



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 13 May, 2009
at 6:30 pm**

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PUBLIC FORUM – NON AGENDA ITEMS

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- Item 22 WK25/09 Sale of Land - Lot 100 DP 1053594 Pennant Hills Road, Normanhurst

MAYOR'S NOTES

QUESTIONS 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

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 less than 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 8 April, 2009 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.

*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 2

Item 1 GM5/09 REVIEW OF COUNCIL'S DELEGATIONS

RECOMMENDATION

THAT Council

1. Receive and note the report;
2. Confirm the delegations to the General Manager.
3. Rescind all previous appointments and delegations under the Noxious Weeds Act 1993.
4. Appoint Mark Hood as an inspector under Section 41 of the Noxious Weeds Act 1993.
5. Delegate to Robert Ball, Robert Stephens, Mark Hood, Anthony Newling, Jamie Wright and Sean Allison authority to carry out Council's duties and responsibilities under the following sections of the Noxious Weeds Act 1993:
 - i **Section 12 Failure to Control Noxious Weeds**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
 - ii **Section 18a Prior Notice of Weed Control Notice**
The power to issue prior notice of a proposed weed control notice under this section to be given to Robert Ball, Mark Hood, Anthony Newling, Jamie Wright and Sean Allison.
 - iii **Section 18 Weed Control Notices**
The power to issue weed control notices under this section to be given to Robert Ball and Mark Hood.
 - iv **Section 19 Failure to Comply with a Weeds Notice**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
 - v **Section 20 Noxious Weed Control by Local Control Authority**
after Weed Control Notice not complied with
 - Subsection (1)** The power to authorise such work to be given to Robert Ball, Mark Hood and Anthony Newling.
 - Subsection (2)** Authority to carry out such work to be given to Robert Ball, Mark Hood, Jamie Wright, Sean Allison and contractors working on behalf of Council.
 - Subsection (3)** Power to issue notices to occupiers prior to taking action under this section to be given to Robert Ball, Mark Hood and Anthony Newling.
 - vi **Section 28 Sale or Removal from land Infested With Notifiable Weed Material**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
 - vii **Section 29 Sale of Turf etc. From Land Infested With Notifiable Weeds**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
 - viii **Section 30 Scattering of Notifiable Weed Material** - the power to

- initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- ix Section 32 Use of Agricultural Machines that are Carrying Notifiable Weeds**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- x Section 36A Temporary Restrictions During Weed Control**
The power to impose temporary restrictions to be given to Robert Ball and Mark Hood.
- xi Section 41 Appointment of Inspectors - power to appoint inspectors under the Noxious Weeds Act 1993 for the Local Control Authority to be given to Robert Ball and Robert Stephens.**
- xii Section 45 Notice of Entry**
The power to give occupiers notice prior to entry to be given to Robert Ball, Mark Hood, Anthony Newling, Jamie Wright and Sean Allison.
- xiii Section 46 Use of Force**
The power to authorise use of force to gain entry to premises to be given to Robert Ball and Robert Stephens.
- xiv Section 47 Notification of Use of Force**
The power to notify an occupier of the use of force to be given to Robert Ball and Robert Stephens.
- xv Section 50 Certificates of Authority**
The power to issue Certificates of Authority for Inspectors under this Act to be given to Robert Ball and Robert Stephens, these Certificates must be signed by same.
- xvi Section 54 Offences: Obstructing an Inspector etc**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- xvii Section 55 Offence: Impersonation of an Inspector**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- xviii Section 64 Certificates as to Weed Control Notices etc.**
Power to issue such certificates to be given Robert Ball and Mark Hood.

Page Number 7

Item 2 GM4/09 REVIEW OF POLICIES AND CODES - GENERAL MANAGER'S DIVISION

RECOMMENDATION

THAT Council note the contents of General Manager's Report No. GM4/09 and endorse the existing policies and the proposed deletions and amendments.

CORPORATE AND COMMUNITY DIVISION

Page Number 10

Item 3 CC28/09 2008/09 - 2010/11 MANAGEMENT PLAN - MARCH 2009 QUARTER REVIEW

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No CC28/09 be received and noted.
2. The March 2009 Quarter Review of the Management Plan, including performance indicators, be received and noted.
3. The recommended changes to the 2008/09 Budget detailed in the March 2009 Quarter Review be adopted.

Page Number 14**Item 4 CC29/09 SOCIAL PLAN REPORT CARD: JANUARY 2009 -
MARCH 2009 AND OTHER SOCIAL PLANNING ISSUES****RECOMMENDATION**

THAT:

1. The Social Plan Report Card January 2009 – March 2009 be received and noted.
2. The Social Plan Action Plan Update 2008 be received and noted.
3. The timeline and process associated with the production of the new Social Plan 2010 - 2014 be noted.

Page Number 19**Item 5 CC30/09 MARCH 2009 INVESTMENT AND BORROWING
REPORT****RECOMMENDATION**

THAT the contents of Executive Manager's Report No CC30/09 be received and noted.

Page Number 22**Item 6 CC31/09 SUB LEASE OF LOT 2 DP 1057729 HUNTER AND
FLORENCE STREETS HORNSBY WITH G J DRIVAS PTY
LTD (ADJACENT TO 33-41 FLORENCE STREET, HORNSBY
AND WESTFIELD'S RETAIL TUNNEL SPACE)****RECOMMENDATION**

THAT Council consent to the sub lease of the stratum lot known as Lot 2 DP 1057729 Florence Street Hornsby from G J Drivas Pty Ltd to National Australia Bank Limited for a maximum term of 23 years subject to:

1. the parties entering into an appropriate Deed of Consent to sub lease.

2. the lessee being responsible for the payment of all legal costs incurred in this matter.

Page Number 25**Item 7 CC32/09 QUARTERLY REVIEW - OPERATIONAL PLAN
ASSOCIATED WITH THE HORNSBY MALL STRATEGIC
MANAGEMENT PLAN****RECOMMENDATION**

THAT:

1. The contents of Executive Manager's Report No CC32/09 be received and noted.
2. Council note the progress of the implementation of the Key Actions contained within the Hornsby Mall Strategic Management Plan as at 28 February 2009.
3. Council endorse the proposed Plan of Action table to address the remaining outstanding Key Actions contained in the Hornsby Mall Strategic Management Plan.
4. Annual progress reports, commencing December 2009, be provided to Council in respect of the implementation of the remaining outstanding Key Actions contained in the Hornsby Mall Strategic Management Plan.

Page Number 30**Item 8 CC34/09 ESTABLISHMENT OF HORNSBY SHIRE ARTS
REFERENCE COMMITTEE****RECOMMENDATION**

THAT:

1. The contents of Executive Manager's Report No CC34/09 be received and noted.
2. Council express its appreciation to all applicants for their interest and enthusiasm in submitting expressions of interest to become a member of the Hornsby Shire Arts Reference Committee.
3. Council accept the recommendations of the Community, Cultural and Recreation Facilities Task Force in respect of the appointment of inaugural members to the Hornsby Shire Arts Reference Committee.

ENVIRONMENT DIVISION**Page Number 35****Item 9 EN9/09 ADVANCING GREENHOUSE PURCHASING****RECOMMENDATION**THAT:

1. The Advancing Greenhouse Purchasing and Carbon Neutrality Framework be updated, adopted and distributed to all NSW councils as a reference document.

Page Number 39

**Item 10 EN12/09 PARKS CAPITAL WORKS 2008-2009 MARCH
QUARTER PROGRESS REPORT**

RECOMMENDATION

THAT:

1. The contents of Executive Manager's report EN12/09 be received and noted.

Page Number 41

**Item 11 EN13/09 CATCHMENTS REMEDIATION RATE (CRR)
EXPENDITURE PROGRESS REPORT 2008/2009**

RECOMMENDATION

THAT the contents of Executive Manager's Report No. EN13/09 be received and noted.

PLANNING DIVISION

Nil

STRATEGY DIVISION

Nil

WORKS DIVISION

Page Number 45

**Item 12 WK15/09 WORKS PROGRESS REPORT - MARCH 2009
QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH**

RECOMMENDATION

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for the period 1 January 2009 to 31 March 2009.

