conserving our natural environment.**

The draft DDA Action Plan will not impact negatively on our natural environment.

**Contributing to community development through sustainable facilities and services.**

The project contributes significantly to community development outcomes for people with a disability.

**Fulfilling our community's vision in planning for the future of the Shire.**

The proposal is sympathetic with the community's articulated vision for the Shire.

**Supporting our diverse economy.**

The draft DDA Action plan will have no impact on the economy of the Shire.

**Maintaining sound corporate and financial management.**

The draft DDA Action plan is proposed to be contained within existing Budgets and grants.

**Other Sustainability Considerations.**

The proposal will have no negative impacts either for Council or the Community. Improving the built environment for people with a disability ultimately benefits the wider community.

**RESPONSIBLE OFFICER**

The responsible officer for this Report is Mr David Johnston, Manager Community Services Branch. Further information can be obtained by calling Malcolm Wallace, Community Development Officer Access & Inclusion, on 9847 6741 Wednesdays, Thursdays and Fridays between 8:45 am and 4:30 pm.

THAT

1. The contents of Executive Manager's Report No CC3/09 be received and noted
2. Council endorse the draft DDA Action Plan attached to Report No CC3/09 and place it on public exhibition for a period of 28 days.
3. At the completion of the public exhibition period, a further report be prepared for Council's consideration which summarises the results of the exhibition period and recommends the adoption of the DDA Action Plan.

DAVID JOHNSTON  
Manager - Community Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Draft Disability Discrimination Act Action Plan for Public Exhibition

File Reference: F2009/00022

Document Number: D01081841

## 6 SOCIAL PLAN REPORT CARD: OCTOBER - DECEMBER 2008

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### **EXECUTIVE SUMMARY**

Throughout 2004, the seven chapters of Council's Social Plan 2005 - 2010 were progressively adopted by Council, and in October 2004 a completed Social Plan was submitted to the NSW Department of Local Government as per the Social/Community Planning and Reporting Guidelines.

In December 2005, the first annual review of the Social Plan was presented to Council via Report No CC101/05. Since this review, Council has been provided with quarterly reports on the implementation of the Social Plan. An annual review of the Social Plan has also been completed each year.

The attached Social Plan/Community Services Quarterly Report Card constitutes the fourth quarter report for the 2008 calendar year and is designed to highlight the achievements of the Community Services Branch and outline the progressive implementation of the Social Plan.

An annual review of the Social Plans is typically conducted on a calendar year basis. The annual review for 2008 has been deferred in order to better align the review process with the management planning process.

### **PURPOSE/OBJECTIVE**

The purpose of this Report is to provide Council with a fourth quarter update for the 2008 calendar year regarding the implementation of the Social Plan 2005 – 2010.

### **DISCUSSION**

The Social Plan Report Card: October 2008 – December 2008 (a coloured version has been circulated to Councillors under separate cover) provides a summary of the implemented actions associated with the various chapters of Council's Social Plan 2005 - 2010.

The Report Card and this Report do not seek to evaluate or review the Plans for currency or raise additional issues. The Social Plans are held to be current for the period through until June 2009 when a comprehensive annual review will again be undertaken.

The Social Plan Report Card seeks to provide Councillors and the community with a synopsis of the implementation of objectives of the chapters of the Social Plan over the described period.

### **BUDGET**

There are no budget issues associated with this update. However, additional funds required for the implementation of the Social Plan over the next year will be sought in annual Council budget cycles.

**POLICY**

There are no major policy implications associated with this Report.

**CONSULTATION**

The following consultation has been undertaken in the preparation of this Report:

***Internal***

Community Development Officer - Access & Inclusion - Mr Malcolm Wallace

Community Development Officer - Children & Families and Access & Inclusion - Ms Jian Zhao

Community Development Officer - Arts/Culture - Ms Joanna Joyce

Coordinator - Over 55 Services - Ms Jayne Boardman

Youth Services Coordinator - Ms Sharon Mizzi

Coordinator - Community and Cultural Facilities - Ms Samantha Colbert

***External***

Attorney General's Department regarding the Community Crime Prevention Grant

**TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

A Triple Bottom Line assessment is not required of this Report as it is a progress report on the implementation of the Social Plan.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Community Services Branch – Mr David Johnston who can be contacted on telephone 9847 6800. If further information is required, please contact Council's Acting Coordinator, Social Planning and Policy - Ms Sue Downing, on 9847 6779, Monday to Friday 8.30 am to 5.00 pm.

**RECOMMENDATION**

THAT the Social Plan Report Card October 2008 - December 2008 be received and noted.

DAVID JOHNSTON  
Manager - Community Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Social Plan Report Card - October to December 2008 Included under separate cover

File Reference: F2004/06043  
Document Number: D01083413



## 7 NOVEMBER/DECEMBER 2008 INVESTMENT AND BORROWING REPORT

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### EXECUTIVE SUMMARY

Council is provided with a monthly report summarising current general economic conditions which may have an impact on investment returns. The report includes a schedule detailing Council's investments and borrowings and also highlights the monthly and year to date performance of the investments. It should be noted investments are generally held for the medium to long term.

This Report indicates that the total investment income for the period ending 31 December 2008 is \$1,023,000 which compares to the year to date 2008/09 budgeted income of \$1,121,000. Of the year to date investment income earned, 52% relates to Section 94 funds held by Council and is required to be allocated to those funds.

### PURPOSE/OBJECTIVE

The purpose of this Report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act and details as required by Clause 212(1) of the Local Government (General) Regulation 2005 and Council's Investment Policy and Strategy, most recently amended and adopted at the April 2007 Ordinary Meeting.

### DISCUSSION

#### Council's Investment Performance - December 2008

- The Term Deposits achieved an annualised return of 6.53% for the month compared to the benchmark of 4.25%; and a financial year to date return of 7.54% compared to the benchmark of 6.16%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of -0.99% for the month compared to the benchmark of -7.39%; and a financial year to date return of -20.06% compared to the benchmark of -28.3%. This fund has a 70% allocation to growth assets. Short term performance is expected to be volatile and the investment should be viewed over the longer term.
- Direct investments in Collateralised Debt Obligations achieved an annualised return of 4.66% for the month compared to the benchmark of 5.13%. The financial year to date return at December is 8.03% compared to the benchmark of 7.39%. Investment and Borrowing Report Nos CC80/08 and CC98/08 have previously advised Council that Lehman Brothers was the arranger for the CDO – ENDEAVOUR and that a number of CDO's received a reduction in investment rating below the Ministerial Investment Order. Whether, based on the bankruptcy of Lehman Brothers, there is to be an early termination of this product is continuing to be monitored by Grove Research and Advisory Services (Council's independent investment advisor). They will advise Council when further information is available. As a consequence the coupon for the CDO – ENDEAVOUR will not be received. In respect of CDO's that have received a reduction below the Ministerial

Investment Order, it would not be practical to withdraw funds from these investments due to current market volatility.

- The Capital Guaranteed Notes achieved an annualised return of 0.26% for the month compared to the benchmark of 5.13%. The financial year to date at December is 1.38% compared to the benchmark of 7.39%. Due to poor performance over recent months the Capital Protected Notes coupons, with the exception of the Longreach PIU Fund, have not been accrued.
- Floating Rate Notes (FRN's) are bonds that have a variable coupon equal to a money market reference rate. This FRN investment achieved an annualised return of 6.46% for the month compared to the benchmark of 5.13%; and a financial year to date return of 9.24% compared to the benchmark of 7.39%.
- For total investments, the annualised return for the month is 4.48% compared to the benchmark of 4.43%; and the year to date return after fees is 5.81% compared to the benchmark of 5.94%, a shortfall of 0.13%.

### **Economic/Financial Conditions**

Overall, the bleak outlook for the global economy did not spark a major sell-off in December similar to that of the past few months. While the Dow Jones finished the month relatively flat (down 0.60%), global equities rebounded strongly. Surprisingly, financial markets were more resilient to some of the weak economic news revealed during the month and were also assisted by co-ordinated global interest rate cuts.

The Reserve Bank of Australia sliced another one percentage point off the official cash rate to 4.25% at its December meeting, bringing the total cuts since September to 3%, the most aggressive Australian monetary-policy action since the mid 1980's. For the three months to September, Gross Domestic Product (GDP) grew by 0.1% - seasonally adjusted - the weakest pace since December 2000. Alarming, over the past six months consumer spending - the largest part of the economy - has recorded the smallest contribution to GDP growth since 1993. Overall, the domestic equity market had a flat month with the All Ordinaries declining by 0.36%.

The momentum of crude oil continued as it fell to around US\$35 a barrel mid-month before rallying to finish the month off at around US\$45 after continued violence in Gaza and expectations that OPEC would carry out its largest production cut to stem the price declines. Prices have tumbled up to 75% from a record US\$147.27 on 11 July 2008.

The Australian Dollar surged on the back of the US Federal Reserve rate cut in mid-December reaching an approximately two month high at 70 cents (US) before finishing the month at around 69 cents (US).

### **Borrowings**

In respect of borrowings, the weighted average interest rate payable on loans taken out from 1998 to 2008, based on the principal balances outstanding, is 6.55%. The loans taken out repay principal and interest over a 10 year period with a fixed interest rate. The Borrowings Schedule, as at 31 December 2008, is attached to this Report.

**BUDGET**

Total investment income for the six month period ended December 2008 was \$1,023,000. The budgeted income for this same period was \$1,121,000. Of the investment income, approximately 52% relates to Section 94 and is, therefore, restricted. The forecast for investment income for the remainder of the financial year has been reassessed and reduced due to a declining cash rate and the poor performance of the Capital Guaranteed Notes. The reduction in investment income has been estimated at \$692K (approximately 52% relates to S94).

**POLICY**

All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation 2005 and Council's revised Investment Policy and Strategy. The Policy and Strategy were last revised by Council at the 11 April 2007 Ordinary Meeting.

Council's Investment Policy and Strategy is currently being reviewed by staff based on the release of a revised Ministerial Investment Order and the Federal Governments Bank Deposit Guarantee Scheme. An updated draft Investment Policy and Strategy will be finalised after consultation with Grove Research and Advisory Services, prior to being submitted to Council for consideration and adoption

**CONSULTATION**

Initial investments and reallocation of funds are made where appropriate, after consultation with Council's financial investment adviser and fund managers.

**TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

Council's Investment Strategy does recognise, however, the desirability of "ethical" or "socially responsible" investments and has invested in such products in the last year. These are referenced in the Investment Portfolio in Attachment 1.

Council will continue to review new products, subject to funds availability and asset allocation and credit quality parameters contained in the Strategy.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Financial Services - Glen Magus. He can be contacted on 9847 6635.

**RECOMMENDATION**

THAT the contents of Executive Manager's Report No CC5/09 be received and noted.

GLEN MAGUS  
Manager - Financial Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. November 2008 Council Investment Report
2. December 2008 Council Investment Report
3. HSC Borrowings Schedule as at 31 December 2008

File Reference: F2004/06987  
Document Number: D01083839

**8 LEASE OF ARCHERY RANGE LOCATED AT PENNANT HILLS PARK  
RESERVE NO. 45012 WITH NORTHERN ARCHERS OF SYDNEY INC**

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**EXECUTIVE SUMMARY**

Northern Archers of Sydney Inc (Northern Archers) has made an application seeking the renewal of their lease of part of Crown Reserve 45012 Pennant Hills Park, Pennant Hills (used as an archery range), in line with the provisions of Council's Code for the Lease/Licence of Council Owned Land and Buildings to Community Groups.

Following assessment of the application, Council officers are of the opinion that Council's interests, as Reserve Trust Manager, would not be adversely affected if a further 15 year lease of part of Crown Reserve 45012 Pennant Hills Park, Pennant Hills was granted to Northern Archers.

As such, this Report recommends the granting of a further 15 year lease to Northern Archers on the basis outlined in the RECOMMENDATION of this Report.

**PURPOSE/OBJECTIVE**

The purpose of this Report is to provide Council with information and seek its endorsement, as Reserve Trust Manager, to grant Northern Archers a further 15 year lease of part of Crown Reserve 45012 Pennant Hills Park, Pennant Hills, for use as an archery range on the basis outlined in the RECOMMENDATION of this Report.

**DISCUSSION**

Pennant Hills Park, Pennant Hills, described as Crown Reserve No. 45012, was notified for public recreation on 15 June 1910, with Council appointed Reserve Trust Manager on 23 June 1933. The Crown Reserve is zoned Open Space B (Public Recreation – District) in the 1994 Hornsby Shire Local Environment Plan. Since 1962, Northern Archers has operated an archery range on part of Pennant Hills Park under a number of lease agreements. As indicated on the attached plan, the archery range site contains 2.37 hectares being located at the end of the access road to Pennant Hills Park. Northern Archers has provided, and continues to maintain, all improvements located on the range, which has included clearing, levelling and grassing of the range and the erection of a clubhouse building.

The existing lease agreement expired in 2008 and Northern Archers has recently submitted an application requesting a further lease of the site in line with the provisions of Council's Code for the Lease/Licence of Council Land and Buildings to Community Groups. The Code, adopted by Council in May 2007, provides a framework for the equitable, efficient and effective lease/licence of Council's property assets to community groups. The Code assists Council officers to assess community group applications for the use of Council land and buildings in a transparent manner, based on agreed eligibility criteria, and formulate appropriate lease/licence terms and conditions for the consideration and endorsement of Council.

Following an assessment of the application received from Northern Archers (which meets the eligibility criteria set out in the Code), Council officers are of the opinion that Council's interests would not be adversely affected if a further lease of part of Crown Reserve 45012 Pennant Hills Park, Pennant Hills was granted to Northern Archers of Sydney Inc on the following basis:

1. **Period of lease** – 15 years
2. **Use of Property** – Archery Range, as per submission
3. **Rental** – \$1,300 per annum + GST (Assessed in accordance with advice from Council's Consulting Valuer)
4. **Rental Review** – Annually by movement in the Consumer Price Index with a market review to be undertaken every five years
5. **Statutory Outgoings** – 100% of water/sewerage rates
6. **Operating Costs** – 100% of electricity, gas, telephone, water usage, etc
7. **Insurance** – public liability insurance, indemnity \$20 million
8. **Legal fees** – 50% of lease preparation costs
9. **Maintenance** – Lessee to be responsible for all maintenance and repairs
10. **Capital Improvements** – Lessee to be responsible for all improvements to or on the land

Advice has also been received from Council's Parks and Landscape Branch Manager that the granting of any further lease to Northern Archers should be subject to the following conditions:

1. The Northern Archers Safety Management Plan to incorporate additional measures to improve management of pre and post activities, the surrounding and physical environment (in which the sport is conducted) and personnel. Northern Archers to review and update the plan at regular intervals (say annually) with the plan to form part of the conditions of the lease.
2. The area behind the targets is to be maintained as a safety area with removal of re-growth on an ongoing basis and retention of only the major trees. The concurrence of Council's Manager, Bushland and Biodiversity Branch is to be obtained prior to the clearing or pruning of any vegetation.
3. The installation and maintenance of appropriate signage at all likely access points to the range to alert and caution persons of the archery activity.
4. The Northern Archers to undertake an extension of the catch mound as outlined in the 1995 Northern Archers' Safety Proposals document to the satisfaction of, and at no cost to, Council.

Northern Archers has recently indicated their agreement to enter into a further lease on the basis outlined above.

It is noted that should Council resolve to renew the lease with Northern Archers on the basis outlined above, the granting of a further lease would be subject to the approval of the Minister administering the Crowns Land Act, 1989.

In the circumstances, it is recommended that a further 15 year lease be granted to the Northern Archers of Sydney Inc on the basis outlined in the RECOMMENDATION of this Report.

### **BUDGET**

The granting of the further lease of the archery range site in Pennant Hills Park, Pennant Hills to Northern Archers will realise a minimum rental income to Council of \$1,300 per annum. This represents a slight increase on the rental currently being paid.

### **POLICY**

This Report has been prepared having consideration to the Code for the Lease/Licence of Council Land and Buildings to Community Groups.