Page Number 49

**Item 13 WK20/09 TENDER T22/2008: CONSTRUCTION OF
UNDERGROUND STORAGE TANKS, FOXGLOVE OVAL,
MOUNT COLAH**

RECOMMENDATION

THAT Council resolve to not accept any of the submitted tenderers for Tender T22/2008: Construction of Underground Storage Tanks, Foxglove Oval, Mount Colah and all tenderers be advised accordingly.

Page Number 52

**Item 14 WK16/09 WORKS PROGRESS REPORT - MARCH 2009
QUARTER - ASSETS BRANCH**

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK16/09 be received and the progress of the 2008/09 Assets Branch Programmes be noted.

Page Number 61

**Item 15 WK17/09 WORKS PROGRESS REPORT - MARCH
QUARTER 2009 REGIONAL AND LOCAL COMMUNITY
INFRASTRUCTURE PROGRAM**

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK17/09 be received and noted.

Page Number 63

**Item 16 WK18/09 EXPRESSIONS OF INTEREST EOI 9/2009 -
PROFESSIONAL SWIM COACHING RIGHTS, HORNSBY
AQUATIC CENTRE**

RECOMMENDATION

THAT Council award the Professional Coaching Rights at the Hornsby Aquatic Centre to Burnsworth Pty Ltd (trading as Aquabliss – Thornleigh)

Page Number 66

**Item 17 WK21/09 BUILDING CAPITAL WORKS PROGRAM
2008/2009 - MARCH 2009 QUARTERLY REPORT**

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK21/09 be received and noted.

Page Number 68

**Item 18 WK22/09 WORKS BUILDING SERVICES - GRAFFITI AND
VANDALISM MARCH 2009 QUARTERLY REPORT**

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK22/09 be received and noted.

Page Number 71

**Item 19 WK23/09 WORKS PROGRESS REPORT - MARCH
QUARTER 2009 - DESIGN AND CONSTRUCTION BRANCH**

RECOMMENDATION

THAT:

- (1) The contents of Executive Manager's Report WK6/09 be received and noted.
- (2) Additional funds totalling \$145,000 be allocated from S94 funds (Hornsby Mall Extensions) to fund the Station Street and Coronation Street improvements.
- (3) Additional funds totalling \$270,000 be allocated from S94 funds (Multi-purpose Community Facilities) to the Cherrybrook Community Cultural and Child Care Centre project.

Page Number 75**Item 20 WK24/09 BEROWRA WATERS AND BROOKLYN -
PARKING ISSUES****RECOMMENDATION**

THAT:

1. The report be received and noted.
2. Council further consider the need for additional car parking in Berowra Waters and Brooklyn in the context of the car parking strategy currently being prepared by the Traffic and Road Safety Branch.

Page Number 84**Item 21 WK27/09 REPORT AQUATIC CENTRES - REDUCTION IN
HOURS****RECOMMENDATION**

THAT Council approve the closure of Council's Aquatic Centres at Epping Galston and Hornsby for Sunday trading from June 2009 to September 2009 inclusive, with the Hornsby Aquatic Centre remaining open for Learn to Swim activities until 19 July 2009.

SUPPLEMENTARY AGENDA**PUBLIC FORUM – NON AGENDA ITEMS****CONFIDENTIAL ITEMS****Item 22 WK25/09 SALE OF LAND - LOT 100 DP 1053594 PENNANT
HILLS ROAD, NORMANHURST**

This report should be dealt with in confidential session, under s10A (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

MAYOR'S NOTES

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

1 REVIEW OF COUNCIL'S DELEGATIONS

EXECUTIVE SUMMARY

Section 380 of the Local Government Act (1993) requires Council to review its delegations and make any changes considered appropriate within 12 months after each ordinary election. This report proposes a general affirmation of the existing delegations to the General Manager.

Additionally, this report reflects advice to Council from the NSW Department of Primary Industries (which oversees the Noxious Weeds Act) concerning delegations under the Act and recommends updated delegations for new Council Officers in order to comply with standard delegation procedures for this Act.

PURPOSE/OBJECTIVE

This report highlights the review process undertaken and seeks Council's endorsement.

DISCUSSION

A Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council other than matters set out in s377 of the Local Government Act. The General Manager may delegate, or sub-delegate, any of the functions of a General Manager, other than this power of delegation, to any person or body, including another employee of the Council. A regulatory function of a council cannot be delegated or subdelegated to a person or body other than a committee of the Council, the members of which are all Councillors, or are either Councillors or employees of the council, or an employee of the council.

Council has resolved to delegate its functions, in accordance with the above, to the General Manager who in turn delegates functions to designated staff. Some 300 staff have delegated authority under s380 of the Act.

The General Manager's delegation (attached) was last reviewed by Council in November 2004 (Report GM10/04). No new amendments are proposed however a review and subsequent endorsement by Council would be appropriate. The General Manager's delegation to staff undergo regular review. Similarly, no new amendments are proposed to the delegations held by the remainder of the staff population.

Delegations of Authority include reference to the appropriate Acts, and areas of delegation such as operational, financial, personnel, management and determination of applications. Council's Delegation's Register is continually being amended and updated to reflect changes in personnel and duties.

Community Centres and Halls Section 377 Management Committees

Council currently operates the following 24 community and cultural facilities across the Shire:

- Arcadia Community Centre
- Asquith Community Centre
- Beecroft Community Centre*
- Berowra Community Centre
- Berowra District Hall
- Cherrybrook Community Centre*
- Cowan Community Centre*
- Dangar Island Community Centre*
- Epping Community Centre*
- Epping Creative Centre*
- Galston Community Centre*
- Glenorie Community Centre*
- Gumnut Community Centre*
- Hawkins Hall
- Hornsby Heights Community Centre
- Mt Colah Community Centre
- Mt Kuring-gai Community Centre*
- Pennant Hills Community Centre*
- Roselea Community Centre*
- Thornleigh Community Centre*
- West Epping Community Centre*
- Willow Park Community Centre
- Wisemans Ferry Community Centre
- Women's Rest Centre

Of these, 14 of the Centres (marked with an *) are managed by voluntary committees who have delegated authority from Council under Section 377 of the Local Government Act. The delegation is for the care, control and management of the relevant Centre in

accordance with the requirements of the Community Centres and Halls Procedures Manual, Finance Manual and OH&S and Risk Management Manual.

The Manuals were developed by the Community Services Branch a number of years ago in consultation with the various management committees to ensure effective management of the centres in accordance with relevant statutory and Council requirements. The documents were adopted by Council in February 2008, (see Report No CC11/08) following a period of public exhibition.

The remainder of the above facilities are managed directly by the Community Services Branch, sometimes with input from a community advisory committee (who have no delegation).

As part of the preparation of this Report, the Community Services Branch has undertaken a review of the delegations currently provided to the 14 Section 377 Committees and has found that the delegations are appropriate and have assisted the effective management of the centres.

It is therefore proposed that the existing delegations to the Section 377 Management Committees be retained.

Noxious Weeds Act

Previously the NSW Department of Primary Industries recommended that all councils reissue delegations to all staff involved in enforcing the provisions of the Act. The recommendation is based on a view that casts some doubt over the legitimacy of relying on the general delegation power contained in s.377 (1) of the Local Government Act 1993. While the matter is not free from doubt the Department of Primary Industries considers it prudent for councils to use s68 of the Act in delegating the various noxious weed enforcement functions under the Act. The updated delegations recommended in this report adopt the above approach as well as preserving the option for the Council and General Manager to confer powers under the Local Government Act to avoid any potential legal challenges. The proposed delegations nominate a number of alternates. This will enable the continuation of noxious weed enforcement in the absence of any individuals.

BUDGET

There are no budget implications.

POLICY

There are no policy implications, however with respect to the Noxious Weeds Act, the Report proposes to update delegations to new staff in line with the legislation.

CONSULTATION

There has been consultation with all Executive Managers in the preparation of this report. Consultation also is progressively undertaken on a regular basis with Executive Managers and Branch 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 is changing authorisations and delegations of existing staff and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The responsible officer is the General Manager Mr Robert Ball.

RECOMMENDATION

THAT Council

1. Receive and note the report;
2. Confirm the delegations to the General Manager.
3. Rescind all previous appointments and delegations under the Noxious Weeds Act 1993.
4. Appoint Mark Hood as an inspector under Section 41 of the Noxious Weeds Act 1993.
5. Delegate to Robert Ball, Robert Stephens, Mark Hood, Anthony Newling, Jamie Wright and Sean Allison authority to carry out Council's duties and responsibilities under the following sections of the Noxious Weeds Act 1993:

i Section 12 Failure to Control Noxious Weeds

The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.

ii Section 18a Prior Notice of Weed Control Notice

The power to issue prior notice of a proposed weed control notice under this section to be given to Robert Ball, Mark Hood, Anthony Newling, Jamie Wright and Sean Allison.

iii Section 18 Weed Control Notices

The power to issue weed control notices under this section to be given to Robert Ball and Mark Hood.

iv Section 19 Failure to Comply with a Weeds Notice

The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.

v Section 20 Noxious Weed Control by Local Control Authority

after Weed Control Notice not complied with

Subsection (1) The power to authorise such work to be given to Robert Ball, Mark Hood and Anthony Newling.

Subsection (2) Authority to carry out such work to be given to Robert Ball, Mark Hood, Jamie Wright, Sean Allison and contractors working on behalf of Council.

Subsection (3) Power to issue notices to occupiers prior to taking action under this section to be given to Robert Ball, Mark Hood and Anthony Newling.

vi Section 28 Sale or Removal from land Infested With Notifiable Weed Material

The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.

- vii Section 29 Sale of Turf etc. From Land Infested With Notifiable Weeds**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- viii Section 30 Scattering of Notifiable Weed Material** - the power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- ix Section 32 Use of Agricultural Machines that are Carrying Notifiable Weeds**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- x Section 36A Temporary Restrictions During Weed Control**
The power to impose temporary restrictions to be given to Robert Ball and Mark Hood.
- xi Section 41 Appointment of Inspectors** - power to appoint inspectors under the Noxious Weeds Act 1993 for the Local Control Authority to be given to Robert Ball and Robert Stephens.
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The power to authorise use of force to gain entry to premises to be given to Robert Ball and Robert Stephens.
- xiv Section 47 Notification of Use of Force**
The power to notify an occupier of the use of force to be given to Robert Ball and Robert Stephens.
- xv Section 50 Certificates of Authority**
The power to issue Certificates of Authority for Inspectors under this Act to be given to Robert Ball and Robert Stephens, these Certificates must be signed by same.
- xvi Section 54 Offences: Obstructing an Inspector etc**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- xvii Section 55 Offence: Impersonation of an Inspector**
The power to initiate prosecutions under this section to be given to Robert Ball and Robert Stephens.
- xviii Section 64 Certificates as to Weed Control Notices etc.**
Power to issue such certificates to be given Robert Ball and Mark Hood.

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Attachment - GMs Delegation

File Reference: F2004/09419-05
Document Number: D01143481

General Manager's Report No. GM4/09
 General Manager Division
 Date of Meeting: 13/05/2009

2 REVIEW OF POLICIES AND CODES - GENERAL MANAGER'S DIVISION

EXECUTIVE SUMMARY

Council's existing Policy – "Adoption, Alteration and Review of Policies and Codes" – states that each Division of Council has a two month period in each second year where they are responsible for carrying out a review of all Policy and Codes under their control and recommending any changes to Council.

This Report presents the review of Policies and Codes within the responsibility of the General Manager's Division.

PURPOSE/OBJECTIVE

To present to Council the outcomes of the review of Policies and Codes under the control of the General Manager's Division and to seek Council's endorsement of any proposed amendments.

DISCUSSION

A listing of current policies under the control of the General Manager's Division, together with the outcome of the review is contained in the table below. A discussion of those policies marked "Amendments Proposed" follows.

| POLICY | POLICY OWNER/BRANCH | REVIEW STATUS |
|--|----------------------------|------------------------|
| Code of Conduct – Investigation of Complaints | General Manager | To be deleted |
| Code of Conduct – Conflict of Duties | General Manager | Amendments proposed |
| Councillors & Staff – Memo of Understanding | General Manager | No amendments proposed |
| Public Meetings – Staff Attendance | General Manager | No amendments proposed |
| Policies & Codes Review, Adoption, Alteration | General Manager | No amendment proposed. |
| Reporting of Corruption, Maladministration and Substantial Waste | Internal Auditor | Amendments proposed |
| Public & Community Input | General Manager | No amendments proposed |
| Community Representation | General Manager | No amendments proposed |
| Corporate Colours | Community Relations | Amendments proposed |
| Recycled Products – Use | General Manager | To be deleted |
| Organisational Performance Review | General Manager | Amendments proposed |

| Grants | Internal Auditor | To be deleted |
|--|----------------------------|----------------------------|
| POLICY | POLICY OWNER/BRANCH | REVIEW STATUS |
| Media Enquiries – Council’s Spokesperson | Community Relations | No amendment proposed |
| Publications by Council- Visual Presentation | Community Relations | Amendments proposed |
| Garden Competition | Community Relations | Deleted – OM 8 April 2009. |

ITEM 2

Amendments Proposed

The Policies & Codes with proposed amendments to the content are outlined below.

Code of Conduct – Investigation of Complaints

This Policy is to be deleted, as the procedure for the investigation of complaints is now outlined in Part 3 – Procedures of the Code of Conduct adopted by Council.

Code of Conduct – Conflict of Duties

There are minor amendments to this Policy to reference a new Section within the adopted Code of Conduct and an ICAC publication.

Reporting of Corruption, Maladministration and Substantial Waste

Amendments are recommended to reflect recent advice from the Department of Local Government relating to an internal reporting policy.

Grants

This Policy is to be deleted as the matter is an operational one and is pursued at a managerial/supervisor level.

Recycled Products – Use

This Policy is to be deleted as it is now incorporated within the Policy “Sustainable Procurement”.

Corporate Colours

Amendments to this Policy are proposed to clarify colours required in different circumstances.

Publications by Council – Visual Presentation

There are amendments to reflect the correct titles of documents referenced and to include approvals required to maintain consistency.

BUDGET

There are no budget implications.

POLICY

The policy implications are as outlined in this Report incorporating amendments to the Policies.

CONSULTATION

Relevant members of the General Manager's Division, including the Internal Auditor and the Manager Community Relations have reviewed the Policies relevant to their work areas.

TRIPLE BOTTOM LINE SUMMARY

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

Triple Bottom Line assessment was not required for this Report.

RESPONSIBLE OFFICER

The General Manager, Mr Robert Ball.

RECOMMENDATION

THAT Council note the contents of General Manager's Report No. GM4/09 and endorse the existing policies and the proposed deletions and amendments.

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Policy Attachments

File Reference: F2009/00312
Document Number: D01134702

3 2008/09 - 2010/11 MANAGEMENT PLAN - MARCH 2009 QUARTER REVIEW

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. In this regard, the March 2009 Quarter Review is attached.

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 2008 Review recommended positive Budget changes of \$343K. The 2009 March Review recommends changes which have a nil impact on the Budget thus maintaining a forecast balanced Budget result at 30 June 2009.

The Net Operating and Capital result after internal funding movements for the third quarter resulted in a favourable variance of \$3,519K compared to the March 2009 Quarter Budget. This variance for the third 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 document. It is recommended that Council adopt the proposed budget changes incorporated in the March 2009 Quarter Review.

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 third quarter of the 2008/09 financial year.

DISCUSSION

On 11 June 2008, Council adopted its 2008/09 – 2010/11 Management Plan which included the 2008/09 Budget and 2008/09 Fees and Charges. 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 document along with the Budget position as at the end of March 2009.

The March 2009 Quarter Review includes the third quarter financial results for 2008/09, and compares actual expenditure and income from 1 July 2008 to 31 March 2009 against the Budget for this same period. The Net Operating and Capital result after internal funding movements at March 2009 resulted in a favourable variance of \$3,519K compared to the March 2009 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 recommended positive Budget changes of \$343K. The March 2009 Review proposes changes which have a nil impact on the forecast 2008/09 Budget result.

Based on estimated inflows and outflows of funds, the forecast Budget position as at June 2009 is for a balanced Budget. This liquidity result is satisfactory in respect of movement in net available working funds for this financial year. Fair value accounting requirements for investments at 30 June 2009 will most likely have a negative impact on the final calculated net available working funds at year end. Although a negative working funds result may be reported as part of the external financial statements, there are sufficient internal restricted assets which are available to at least offset such a result.