### **CONSULTATION**

There has been consultation with Northern Archers of Sydney Inc and officers of Council's Parks Branch in the preparation of this Report.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes. The following Triple Bottom Line considerations apply to this Report:

#### **Conserving our natural environment.**

The proposed lease minimises any further impact of the archery range on the surrounding bushland at Pennant Hills Park, Pennant Hills.

#### **Contributing to community development through sustainable facilities and services.**

The granting of a further lease to Northern Archers in line with the Recommendation of this Report will ensure the ongoing provision of an archery facility for the benefit of residents of Hornsby Shire.

#### **Maintaining sound corporate and financial management.**

The granting of a further lease to Northern Archers will provide Council with a modest financial return while ensuring the long term protection of this open space asset.

**RESPONSIBLE OFFICER**

The officers responsible for the preparation of this Report are Mr Rod Drummond, Manager Commercial Property and Mrs Leonie Cooke, Property Officer, who may be contacted on 9847 6589 and 9847 6725 respectively.

**RECOMMENDATION**

THAT Council, as Reserve Trust Manager,

1. Note the Contents of Executive Managers Report No. CC6/09.
2. Grant Northern Archers of Sydney Inc a further 15 year lease of part of Crown Reserve No. 45012, Pennant Hills Park, (containing an archery range) on the following basis:
  - a) The land shall only be used by the Lessee for activities associated with archery.
  - b) Rental to be at the rate of \$1,300 per annum + GST during the initial 12 months of tenure.
  - c) The rental shall be subject to annual review in accordance with the movement in the Consumer Price Index, with a market review to be undertaken every five years
  - d) The Lessee shall be responsible for the payment of all water/sewerage rates assessed in respect of the site.
  - e) The Lessee shall be responsible for the payment of all costs associated with services provided to the site including but not limited to electricity, gas, telephone, water usage, etc.
  - f) The Lessee shall indemnify Council against all claims in respect of Public Liability to an amount not less than \$20 million, with such Policy to note Council as an interested party.
  - g) The Lessee will bear 50% of costs incurred in respect of the preparation of the necessary lease documentation.
  - h) The Lessee shall be responsible for, and bear all costs incurred in, the maintenance and repair of the site.
  - i) The Lessee shall be responsible for all capital improvements on the site including maintenance and repair.
  - j) The Lessee shall maintain an active risk management program in accordance with the risk management recommendations of Archery Australia.
  - k) The Lessee's Safety Management Plan shall be reviewed annually and attached to the lease.
  - l) The Lessee shall maintain the area behind the targets as a safety area.
  - m) The Lessee shall install and maintain appropriately worded signs at all likely access



points to the range.

- n) If not already undertaken, the Lessee shall extend the catch mound as outlined in the 1995 Northern Archers' Safety Proposals document.
3. Note that the granting of the further lease to Northern Archers of Sydney Inc shall be subject to the approval of the Minister administering the Crown Lands Act, 1989.

ROD DRUMMOND  
Manager - Commercial Property  
Corporate and Community Division

ROBYN ABICAIR  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Location Plan - Archery Range Site, Pennant Hills Park, Pennant Hills

File Reference: f2004/09485  
Document Number: D01084936

## **9 REVIEW OF THE HORNSBY SHIRE HOME LIBRARY SERVICE**

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### **EXECUTIVE SUMMARY**

The review of Hornsby Library's Home Library Service has been undertaken as part of an ongoing commitment to review the services provided across the Hornsby Shire Library network. A copy of the review is attached. The review examines the extent to which the identified needs of Home Library Service customers are being met, and recommends ways of ensuring that the service is maintained, developed and continuously improved.

The Home Library Service caters for local residents who because of illness or frailty cannot visit the library to borrow material, or who are unable to carry items home. Currently, 223 individual customers, and 14 institutions take advantage of the service. Staff deliver significant amounts of material to these customers in their homes, as well as providing them with any information requested. Working with older people and those with a disability is very rewarding, as the service is highly valued by customers. However, at times it can also be a physically and emotionally taxing task. With the growing trend towards an ageing local population, and an expected corresponding increase in the incidence of disability, the evidence suggests that the need for the Home Library Service will increase.

Statistics gathered as part of the Home Library Service Review also confirm that the percentage of older people living alone is increasing. The review concludes that in the future, the Home Library Service will play an increasingly important role in supporting social sustainability, by helping to reduce feelings of loneliness and isolation amongst customers. This is likely to result in increased pressure on Home Library staffing resources, as the service takes on additional customers and employees accept new responsibilities. The use of volunteers to carry out non professional duties is seen as one way of managing this issue.

Advances in technology will provide the Home Library Service with new opportunities for the future. DVDs, audio books, podcasts, vodcasts, audio streaming and social networking sites are increasingly being used by library customers to complement more traditional methods of accessing information. It is likely that the future will bring an increasing reliance on technology, which the Home Library Service will be expected to make available. Consequently, staff and customer training in online resources and special collections will be of increasing importance.

The report concludes that although the service currently provided substantially meets customer needs and expectations, there are specific areas where improvements could be made. Increased promotion of the service is needed. Further staff training in serving older people and those with a disability is necessary, and it is recommended that a review of the staff working area be undertaken. This will ensure that Hornsby Library's Home Library Service continues to meet the changing needs of customers.

### **PURPOSE/OBJECTIVE**

The purpose of this report is to inform Council of the findings of the review of Hornsby Shire Library's Home Library Service, and to seek support for the implementation of the recommendations arising from the review.

## **DISCUSSION**

This review presents a critical analysis of several key aspects of Hornsby Library's Home Library Service. These include the role of the service within the wider Library network, the quality and relevance of the service provided, the level of customer satisfaction, the extent of awareness of the service in the wider community, and factors affecting future directions.

The Home Library Service caters for people who because of illness or disability are unable to visit the library to select items and/or carry them home. Current and future customer profiles were developed by analysing statistics compiled in censuses over the last ten years and figures gathered internally. The evidence confirms that the local population is ageing. This trend is reflected in the makeup of Home Library Service customer base, the majority of whom are over 80 years of age. It is also significant that older people continue to make up the bulk of those living alone in Hornsby Shire. In 1996, 2001 and 2006, over 62% of local residents living alone were aged over 55 years. The Review Committee foresees a growing role for the Home Library Service in supporting social sustainability by helping to reduce feelings of loneliness and isolation.

A wide range of material is delivered to Home Library customers, including books, magazines, audio books and DVDs. Borrowing statistics show that audio books and DVDs are growing in popularity amongst Home Library users, suggesting that greater emphasis will be given to electronic and online resources in the future. Hornsby Library is currently trialling a number of new audio technologies with Home Library customers, which allow access to a greater number of pre-recorded titles without relying on CDs or cassettes. Ongoing staff and customer training will be required if customers are to gain maximum benefit from such new and emerging technologies.

A survey of Home Library customers revealed a high level of satisfaction with the current service provided. However, the results of a questionnaire distributed to the wider community indicated that many people were not aware of the nature of the service provided. This led the Review Committee to question whether all current customers are aware of the full extent of the formats and services available to them. The review recommends that promotion of the service to current and potential customers be increased.

A survey of Home Library staff was distributed to elicit feedback on working conditions and to encourage suggestions on how the service could be improved. The projected growth in the number of older residents and people with a disability prompted some concern about how the Home Library team would manage the anticipated increased workload, within available resources, while still devoting enough time to the careful selection of items to meet complex individual needs. It was agreed that a review of staff work space would assist with planning for the future, while consideration should also be given to the introduction of volunteers to carry out nominated non professional tasks such as the loading and delivery of material. Ongoing staff training is also required in dealing with new technologies and serving older people and those with a disability.

The Review Committee concluded that the Home Library Service substantially meets the needs of current customers, and is greatly valued and appreciated. However, it is important that the focus should remain on developing the skills and resources needed to support ongoing improvements, and promoting the service to a wider audience. The recommendations contained in the review support this approach.

**BUDGET**

The recommendations emanating from the review can be implemented within the current available budget.

**POLICY**

Should volunteers be utilised following this review, Council's policy entitled *Insurance Protection for Councillors Staff and Volunteers* will apply.

**CONSULTATION**

Consultation was undertaken with Home Library customers, the managers and residents of local nursing homes and retirement villages, the general public, members of the Home Library team, staff working in other public libraries, and members of the NSW Home Library Working Group.

**TRIPLE BOTTOM LINE SUMMARY**

The social element of Council's Triple Bottom Line framework is supported by the findings of the Review of the Home Library Service. The benefits the service brings to Home Library customers will contribute to Hornsby Library's fulfilment of the goals which form part of the strategic theme *Working with the Community*.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this report is the Manager, Library and Information Services, Ms Cheryl Etheridge. She can be contacted on 9847-6801.

**RECOMMENDATIONS**

THAT

1. The contents of Executive Manager's Report No CC7/09 be received and noted.
2. Training for Home Library staff be maintained, and increased where required
3. A review of the staff working area be undertaken
4. Consideration be given to utilising volunteers to undertake non professional tasks within the Home Library Service Team
5. Promotion of the Home Library Service be increased.

CHERYL ETHERIDGE  
Manager - Library & Information Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Hornsby Shire Library Home Library Service Review Included under separate cover

File Reference: F2004/05990-02

Document Number: D01085847

## 10 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS

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### **EXECUTIVE SUMMARY**

Section 449 of the Local Government Act (the Act) details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Return/s by Councillors and Designated Persons. Section 450A(2) of the Act details the reporting requirements associated with the lodgement of such Returns. In accordance with those Sections of the Act, this Report provides information regarding the various Returns recently lodged with the General Manager. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Return/s lodged with the General Manager have been tabled in accordance with the Local Government Act.

### **PURPOSE/OBJECTIVE**

The purpose of this Report is to table the Disclosure of Pecuniary Interests and Other Matters Returns lodged by Councillors/Designated Persons who have left, commenced with, or internally transferred to a relevant position within Council.

### **DISCUSSION**

Section 449(1) of the Act requires a Councillor or Designated Person to complete and lodge with the General Manager a Disclosure of Pecuniary Interests and Other Matters Return within three months after becoming a Councillor or a Designated Person. Section 449(3) requires a Councillor or Designated Person holding that position at 30 June in any year to complete and lodge with the General Manager a Return within three months after that date. Section 449(5) states that nothing prevents a Councillor or Designated Person from lodging more than one Return in any year.

Section 450A(2) of the Act requires that Returns lodged under Section 449 are to be tabled at a meeting of Council. Returns lodged under Sections 449(1) and 449(3) are to be tabled at the first meeting held after the last day for lodgement under those Sections; and Returns lodged for any other reason are to be tabled at the first meeting after their lodgement.

Council's procedures in respect of the disclosing of interests have been developed to cater for the election/appointment/employment/retirement/resignation/etc of Councillors or Designated Persons. These procedures:

- require all Councillors and Designated Persons who hold that position at 30 June in any year to submit Returns to the General Manager by 30 September in that year (i.e. they are lodged under S449(3)). These Returns are tabled at the October Ordinary Meeting of Council in that year;
- require newly elected Councillors or newly appointed Designated Persons to lodge Returns to the General Manager within three months of their election/appointment (i.e. they are lodged under S449(1)). These Returns are tabled at the next available Ordinary Meeting of Council; and

- require those Councillors or Designated Persons who are leaving Council (because of retirement, resignation, etc) to lodge Returns to the General Manager by their last day with Council. These Returns are tabled at the next available Ordinary Meeting of Council.

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns at the Ordinary Meeting held on 10 December 2008 - Report No CC111/08. Since that time, 11 additional Returns have been lodged with the General Manager and are now tabled as required by the Local Government Act. Details of these Returns are as follows:

<b>Date Lodged</b>	<b>Councillor/Designated Person (Position)</b>	<b>Reason for Lodgement</b>
08/12/2008	Development and Environmental Protection Officer	New Employee
09/12/2008	Administration Coordinator	New Employee
09/12/2008	Secretary/Administrative Assistant	New Employee
11/12/2008	Senior Corporate Accountant	Internal Transfer
18/12/2008	Councillor	Newly Elected Councillor
06/01/2009	Councillor	Newly Elected Councillor
06/01/2009	Development and Environmental Protection Officer	New Employee
16/01/2009	Executive Planner	Resignation
10/01/2009	Manager – Bushland and Biodiversity	Internal Transfer
19/01/2009	Cook – Somerville Park Early Childhood Education Centre	New Employee
21/01/2009	Maintenance Engineer – Roads and Drainage	New Employee

All Returns are held in a Register maintained by Council's Freedom of Information Officer.

### **BUDGET**

There are no budgetary implications associated with this Report.

### **POLICY**

There are no policy implications associated with this Report.

### **CONSULTATION**

Consultation has occurred with those required to complete a Disclosure of Pecuniary Interests and Other Matters Return.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is Council's Freedom of Information Officer – Stephen Waller who can be contacted on 9847 6749.

**RECOMMENDATION**

THAT Council note that the Disclosure of Pecuniary Interests and Other Matters Returns recently lodged with the General Manager have been tabled as required by the Local Government Act.

ROBYN ABICAIR  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

There are no attachments for this report.

File Reference: F2008/00326  
Document Number: D01085991



## **11 COUNCILLOR ATTENDANCE AT INFORMATION SEMINARS FOLLOWING LOCAL GOVERNMENT ELECTIONS IN SEPTEMBER 2008**

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### **EXECUTIVE SUMMARY**

In the lead up to the September 2008 local government elections, the Department of Local Government (DLG) developed a Councillor Development Strategy which incorporated a series of one day information seminars to be held following the election. The aim of the seminars was to assist those Councillors elected at the 2008 election to effectively undertake their roles and responsibilities following the election.

Councils were advised that all councillors elected at the 2008 election were expected to attend one of the seminars, and that General Managers were required to prepare a report to the first Council meeting in 2009 providing information regarding which seminar was attended by their councillors as well as including any comments from councillors regarding the seminar.

The relevant information is included in this Report which is recommended for noting by Council.

### **PURPOSE/OBJECTIVE**

The purpose of this Report is to provide information to Council, as requested by the DLG, regarding attendance at Councillor Information Seminars held following the local government elections of September 2008.

### **DISCUSSION**

In May 2008, the DLG advised (via Circular No. 08/22) that a Councillor Development Strategy was being prepared to assist councillors elected at the 13 September 2008 local government elections to undertake their roles effectively. The strategy was a joint initiative of the DLG and the Local Government and Shires Associations of NSW (the Associations). One component of the Strategy was to develop and present a Councillor Information Seminar as part of an overall aim to assist councils implement councillor induction and continuing professional development programs.

The Seminars were organised and presented via a partnership arrangement between the DLG, the Associations, and Local Government Managers Australia (LGMA). They were prepared and run at no cost to councils. The content of the seminars focussed on three main areas: roles, responsibilities and relationships; the code of conduct and ethical decision making; and meetings practice. They were designed to be of value to both new and experienced councillors. The DLG advised that all councillors elected at the 13 September 2008 elections were expected to attend. General Managers were also encouraged to attend the seminars, ideally, the same one as attended by their councillors.

On 9 September 2008, the DLG issued (via Circular No. 08-55) a schedule of dates and venues for the seminars. The Circular advised that General Managers would be required to report to the first council meeting in 2009 on which seminar each of their councillors attended, and include any feedback from councillors about the seminar.

One of the seminars was held on Wednesday 22 October at Willoughby Council Chambers. This seminar was attended by all Hornsby Shire Councillors who were elected at the September 2008 elections, as well as the General Manager and the Executive Manager, Corporate and Community Division.

At the completion of the seminar, all attendees were given the opportunity to provide comment by completing an evaluation form regarding the seminar. Those forms were provided directly to the seminar organisers by Councillors. In preparing this Report, further opportunity was afforded to Councillors to provide additional feedback regarding the seminars. At the time of writing this Report no further comments had been received.

### **BUDGET**

There are no budgetary implications associated with this Report.

### **POLICY**

No Council policies are affected by this Report.

### **CONSULTATION**

The preparation of this Report has involved consultation with the Councillors and General Manager who attended the seminar.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is Council's Manager, Administration Services Branch – Robyn Abicair – who can be contacted on 9847 6608.