It is also noted that in the September and December 2008 Quarterly Budget Reviews, the General Manager requested each Division to review their expenditures as the year progressed in an attempt to move the 2008/09 Budget to a surplus position. This request has again been made of the Divisions by the General Manager in respect of the remaining period of the 2008/09 financial year.

As previously mentioned, requests for Budget changes in this Report net out to nil. Budget changes are included in the quarterly consolidated and Divisional financial reports whilst contra Budget adjustments, subject to relevant criteria, are authorised by ExCo on a monthly basis as required.

The significant Budget changes recommended as part of the March 2009 Quarter Review are:

- \$270K – increase in budgeted expenditure for the Cherrybrook Community Centre
- -\$270K – allocation of Section 94 funding for Cherrybrook Community Centre
- \$233K – installation of a wind turbine at the Bushfire Control Centre
- -\$233K – allocation of Section 94 funding towards the wind turbine
- \$325K – de-watering of the Hornsby Quarry site
- -\$325K – allocation from the Hornsby Quarry and Environs restricted asset towards de-watering costs
- \$90K – Station St, Hornsby kerb and guttering adjustment expenditure
- -\$90K – allocation of Section 94 funding towards Station St, Hornsby kerb and guttering
- \$55K – Coronation St, Hornsby (south side) increased capital works expenditure
- -\$55K – allocation of Section 94 funding towards Coronation St, Hornsby (south side) capital works
- -\$250K – road closure revenue received
- \$250K – transfer to internally restricted asset (road closure and capital projects)

The December 2008 Quarter Budget changes were:

- \$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

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

BUDGET

This Report provides the March 2009 Quarter Review of the 2008/09 Budget

POLICY

There are no specific policy implications associated with this Report.

CONSULTATION

All Divisions and appropriate staff have had input into the March 2009 Quarter Review process.

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.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No CC28/09 be received and noted.
2. The March 2009 Quarter Review of the Management Plan, including performance indicators, be received and noted.
3. The recommended changes to the 2008/09 Budget detailed in the March 2009 Quarter Review be adopted.

GARY BENSLEY
Executive Manager
Corporate and Community Division

JULIE WILLIAMS
Manager, Corporate Strategy
Strategy Division

Attachments:

1. 3rd Quarter Review - March 2009

File Reference: F2007/01487
Document Number: D01139401

4 SOCIAL PLAN REPORT CARD: JANUARY 2009 - MARCH 2009 AND OTHER SOCIAL PLANNING ISSUES

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 first quarter report for the 2009 calendar year and is designed to highlight the achievements of the Community Services Branch and outline the progressive implementation of the Social Plan.

Given that current Social Plan is nearing the end of its planning cycle, and at the request of the Finance and Strategy Task Force, a review of the 2005 – 2010 Social Plan Action Plans has also been attached to this Report for Council's information.

An outline of processes that are likely to be used to review the Social Plan 2005 - 2010 and produce a new Plan are also discussed.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with a first quarter update for the 2009 calendar year regarding the implementation of the Social Plan 2005 – 2010. The Report also provides a detailed summary of the implementation of the Social Plan 2005 - 2010 and seeks to brief Councillors on the anticipated review process that will be undertaken in order to produce a new Social Plan before the end of November 2009.

DISCUSSION

Social Plan Report Card

The Social Plan Report Card: January 2009 – March 2009 (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 for the first quarter of the 2009 calendar year.

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. At this stage the current suite of Social Plans will be formally reviewed as part of the development of the new Hornsby Shire Social Plan 2010 - 2014.

This 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.

Social Plan Action Plan Update

Attached to this Report is an updated list of actions and service responses undertaken as a result of the adoption of the various Social Plans in late 2004. The inclusion of this information is in response to a request from the Finance and Strategy Task Force when it met with the Executive Manager, Corporate and Community Division at a meeting held on 15 April 2009.

Social Plan actions undertaken in each year of implementation are listed in the attachment for Council's information. The Social Plans 2005 - 2010 have not been evaluated within the context of this Report. An evaluation of actions implemented in current Social Plans is required in the production of subsequent Plans and, as such, this evaluation process will take place over the coming months.

Timeline to produce a new Social Plan

The following is an excerpt from Department of Local Government Circular No 08-65. This Circular was designed to update councils on their requirements in relation to the Social Planning Regulation and the forthcoming Integrated Planning and Reporting Framework.

Social/Community planning and reporting requirements

Under current legislative provisions, all councils in NSW are required to:

- *develop and submit a current adopted social/community plan to the department at least once every five years*
- *consider access and equity activities for inclusion in their management plan*
- *report on these access and equity activities in their annual report.*

The aim of this is to encourage councils to manage their social/community planning processes within a five-year cycle so that identified social and community needs accurately inform management plans and relevant outcomes are reported in access and equity statements.

Most councils are next required to submit a current social/community plan to the Department by 30 November 2009

Circular No 08-65 also describes the roll out process of the new Integrated Planning and Reporting Framework for Local Government in NSW. Details of the Integrated Planning and Reporting System were set to be released in November 2008. To date, only draft Guidelines have been released by the Department. The draft Integrated Planning and Reporting Guidelines do not contain any references to the requirement to produce social/community plans, but this may change once the final Guidelines are released.

As a consequence of the above, most councils in NSW will be in a situation whereby advice has been given regarding the requirement to submit a current social/community plan to the Department by 30 November 2009, yet the draft Integrated Planning and Reporting Guidelines do not mention this requirement. The Department of Local Government has sought to manage this situation through advice in Circular No 08-65 whereby councils have been encouraged by the Department to:

“continue with all current statutory planning and reporting requirements. Councils are encouraged to take the opportunity to use the work that is done to meet the current requirements to assist and inform the transition to the new system. For example, the comprehensive State of the Environment Report that is due by 30 November 2009 should be used as an opportunity to identify environmental issues that are important to the community and that are within council’s area of influence, so that the findings from the report can be used to inform council’s strategic planning and management programs”.

(N.B. The same statement would apply in respect of Council’s Social Plan)

To this end, the Community Services Branch has commenced a review of the current Social Plan whilst, at the same time, participating in the interdivisional council working party that is formulating a Community Engagement Strategy. This Strategy is a likely first step requirement of the Integrated Planning and Reporting Framework. It is anticipated that the Community Engagement Strategy that will inform the Integrated Planning and Reporting process for Council will extend beyond the timeframe that is useful in reviewing the Social Plans. As such, a parallel consultation/engagement process will be implemented to review the Social Plans. Efforts will be made for the processes to overlap where possible.

The new Social Plan will be required to be more closely aligned with the Management Plan and the Hornsby 2020 Planning Web such that its structure, high level goals, consultative basis and reporting timeframes work more collaboratively. Historically, the documents have not been produced in collaboration and have operated on different reporting and development time frames and have not integrated as well as perhaps they might have.

Community Services Branch staff will provide Councillors with updates on the production of the new Social Plan throughout the coming months. It is anticipated that the Social Plan 2010 - 2014 will be submitted for Council’s consideration at the September 2009 Ordinary Meeting for the purposes of placing the document on public exhibition, and that the Plan would subsequently be adopted at the November 2009 Ordinary Meeting. The Plan would then be forwarded to the Department of Local Government by the 30 November 2009 deadline. This schedule will allow Council to meet its legislative requirements.

It is acknowledged that, given the ambiguity of the legislative context and the fact that a more comprehensive community engagement process will be running in parallel to the review and production of a new Social Plan, the content and structure of the Social Plan 2010 - 2014 may be required to be adapted following its adoption, in consultation with Council, in order to more closely align with the integrated planning documents once they are produced.

BUDGET

There are no budget issues associated with this update. The Social Plan 2005 - 2010 will be reviewed using existing staff resources from the Community Services Branch. During the social planning process, major services and events which can be postponed or cancelled, will be, in order to free up staff time to conduct community consultations and research. This approach will minimise the cost of the production of the Social Plan.

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

Manager Corporate Strategy – Ms Julie Williams

Manager Environmental Sustainability and Health – Ms Julie Ryland

Manager Community Development – Mrs Lisa Cahill

Community Development Officer - Access and Inclusion - Mr Malcolm Wallace

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

Community Development Officer - Arts/Culture - Ms Joanna Joyce

Coordinator Over 55 Services - Ms Jayne Boardman

Coordinator Youth Services - 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.

RECOMMENDATION

THAT:

1. The Social Plan Report Card January 2009 – March 2009 be received and noted.
2. The Social Plan Action Plan Update 2008 be received and noted.
3. The timeline and process associated with the production of the new Social Plan 2010 - 2014 be noted.

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Social Plan Report Card - January - March 2009
2. Social Plan Action Plan Review 2008

File Reference: F2004/06043

Document Number: D01140098

5 MARCH 2009 INVESTMENT AND BORROWING REPORT

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 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 March 2009 is \$1,371,000 compared to the year to date 2008/09 budgeted income of \$1,303,000. Of the year to date investment income earned, 40% 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 which was most recently reviewed by Council at its 8 April 2009 Ordinary Meeting.

DISCUSSION

Council's Investment Performance - March 2009

- The Term Deposits achieved an annualised return of 5.03% for the month compared to the benchmark of 3.25%; and a financial year to date return of 6.04% compared to the benchmark of 5.31%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of 37.24% for the month compared to the benchmark of 41.47%; and a financial year to date return of -19.94% compared to the benchmark of -25.50%. 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 3.61% for the month compared to the benchmark of 3.14%. The financial year to date return at March is 6.84% compared to the benchmark of 6.25%.
- The Capital Guaranteed Notes achieved an annualised return of 0.26% for the month compared to the benchmark of 3.14%. The financial year to date at March is 1.01% compared to the benchmark of 6.25%. 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 (FRNs) 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 3.14%; and a financial year to date return of 8.39% compared to the benchmark of 6.25%.

- For total investments, the annualised return for the month is 4.61% compared to the benchmark of 3.99%; and the year to date return after fees is 5.08% compared to the benchmark of 5.00%.

Economic/Financial Conditions

Extracts from Economic Outlook - April 2009

Data on industrial production shows that the global economic downturn continued to deepen through the first quarter of 2009. While there are encouraging signs of stabilisation in global conditions and that the massive coordinated global fiscal stimulus packages will soon begin to put a floor under activity, it will be a long recovery with a massive hangover in terms of unemployment, excess capacity and public sector debt. With bank losses still mounting as a result of the deteriorating global economy, credit conditions will not normalise quickly.

The Australian unemployment rate stands at 5.7%, with 34,700 jobs lost in March, it's highest level since early 2004. The unemployment rate is expected to run around 7% by the end of the year and peak above 7.5% through the second half of 2010.

The Reserve Bank of Australia cut interest rates 25 basis points at its April meeting,

Compared to overseas, Australia will have a modest recession, but the extent of the downturn in investment means we will see a U-shaped recovery in 2010, rather than a quick rebound. There is a risk that the downturn could be prolonged if conditions were to deteriorate. If there were a further set back in world financial markets and foreign banks pulled out of the Australian market, we could face a shortage of finance for commercial projects and a potential collapse in prices, as the property is collateral for these loans.

If consumers panic and rein in spending as unemployment starts to rise, then the impact on the services sectors in terms of employment could be much deeper than projected and this would have knock-on consequences for employment, incomes and spending. Another risk is that the world economy takes longer to emerge from recession, which would extend the downturn in the investment sectors.

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 6.54%. The loans taken out repay principal and interest over a 10 year period with a fixed interest rate. The Borrowings Schedule, as at 31 March 2009, is attached to this Report.

BUDGET

Total investment income for the year to date period ended March 2009 was \$1,371,000. The budgeted income for this same period was \$1,303,000. Of the investment income, approximately 40% relates to Section 94 and is, therefore, restricted.

POLICY

All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation 2005 and Council's Investment Policy and Strategy.

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 CC30/09 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. March 2009 Council Investment Report
2. HSC Borrowings Schedule as at 31 March 2009

File Reference: F2004/06987
Document Number: D01140915

**6 SUB LEASE OF LOT 2 DP 1057729 HUNTER AND FLORENCE STREETS
HORNSBY WITH G J DRIVAS PTY LTD (ADJACENT TO 33-41 FLORENCE
STREET, HORNSBY AND WESTFIELD'S RETAIL TUNNEL SPACE)**

EXECUTIVE SUMMARY

In 2001, Council granted a 99 year lease to G J Drivas Pty Ltd in respect of a stratum lot within the Hornsby Mall between Westfield's retail connecting tunnel and the adjacent property at No 33 - 41 Florence Street, Hornsby (St George Bank Building) – see the attachment to this Report.

The terms of lease provided that, subject to the consent of Council as lessor, the lessee is entitled to sub lease the stratum lot. An application has now been received on behalf of the lessee seeking Council's consent to sub lease the stratum lot to National Australia Bank Limited for a maximum term of 23 years.

Advice received from Council's lawyers has indicated that Council's interests would not be adversely affected in approving the sub lease application. As a consequence, Council's consent to the sub lease application is now sought on the basis outlined in the recommendation of this Report.

PURPOSE/OBJECTIVE

The purpose of this Report is to seek Council's consent to the sub leasing of Council owned stratum lot known as Lot 2 DP 1057729 Florence Street, Hornsby from G J Drivas Pty Ltd to National Australia Bank Limited.

DISCUSSION

At the 14 November 2001 Ordinary Meeting (see confidential Report No WK101/01), and the 20 December 2001 Planning Meeting (see Matter of Urgency No 26), Council resolved to grant a 99 year lease to G J Drivas Pty Ltd in respect of Council owned stratum lot known as Lot 2 DP 1057729 Florence Street, Hornsby.

The stratum lot is located between the Westfield Tunnel and the adjacent property at No. 33 – 41 Florence Street (St George Bank Building), which is located within the Hornsby Mall and owned by Drivas Properties Pty Ltd. Under the terms of the lease, the lessee must not sub let the whole or any part of the stratum lot without the prior consent of Council and such consent must not be unreasonably withheld.

In October 2006 (see Report No CC70/06), Council consented to the sub lease of Lot 2 DP 1057729 Florence Street, Hornsby from G J Drivas Pty Ltd to Angus and Robertson Pty Ltd for a term of six years. At the time, Angus and Robertson operated a bookstore within the basement of the St George Bank building with an interconnecting corridor into Westfield's retail tunnel.

With the National Australia Bank Limited intending to now occupy the basement space, in place of Angus and Robertson Pty Ltd, an application has recently been received on behalf of

G J Drivas Pty Ltd seeking Council's consent to grant a fresh sub lease of the stratum lot to National Australia Bank Limited for a maximum term of 23 years. The sub lease document provided by the lessee has been reviewed by Council's lawyers who have indicated that, subject to the parties entering into a Deed of Consent to sub lease, Council's interests would be protected in this matter. It has also been advised that it would be reasonable for Council to consent to the sub lease application.

Having regard to the comments outlined above, Council's consent to the sub lease of Council owned stratum lot known as Lot 2 DP 1057729 Florence Street Hornsby between G J Drivas Pty Ltd and National Australia Bank Limited is now sought on the basis outlined in the recommendation of this Report

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

There has been consultation with HWL Ebsworth Lawyers 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 only seeks Council's endorsement to the formalisation of a condition under an existing lease agreement between Council and a lessee 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 the Manager, Commercial Property, Mr Rod Drummond who can be contacted on 9847-6589.

RECOMMENDATION

THAT Council consent to the sub lease of the stratum lot known as Lot 2 DP 1057729 Florence Street Hornsby from G J Drivas Pty Ltd to National Australia Bank Limited for a maximum term of 23 years subject to:

1. the parties entering into an appropriate Deed of Consent to sub lease.
2. the lessee being responsible for the payment of all legal costs incurred in this matter.

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. Lease Plan of Lot 2 DP 1057729 Florence Street Hornsby

File Reference: F2004/06371
Document Number: D01141856

7 QUARTERLY REVIEW - OPERATIONAL PLAN ASSOCIATED WITH THE HORNSBY MALL STRATEGIC MANAGEMENT PLAN

EXECUTIVE SUMMARY

Since December 2006, various Key Actions contained within the Hornsby Mall Strategic Management Plan (HMSMP) have been progressively implemented in line with two 12 month Operational Plans approved by Council acting as the Interim Hornsby Mall Leadership Group. Reports detailing progress achieved in implementing the Key Actions have been progressively provided for Council's information on a quarterly basis.