**RECOMMENDATION**

THAT the contents of Executive Manager's Report No. CC9/09 be received and noted.

ROBYN ABICAIR  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

There are no attachments for this report.

File Reference: f2004/07061  
Document Number: D01086249

## 12 DOCUMENT ACCESS APPLICATIONS 26 NOVEMBER 2008 - 25 JANUARY 2009

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### EXECUTIVE SUMMARY

At its Ordinary Meeting of 12 March 1997, Council adopted a Document Access Policy to facilitate access by members of the public to documents held by Council. The Policy was last amended at the Ordinary Meeting of 11 April 2007 and a copy of the current version is included as Attachment 1. The Policy is made having regard to Section 12 of the Local Government Act which requires that Council consider restrictions placed on access to information, and the reasons for such restrictions, within three months of the original request. This Report allows such consideration by Council and recommends that the relevant documents as outlined in Attachment 2 to this Report remain exempt from release under Council's Document Access Policy.

### PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with the opportunity to review restrictions that have been placed on access to information under Council's Document Access Policy during the period 26 November 2008 to 25 January 2009 and to make the reasons for those restrictions publicly available.

### DISCUSSION

Section 12A of the Local Government Act requires Council to review any restrictions of access to information on a quarterly basis as follows:-

- (1) *If the general manager or any other member of staff of a council decides that access to a document or other information held by the council should not be given to the public or councillor, the person concerned must provide the council with written reasons for the restriction.*
- (2) *The reasons must be publicly available.*
- (3) *The council must review any such restriction no later than three months after it is imposed.*
- (4) *The council must, at the request of any other person made after the expiry of a period of three months after that review (or of a period of three months after the most recent of any subsequent reviews), carry out a further review of the restriction.*
- (5) *The council must remove the restriction if, at any time:*
  - (a) *it finds that there are no grounds for the restriction, or*
  - (b) *access to the relevant document or other information is obtained under the Freedom of Information Act 1989.*

- (6) *A review is not required under this section if the restriction concerned has been removed."*

### ***Applications Received 26 November 2008 to 25 January 2009***

There were 133 applications processed under Council's Document Access Policy in the period 26 November 2008 to 25 January 2009. The time taken to process these 133 applications was 221 hours. An additional 44 applications were received but not finalised at the time of writing of this Report and these 44 applications will be included in the report for the next processing period.

The processing time service goal for Document Access Applications is targeted as being less than the time allowed for a determination of an application under the Freedom of Information Act (currently 21 calendar days). The average processing time for applications received in the current reporting period was just over 13 calendar days.

### ***Restricted Access***

Following receipt of applications under the Document Access Policy, files are reviewed by the Information Access Officer or the Freedom of Information Officer, Administration Services Branch, to determine if any documents fall within any of the exceptions outlined in Paragraphs 3(a) - 3(k) of the Policy and if access should be restricted. Of the 133 applications processed in the period, 17 applications resulted in restricted access to Council files. In total, 87 documents from those restricted access files fell within the provisions of paragraphs 3(a) - 3(k) of the Document Access Policy.

### ***Review of Access***

A schedule of the 87 restricted access documents that fell within paragraphs 3(a) - 3(k) of the Document Access Policy is set out in Attachment 2. Specific explanation of those restrictions is provided for each application as part of the attached schedule, however, as an overall guide the following explanatory notes in respect of paragraphs 3(a) - 3(k) are also provided. In making a decision about whether documents should be released or restricted, regard is given to Section 12 of the Local Government Act, Council's Document Access Policy and the NSW FOI Manual issued by the Office of the NSW Ombudsman. Consideration is also given to the Privacy and Personal Information Protection Act 1998, the Health Records and Information Privacy Act 2002 and Council's Privacy Management Plan.

*Contrary to the Public Interest (PI)* - **Paragraph 3(a)** of the Document Access Policy states that a document is not to be released where access to the document would be contrary to the public interest. This is a difficult concept to define and each application must be judged on its merits taking into consideration Privacy and Freedom of Information guidelines and Council's Policy. No documents were considered to fall within this category during the reporting period.

*Personnel Matters (PS)* - In accordance with **Paragraph 3(b)** of the Document Access Policy, documents dealing with personnel matters concerning particular individuals are restricted from access. No documents were considered to fall within this category during the reporting period.

*Personal Hardship (PH)* - Where documents contain information about the personal hardship of a resident or ratepayer, the personal details are removed in accordance with **Paragraph**

**3(c)** of the Document Access Policy, and most of the requested documents are released. During the subject period, no documents were identified as containing information about the personal hardship of a resident or ratepayer.

*Trade Secrets (TS)* - Any part of a document that is deemed to be dealing with trade secrets remains restricted from access under **Paragraph 3(d)** of Council's Document Access Policy. No documents were considered to fall within this category during the reporting period.

*Prejudice the maintenance of the Law (PL)* - **Paragraph 3(e)** of the Document Access Policy states information should not be released that, if disclosed, would prejudice the maintenance of law. No documents were considered to fall within this category during the reporting period.

*Security of Council (SC)* - **Paragraph 3(f)** of the Document Access Policy restricts information containing matters affecting the security of Council, Councillors, Council staff or Council property. No documents were considered to fall within this category during the reporting period.

*Breach of an Act (BA)* - **Paragraph 3(g)** of the Document Access Policy states that no document should be released the disclosure of which would constitute an offence against an Act. During the reporting period, 36 documents were withheld in accordance with this Clause.

*Plans and Specifications (RP)* - Under **Paragraph 3(h)** of Council's Document Access Policy any plans or specifications showing residential parts of a building, other than its height and external configuration, are not to be released to the public. During the reporting period, 21 documents were found to contain such information.

*Commercial Privilege (CP)* - **Paragraph 3(i)** restricts commercial information of a confidential nature which would, if disclosed, be likely to prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or to reveal a trade secret. During the reporting period 13 documents were determined as being subject to commercial privilege.

*Commercial Advantage (CA)* - **Paragraph 3(j)** restricts information of a commercial nature which would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. No documents were considered to fall within this category during the reporting period.

*Legal Professional Privilege (PR)* - **Paragraph 3(k)** of the Document Access Policy provides that a document is not to be released where any part of it contains advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege. Such documents fall within one of three categories:

- (i) legal advice regarding any legal action in which Council is involved or is likely to be involved;
- (ii) any information that was brought into existence for the sole purpose of obtaining or giving legal advice; or
- (iii) advice on Council's prospects of winning a court case or other form of litigation.

During the reporting period, 17 documents were judged as being subject to legal professional privilege.

*General Manager (GM)* - Some applications are dealt with directly by the General Manager in accordance with **Section 12A of the Local Government Act - Restriction of Access to Information** mentioned at the beginning of this section of the Report. In these instances, the applications are registered under Council's Document Access Policy and responded to personally by the General Manager. No documents were dealt with directly by the General Manager during this reporting period.

The reasons for restricting access to the above documents under Council's Document Access Policy still stand, and as such the documents should remain exempt.

### **Freedom of Information Applications**

During this reporting period, six new Freedom of Information (FOI) applications were received and two further applications were carried over from the previous period giving a total of eight applications that were processed within the period. Of these eight applications, six applications have been determined and two applications are being carried over to the next reporting period. In addition, work was carried out on five Internal Reviews as well as one External Review which is being undertaken by the Administrative Decisions Tribunal. Three applications for Internal Review have been determined during this reporting period and two applications for Internal Review are ongoing. The External Review of Determination is also ongoing.

The time spent by Council staff on the processing of FOI applications during this reporting period was approximately 54 hours. In addition, 35 hours was expended on the processing of the Internal Review and External Review applications previously mentioned. All of the Review processing time and 42 hours of the FOI application processing time was expended in relation to applications by the same applicant.

### **Privacy and Personal Information Protection Act**

Whilst no new applications were received under the Privacy and Personal Information Protection Act (PPIPA) during the period, work continued in respect of two applications which were carried over from the previous period. A total of 8 hours was spent on the processing of these applications.

### **BUDGET**

The Local Government Act states that Council must allow inspection of documents at no charge and provide copies either free of charge or on payment of reasonable copying fees. To obtain an accurate representation of impact on resources, this Report includes graphical representation depicting the total number of applications, the number of restricted applications, the number of restricted documents, the number of file parts and electronic documents reviewed, and the number of staff hours involved in processing the applications. This graph is included as Attachment 3. These figures do not include any FOI or PPIPA applications.

In addition to the 221 hours invested in processing the 133 Document Access applications, and 54 hours dedicated to processing FOI applications, extra time was also spent carrying out various ad-hoc functions in relation to Document Access, Freedom of Information and Privacy matters e.g. photocopying documents, explaining access to information and privacy issues to Council customers (both in person and over the telephone), operating Council's telephone switchboard and coordinating Pecuniary Interest Declaration returns for designated staff and Councillors. The time utilised on these activities was approximately 208 hours.

A review of the hours involved in undertaking the above tasks over the past 12 months indicates that there has been an increasing reliance on casual assistance to support the two full time officers who are responsible for providing the service. As a consequence, a review of the resources allocated to this area of Council's operation will occur as part of the 2009/10 Budget preparation.

### **POLICY**

This Report deals with the requirements of Council's Document Access Policy. A copy of the Policy is included as Attachment 1.

### **CONSULTATION**

There has been consultation with various Council staff in the determinations made in respect of the applications made under Council's Document Access Policy, the Freedom of Information Act and the Privacy and Personal Information Protection Act.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes. As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The officers responsible for preparation of this Report are Council's Freedom of Information Officer - Stephen Waller, telephone 9847 6749, and the Administration Coordinator – Natalie Cook, telephone 9847 6011.

### **RECOMMENDATION**

THAT the documents outlined in Attachment 2 to this Report remain exempt from release under Council's Document Access Policy.

ROBYN ABICAIR  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division



**Attachments:**

1. Document Access Policy
2. Schedule of Documents
3. Processing Volume for Document Access Applications

File Reference: F2006/00479-02

Document Number: D01086558

## **13 QUARTERLY REVIEW - OPERATIONAL PLAN ASSOCIATED WITH THE HORNSBY MALL STRATEGIC MANAGEMENT PLAN**

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### **EXECUTIVE SUMMARY**

At the 12 December 2007 Ordinary Meeting, Council adopted a 12 month Operational Plan in respect of various Key Actions contained within the Hornsby Mall Strategic Management Plan (HMSMP). Council requested that reports outlining the progress on the implementation of the Key Actions be provided for consideration on a quarterly basis.

A table has been prepared which outlines progress achieved in the implementation of the Key Actions for the quarter ending 30 November 2008. Comments regarding certain Key Actions are also provided in the DISCUSSION section of this Report

### **PURPOSE/OBJECTIVE**

The purpose of this Report is to provide information and seek Council's endorsement in respect of progress, as at 30 November 2008, on the implementation of the Key Actions contained within the 12 month Operational Plan associated with the HMSMP.

### **DISCUSSION**

At the 12 December 2007 Ordinary Meeting (see Report No CC113/07) Council, as the interim Hornsby Mall Leadership Group, adopted a further 12 month Operational Plan in respect of various Key Actions contained within the HMSMP. The Plan included a number of uncompleted Key Actions from the initial 12 month plan that, due to a variety of reasons, were still to be finalised. Council requested that reports outlining the progress on the implementation of the Key Actions be provided for consideration on a quarterly basis.

Attachment 1 to this Report provides a summary of the progress on implementation of the Key Actions for the period to November 2008. This period essentially concludes the time frame intended to be covered by the 12 month Operational Plan adopted in December 2007. As such, the next quarterly report to Council will not only provide details of the current status of Key Actions, but also propose an ongoing plan to address any Key Actions which remain outstanding.

Detailed comments concerning the progress of certain Key Actions for the period to November 2008 are provided below:

#### **Key Action 2.1 Image Campaign**

Due to resourcing issues, a market survey is still to be undertaken. Council officers will include this matter for consideration and action at the February 2009 meeting of the Vibrant Hornsby Mall Task Group.

**Key Action 2.4 Small Business Joint Marketing Venture**

Due to delays experienced in finalising the proposed “passport” design, the Vibrant Hornsby Mall Task Group was unable to consider the matter at its November 2008 meeting. It is anticipated that Task Group will be in a position to consider the “passport” design in early 2009.

**Key Action 3.1 Hornsby Mall Ambassadors**

The General Manager has requested that the revised resourcing proposal be held in abeyance at this point in time to enable the matter to be discussed at the Councillor’s Strategic Planning weekend in February/March 2009.

**Key Action 3.4 Monitoring**

At the November 2008 Ordinary Meeting (see Report No CC96/08), Council allocated additional funding to enable the development of a comprehensive Community Safety Plan. Advice recently obtained from the Manager, Community Services has indicated that the preferred consultant will commence the project in the near future and anticipates that the Community Safety Plan will be completed by September 2009.

**Key Action 3.6 Education Programs**

Due to management changes at the Hornsby and District Chamber of Commerce and Industry, the meeting planned for November 2008 did not occur. Council officers will arrange for a meeting to be held with the new President of the Chamber in early 2009 to discuss and identify strategies that may assist in generating greater participation and awareness of the “Biz Safe” program amongst Hornsby Mall retailers.

**Key Action 4.1 Beautification of Entrances**

Council officers will seek funding to implement this Key Action as part of the 2009/10 Budget preparations.

**Key Action 4.5 Community Art**

Advice has recently been received on behalf of Council’s Arts and Cultural Development Officer that a draft Public Art Policy has been formulated and it is anticipated that the matter will be submitted for the consideration of Council in early 2009.

**Key Actions 6.1 and 6.2 Lease/Licence of Public Space**

The review of the Hornsby Mall Code by the “A Hornsby Mall that Functions Well Task Group” is still progressing. This review is now anticipated for completion by June 2009.

**BUDGET**

There are no budgetary implications associated with this Report.

**POLICY**

No Council policies are affected by this Report.

**CONSULTATION**

There has been consultation in the preparation of this Report with the Manager, Community Services Branch and Council's Arts and Cultural Development Officer.

**TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line (TBL) attempts to improve Council's decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's Strategic Themes.

A TBL assessment is not required for this quarterly progress report.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Commercial Property, Mr Rod Drummond who can be contacted on 9847 6589

**RECOMMENDATION**

THAT the contents of Executive Manager's Report No. CC13/09 be received and noted.

ROD DRUMMOND  
Manager - Commercial Property  
Corporate and Community Division

ROBYN ABICAIR  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Hornsby Mall Strategic Management Plan Twelve Month Operational Plan Key Actions Quarterly Update as at 30 November 2008

File Reference: F2005/00923  
Document Number: D01087747

## 14 REQUEST FOR LEGAL ASSISTANCE - GOSFORD CITY COUNCIL

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### EXECUTIVE SUMMARY

Council has been advised that the Local Government and Shires Associations (LGSA) have approved an application by Gosford City Council for assistance under the LGSA's Legal Assistance Policy.

This Report provides the facts of the relevant matter, details of the LGSA's Legal Assistance Policy, the costs incurred by Gosford City Council, the contribution requested from Hornsby Shire Council under the Policy and comments from relevant Hornsby officers about whether Council should make a contribution.

The recommendation is that Council not make a contribution towards legal costs incurred by Gosford City Council.

### PURPOSE/OBJECTIVE

The purpose of this Report is to provide information to allow consideration of a request for Council to make a contribution, under the Local Government and Shires Association's Legal Assistance Policy, to legal costs incurred by Gosford City Council.

### DISCUSSION

Council is in receipt of correspondence from the LGSA which advises that their Executives have approved an application by Gosford City Council for assistance under the LGSA's Legal Assistance Policy in the matter of *Gosford City Council v Tauszik* [2006] NSWCCA 193.

The LGSA's Legal Assistance Policy (copy of relevant correspondence attached) allows for a council to request the support of the LGSA in seeking contributions from all councils with legal costs in a matter that involves a major local government principle even where the council is not so seriously affected by the outcome of the case that the legal costs associated with the principle outweigh any other consequence.

It is noted that if a council's application to the LGSA is successful, all NSW councils are asked to contribute and, the amount sought from each council is based on a pro rata basis according to the basic membership subscription assessed against each council and either the estimated costs at the time of the request or updated costs provided by the applicant council at a later date. Any contribution is entirely voluntary and no council is under any obligation to contribute under any circumstance.

The following are the facts of the matter as advised by the LGSA.

*"The Environmental Planning and Assessment Act 1979 (the EP&A Act) allows a council to make a planning instrument and Gosford has the Gosford Planning Scheme Ordinance in place as one of its four planning instruments.*

*Gosford also has a Tree Preservation Order (the TPO) made by way of Clause 44 of the Gosford Planning Scheme Ordinance.*

*Mr Tauszik was prosecuted by way of the EP&A Act in the Land and Environment Court by council for the removal of three large Norfolk Island pine trees from the front of his property. Mr Tauszik did not have the approval of council to remove the trees.*

*Senior counsel had advised council that a prosecution of Mr Tauszik in the Land and Environment Court for a breach of the Gosford Planning Ordinance Scheme was appropriate.*

*The Land and Environment Court convicted Mr Tauszik and fined him \$25,000 and ordered him to replant two trees and pay council's costs in the matter.*

*Mr Tauszik appealed to the Court of Criminal Appeal against the decision of the Land and Environment Court.*

*The Court found that consent for the removal of the trees had to be obtained by way of the TPO and not the EP&A Act and therefore the removal of the trees was not an offence under the Gosford Planning Scheme Ordinance.*

*A prosecution under the TPO had to commence within six months of the offence being committed and the Court found that council was now statute barred from bringing proceedings against Mr Tauszik.*

*Gosford City Council put forward that two important legal principles were being considered by the Court.*

- 1. That a breach of a TPO is a breach of the EP&A Act and not merely a breach of a council Order and that the issue of the different times allowed for the starting of proceedings against separate Subsections of the Act are no longer applicable, and*
- 2. That an error in the making of a TPO by a council does not result in the repeal of all earlier versions of that instrument.*

*Council was also attempting to uphold the general principles that there are obligations on the public to comply with a TPO and to discourage the removal of trees to improve views."*

The LGSA have advised that the costs incurred by Gosford City Council in pursuing the matter total \$547,351 and that Hornsby's contribution under the LGSA's Legal Assistance Policy has been calculated at \$6,675.82.

To assist Council in its consideration of the matter, comments were sought from the Executive Manager, Environment and the Manager, Parks and Landscape. The following comments have been received:

*"I am not in favour of providing this assistance for the following reasons:*

- 1. The circumstances of the case are applicable to Gosford Council's arrangements with its Tree Preservation Order and related planning instruments, and not necessarily relevant to the circumstances applying to council, and therefore there appears to me to be little benefit to Hornsby Council in the establishment of this case precedent.*

2. *The request to assist with Gosford Council's expenses is being made after the proceedings in the higher court. I wonder about the wisdom of Gosford Council's taking the matter as far as it did and therefore running up such a high level of costs."*

Having regard to the facts of the matter provided by the LGSA and the comments from the relevant Council officers, it is recommended that Council not contribute towards Gosford City Council's legal costs.

### **BUDGET**

There is provision in Council's 2008/09 Budget for corporate legal expenses. Should Council determine to contribute towards Gosford City Council's legal costs for the amount requested, this could be provided from within the corporate legal expenses budget allocation.

### **POLICY**

The relevant policy relating to this Report is the LGSA's Legal Assistance Policy.

### **CONSULTATION**

The preparation of this Report has involved consultation with the Executive Manager, Environment, the Manager, Parks and Landscape and has had regard to information provided by the LGSA.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes. In respect of the issues discussed in this Report, it is considered that no TBL provisions apply.

### **RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Manager, Administration Services Branch – Robyn Abicaire – who can be contacted on 9847 6608.

### **RECOMMENDATION**

THAT Council not make a contribution towards legal costs incurred by Gosford City Council in the matter of *Gosford City Council v Tauszik* [2006] NSWCCA 193.

ROBYN ABICAIRE  
Manager - Administration Services  
Corporate and Community Division

GARY BENSLEY  
Executive Manager  
Corporate and Community Division

**Attachments:**

1. Local Government and Shires Associations - Legal Assistance Policy

File Reference: f2004/10147

Document Number: D01088372



**15 ENVIRONMENTAL HEALTH - FOOD SAFETY PROGRAM 1 JULY 2008 TO 31 DECEMBER 2008**

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**EXECUTIVE SUMMARY**

In July 2008 councils across New South Wales were required to carry out inspections in accordance with obligations agreed to under the Food Regulation Partnership with the New South Wales Food Authority (the Authority). This legislation aims to standardise food safety inspections and inspection criteria across New South Wales.

Council is required to perform routine inspections of high and medium risk food premises, handle complaints relating to the retail food sector, investigate food borne illness outbreaks and provide six-monthly reports to the Authority.

The new inspection regime has resulted in a substantially higher number of initial fail rates due to the new mandated list of critical tasks. However, a significant portion of these establishments are passing on the first re-inspection.

**PURPOSE/OBJECTIVE**

To provide information on inspections of food premises during the period of July to December 2008.

**DISCUSSION**

At Council's Ordinary meeting of 9 April 2008 (Report No EN 14/08) Council committed to undertaking the role of a Category B enforcement agency under the Food Regulation Partnership with the Authority. This confirmed Council's longstanding practice of undertaking food inspections of the retail and food service businesses.

By electing to become a Category B enforcement agency, Council is now mandated to carry out certain activities under the Food Regulation Partnership. These commitments include:

- Commitment to inspect all "high" and "medium" risk retail premises (Council was provided information on what makes a premise high, medium or low by the Authority as part of the Food Regulation Partnership)
- Mandatory six-monthly reporting to the Authority
- Investigation of food related complaints within the retail sector
- Investigation of single food borne illnesses, referred by the Authority
- Re-inspection of all critical breaches to ensure compliance

Council's Environmental Sustainability and Health Team has categorised food businesses based on the definition and inspection frequency provided by the Authority.

The Authority recommends two annual routine inspections of all high risk businesses and one annual inspection for medium risk businesses. The previous inspection history including compliance record can affect the inspection frequency.

Council is mandated to undertake re-inspections to ensure that all critical non-compliances are completed. Should a critical breach be identified during a routine inspection of a high or medium business, the business will be subject to a re-inspection to ensure compliance. This inspection is in addition to any scheduled annual inspection(s) and incurs an additional fee.

Inspection results for the period July- December 2008 and comparison with previous annual results are as follows:

<b>Inspection Results</b>	<b>1<sup>st</sup> Half 08/09</b>	<b>2007/08</b>	<b>2006/07</b>	<b>2005/06</b>
Number of initial inspections	261	448	449	546
Number of follow up inspections	121	139	99	138
% Satisfactory – zero breaches	21%	18%	22%	12%
% Passing critical with some minor issues	29%	32%	60%	63%
% Failed primary inspection	50%	50%	18%	25%
% Passed all critical at re-inspection	71%	74%	54%	48%
% Failed re-inspection	29%	26%	46%	52%

***Note: During the year of 2007/08 Council was trialling new Category B enforcement requirements.***

Prior to the new approach officers were able to exercise some discretion, once a breach was identified, when determining if an inspection resulted in a “fail” or “pass with some minor issues”. The Authority has clearly defined that when a “critical breach” has been identified (irrespective of the number of breaches) the inspection results in a fail.

The major critical food safety breaches identified in the initial six months were:

- Food not protected from contamination - when being stored and/or processed and/or displayed
- Hygiene issues - including insufficient hand washing and lack of adequate equipment or supplies
- Inadequate temperature control (both storage and display) and no temperature measuring device

These critical food safety breaches continue to be addressed through on the spot education of food handlers by the health officers. Food handlers are informed of the implications of non compliance with the food safety standards; provided with suitable education resources and informed that legal enforcement will be undertaken when required.

Additional notable changes under the Food Regulation Partnership include the (public) publishing of Penalty Infringement Notices (PINs) on the Authority’s website ([www.foodauthority.nsw.gov.au](http://www.foodauthority.nsw.gov.au)). Once a PIN has been issued by Council the State Debt

Recovery Office passes this information to the NSW Food Authority who decides when and if the PIN should be published on its website. Council has no input into this decision.

### **BUDGET**

There are no immediate budget implications contained within this report. Actions are currently funded through existing expenditure accounts allocated to the Environmental Health and Sustainability Team. Council currently employs two full time equivalent health officers to fulfil the minimum level requirement of one inspection per year plus compulsory re-inspections.

Council now has powers under amendments to the *Food Act 2003* to charge all high and medium risk food businesses an annual administration fee, depending on the number of full time equivalent food handlers. The fee must not exceed the maximum charge indicated in the *Food Regulation 2004* of \$250 for a small premise, \$500 for a medium premise and \$2,000 for a large premise.

Councils also have the power to charge inspection fees under the *Local Government Act*. The NSW Food Authority has recommended a maximum fee of \$143.08 per hour with a minimum charge of half an hour. These are indicative only and the NSW Food Authority based these fees on cost recovery. Councils have the power to waive or reduce these fees and the current year fees that have been adopted by Hornsby Shire Council are set at a reduced rate of between \$150 and \$500. Council is currently subsidising the cost of the inspection program by about \$100,000.

### **POLICY**

There are no policy implications arising from this report.

### **CONSULTATION**

Consultation is continuing to consult with the NSW Food Authority and other councils through attendance at the Northern Sydney Regional Food Group and the State Food Group Council Meetings.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, a Triple Bottom Line assessment is not required.

### **RESPONSIBLE OFFICER**

The responsible officer is Gareth Munro, Health Officer, telephone 9847 6719, hours 8.30 am – 5.00 pm, Monday to Friday.

THAT the contents of Executive Manager's Report EN 1/09 be received and noted.

ROBERT STEPHENS  
Executive Manager  
Environment Division

**Attachments:**

1. Food Activities Six Monthly Report to NSW Food Authority

File Reference: F2004/08373-03  
Document Number: D01084752

## 16 SCHOOL SPORTSGROUND EXTENSION, CHERRYBROOK

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### **EXECUTIVE SUMMARY**

Council, in agreement with the Department of Education, proposes to extend the sportsground within the grounds of John Purchase Public Primary School, Cherrybrook. The field is currently used by both the public school and neighbouring Cherrybrook Technology High School (Refer Attachment 1: Suburban Context Plan). Under the proposal, the field will be used by local sports clubs outside of school hours, providing much-needed additional facilities.

It is recommended that Council agree to the preparation of a development application for the proposed works.

### **PURPOSE/OBJECTIVE**

Support is sought for the preparation of a development application for the proposed works.

### **DISCUSSION**

There is a shortage of training and playing facilities in Hornsby Shire. As set out in its Sports Facility Strategy (2006), Council has been investigating options for shared use of sportsgrounds, including agreements with schools where practical.

The subject school sportsground is sited on the western side of the Greenway Park community centre. The site represents a good opportunity to provide a sportsground for local cricket and soccer competition. There would be economies of scale possible by combining maintenance activities with the existing facilities at Greenway Park.

The proposal would deliver an improved facility for use by the two adjoining schools. In order for the local sports clubs to gain use of the field, Council intends to provide night lighting to the field to support training on weekday evenings. The field will be extended to support junior cricket, retaining an existing senior sized football field. The field will be developed with an excellent playing surface, as well as drainage and irrigation facilities to ensure it can withstand the pressure of increased use.

Council also proposes to build a basic amenities building within the school grounds for both school and public use, which the schools may wish to extend for other activities. These uses will be further defined during design development but could include storage, a classroom for physical education activities, viewing area, toilets and a counter / servery area.

Past experience has shown that sportsground developments can often raise strong expressions of concern from surrounding neighbours, anticipating increased noise, traffic and parking impacts. Fortunately, the subject site is adjacent to the school sites to the west and Greenway Park to the east. There are homes located approximately 50 metres from the southern end of the sportsground and the nearest home to the northern end is approximately 35 metres away. These homes are separated by bushland and buffering vegetation. The closer homes are to the

north, where additional planting and incorporation of a sound barrier to the back of the existing cricket nets are proposed.

Council has conducted consultations with the schools, sports clubs and local community. A letterbox mailout illustrating the proposals was sent to homes in the immediate neighbourhoods surrounding Greenway Park and the two schools. Council has advertised the proposal on its website, placed notices in newspapers, held an information day in the Cherrybrook Community Centre in Greenway Park, and established an online forum in respect of proposals.

Council commissioned several studies assessing noise, lighting, traffic and electromagnetic impacts and these were available for public examination during the exhibition. Due to the distance from homes and additional parking spaces being made available within school grounds, none of these impacts were assessed as unreasonable, with minimal impacts anticipated.

The proposals remain exhibited on Council's website and in the 'Bang The Table' on-line forum until 6 February 2009 for receiving submissions. To date, despite the several avenues provided for making submissions, excluding submissions made at the Information Day, only one letter has been received. The Information Day did not attract a lot of people. Several of the visitors left satisfied that the proposal would not adversely affect them, with some concern raised by others about traffic and noise impacts. In general, however, positive feedback was received supporting all proposals.

On 'Bang the Table', four comments supporting the proposals have been posted with eight additional votes also in support. No objections have been recorded on the forum. An "activity report" from 'Bang the Table' was prepared on January the 7<sup>th</sup>, 2009, which identified that 195 people had accessed the site, with 86 visitors viewing all documents. Since 7 January 2009 additional votes have been made in favour of the proposals. The low recorded levels of dialogue and low overall level of votes recorded suggest that there is little concern in the community regarding the proposals.

One submission letter was received, which is not in favour of the proposals (see Attachment 2). This letter was submitted by the nearest existing resident. The majority of concerns raised by the resident will be sufficiently addressed through screening and sound barriers incorporated to one end of the sportsground. The actual design solution to address these matters will be determined through the detailed design phase of the project. Detailed design will seek to address concerns and aim for the optimal outcome for residents and for users of the facilities.

Due to the low level of concern about the proposal and the expressions of support, it is recommended that the proposal proceed to Development Application stage.

### **BUDGET**

The project, if approved, will be funded by Council through Section 94 Development Contributions.

### **POLICY**

Due to increasing population and a shortage of sportsground, Council has adopted a strategy to meet community needs for additional sports facilities. Council's Sports Facilities Strategy

sets out a plan to make shared use of several existing school sportsground including the subject site.

### **CONSULTATION**

As noted above, consultation was extensive including a letter box mailout, information day, Council website exhibition, 'Bang the Table' online forum and newspaper advertisement. Council's Community, Recreation and Culture Task Force was briefed on the matter at its final meeting of 2008.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line attempts to improve Council decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

#### **Working with our Community**

The proposals are the culmination of discussions with the schools and local sports clubs that will use the extended playing field / sportsground. The proposals recognise an obligation to address the shortage of facilities for the community and have been advertised and subject to wider community consultation.

#### **Conserving our natural environment**

The existing environment of the sportsground is a modified site in a reasonably degraded condition for its intended use. Surrounding native plantings provide some screening for adjoining properties. Natural environments will not be affected. However, the proposals will make positive contribution to landscape and to the management of rainwater falling on the site. Native trees, shrubs and groundcovers will be incorporated into the landscape surrounding the sportsground for amenity and habitat purposes.

Council proposes to incorporate Water Sensitive Urban Design (WSUD) principles into the design. Run-off from the ground will be returned to the stormwater harvesting facility within Greenway Park, used for irrigation purposes. Additional investigation will be undertaken of the potential for harvesting rainwater and stormwater from school grounds and buildings for irrigation of the upgraded sportsground.

The amenities building will incorporate low-flow toilets and use durable construction methods and materials. Consideration of the use of low energy embedded materials will be given.

If gained, development consent for the construction works will provide conditions for environmental protection including management of materials and vegetation and prevention of any loss of soil and silt from site.

#### **Contributing to community development through sustainable facilities and services**

The proposals in this report have the capacity to contribute to the development of community sports clubs operating within Hornsby Shire and to foster more interaction between the clubs, all Greenway Park users and local and school communities in Cherrybrook.