Following conclusion of the second 12 month Operational Plan in November 2008, Council officers have now prepared the attached table which outlines progress achieved in the implementation of the Key Actions for the quarter ending 28 February 2009, and proposes an ongoing action plan to address the outstanding Key Actions. Comments regarding a number of the Key Actions identified in the table are also provided in the DISCUSSION section of this Report.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide for Council's information and endorsement, as the Interim Hornsby Mall Leadership Group, a table outlining the progress achieved in the implementation of Key Actions for the quarter ending 28 February 2009, and a draft Plan of Action for the ongoing implementation of the outstanding Key Actions associated with the HMSMP.

DISCUSSION

At the December 2006 and 2007 Ordinary Meetings (see Report Nos CC95/06 and CC113/07) Council, as the interim Hornsby Mall Leadership Group, adopted respective 12 month Operational Plans associated with various Key Actions contained within the HMSMP. Council requested that reports outlining the progress on the implementation of the Key Actions be provided for consideration on a quarterly basis.

The most recent quarterly report was provided at the 11 February 2009 Ordinary Meeting (See Report No CC13/09) and indicated that the 12 month Operational Plan adopted by Council in December 2007 was now concluded, and as such, the next quarterly report to Council would 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. Of the 34 Key Actions contained in the HMSMP, 10 are finalised and 24 remain outstanding.

The attached table provides a summary of the progress achieved in the implementation of the outstanding Key Actions as at 28 February 2009 and proposes an ongoing Plan of Action to address the remaining Key Actions in a timely manner. Comments concerning the implementation of the Plan of Action are provided below:

Plan of Action: May 2009 to November 2009

This section of the Plan of Action table represents Key Actions currently being implemented and which Council officers consider will be finalised prior to the end of November 2009. Detailed comments on the progress of a number of these Key Actions are set out below:

Key Action 1.2 Establish Hornsby Mall Leadership Group Taskgroups*Strategy Four: A Beautiful Hornsby Mall*

The draft 2009/10 Budget incorporates a project to carry out beautification works at the entrances to Hornsby Mall using funding identified within Council's 2007 – 2011 Section 94 Contribution Plan. When the draft Budget is adopted, action to formalise the Strategy Four Taskgroup - A Beautiful Hornsby Mall will be implemented. Details concerning the composition, objectives, etc of this Taskgroup will be provided for Council's information at that time.

Key Action 3.4 Monitoring

At the March 2009 Ordinary Meeting (see Report No CC21/09), Council accepted in principle the CCTV sponsorship proposal received from Orion Integration Pty Ltd to install and trial a CCTV scheme in the Hornsby Mall for a period of two years. The acceptance was on the basis that Hornsby Police fulfil the requirements of Steps 6 to 11 of the *NSW Government Policy Statement and Guidelines for Establishing and Implementation of Closed Circuit Television (CCTV) in Public Spaces*, and that a further report be submitted outlining any costs that would be incurred by Council in the operation of the CCTV trial. Discussions are continuing with representatives of Orion Integration Pty Ltd and Hornsby Police and a further report on the matter will be provided for Council's consideration at the June 2009 Ordinary Meeting.

(N.B. On a related matter, a presentation of the first draft of a Shirewide Community Safety Plan will be made to the Community, Cultural and Recreation Facilities Task Force at its May 2009 meeting and subsequently submitted for Council's consideration)

Key Actions 6.1, 6.2, 6.3 and 6.5 Lease/Licence of Public Space, Vehicle Access and Permanent Markets

These actions will be addressed by the A Hornsby Mall that Functions Well Taskgroup when they undertake a review of the Hornsby Mall Code. It is anticipated that a report on the matter will be provided for Council's consideration at the June 2009 Ordinary Meeting.

Plan of Action: December 2009 to November 2011

In view of the period of time that has elapsed since the adoption of the initial Key Action Operational Plan in December 2006, and having regard to current economic conditions, Council officers consider it prudent for Council to review and reassess the implementation priority of the outstanding Key Actions of the HMSMP. These Key Actions pose a number of direct and indirect funding implications and, in light of current budgetary constraints, it may be appropriate to defer implementation of the listed Key Actions until the preparation of the 2010/11 Management Plan in early 2010.

Plan of Action: December 2011 and beyond

In consideration of Report Nos CC42/06 and CC59/06 concerning the development of the HMSMP, it was noted by Council that certain parts of the Plan had implications in respect of the broader issue of economic development for the Hornsby Town Centre and the Shire as a whole. As a result it was agreed by Council that Strategy One of the Plan - Leading Hornsby Mall into the Future and Strategy Five - Doing the Business in the Hornsby Mall would be held in abeyance until Council's overall economic development strategy for the Shire had been produced.

While the establishment of the Hornsby Mall Leadership Group was identified as Priority One Action within the HMSMP, it was considered by Council that in view of its close association with an economic strategy for the Hornsby Town Centre the formation of this group should also be delayed until the establishment of an economic development plan for the Shire. Accordingly, it was further agreed by Council that the role and function of the proposed Hornsby Mall Leadership Group would rest with the elected Council at least until such an economic development strategy for the Shire had been implemented.

At the November 2006 Ordinary Meeting (see Report No ST9/06), Council adopted the Hornsby Shire Council Economic Development Strategy 2007 - 2011, and at the November 2007 Ordinary Meeting (see Report Nos ST15/07 and CC93/07) established the Employment and Economic Development Task Force. Report No ST15/07 noted that amongst other things, the role of the Task Force would be to assist Council's Economic Development Unit with advice on "*opportunities for integration of other business-related strategic directions such as Sustainable Business Strategy 2007 - 2010 and the Hornsby Mall Strategic Management Plan 2006*".

As previously reported, action to implement a number of the Key Actions identified under Strategy Five – Doing the Business in the Hornsby Mall of the HMSMP has been undertaken in line with the framework associated with Council's Sustainable Business Strategy 2007 - 2010 and Economic Development Strategy 2007 - 2011. Having regard to the linkages of Key Actions contained within Strategy Five to the broader issue of economic development in the Hornsby Town Centre, it would be appropriate to continue the implementation of these Key Actions in concert with the two Strategies mentioned.

To ensure that a holistic approach is maintained in terms of economic development within the Hornsby Town Centre, it would be prudent for the Employment and Economic Development Task Force to be provided with the opportunity to review and provide guidance on the ongoing implementation of the Strategy Five Key Actions. Accordingly, processes will be put in place to ensure that the implementation of Strategy Five Key Actions with broader Town Centre implications are referred to the Employment and Economic Development Task Force for consideration as appropriate.

Reporting

Having regard to the implementation timeframes proposed within the attached Plan of Action table, it is proposed that reports summarising the progress achieved in implementing the remaining outstanding Key Actions be provided for Council's information on an annual basis commencing December 2009.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

This Report has consideration to the Hornsby Mall Strategic Management Plan adopted by Council in August 2006 and the Section 94 Contributions Plan 2007 - 2011.

CONSULTATION

There has been consultation in the preparation of this Report with officers of Council's Strategy Division.

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:

1. The contents of Executive Manager's Report No CC32/09 be received and noted.
2. Council note the progress of the implementation of the Key Actions contained within the Hornsby Mall Strategic Management Plan as at 28 February 2009.
3. Council endorse the proposed Plan of Action table to address the remaining outstanding Key Actions contained in the Hornsby Mall Strategic Management Plan.
4. Annual progress reports, commencing December 2009, be provided to Council in respect of the implementation of the remaining outstanding Key Actions contained in the Hornsby Mall Strategic Management Plan.

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. Plan of Action- Outstanding Key Actions associated with the Hornsby Mall Strategic Management Plan.

File Reference: F2005/00923

Document Number: D01141952

8 ESTABLISHMENT OF HORNSBY SHIRE ARTS REFERENCE COMMITTEE

EXECUTIVE SUMMARY

Following Council's decision at the February 2009 Ordinary Meeting to establish a Hornsby Shire Arts Reference Committee, expressions of interest were sought from the local community in March 2009.

32 expressions of interest were received and they were considered by the Community, Cultural and Recreation Facilities Task Force at its April 2009 meeting.

The Task Force has recommended the appointment of 14 members to the inaugural Hornsby Shire Arts Reference Committee. Those recommendations are provided for Council's consideration.