The sportsground will be developed to a high standard to account for the increased levels of use anticipated. Accordingly, soil improvement works, re-turfing, improved drainage and irrigation works will be undertaken. Additional planting and mulching works will enhance amenity and habitat potential of the site in its broader context.

Soil excavated from the adjacent Cherrybrook Community Centre building site is proposed to be used to partially re-grade the subject area pursuant to a Review of Environmental Factors that will precede the development application. This solution will minimise the energy, environmental and financial costs of the project. This work is not considered to pre-empt development consent as it will be finished to provide a landscape benefit to the school grounds should the proposed sportsground extension not proceed for any reason.

An amenities building will be developed to meet school needs and provide basic toilet facilities available for the use of sports clubs.

#### **Fulfilling our community's vision in planning for the future of the Shire**

The sportsground will fulfil the community's vision in planning for the future of the Shire by assisting in meeting the pressures of increased population and field shortages for sports clubs. The development will also facilitate informal recreation, providing additional accessible space adjoining Greenway Park and the Cherrybrook Community Centre.

#### **Supporting our diverse economy**

The proposals in this report will potentially provide opportunities for local contractors and suppliers of materials.

#### **Maintaining sound corporate financial management**

The proposals in this report will assist in maintaining sound corporate financial management. Fees gained for the hire of the sportsground will contribute to maintenance of the facilities into the future.

#### **RESPONSIBLE OFFICER**

For further information, please contact Council's Manager Parks and Landscape, Mr Peter Kemp, telephone 9847 6792, hours 8:30am to 5pm, Monday to Friday.

THAT:

1. Council provide in-principle support for the extension of the existing sportsground and associated works within the grounds of John Purchase Public Primary School, Cherrybrook and agree to proceed to the preparation of a development application for the project.

ROBERT STEPHENS  
Executive Manager  
Environment Division

#### **Attachments:**

1. Suburban Context Plan
2. Response to residents submission



File Reference: F2008/00341  
Document Number: D01084843

**ITEM 16**

## **17 PARKS CAPITAL WORKS 2008-2009 DECEMBER QUARTER PROGRESS REPORT**

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### **EXECUTIVE SUMMARY**

The Parks Capital Works Program for 2008/2009 addresses works required to maintain park assets in a safe and enjoyable condition. It also includes a works program for improving the parks of Hornsby Shire with funding from development contributions levied under Section 94 of the Environmental Planning and Assessment Act (1979).

### **PURPOSE/OBJECTIVE**

This report is to inform Council of the progress of the 2008/09 Parks Capital Works Program as at 31 December 2008.

### **DISCUSSION**

Attachment 1 is a status report on projects listed for 2008/09.

As indicated in the attachment, the majority of projects assigned to the Parks and Landscape Team have been substantially progressed.

### **BUDGET**

There are no budget implications arising from this report.

### **POLICY**

There are no policy implications arising from this report.

### **CONSULTATION**

No consultation was necessary for the preparation of this report.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The responsible officer is Peter Kemp, Manager, Parks and Landscape, telephone 9847 6792, hours 9.00 am to 5.00 pm, Monday to Friday.

**RECOMMENDATION**

THAT:

1. The contents of Executive Manager's report EN3/09 be received and noted.

ROBERT STEPHENS  
Executive Manager  
Environment Division

**Attachments:**

1. Parks Capital Works December 08/09

File Reference: F2004/06971  
Document Number: D01085466

## 18 DRAFT OUTDOOR DINING CODE

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### **EXECUTIVE SUMMARY**

Council at its meeting of 13 August 2008 resolved to adopt the Hornsby Westside Masterplan. The aim of the Masterplan is to improve the streetscape and pedestrian amenity of the specified area and includes provisions for outdoor dining.

In addition to this, work is being progressed in relation to streetscape improvements for Oxford Street, Epping. This work will also facilitate outdoor dining within the precinct.

Given the intention of Council to encourage the use of outdoor dining, it is important that a supporting set of guidelines are developed to encourage and regulate provisions of same.

A Draft Outdoor Dining Code is attached for Council's consideration. It is recommended that:

1. The Draft Code be placed on exhibition for a period of 28 days, with a further report back to Council at the conclusion of the exhibition period;
2. Outdoor dining be considered for inclusion as exempt and complying development and that the Exempt and Complying Development Control Plan should be amended to include this provision;
3. The related fees as proposed for outdoor dining be included in the 2009/10 Draft Fees and Charges.

### **PURPOSE/OBJECTIVE**

The purpose of this report is to seek Council's endorsement to place the Draft Outdoor Dining Code (attached) on public exhibition and to adopt the other recommendations as outlined in the report.

### **DISCUSSION**

Council at its meeting of 13 August 2008 resolved to adopt the Hornsby Westside Masterplan. The aim of the Masterplan is to improve the streetscape and pedestrian amenity of the specified area and includes, inter alia, provisions for outdoor dining.

As a result of work being undertaken to improve the vitality of the commercial precincts throughout the shire, it became apparent that although Council has an adopted Outdoor Dining Code for the Hornsby Mall, it does not have a generic Outdoor Dining Code for other commercial precincts within the area. It is proposed that the attached Draft Code will apply to dining on the footway of roads where Council is the Roads Authority and will not apply to the Hornsby Mall.

To date, food outlets seeking to occupy space for outdoor dining have been required to lodge a development application and associated assessment procedures have applied. Anecdotal feedback from local food outlet operators suggests that such a process may have led to lost opportunity costs due to additional DA fees and processing times and this has been a disincentive for establishing outdoor dining.

Subsequent to a review of other local government area requirements in relation to outdoor dining, it would appear that those most successful in attracting interest for food outlets to operate outdoor dining areas are those that have a simple application for permit system.

It is recommended that outdoor dining be considered for inclusion as exempt and complying development and that the Exempt and Complying Development Control Plan be amended as part of the comprehensive Local Environment Plan/DCP review. Further consultation with the Planning Division regarding this proposed amendment will take place during the exhibition period and be reported on in the subsequent report back to Council.

It is proposed to charge an annual fee for outdoor dining applicants. This fee will be based on the square metre area of the site occupied and will be based on market valuation in accordance with Council's Schedule of Fees and Charges.

The attached Draft Outdoor Dining Code addresses matters such as location; access; safety; furniture; and applications processes.

A further report will be prepared for Council's consideration at the conclusion of the exhibition period.

### **CONSULTATION**

An internal working group was convened to develop the Draft Outdoor Dining Code. This group had representatives from the Divisions of Works, Corporate and Community, and Strategy. Liaison with officers of Planning and Environment Divisions has also taken place.

It is proposed to consult directly with the business community once the draft code is on exhibition.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

#### **Working with our community.**

Significant consultation has taken place regarding the town centre streetscape improvements. Further consultation with the business community will take place during the exhibition period.

#### **Conserving our natural environment.**

The Draft Outdoor Dining Code will not have adverse impacts on our natural environment.

#### **Fulfilling our community's vision in planning for the future of the Shire.**

Outdoor dining promotes active streets, and active streets provide passive surveillance, which in turn promote safer precincts. Thriving town centres are a component of Council's vision for the Shire.

**Supporting our diverse economy.**

The Draft Outdoor Dining Code will encourage an increase in local dining which will have a positive impact on the economy of the Shire.

**RESPONSIBLE OFFICER**

Kim Appleby, Research and Policy Development Officer, is the officer responsible for this report. She can be contacted on 9847 6014.

**RECOMMENDATION**

THAT

1. The Draft Outdoor Dining Code be placed on exhibition for a period of 28 days, with a further report back to Council at the conclusion of the exhibition period;
2. Outdoor dining be considered for inclusion as exempt and complying development and that the Exempt and Complying Development Control Plan should be amended to include this provision;
3. The related fees as proposed for outdoor dining be included in the 2009/10 Draft Fees and Charges.

JULIE WILLIAMS  
Manager, Corporate Strategy  
Strategy Division

**Attachments:**

1. HSC Draft Outdoor Dining Code

File Reference: F2004/10055  
Document Number: D01087009

## 19 WORKS PROGRESS REPORT - DECEMBER 2008 QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH

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### EXECUTIVE SUMMARY

This report provides Council with information on the works and activities undertaken by the Traffic and Road Safety Branch for the period 1 October 2008 to 31 December 2008. The report outlines the numerous and diverse projects undertaken by the Branch during the 2008/09 Annual Operating Program.

### OBJECTIVE

The objective of this report is to provide Council with an overview of the functions of the Traffic and Road Safety Branch during the period of review and to seek Council's endorsement of the activities undertaken.

### DISCUSSION

The Traffic and Road Safety Branch comprises 18 staff, i.e. 1 x Senior Traffic Engineer, 1 x Transport Planner, 1 x Assistant Traffic Engineer, 1 Traffic Officer, 1 x Transport Officer, 1 x Road Safety Officer, 9 x Rangers, 1 x Ranger Coordinator, 1 x Branch Secretary, 1 x Administration Assistant and 1 x Manager. The areas of responsibility within the Branch are; Traffic and Transport *Planning*, Traffic *Engineering*, Traffic and Road Safety *Education* and Traffic and Car Parking *Enforcement*. The core activities undertaken within these areas of responsibility are:-

- \* **Management and Administration**
- \* **Traffic Management**
- \* **Traffic and Transport Planning**
- \* **Car Parking Management**
- \* **Road Safety Education**
- \* **Bicycle and Pedestrian Facilities Planning**
- \* **Development Assessment**

### Management and Administration

The Traffic and Road Safety Branch has two responsibility centres within the Annual Operating Plan, Traffic and Road Safety and Traffic and Parking Enforcement and as such it is required to provide budget control, program reports through quarterly reviews, program development, annual reporting and human resource management.

### Traffic Management

Council is the responsible Authority for the management of traffic on public streets within its proclaimed boundaries other than classified roads. However, on 27 March 1998 the Roads and Traffic Authority revoked Council's delegated powers to approve traffic facilities that prevent or restrict access of vehicles or pedestrians on public roads. **Council is now an applicant for the implementation of any restriction, e.g. road closures, turning**

**restrictions, etc., on public roads and the application is determined by the Roads and Traffic Authority.**

During the period under review 5 items were referred to the Local Traffic Committee for a recommendation as shown in Attachment 1. Throughout all of the above projects the community was consulted and where possible amendments made to suit the community's needs or requests.

### **Traffic and Transport Planning**

As a Road Authority proactive measures are required to ensure proposals comply with adopted standards, guidelines and best practice.

Current major projects include:

- \* Replacement Copeland Road rail bridge, Beecroft
- \* Normanhurst railway station upgrade
- \* Hornsby Station Upgrade
- \* North West Metro Link (formerly the North West Rail Link)
- \* M2 – F3 Link
- \* Hornsby CBD and Shire traffic models
- \* Hornsby CBD section 94 review car parking strategy
- \* Hornsby Shire Housing Strategy
- \* Dept Planning Metropolitan North Subregion Strategy
- \* Hornsby Shire Car Parking Strategy Working Paper.

The Branch is developing a travel demand model utilising activity chains (*e.g. Home-Work-Shopping-Home*) for different demographic sectors of the population. Activity chains are generally derived from household interview survey using different trip generating activities. During the period under review, the Transport Planning Unit also provided comments on Traffic and Transport Management Facilities relating to the current review of Council's Section 94 Contribution Plans and the North West Rail Link Environmental Assessment.

### **Car Parking Management**

In addition to patrolling on street parking restrictions Traffic Rangers are contracted to patrol private parking areas used by the public. The owners of Coles car park West Pennant Hills, McDonalds Waitara and The Module car park Beecroft have declined to continue with their contracts. Council staff are negotiating with the owners regarding a reduced parking patrol frequency for a proportionally reduced fee. 908 parking spaces in 13 car parking areas within the Shire are currently patrolled as shown in Attachment 1.

Car Parking Management activities carried out during the period under review include:-

- \* 206 (79) patrols of schools to enforce parking regulations.
- \* 32,000 (30,000) car parking spaces patrolled to enforce parking regulations.
- \* 3,142 (1,570) infringement notices were issued.
- \* 9 (12) matters were defended in Hornsby Local Court.

(--) denotes activities from October to December 2007.



The use of electronic handheld devices for the issuing of traffic infringement notices commenced in June 2008. The devices allow improved data collection and transfer of data between the State Debt Recovery Office and Council.

### **Road Safety Education**

The Road Safety Officer (RSO) commenced duties in December 2008. The position is 50% funded by the RTA. Previous programs covering the areas of speeding, senior drivers, young drivers and safety around schools will be reinstated, with additional programs to be developed in consultation with the RTA after local crash data trends are reviewed and priorities established.

### **Bicycle, Pedestrian and Public Transport Facilities and Planning**

The position is currently vacant however other staff have been involved in -

- Liaison with RTA, Ryde Council and BikeNorth regarding the M2 Cycleway detour including the new bridge over Terry's Creek.
- Audit of all bus stops across the Shire in accordance with Disability Discrimination Act requirements.

### **Development Assessment and advice on Town Planning Issues**

The Traffic and Road Safety Branch provides advice to the Planning Division on 'as needed' basis. During the period under review, traffic comments and impact assessments were made on 21 development applications as shown in Attachment 1.

### **BUDGET**

There are no budget implications intended in this report.

### **POLICY**

There are no policy implications.

### **CONSULTATION**

There is ongoing extensive consultation with the community and other stakeholders during the course of the traffic facility and bicycle program implementation.

### **TRIPLE BOTTOM LINE**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

The responsible officer for this report is the Manager Traffic and Road Safety Mr Lawrence Nagy telephone 9847 6524.

**RECOMMENDATION**

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for the period 1 October 2008 to 31 December 2008.

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

1. Traffic Report

File Reference: F2004/05959  
Document Number: D01079419

## 20 SHEPHERDS DRIVE - CHERRYBROOK. PEDESTRIAN AND BICYCLE ACCESS TO CHERRYBROOK VILLAGE SHOPPING CENTRE

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### EXECUTIVE SUMMARY

Council has received a number of requests for improved pedestrian access to Cherrybrook Village Shopping Centre from the bus stop outside the shopping centre in Shepherds Drive, and improved bicycle and pedestrian access through the eastern part of Greenway Park. Improving access to private property is essentially a matter for Cherrybrook Village management and property owners however Council has undertaken preliminary investigation as any proposals will impact on Council's assets and will therefore require Council approval.

### PURPOSE/OBJECTIVE

This report has been prepared to inform Council of the feasibility of improving pedestrian and bicycle access into Cherrybrook Village.

### DISCUSSION

At the Ordinary Meeting of 11 November 2008 Notice of Motion MOU12/08 resolved that -

1. *A report be prepared and submitted for Council's consideration at the first Ordinary meeting in 2009, outlining possible additional and improved pedestrian/cycle access points into Cherrybrook Village and from Cherrybrook Village into Council asset space, namely the community sporting fields behind Cherrybrook Village.*
2. *This report will include preliminary estimated costing for each individual access point and, whilst not limiting the options to be presented in the report, the report will specifically address access options*
  - a. *from Shepherd's Drive,*
  - b. *via the rear car park area at Cherrybrook Village via Shepherds Drive/Greenway Park/sporting fields space.*
3. *The report will also identify any Plan of Management, Works or Planning issues required to be addressed in order to enable such access points with suggested solutions of those issues.*

#### **a. New access via Shepherds Drive.**

There have been requests from residents for improved pedestrian linkage between the bus stops on Shepherds Drive near Kenburn Avenue and the shopping centre. The Cherrybrook Village operations manager advises that at one stage steps were provided near the Kenburn Avenue roundabout however the steps were removed following a number of injury claims. Pedestrians now walk along the footpath in Shepherds Drive to access the footpath along the vehicle driveway opposite Kenburn Avenue.

Discussion between Council and shopping centre staff on site resolved that while ramps could be constructed to link Shepherds Drive at the bus stop and the carpark, the level difference will require a long ramp or series of short ramps to comply with Disability Discrimination Act requirements. The length of ramp required would result in a relatively minor saving in total walking distance. In addition, the bus stop on Shepherds Drive opposite the shopping centre is closer to Kenburn Avenue, in which case pedestrians using this bus stop are more likely to cross Shepherds Drive at the Kenburn Avenue roundabout medians and not use the ramp. A sketch of the bus stops and possible ramp location is included as Attachment 1.