PURPOSE/OBJECTIVE

The purpose of this Report is to make recommendations for Council's consideration in respect of the appointment of members to the inaugural Hornsby Shire Arts Reference Committee.

DISCUSSION

At the August 2008 Ordinary Meeting, Council considered Report No CC79/08 and adopted the Hornsby Shire Council Cultural Plan 2008 - 2010. The primary objective of the Cultural Plan is to stimulate grassroots participation in the arts across the Hornsby Shire. Specifically, the Cultural Plan seeks to build participation in the arts by members of the community that would not typically consider themselves to be involved with the arts. The purpose of this approach is to stimulate demand for a large scale arts/cultural facility in the Shire. To this end, an Arts Reference Committee is designed to improve communication between Council and members of the arts/cultural community, thereby supporting and growing the creative sector in the community such that the product on offer is more appealing to the portion of the community not currently involved with the arts.

At its November 2008 meeting, the Community, Cultural and Recreation Facilities Task Force considered the process through which Council would convene the Arts Reference Committee. As a consequence, Council considered Report No CC01/09 at the February 2009 Ordinary Meeting and resolved 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.*

Expressions of interest were sought from the community for the formation of the Hornsby Shire Arts Reference Committee in March 2009. The expression of interest period extended over four weeks and was advertised in local newspapers and on Council's website. 32 expressions of interest were received from interested community members.

The Hornsby Shire Arts Reference Committee Terms of Reference prescribes that the Committee is to be comprised of 14 members (plus a Councillor as Chairperson). To ensure that a diversity of skills, expertise and interest are represented, applicants were asked to provide the following details:

- a nomination of an area of interest within the arts to represent;
- a statement regarding their experience as it relates to the arts and culture;
- a statement on what they could offer the Hornsby Shire Arts Reference Committee and;
- a list of the arts, cultural or community groups that they represent or are involved with.

All 32 expressions of interest were submitted to the Community, Cultural and Recreation Facilities Task Force for consideration at its April 2009 meeting. The expressions of interest were all of a very high standard which highlights the significant skill and capacity within the arts/cultural community in the Hornsby Shire.

Given the strategic intent of the Cultural Plan, the Task Force indicated a preference for applications that demonstrated experience in the delivery of grassroots art and cultural activities. Efforts were also made to ensure that the Committee would be comprised of members with diverse ages, genders, ethnic backgrounds and who were from a variety of localities within the Shire. Furthermore, the Task Force sought to achieve representation on the Committee from a variety of local and state arts and cultural organisations.

Following its consideration of the expressions of interest, the Task Force decided to make the following recommendations for appointment to the Hornsby Shire Arts Reference Committee:

| Area of Expertise | Recommendation |
|---|-----------------------|
| Arts Advocacy | Keili Shillington |
| Arts Education | Alana Lewis |
| Interested Business Community Member | Linda Chen |
| Interested Community Member | Rebecca Bilous |
| Interested Community Member | Mike Fish |
| Interested Community Member – 377 Committee | Michael Bell |
| Music or Media | Fiona Mitchell |
| Performing Arts (theatre/drama/music) | Raymond Bontoft |
| Performing Arts Other | Gabriela Koumantakis |
| Practicing Professional Artist | Marion Wait |
| Visual Arts (painting/drawing) | Eva Molnar |
| Visual Arts Other | John Crawford |

| | |
|---|---------------|
| Visual or Performing Arts - Multicultural | Effy Alexakis |
| Youth | Penny Becchio |

Community Services Branch staff and members of the Community, Cultural and Recreation Facilities Task Force would like to thank all community members who took the time to express their interest in the Committee. All expressions of interest are registered in Council's document management system.

A brief description of the recommended applicants experience and interest are provided below.

Arts Advocacy - Keili Shillington

Keili has worked in various arts marketing positions and senior editorial roles for arts publications. Keili has also worked with community stage productions, as a writer of plays and short stories, and has experience in the delivery of community arts. Keili is a member of a number of local community organisations and is interested in providing informed cultural input regarding arts development.

Arts Education – Alana Lewis

Alana has experience in art education for visual arts, photography, dance and drama. Alana currently teaches art in a local secondary school and is also a practising artist. Alana is a passionate supporter of the arts within communities and interested to extend the traditional ideas of art and culture to embrace the emergence of new art forms and technologies.

Interested Business Community Member – Linda Chen

Linda offers extensive experience in both arts and business. Linda has established, planned and delivered a wide range of arts and cultural events and is interested in establishing, developing and promoting existing arts in the Shire. Linda is experienced in liaising with and understanding a variety of cultures and talents of the local Shire community and greater Sydney area.

Interested Community Member – Rebecca Bilous

Rebecca has experience working in the public arts sector, making the arts accessible to all through the provision of education programmes and with community consultation. Rebecca is interested in the development and promotion of arts for children and families.

Interested Community Member – Mike Fish

Mike is a practising artist with a variety of experience in the arts. Mike also offers professional business experience in project management and is experienced working in virtual teams across multicultural environments.

Interested Community Member – Michael Bell

Michael is a retired primary school teacher and former Hornsby Shire Councillor who has been involved with Council committees including two community and cultural facility management committees. Michael currently organises the annual Arcadia Music Recitals and is a sculptor. Michael is also a member of a number of local arts/cultural organisations.

Music or Media – Fiona Mitchell

Fiona has worked in art education, programming, promotion and coordination at the Hornsby/Kuring-gai Community College. Fiona is a trained primary school teacher and currently works as a consultant for Australian Dance Vision at Pymble and the Australian Media and Communications Authority. Fiona is also a songwriter and performer and offers knowledge

and awareness of funding opportunities, community engagement and community/cultural development.

Performing Arts (theatre/drama/music) – Raymond Bontof

Ray is an event producer of indoor and outdoor drama theatre, outdoor film, pyrotechnic and general events. Ray organises the annual Brooklyn Theatre in the Park event and offers a range of experience in both commercial and community based events and their production.

Performing Arts Other - Gabriela Koumantakis

Gabriela is a dancer and has owned and operated a dance school within the Shire for the last six years. Gabriela offers experience running community events.

Practicing Professional Artist – Marion Wait

Marion is a practising artist who has held a number of exhibitions locally and internationally. Marion has experience in arts administration and offers an overview of the creative and economic side of the arts. Marion also offers her time, commitment and sound management background.

Visual Arts (painting/drawing) - Eva Molnar

Eva is a practising artist and educator. Eva is involved in running a multicultural art group - "Sydney Art Vogue", and works as teacher and coordinator of the Boom Gate Gallery at Long Bay Correctional Facility. Eva offers experience in working with community art and an understanding of indigenous and multicultural issues in art.

Visual Arts Other – John Crawford

John is a printmaking artist who is involved with the Northside Printmakers. He has experience in managing community arts organisations and curating art exhibitions. John offers an understanding of group dynamics and experience in managing groups of creative/conceptual people and pursuits.

Visual or Performing Arts – Multicultural - Effy Alexakis

Effy has 25 years experience as a photographer and has arranged touring exhibitions nationally and internationally. Effy has been involved in a number of multicultural organisations including Carnivale and Sidetrack Theatre in Marrickville.

Youth - Penny Becchio

Penny has 40 years of involvement with many aspects of the arts including drama, music, painting and writing. Penny is the musical director and producer of the has lived in Hornsby Shire since 1962. Penny has a strong desire to see the arts assume a significant role in Hornsby's cultural make-up.

BUDGET

Any budgetary implications associated with the formation of the Hornsby Shire Arts Reference Committee have been noted and accommodated in the Hornsby Shire Cultural Plan 2008 - 2010.

POLICY

This Report seeks to implement one of the recommendations of the Hornsby Shire Cultural Plan 2008 – 2010 by creating the Hornsby Shire Arts Reference Committee. The Cultural Plan establishes the 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 CC34/09 be received and noted.
2. Council express its appreciation to all applicants for their interest and enthusiasm in submitting expressions of interest to become a member of the Hornsby Shire Arts Reference Committee.
3. Council accept the recommendations of the Community, Cultural and Recreation Facilities Task Force in respect of the appointment of inaugural members to the Hornsby Shire 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:

There are no attachments for this report.