Overall the shopping centre management does not support an additional pedestrian access point to Shepherds Drive near the bus shelter as there will be little net benefit for pedestrians compared to the current arrangement and the cost of the ramp will be considerable. Council staff concur with this assessment.

#### **b. New access via Greenway Park.**

In 2005 Council constructed a network of shared bicycle pedestrian paths around the newly opened aquatic centre in Greenway Park. These paths in part created improved pedestrian and bicycle links between western end of Cherrybrook Village, the community centre and Mark Place. Since this work was completed residents have requested a similar path network be provided to service the eastern end of Cherrybrook Village.

The shopping centre management generally supports the concept of improving pedestrian and bicycle access to the shops from Greenway Park and is willing to amend the internal layout of the carpark if required. Due to personal safety and property vandalism issues the shopping centre management will not agree to a path directing pedestrians into the loading dock or associated delivery vehicle driveway areas however, they would consider a pedestrian and bicycle link between Greenway Park and the upper deck of the Village carpark as shown in Attachment 2. Connecting the link to the lower carpark level is not recommended as the layout of the lower parking area will direct pedestrians onto a vehicle aisle behind angle parked vehicles, and this cannot be remedied without losing parking spaces. The upper deck offers a pedestrian route with fewer conflict points and tends to be less busy as it is not under cover.

Due to the falling grade between Greenway Park and the carpark, a structure will be required to connect the two areas. Council engaged Cardno civil consultants to provide a feasibility report and estimate for the provision of a shared bicycle pedestrian link between Greenway Park and the second deck of Cherrybrook Village Shopping Centre carpark in accordance with Council and shopping centre management requirements. A sketch of the proposal bicycle/pedestrian link structural plan is included as Attachment 3.

While this report deals with a proposal for a pedestrian/bicycle link, Council staff are aware that shopping centre management is considering alternative vehicle access to the centre as well. Accordingly the investigation of the pedestrian/bicycle link has also considered the implications of a vehicle link and this is reflected some of the comments under.

The Manager Parks and Landscapes has reviewed the proposal and has provided the following comments -

*I understand that there is a proposal to improve egress from the Cherrybrook Shopping Centre by providing a ramp to the north from the car park onto Shepherds Drive, for either pedestrian or vehicle access. The ramp would cross the south-east corner of Greenway Park.*

*My comments are confined to the potential impact of the proposal on Greenway Park. I question whether it is an appropriate use of scarce public open space to provide access between a shopping centre and a public road without a clear benefit to users of the open space. The current Plan of Management does not include any proposal for such a ramp and it would need to be amended in order for it to proceed. It is doubtful that the proposal would meet the Core Objectives for community land categorised as a sportsground under the Local Government Act. In that case, it may be necessary to reclassify the necessary portion of land as Operational Land and in effect it would no longer be part of Greenway Park, especially if the ramp were for vehicles and not pedestrians only, as a vehicle access would tend to more strongly alienate this sector of the park. A reclassification is required under the Local Government Act to undergo a rezoning process including a public hearing.*

*There is a group of netball and tennis courts located in that sector of the park. If the ramp were to be constructed to accommodate vehicles the necessary road width would cause the loss of the easternmost court. There is no room within Greenway Park to replace this court, which is proposed to be resurfaced following recent water damage and converted for netball use. There are no suitable alternative parks within Cherrybrook to re-site the court and in any case it is better practice to group courts and not disperse them. The additional traffic movements facilitated by the ramp would not be conducive to public enjoyment of Greenway Park. I cannot support a vehicle access proposal because of the diminution of recreation opportunities in Greenway Park.*

*There appears to be sufficient room east and south of the easternmost court to construct a pedestrian and bicycle access way without impact on the court and without diminishing recreation or visual values in Greenway Park. Subject to the abovementioned legal requirements being met, I would have no objection to a pedestrian and bicycle access proposal.*

The Manager Parks and Landscapes Team comments indicate that an additional vehicle access via Greenway Park, if it were to proceed, would involve extensive public consultation and changes to the Greenway Park Plan of Management before rezoning that part of Greenway Park. All such work would be at the shopping centre owner's expense. The shopping centre management has advised that they are unlikely to consider seeking Council approval for an alternative vehicle access in the foreseeable future due to cost issues.

The Cardno report provides the following information regarding an estimate for the pedestrian/bicycle link.

*An accurate cost estimate for the bridge would require a preliminary design to determine sizes of all the structural members including piles, columns, headstocks, beams and railings. The construction cost is also very dependant of limitations and restrictions on the Contractor and access difficulties. For a small construction project such as this, the contractor's fixed costs form a significant part of the contract price. At this stage in the project, the best estimate of construction cost can be obtained from typical unit rates for pedestrian bridges.*

*The unit rates for pedestrian bridges vary greatly and depend on a wide range of factors. Usually the rate is between \$2,800 and \$5,000 per square metre. It is likely that the unit rate for this bridge (Option 3) is at the high end of that range and possible greater. At \$5,000 per square metre, the construction cost of this bridge would be \$322,000 (28m x 3.3m x \$5000). However, for this small bridge, it would not be surprising if the contract price was \$450,000 or more.*

*The cost of site investigations (survey and geotechnical), design, contract documentation and project management also need to be taken into account. The design cost may be in the order of \$40,000 to \$60,000, depending on the scope of work for the design consultant.*

As the pedestrian and bicycle access directly benefits Cherrybrook Village, and is not included in the Greenway Park Masterplan or Hornsby Shire Bike Plan, it is appropriate that the Village fully fund the design and construction.

### **BUDGET**

There are no budgetary impacts as Cherrybrook Village Shopping Centre management will be responsible for funding the design and construction in accordance with Council requirements.

### **POLICY**

There are no policy implications in this report.

### **CONSULTATION**

The Manager Parks and Landscapes, Manager Design and Construction and Centre Manager Cherrybrook Village Shopping Centre were consulted in the preparation of this report.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

### **RESPONSIBLE OFFICER**

This report was prepared by Council's Manager Traffic and Road Safety, Mr Lawrence Nagy telephone 9847 6524.

### **RECOMMENDATION**

THAT

1. Council note the requirements for public consultation, reclassification of land and rezoning if a vehicle access is provided to Cherrybrook Village Shopping Centre across Greenway Park.
2. The investigation and estimate for the pedestrian/cycleway link between Cherrybrook Village Shopping Centre and the eastern end of Greenway Park be provided to the shopping centre manager for their consideration.

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

1. Shepherds Drive - possible ramp location
2. Greenway Park link plan
3. Greenway Park link structural detail

File Reference: F2004/09848  
Document Number: D01080024

## **21 BUILDING CAPITAL WORKS PROGRAM 2008/2009 - DECEMBER 2008 QUARTERLY REPORT**

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### **EXECUTIVE SUMMARY**

Council's Management Plan 2008/2009 provides a list of proposed Capital Works for 2008/2009. This report provides Councillors with progress information for Building Capital Works projects for the period 1 July 2008 to 31 December 2008.

### **PURPOSE/OBJECTIVE**

The purpose of this report is to advise Council on the progress on the 2008/2009 Building Capital Works Program undertaken by the Building Services Team of the Engineering Services Branch.

### **DISCUSSION**

The Building Services Team forms part of the Engineering Services Branch of the Works Division and operates from Council's Thornleigh Depot.

The Building Services Team is responsible for providing an asset management service that ensures all of Council's buildings are maintained in a safe and functional condition and conforming to relevant statutory requirements. The Team provides maintenance and construction services to asset building users in meeting the objectives of their various activities.

Building maintenance is provided under Responsibility Centre 5431 and consists of proactive and reactive maintenance. Proactive maintenance is programmed work based on the required level of service renovation cycle agreed with the relevant Responsibility Centre Manager. Reactive maintenance includes vandalism, graffiti and faulty asset components.

Building Capital renewals, upgrades, improvements and new works are provided under Responsibility Centre 5431.

Upgrades typically include new kitchens, air conditioning, curtains, carpeting. Improvement works include the provision of such items as pergolas, sun shades, disable access. New works include the provision of new buildings and major extensions.

Council employs a small team of painters and carpenters capable of providing a diversity of building tasks. All plumbing, electrical, roofing and tiling activities are undertaken by tradesmen. Architectural services are provided by contracted professionals.

The attached Gantt Chart displays the completed projects included in the 2008/2009 Building Works Program during the period 1 July 2008 to 31 December 2008.



**BUDGET**

The budgetary considerations of this report are shown in Council's Management Plan for 2008/2009.

**POLICY**

There are no policy implications.

**CONSULTATION**

Consultation has been carried out with the following:

Peter Kemp – Manager, Parks and Landscape Team  
Rod Drummond – Commercial Property Manager  
Samantha Colbert – Community Centre and Halls Co-ordinator

**TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

**RESPONSIBLE OFFICER**

The responsible officer for preparation of this report is the Engineering Services Manager, Peter Powell, on 9847 4803.

**RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK3/09 be received and noted.

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

1. Building Capital Works for 2008-2009 December 08 Report

File Reference: F2004/05958  
Document Number: D01081993

## **22 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM DECEMBER 2008 HALF YEARLY REPORT**

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### **EXECUTIVE SUMMARY**

The Engineering Services Branch has the responsibility to ensure that all of Council's buildings are maintained in a safe and functional condition and conform to legislative requirements.

This report provides Councillors with progress information relating to the costs of graffiti and vandalism associated with the maintenance of Council's buildings.

### **PURPOSE/OBJECTIVE**

The purpose of this report is to provide information to Council on graffiti removal and vandalism repair to Council's buildings incurred in the provision of the asset maintenance service.

### **DISCUSSION**

The Building Services Team forms part of the Engineering Services Branch of the Works Division and operates from Council's Thornleigh Depot.

The Building Services Team is responsible for providing an asset maintenance service that ensures all of Council's buildings are maintained in a safe and functional condition and conforming to relevant statutory requirements. The Team provides maintenance and construction services to asset building users in meeting the objectives of their various activities.

Building Maintenance is provided under the 5431 Responsibility Centre and consists of proactive and reactive maintenance. Proactive maintenance is programmed work based on the required level of service or renovation cycle agreed with the relevant Responsibility Centre Manager. Reactive maintenance includes graffiti removal, vandalism repairs and faulty asset components.

Vandalism to Council's buildings typically costs Council \$80,000 per year and occurs to amenities blocks, public toilets, bus shelters and community centres in the form of damage to windows, doors and locks. Graffiti typically costs \$100,000 per year.

A graffiti removal service is provided for Council's buildings and aims to remove illegal graffiti within 12 to 48 hours depending on the offensiveness of the vandalism.

Rapid removal requires systematic monitoring and cleaning of sites or facilities affected by graffiti and graffiti recurrence.

Rapid removal discourages graffiti vandalism because:

- It removes the vandal's thrill associated with seeing their name or work on public display.
- It demonstrates that a site is being monitored and cleaned there is an increased risk of detection.
- Vandals will continue to return to and damage a site if it is ignored.

Currently two methods of graffiti removal are used on Council properties:

- Painting out graffiti on painted surfaces.
- On other surfaces, removing graffiti with a high pressure water blaster and heat gun using specialist graffiti removal products.

<i>TYPE</i>	<i>COST</i> <i>July 2008 – December 2008</i>
Graffiti	\$47,678
Vandalism	\$45,761
	<hr/>
TOTAL	\$93,439

### **BUDGET**

Costs of vandalism and graffiti are included in Council's budget.

### **POLICY**

There are no policy implications associated with this report.

### **CONSULTATION**

Consultation regarding vandalism and graffiti is carried out with relevant Responsibility Centre Managers.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

**RESPONSIBLE OFFICER**

The responsible officer for preparation of this report is the Engineering Services Manager, Peter Powell, in telephone 9847 4803.

**RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK4/09 be received and noted.

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

There are no attachments for this report.

File Reference: F2004/00728  
Document Number: D01082043

## **23 WORKS PROGRESS REPORT - DECEMBER 2008 QUARTER - ASSETS BRANCH**

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### **EXECUTIVE SUMMARY**

This Assets Branch Works Progress Report for the December 2008 Quarter provides information to Council regarding the progress of the adopted 2008/09 Assets Branch Programs relating to works maintenance, road pavement and stormwater management in the Shire, and the implementation of asset management systems for sealed road pavement and drainage.

Key Performance Indicators (KPIs) for the various maintenance activities are included in the report and the progress of the various programs is presented in the Gantt charts attached to the report. The progress of the various activities is generally in accordance with the adopted programs for the 2008/09 Service Plan.

### **OBJECTIVE**

This report provides information to Council on the progress of the adopted Assets Branch programmes relating to works maintenance, road pavement and stormwater management in the Shire, and the implementation of asset management systems for pavement and drainage.

The report covers work carried out by the Assets Branch of the Works Division for the second quarter of the 2008/09 Service Plan ending 31 December 2008. A summary of the works carried out to date is also provided.

### **WORKS MAINTENANCE**

Works maintenance is divided into two districts (Northern District and Southern District) and includes:

- \* Road shoulder and Unsealed Road
- \* Drainage
- \* Footpath and Footway
- \* Roadside Furniture
- \* Foreshore Facilities

Maintenance works of a routine nature are carried out by Council crews with either Council-owned plant or externally hired plant. Such works include: road shoulder and unsealed road regrading; stormwater drainage system checking and clearing of obstruction/repair of drainage structure; inspection of footpaths and repair/replacement of isolated sections of paths; inspection and repair/replacement of road signs and furniture; and inspection and minor repairs of foreshore facilities.

Upgrading works which are readily defined are generally carried out by Contractors. Such works include road shoulder upgrading, footpath reconstruction, and major repair/replacement of foreshore facilities. Other upgrading works such as construction of drainage pits and pipelines, lining of walls and floor of drainage channels, construction of short lengths of kerb and gutter are carried out by Council crews.

Civil assets maintained by the Works Division include:

- \* 613km of sealed roads and footways
- \* 376km of unsealed road shoulders
- \* 36km of unsealed roads
- \* 413km of footpaths
- \* 18,331 drainage pits
- \* 390km of drainage pipelines and channels
- \* 6 public wharves
- \* 5 pontoons
- \* 1 tidal baths
- \* 3 boat ramps
- \* 1 loading dock
- \* 8 sections - 815m of seawall

Works maintenance is undertaken in accordance with programmes adopted by Council and from work requests received. Progress of programmed activities for the Northern and Southern District Works Maintenance Programs are given in Gantt Charts A and B, respectively.

### **Road Shoulder and Unsealed Road**

**Road Shoulder Maintenance** is carried out to ensure that unsealed road shoulders on roads with only a central sealed pavement are safe and serviceable. Activities carried out include:

- \* On demand grass cutting and repair of damaged sections of grassed shoulders and swales;
- \* Programmed routine regrading and repair of worn shoulders;
- \* Programmed upgrading of shoulders to reduce/eliminate high frequency maintenance.

**Unsealed Road Maintenance** is carried out to ensure that unsealed roads are safe and serviceable. Activities carried out include:

- \* Programmed routine repair/resheeting of all unsealed roads;
- \* Programmed stabilisation/dust treatment of sections of unsealed roads to minimise/eliminate dust problem;
- \* On demand repair of unsealed roads especially after heavy rainfall.

The Key Performance Indicator (KPI), stated as the average maintenance cost per km per year on unsealed roads, is \$11,900. The average maintenance cost per km at the end of the December quarter is \$6,530.

This activity relates to the Strategic Theme, *Contributing to community development through sustainable facilities and services*.

## Drainage

Drainage maintenance is carried out to ensure that Council's drainage systems are effective in providing safety and enhance amenity to the community. Drainage maintenance comprises routine maintenance and minor upgrading of drainage structures.

**Routine Maintenance** comprises: programmed routine stormwater drainage system checking and clearing by Council crews on an area basis; and on demand drainage structure repair and lining of the side and floor of open drainage channels. The KPI for drainage maintenance, stated as the average maintenance cost per km per year of urban drainage maintenance, is \$3,600. The average maintenance cost per km at the end of the December quarter is \$1,630.

**Minor Upgrading** comprises programmed upgrading of drainage pits, construction of short sections of kerb and gutter, pipelines and new pits, and lining of walls and floors of open drainage channels.

## Footpath and Footway

Footpath and footway maintenance is carried out to ensure that Council's footpath system provides safe and convenient access. Footpath maintenance comprises routine maintenance, footpath reconstruction and access ramp construction. Footway maintenance comprises programmed routine grass cutting, and programmed on demand reshaping of footway and repair of footway.

**Routine Footpath Maintenance** comprises programmed routine inspection and repair of isolated section/s of footpath, and programmed re-sheeting of segments of footpaths with asphaltic concrete to eliminate minor trip edges or concrete grinding to address moderate trip edges. The 413km footpath network is inspected at least once a year by Council crews or a contractor. During the December quarter, repairs to footpaths totalled 434 sq. metres and provision of short sections of new footpaths totalled 51 sq. metres. The KPI for footpath maintenance, stated as the average maintenance cost per km per year, is \$2,700. The average maintenance cost per km at the end of the December quarter is \$1,300. The Service Level stated as the number of reported trip and fall incidents on footpaths per 100km of <33 (less than 33) per year was 4 at the end of the December quarter.

**Footpath Reconstruction** comprises programmed reconstruction by contract for segments of various types of footpaths ranging from concrete slabs to asphalt, brick, tile and heritage slabs. The Service Level for this program is 2.0km of footpath reconstruction. During the December quarter, 6 sections of footpaths totalling 0.66km were reconstructed. Fourteen (14) sections totalling 1.46km have been reconstructed at the end of the December quarter.

This activity relates to the Strategic Theme, *Contributing to community development through sustainable facilities and services*.

## Roadside Furniture

Roadside furniture maintenance is carried out to ensure traffic safety and convenient movement of traffic. Roadside furniture maintenance comprises routine maintenance of street name and traffic signs, guide posts and safety fences.

**Street Name and Traffic Signs** routine maintenance comprises programmed installation of new advisory and directional signs, and on demand repair/replacement of street name and traffic signs. During the December quarter, 165 signs were maintained and 21 new signs were erected. 384 signs have been maintained and 33 new signs have been erected at the end of the December quarter.

**Guide Post and Safety Fences** routine maintenance comprises programmed installation of new guide posts and safety fences and on demand repair/replacement of guide posts and safety fences. During the December quarter: 37 guide posts and 375 metres of safety fences were maintained, and 150 metres of new safety fences and 23 new guide posts were erected. 62 guide posts and 467 metres of safety fences have been maintained, and 170 metres of new safety fences and 100 new guide posts have been erected at the end of the December quarter.

This activity relates to the Strategic Theme, *Contributing to community development through sustainable facilities and services*.

### **Foreshore Facilities**

Foreshore facilities maintenance is carried out to ensure that public facilities are safe and serviceable. Foreshore facilities maintenance comprises routine maintenance and periodic upgrading/replacement of public wharves, pontoons, boat ramps, tidal baths, loading dock and seawalls.

**Routine Maintenance** comprises programmed routine inspection and minor repairs of public wharves, pontoons, boat ramps and tidal baths by Council crews and specialist contractors, and on demand minor repair works. During the December quarter, all 14 facilities have been inspected. Pressure cleaning of boat ramp and fish cleaning table were also carried out at Parsley Bay and Berowra Waters during the December quarter. Pest inspection and bait replacement at Brooklyn Baths were also undertaken in December 2008.

**Upgrading/Replacement** normally comprises programmed major repairs/upgrading on public wharves, periodic replacement of pontoons and periodic reconstruction of sea walls by contract. The replacement of 4 wharf piles and the reconstruction of a section of the adjacent timber seawall at the Brooklyn Public Wharf have been scheduled for March/April 2009. The Dangar Island Wharf part decking replacement has been scheduled for February/March 2009, and the Parsley Bay West Pontoon Replacement for mid February 2009.

This activity relates to the Strategic Theme, *Contributing to community development through sustainable facilities and services*.

### **PAVEMENT MANAGEMENT**

Pavement Management is carried out Shire wide for the 613km sealed road network consisting of 1,521 roads. Pavement maintenance activities include:

- \* Road Resurfacing
- \* Preparation for Resurfacing
- \* Pothole Repairs
- \* Road Restorations, Hydrants and Carpark Maintenance



Progress of programmed activities for the Pavement Works Maintenance Program is given in Gantt Chart C.

There are two key performance indicators in the Principal Activity Service Plans for sealed roads:

- \* The KPI for the sealed road network, stated as the percentage of road network rated in "Good/Very Poor" condition, are >68/<2 (greater than 68% / less than 2%). These percentages are forecast to decrease/increase in future years based on the current funding level. These percentages have remained relatively constant due to the Roads to Recovery Funding.
- \* The KPI for sealed roads, stated as the average maintenance cost per km, is \$8,500 per year. The average maintenance cost per km at the end of the December quarter is \$3,510.

### Road Resurfacing

Road resurfacing comprises programmed Reclamite surface treatment, and asphaltic concrete (AC) and flush seal resurfacing by contract. The programmed resurfacing is 183 roads totalling 308,000 square metres. The progress at the end of the December 2008 quarter, shown within brackets, was 32 roads totalling 43,699 m<sup>2</sup> and was as follows:

- \* Asphaltic Concrete resurfacing 69 roads - 86,450 m<sup>2</sup> (31 roads - 38,958 m<sup>2</sup>)
- \* Flush Seal resurfacing 34 roads - 70,100 m<sup>2</sup> ( 1 road - 4,741 m<sup>2</sup>)
- \* Reclamite surface treatment 80 roads - 151,450 m<sup>2</sup> ( 0 road - 0 m<sup>2</sup>)

A list of roads proposed for resurfacing is identified by Council's computerised Pavement Management System based on funding allocation and appropriate treatment options selected. The roads selected for inclusion in the program are then made following inspection by the Pavements Engineer. Approximately 5% of the road network is resurfaced/treated per year.

### Preparation for Resurfacing

Preparation for resurfacing comprises programmed pavement repair by contract and crack sealing by Council crews. Pavement repair involves heavy patching of pavement using AC and pavement stabilisation with cement. On demand pavement repair involving heavy patching of pavement with AC is also carried out by contract as well as by Council crews depending on availability and extent of work required.

The programmed preparation works was 45 roads totalling 20,600 m<sup>2</sup>. The progress at the end of the December 2008 quarter, shown within brackets, was 30 roads totalling 9,236 m<sup>2</sup> and was as follows:

- \* Heavy Patching with AC 34 roads - 3,850 m<sup>2</sup> (29 roads - 4,536 m<sup>2</sup>)
- \* Pavement Stab. with Cement 11 roads - 16,750 m<sup>2</sup> ( 1 road - 4,700 m<sup>2</sup>)

### Pothole Repairs

Pothole repair comprises programmed inspection and filling of potholes with AC on 12 patrol area basis by a Council crew with a Flocon truck. During the December 2008 quarter, 459 potholes were repaired in 66 roads and consumed approximately 24.9 tonnes of asphaltic concrete. At the end of the December quarter, 1,403 potholes have been repaired in 200 roads and consumed approximately 61.0 tonnes of asphaltic concrete.

## Road Restorations, Hydrants and Carpark Maintenance

This activity comprises programmed restoration of road openings by public utility authorities and plumbers in asphaltic concrete, raising of hydrants, and carpark maintenance involving some pavement and pothole repair by Council crew, line marking and resurfacing by contractors. During the December 2008 quarter, restorations were carried out on 70 roads totalling 879 m<sup>2</sup> and 11 services adjustments were carried out on 5 roads. At the end of the December quarter, restorations have been carried out on 97 roads totalling 1,004 m<sup>2</sup> and 16 services adjustments have been carried out on 7 roads.

The activities above relate to the Strategic Themes, *Contributing to community development through sustainable facilities and services* and *Maintaining sound corporate and financial management*.

## STORMWATER MANAGEMENT

Stormwater management major activities include:

- \* General review of all completed Stormwater Catchment Management Plans (SCMPs).
- \* Project management of minor stormwater drainage projects.
- \* Review of Council's Urban Runoff Management Code.
- \* Development of conceptual designs for Stormwater Drainage Improvement Programs.
- \* Development of Floodplain Risk Management Plan.

The Service Level, stated as the cumulative percentage of 1,084 known properties subject to stormwater inundation benefiting from Improvement programme is 52.1%.

Progress of programmed activities for Stormwater Management is generally in accordance with the adopted programme given in Gantt Chart D. Minor drainage improvement/upgrading works in Woonona Avenue, Wahroonga was completed during the December 2008 quarter. The Broadscale Overland Flow Study for the urban areas of the Shire was in progress during the December quarter. This study is part of the Floodplain Risk Management Plan Development and will culminate with the preparation of Flood Planning Levels Map for the Shire. The progress was slightly behind schedule due to some problems with the electronic data. This problem has been resolved and the dead line for the preparation of the Flood Planning Levels Map is expected to be met.

Major Drainage improvement works will not be undertaken in 2008/09 as the allocated funding has been placed in a restricted asset account towards the Hornsby CBD Drainage Project Stage 1. Construction will commence only when sufficient funds have been accumulated and is currently scheduled for 2010/11.

This activity relates to the Strategic Themes *Contributing to community development through sustainable facilities and services* and *Maintaining sound corporate and financial management*.

## ASSET MANAGEMENT SYSTEMS

Three asset management systems are currently being maintained/implemented:

- \* Pavement Management System (PMS)

- \* Drainage Asset Management System (DRAMS-PIPEPAK)
- \* Footpath Management System (FMS)

The progress of programmed activities for the implementation of asset management systems is generally in accordance with the adopted programme given in Gantt Chart E.

### **Pavement Management System (PMS)**

The Pavement Management System (PMS) Implementation Program consists of the following programmed activities for PMS Model refinement:

- \* Investigation of pavement structure by staff from project investigations.
- \* Collection of road condition and road roughness data by contract for the first 20% of the network for the Fifth Sweep.
- \* Collection of subdivision road data using casual staff.
- \* Traffic Counts by contract for 21 "typical" roads for refinement of traffic volume data.

Other PMS development activities include: preparation of valuation for AAS27 requirements; update of feedback system for data updating; preparation of Grants Commission report, and development of PMS-GIS interface to enable graphical access to PMS data. Collection of traffic, road condition and roughness data has been scheduled for the December 2008 quarter. Road Roughness data was received and uploaded to the PMS in December 2008. The auditing of data collected has been scheduled for January 2009 and the preparation of the draft Pavements Maintenance Programme for 2009/10 for February 2009. Site inspection of the proposed roads in the draft programme has been scheduled for the late March/April 2009.

This activity relates to the Strategic Theme, *Maintaining sound corporate and financial management*.

### **Drainage Asset Management System (DRAMS-PIPEPAK)**

The Drainage Asset Management System (DRAMS-PIPEPAK) Implementation Program consists of the collection of stormwater drainage asset data in respect of the location and condition of the pits and pipes in two phases. Phase 1 is in respect of location of pits and Phase 2 is in respect of pit and pipe condition. Phase 1 involving the location of 18,331 pits in Council's stormwater drainage system using a global positioning system (GPS) commenced in mid 1994 and was completed in June 2001. Phase 2 involving the collection of the pit and pipe condition commenced in mid 1995 and was completed in October 2002.

The DRAMS database was converted to the updated version named PIPEPAK by Council's IT personnel in February 2003.

PIPEPAK implementation activities include: GPS and condition data audit, update of feedback system for data updating; development of PIPEPAK model; formatting PIPEPAK for AAS27 requirements; and development of PIPEPAK-GIS interface for graphical access to PIPEPAK data. Investigation into the use of the Council's Online SAM (strategic asset management) package to replace PIPEPAK was undertaken during the March quarter.

This activity relates to the Strategic Theme, *Maintaining sound corporate and financial management*.

### **Footpath Management System (FMS)**

The Footpath Management System (FMS) Implementation Program consists of the following programmed activities:

- \* Collection of footpath condition data for the whole network.
- \* Ongoing development of graphical access to FMS data.
- \* Formulation of the Annual Footpath Maintenance and Reconstruction Programs.

The collection of footpath condition and inventory data by a contractor has been scheduled for the March 2009 quarter.

This activity relates to the Strategic Theme, *Maintaining sound corporate and financial management*.

### **BUDGET**

There are no budget implications with the preparation of this report.

### **POLICY**

There are no policy implications.

### **CONSULTATION**

Consultation with the Environment and Planning Divisions was made in respect of Stormwater Management activities. Consultation with outside groups is not required with the other activities.

### **TRIPLE BOTTOM LINE SUMMARY**

Triple Bottom Line (TBL) attempts to improve Council's decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's Strategic Theme.

A TBL assessment is not required for this progress report.

### **RESPONSIBLE OFFICER**

The responsible officer is the Manager, Assets Branch, Mr Chon-Sin Chua, on telephone No. 9847 6677.

### **RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK5/09 be received and the progress of the 2008/09 Assets Branch Programmes be noted.

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

1. Gantt Chart A - 2008/09 Northern District Works Maintenance Programme as at 31 December 2008
2. Gantt Chart B - 2008/09 Southern District Works Maintenance Programme as at 31 December 2008
3. Gantt Chart C - 2008/09 Pavement Works Maintenance Programme as at 31 December 2008
4. Gantt Chart D - 2008/09 Stormwater Management Programme as at 31 December 2008
5. Gantt Chart E - 2008/09 Asset Management Systems Implementation Programme as at 31 December 2008

File Reference: F2004/05959  
Document Number: D01084926

## **24 WORKS PROGRESS REPORT - DECEMBER QUARTER 2008 - DESIGN AND CONSTRUCTION BRANCH**

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### **EXECUTIVE SUMMARY**

This is a report on the progress of works which are carried out by the Design and Construction Branch of the Works Division for the second quarter of 2008/2009. Overall, projects were undertaken in accordance with the timing and budgets shown in the previously adopted program.

A number of Traffic Facility projects have been deferred including the Cherrybrook to Pennant Hills cycleway link and the Hastings Road shared path linking with Broadoak Place. Other projects including Sherbrook/Northcote intersection roundabout and Chapman Avenue/Wongala intersection Wombat Crossing (marked crossing on raised threshold) have been brought forward in place of these projects.

### **PURPOSE/OBJECTIVE**

The purpose of this report is to provide information as to the progress of the various 2008/2009 Improvement Programs (Civil Works), and other works undertaken by the Design and Construction Branch.

### **DISCUSSION**

#### **Improvement Program**

Construction works are carried out under Council's various Improvement Programs namely: Local Roads, Footpaths, Stormwater Drainage, Traffic facilities and Special Projects. In addition to this, the Design and Construction Branch is involved in other works such as Catchment Remediation projects for the Water Catchments Team of the Environment Division and civil works such as car park construction for the Parks and Landscape Team.

The Gantt charts for the programs listed above, together with comments in the right hand column as to the status of each project, are attached.

Any changes in the timing of construction for any project from the adopted program, is shown on the Gantt charts by shading the construction period shown on the previously adopted program.

#### **Significant Impacts**

A number of Traffic Facility projects have been deferred including the Cherrybrook to Pennant Hills cycleway link and the Hastings Road shared path linking with Broadoak Place. In regards to the Cherrybrook to Pennant Hills cycleway link a concept design has been developed to provide a shared path along the southern side of Boundary Road between Cedarwood Drive and Francis Greenway Drive. The road formation along the naturestrip requires widening with significant retaining walls, rock cutting and service relocations. A

preliminary estimate for these works indicated a cost of over \$600,000, whilst a budget of only \$200,000 had been allocated. As Boundary Road is a State Road it is proposed that the RTA be approached to provide funding for this project in the future.

The Hastings Road Hastings Road shared path linking with Broadoak Place is being deferred until the RTA completes the intersection works at Old Northern Road.

The Pacific Highway, Asquith pedestrian refuge is being deferred until 2009/2010 since Council has been successful in securing grant funding (REPAIRS program) from the RTA to provide kerb and guttering and road shoulder construction for next year. It is more practical to include the refuge construction at that time.

Other projects including Sherbrook/Northcote intersection roundabout and Chapman Avenue/Wongala intersection Wombat Crossing (marked crossing on raised threshold) have been brought forward in place of these projects. Details of all project now included in the program are shown in the gantt charts shown in the attachments.

The Design and Construction Branch has a number of staff vacancies in the Design Team. These staff vacancies have impacted on preconstruction activities for the 2008/2009 Program. Some additional temporary resources are being sought with a view of catching up on programs and consultants engaged for some local road designs. Progress in this regard will be monitored and further reported in the future.

### **Tenders / Contracts**

There were no Tenders/Quotations called during the December quarter.

Tenders to be called during the March and June quarters include:

1. Water Harvesting Scheme – Foxglove Oval
2. Patching of Road Pavements with full Depth Asphalt
3. Minor Asphalt Works
4. Stabilisation of Road Pavements
5. Supply and Delivery of Precast Concrete Drainage Products

Current contracts include:

1. Plumbing Services
2. Construction and Reconstruction of Vehicular Crossings and Footpaths
3. Sprayed Bituminous Surfacing
4. Greenway Park Community Centre Upgrade and Construction of Childcare Centre
5. Construction of Hornsby Ku-ring-gai District Rural Fire Centre and Emergency Facility
6. Design and Construction of Public Pontoon Kangaroo Point Brooklyn
7. Construction of Underground Tanks Greenway Park Cherrybrook
8. Supply and Lay Asphaltic Concrete
9. Construction of Civil Engineering and Infrastructure Works for the Rural Sports Facility, Galston
10. Architectural Services for Development of a Fire Control District Office - Berowra Waters Toll Gates Site
11. Patching of Road Pavements with full Depth Asphalt

12. Pavement Marking ( NSROC)
13. Supply of Metal Drainage Grates, Access Covers and Litter Traps
14. Minor Asphalt Works
15. Stabilisation of Road Pavements
16. Grass Cutting of Roadsides
17. Electrical Services
18. Material testing and site investigation
19. Supply and Delivery of Precast Concrete Drainage Products
20. Supply and Delivery of Road Materials
21. Supply and Delivery of Concrete
22. Concrete Form and Finish
23. Construction of Galston Skate Park
24. Cherrybrook Community Childcare Facility – Consultant to Finalise Plans and Documentation

### **Vehicular Crossing Construction**

The Design and Construction Branch is also responsible for issuing plans and specifications and supervising vehicular crossing construction. Property owners have the choice of using a contractor from Council's Authorised Contractors List, or pay Council to construct vehicular crossings on their behalf. There are currently 41 Authorised Contractors, including one new contractor authorised during the quarter.

During the December quarter 78 plans and specifications were issued and 2 crossings were constructed by Council's contractors.

### **BUDGET**

There are no budget implications.

### **POLICY**

There are no policy implications.

### **CONSULTATION**

This report has been developed in consultation with the respective program managers in the Works and Environment Divisions.

### **TRIPLE BOTTOM LINE SUMMARY**

A triple bottom line checklist is not required for this type of report.

### **RESPONSIBLE OFFICER**

The responsible officer is the Manager, Design & Construction, Mr Rob Rajca who can be contacted on telephone 9847 6675 between 8.30am - 5.00pm, Monday to Friday.

THAT The contents of Executive Manager's Report WK6/09 be received and noted.



MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

1. Gantt Charts

File Reference: F2004/05959  
Document Number: D01085688

## 25 REVISED 2008/2009 BUS SHELTER CONSTRUCTION PROGRAMME

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### EXECUTIVE SUMMARY

At the Ordinary Meeting of 9 July 2009 Council adopted the 2008/2009 Bus Shelter Construction Programme for the construction of new bus shelters at the following locations:

New Line Road and Victoria Road, West Pennant Hills  
Rembrandt Street, Carlingford  
Ray Road and Arkena Avenue, Epping  
Duffy Avenue and Eucalyptus Drive, Westleigh  
Duffy Avenue and Quarter Sessions Road, Westleigh  
Arcadia Road and Cobah Road, Arcadia  
Ray Road and Mountain Street, Epping

New bus shelters have been constructed in accordance with the programme at Carlingford, both locations at Westleigh, and Ray Road and Mountain Street, Epping. The new bus shelter at Arcadia is expected to be completed by March 2009.

However, during the process of a Review of Environmental Factors for the new bus shelter at New Line Road and Victoria Road, Pennant Hills, and the new bus shelter at Ray Road and Arkena Avenue, Epping, Council received strong objections from nearby property owners. Discussions between Council staff and the property owners failed to resolve the objections to the location of the new bus shelters.

Due to the continuing strong objections of the nearby property owners it is recommended that the bus shelters at the two locations be removed from the 2008/2009 Bus Shelter Construction Programme and be replaced with the next two highest priority bus shelters.

### PURPOSE/OBJECTIVE

The report provides a recommendation to Council for the adoption of a revised 2008/2009 Bus Shelter Construction Programme.

### DISCUSSION

#### Background

At the Ordinary Meeting held on 13 February 2008, Council resolved in respect of NOM01/08 that:-

1. *As part of its budget deliberations for 2008/09 and subsequent years, Council consider a programme to provide for the construction of bus shelters at selected locations throughout the Shire;*

2. *To assist in development of this programme, Council invite the community and bus companies to nominate suitable locations for inclusion in the programme, for assessment and report to Council by the end of July 2008;*
3. *In their assessment of the suggested sites, Council staff to have regard for the need for safety regulations, safety barriers, the special needs of school children and senior citizens; and*
4. *A phase up to enable this programme to proceed in 2008/09 be prepared for consideration by Council as part of its budget deliberations.*

#### Community Response

An advertisement was placed in the local newspapers seeking nominations of bus shelter locations from the local community for consideration in future Bus Shelter Construction Programmes.

#### 2008/2009 Bus Shelter Construction Programme

From the nominations received, it was proposed to include the following locations in the 2008/2009 Bus Shelter Construction Programme:

- New Line Road and Victoria Road, West Pennant Hills
- Rembrandt Street, Carlingford
- Ray Road and Arkena Avenue, Epping
- Ray Road and Mountain Street, Epping
- Duffy Avenue and Eucalyptus Drive, Westleigh
- Duffy Avenue and Quarter Sessions Road, Westleigh
- Arcadia Road and Cobah Road, Arcadia

#### Stakeholders Response

Local bus companies that service the Shire were contacted to confirm that there were no planned changes to the current routes that service the above bus shelter locations. The bus companies also confirmed their concurrence with the proposed bus shelter locations.

Council Traffic and Road Safety Branch staff have inspected and endorsed the site of each proposed bus shelter and their comments have been incorporated into the final design and location of the shelter at each site. Traffic and Road Safety Branch is progressively auditing all bus stops in the Shire with regard to compliance with the Disability Discrimination Act requirements. As part of the auditing process the Act takes into account the mobility requirements of school children and senior citizens. The audit also includes a review of road safety in accordance with traffic engineering practice, including the traffic regulations and a risk assessment for the installation of safety barriers.

#### Development Consent

In accordance with Section 97 of State Environmental Planning Policy (SEPP) (Infrastructure) 2007, the construction, maintenance or repair of bus stops or shelters (without commercial advertising) by a public authority in connection with road infrastructure facilities is considered exempt development provided:

- (i) the shelters have a height above the footpath of not more than 3.2m, and

- (ii) the shelters have only non-reflective finishes, and
- (iii) the shelters do not obstruct the line of sight of vehicular traffic or pedestrian traffic, and
- (iv) the shelters comply with the development standards, and other requirements, relating to bus stops and shelters in a relevant development control plan, and
- (v) any associated kerb construction, access paths and ramps, lighting and signage complies with *AS:1428.2 – 1992, Design for access and mobility – Enhanced and additional requirements – Buildings and facilities* and the *Disability Standards for Accessible Public Transport 2002*.

Clause 6(3) of the Hornsby Shire Local Environmental Plan (HSLEP) indicates that the installation or maintenance of street furniture such as bus shelters can be carried out by or on behalf of Council on any land without development consent and can be assessed under Part 5 of the Environmental Planning and Assessment Act, 1979, through a Review of Environmental Factors (REF).

Part 5 of the Environmental Planning and Assessment Act, 1979 requires that an environmental assessment (or review of environmental factors) be carried out for any work or activity that does not require development consent. A Review of Environmental Factors (REF) is a document which identifies and evaluates the impacts of an activity to decide if the impacts are likely to significantly affect the environment. Following completion of the REF, any residents affected by the development will be notified and invited to provide comments on the development. Any comments by affected residents will be taken into consideration for the final design and any determination to proceed with construction at each location.

#### Submissions of Objections

Two submissions were received in response to the Review of Environmental Factors, objecting to any proposed bus shelter at the current bus stop located near Ray Road and Arkena Avenue, Epping. The affected property owners have objected to any proposed bus shelter at this location based on their concerns that the installation of a bus shelter may encourage people to gather and commit acts of vandalism to the shelter and nearby residential properties. The owners are also concerned that the shelter may become a stop off point for persons returning home from nearby hotels and clubs particularly on Friday and Saturday nights and creating noise affecting nearby residential properties.

One submission was received in response to the Review of Environmental Factors, objecting to any proposed bus shelter at the current bus stop located near New Line Road and Victoria Road, West Pennant Hills. The affected property owners have objected to any proposed bus shelter at this location based on their concerns that the installation of a bus shelter may encourage people to gather and commit acts of vandalism to the shelter and nearby residential properties.

### Proposed Locations

Council has received strong residential support for the construction of new bus shelters at the following locations and it is recommended that these locations be included in the 2008/2009 Bus Shelter Construction Programme:

- 7 Jubilee Street, Wahroonga
- Waterloo Road and Devon Street, North Epping

Local bus companies have concurred with the proposed bus shelter locations.

### BUDGET

The construction of the bus shelters will be funded by income received by Council under the Deed of Agreement with Adshel Australia for the provision of bus shelters containing an advertising panel. Report WK60/04 considered that the income from the Deed of Agreement be utilised towards the replacement or provision of new Council shelters in locations where shelters incorporating advertising are not permissible.

### POLICY

There are no policy implications associated with this report.

### CONSULTATION

Consultation has been held with the community, local bus companies, Traffic and Road Safety Branch.

### TRIPLE BOTTOM LINE SUMMARY

#### **Working with our Community**

The community was informed of the request for nominations of bus shelter locations through advertising in the local newspapers.

#### **Conserving our natural environment**

The works on site will be controlled by strict environmental measures identified by the Review of Environmental Factors for each site.

#### **Contributing to community development through sustainable facilities and services**

The provision of the bus shelters will have a positive effect on the general protection of the community by providing shade and protection in adverse weather.

#### **Fulfilling our community's vision in planning for the future of the Shire**

The provision of the bus shelters will enhance and encourage the use of the public transport network in the Shire.

#### **Maintaining sound corporate and financial management**

Maintenance of the proposed bus shelters will ensure that asset life cycle costs are minimised and the shelters are able to function as planned during their intended life span. The maintenance will also enable Council to protect the value of Council's assets.

**RESPONSIBLE OFFICER**

The responsible officer is the Manager, Engineering Services Branch, Peter Powell, telephone number 9847 4803.

**RECOMMENDATION**

THAT Council adopt the revised 2008/2009 Bus Shelter Construction Programme for the construction of new bus shelters at the following locations:

- Rembrandt Street, Carlingford
- Ray Road and Mountain Street, Epping
- Duffy Avenue and Eucalyptus Drive, Westleigh
- Duffy Avenue and Quarter Sessions Road, Westleigh
- Arcadia Road and Cobah Road, Arcadia
- 7 Jubilee Street, Wahroonga
- Waterloo Road and Devon Street, North Epping

MAXWELL WOODWARD  
Executive Manager  
Works Division

**Attachments:**

There are no attachments for this report.

File Reference: F2004/08617  
Document Number: D01088366

## 26 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 2008

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Monday 1 December – The Mayor attended The Grange Village Fete at Waitara.

Tuesday 2 December – The Mayor attended Barker College Junior School Presentation Evening at Sydney Convention and Exhibition Centre, Darling Harbour.

Wednesday 3 December – Councillor Chopra, on behalf of the Mayor, attended Epping Leisure & Learning Centre's Morning Tea to celebrate the renovations of the facility's 30 year old kitchen at the Centre at Epping.

Wednesday 3 December – The Mayor attended the International Day of People with a Disability Expo at Hornsby Mall.

Thursday 4 December – The Mayor attended Mount St Benedict College's Presentation Day at Hornsby RSL Club.

Thursday 4 December – The Mayor attended Loreto Normanhurst Years 7-11 Awards Ceremony at the School.

Friday 5 December – The Mayor attended Epping Seniors Christmas Lunch at Epping Senior Citizens Club.

Friday 5 December – The Mayor unveiled a Plaque commemorating the signing of the Universal Declaration of Human Rights in December 1948, organised by Amnesty International Hornsby Group, at Waitara Oval.

Saturday 6 December – The Mayor attended Waitara Public School's Christmas Carnival at the School.

Sunday 7 December – Councillor Chopra, on behalf of the Mayor, attended Epping RSL Golden Kangaroos final Concert for 2008 at The Epping Club.

Monday 8 December to Thursday 11 December – The Mayor attended the National General Assembly of Local Government at Melbourne Convention and Exhibition Centre.

Tuesday 9 December – The Mayor attended the ICLEI Oceania recognition and briefing breakfast event at the Australian Local Government Association National General Assembly in Melbourne.

Tuesday 9 December – Councillor Smart, on behalf of the Mayor, attended Berowra Public School's Presentation Day at Berowra Community Centre.

Tuesday 9 December – The Deputy Mayor, on behalf of the Mayor, attended Galston High School's Annual Presentation Evening at the School.

Tuesday 9 December – Councillor Mills, on behalf of the Mayor, attended Cherrybrook Technology High School's Presentation Evening at the School.

Wednesday 10 December – The Deputy Mayor, on behalf of the Mayor, launched the Hornsby Mall Protocols and Art Work Display at Hornsby Mall.

Thursday 11 December – The Mayor attended Wideview Public School’s Presentation Day at the School.

Thursday 11 December – The Mayor attended Ku-ring-gai Creative Arts High School’s Presentation Day at the School.

Thursday 11 December – The Mayor attended the Shop Front Display Awards Cocktail Function at Toscani’s Restaurant, Hornsby.

Thursday 11 December – The Mayor hosted the Mayor’s Christmas Reception for representatives of Community Groups at Asquith Golf Club.

Friday 12 December – The Mayor attended Hornsby Girls’ High School’s Annual Speech Day at Hornsby RSL Club.

Friday 12 December – The Mayor attended the Aboriginal Child, Youth and Family Function and Lunch at the Council Chambers.

Friday 12 December – The Mayor attended St Leo’s Catholic College’s Presentation Evening at The Hills Centre, Castle Hill.

Saturday 13 December – The Mayor officially opened “Carols in the Park” at Hornsby Park.

Sunday 14 December – Councillor Chopra, on behalf of the Mayor, attended the Vishva Hindu Parishad of Australia Inc Prayer Meeting at Epping.

Monday 15 December – The Deputy Mayor, on behalf of the Mayor, attended Asquith Boys’ High School’s Presentation Evening at the School.

Monday 15 December – The Mayor attended Fusion Sydney North’s End of Year Celebration Dinner at Asquith Rugby Leagues Club.

Monday 15 December – The Mayor attended the HK & HDCA Christmas Bash at Asquith Bowling & Recreation Club.

Tuesday 16 December – The Mayor attended Ms Maxine McKew MP’s Festive Season Drinks at Gladesville.

Tuesday 16 December – The Deputy Mayor, on behalf of the Mayor, attended Asquith Girls’ High School’s Presentation Evening at the School.

Friday 19 December – The Mayor and Mrs Berman attended Hornsby/Ku-ring-gai PCYC Anniversary Dinner Dance at Asquith Leagues Club.



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Sunday 21 December – The Deputy Mayor, on behalf of the Mayor, attended the Indian Seniors Group Hornsby Christmas Celebration at Asquith Community Centre.

*Please note that 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.*

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