File Reference: F2009/00168

Document Number: D01144664

Executive Manager's Report No. EN9/09
Environment Division
Date of Meeting: 13/05/2009

9 ADVANCING GREENHOUSE PURCHASING

EXECUTIVE SUMMARY

In August 2007 Council moved to provide in-principle support to investigate the concept of carbon neutrality for its corporate emissions (see Executive Manager's Report No. EN33/07). In October 2007, Hornsby Shire Council received the Advancing Greenhouse Purchasing Alliance (AGPA) Project Grant from the Australian Federal Government.

The intent of the Advancing Greenhouse Purchasing and Carbon Neutral Framework ("the Framework") is to develop a generic pathway towards low-carbon procurement and carbon neutrality that can be adapted and applied by local government authorities. The AGPA Project Grant complements the progress made by Hornsby Council in relation to sustainable procurement and energy efficiency measures in the period since 2007 and forms the basis for any actions that Council might take in advancing the concept of carbon neutrality for its operations.

Following adoption of the Advancing Greenhouse Purchasing and Carbon Neutral Framework the document will be distributed to all NSW councils.

PURPOSE/OBJECTIVE

This report provides an overview of the draft Advancing Greenhouse Purchasing and Carbon Neutral Framework for Council's consideration.

DISCUSSION

The Advancing Greenhouse Purchasing Alliance (AGPA) Project Grant specifically addresses two of the recommendations made by Council from Executive Manager's Report EN33/07. These include:

"THAT:

4. *Council provide in-principle support to investigating the concept of carbon neutrality for its corporate emissions*
5. *Council request a report setting out how carbon neutrality could be achieved, including an assessment of its impacts, a list of actions, costs, financing options and timeframes."*

Following a competitive tendering process in November 2007, APP Corporation was engaged to undertake a study to determine the feasibility of Hornsby Shire Council becoming carbon neutral. In doing so APP Corporation was to present a sophisticated, long term economic proposal to achieve carbon neutrality. While a number of cost scenarios were presented in the report, it is considered that they may no longer be feasible in a rapidly changing economic climate. Since the completion of the report, the global financial crisis has escalated both domestically and internationally and the Federal Government has devised the Carbon

Pollution Reduction Scheme (CPRS), a cap-and-trade style scheme designed to meet Australia's greenhouse gas emission reduction of five per cent. While Council does not meet the threshold required to participate in the scheme directly, the CPRS will affect Council as it is likely to result in an increase in the cost of carbon embedded in the products and services that Council purchases, as well as the services that Council is expected to provide to the community.

In order to establish Hornsby Shire Council's baseline greenhouse gas emissions and be able to set accurate targets for carbon neutrality, Carbon Planet was subcontracted by APP Corporation to conduct a greenhouse gas emissions (GHG) audit for 2006/07 (Attachment 1). The report calculates Council's total corporate emissions as well as providing a detailed breakdown of the sources of these GHG emissions.

The Advancing Greenhouse Purchasing and Carbon Neutrality Framework (Attachment 2) is based on the above research and outlines a generic pathway towards green purchasing and carbon neutrality which can be adapted and implemented by other local government organisations across Australia. It also contains a list of sustainability criteria to be considered in Council's purchasing practices and insertion in tender documents.

The draft Framework makes a number of recommendations which are targeted towards councils pursuing a goal of carbon neutrality. These recommendations fall under 10 key areas:

1. Building Organisational Capacity
2. Establishing the Carbon Inventory: Boundaries and Scope
3. Establishing Greenhouse Gas Emissions Reduction Targets
4. Strategic Asset Management
5. Greenhouse Gas Emissions Targets for New Assets
6. Low Carbon Procurement and Tendering Guidelines
7. Low Carbon Travel Policy
8. GreenPower Procurement Guidelines
9. Carbon Offset Procurement Guidelines
10. Monitoring and Verification

It is possible that some editorial amendments might be made prior to the final printing of the document, but any such amendments will not alter the intent of the document and more importantly the basic principles outlined in the Framework.

BUDGET

There are no immediate budget implications contained within this report.

The total budget for this project was \$50,000. Council received \$25,000 from the Australian Federal Government through the Department of Environment, Water, Heritage and the Arts and the Environmental Sustainability and Health Teams provided matched funding of \$25,000 from the Teams existing budget allocation.

POLICY

The outcomes of the Advancing Greenhouse Purchasing Alliance Project support the intent of Council's Sustainable Procurement Policy, Sustainable Energy Policy for New Council Assets and the Sustainable Energy Strategy 2006-2010.

CONSULTATION

Several external stakeholders have been consulted throughout the course of the project. Carbon Planet was engaged to complete a greenhouse gas emissions audit for Council, while APP Corporation were engaged to develop long-term financing options to allow Council to move towards carbon neutrality and a green supply chain. In addition, Manly Council was a key contributor as a project partner.

Extensive internal consultation was also undertaken with Council's Procurement Team, the Environmental Health and Sustainability Team and the Sustainable Procurement Committee. The Tender Advisory Group provided valuable input into developing the sustainability criteria in the Framework.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line 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.

Working with our community

Consultation with Council's Sustainable Action Committee and the wider business sector will take place following adoption of the Framework. All councils within NSW will also receive a copy of the Framework for their use.

Conserving our natural environment

The broader scientific community now accepts that increasing levels of greenhouse gases emitted into the atmosphere have the potential to induce adverse long-term changes to the environment. The draft Framework identifies actions for reducing greenhouse gas emissions generated by Council activities and outlines ways for Council to move towards a carbon neutral position.

Contributing to community development through sustainable facilities and services

The actions proposed in the draft Framework will encourage capacity building within Council to ensure environmental compliance and enhancement of cleaner production.

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

The draft Framework will assist Council to be more efficient and sustainable, resulting in a greater capacity for local government to protect the environment and support the local community.

Supporting our diverse economy

Although the draft Framework does not specifically deal with our local economy it does encourage purchasing locally to reduce the distance goods have to travel.

Maintaining sound corporate and financial management

All corporate actions proposed within the draft Framework are subject to a financial assessment to ensure appropriate internal rates of return are achieved for each measure to be implemented.

Other Sustainability Considerations

International and local research on sustainable procurement was utilised to develop the draft Framework.

RESPONSIBLE OFFICER

The responsible officers are Julie Ryland, Manager Environmental Sustainability and Health, telephone 9847 6898 and Andrew Joyce, Environmental Officer, telephone 9847 6833, hours 8.30 am – 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT

1. The Advancing Greenhouse Purchasing and Carbon Neutrality Framework be updated, adopted and distributed to all NSW councils as a reference document.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Greenhouse Gas Emissions Audit 2006/07
2. Advancing Greenhouse Purchasing and Carbon Neutrality Framework

File Reference: F2007/01412
Document Number: D01113053

10 PARKS CAPITAL WORKS 2008-2009 MARCH QUARTER PROGRESS REPORT

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 March 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 EN12/09 be received and noted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Parks Capital Works March 08/09

File Reference: F2004/06971
Document Number: D01141296

11 CATCHMENTS REMEDIATION RATE (CRR) EXPENDITURE PROGRESS REPORT 2008/2009

EXECUTIVE SUMMARY

The revenue received for the Catchments Remediation Rate (CRR) as at 31 December 2008 was \$2,558k, which included interest of \$4k generated from CRR investments. The balance of funds at this period was \$1,511k. This was as a result of income generated, \$2,558k plus \$206k brought forward from 2007/2008, less expenditure of \$1,253k.

The Catchments Remediation Rate Expenditure Review Panel (the Panel) meets twice annually. At its meeting held on the 2 April 2009 the Panel noted that it had sighted and discussed the financial details of the CRR expenditure as of the 31 December 2008 and considered all reports acceptable and reasonable. A cost summary of expenditure for the first half of the 2008/2009 financial year and the CRR Expenditure Review Panel's report are provided in the Attachments.

The Panel made a number of specific comments and observations (refer to Attachment 4). In particular, various issues were discussed in regard to their potential impact on both CRR devices and funds. The Panel felt that issues such as increased urbanisation and climate change may create a liability on the CRR if not properly addressed within the overall management framework and that modelling may to be a valuable tool to assess the potential impact. Furthermore, there was concern raised that due to the current financial conditions funds collected for the maintenance from developer built assets may be called upon by Council. The Panel was told that provision had been made within the budget to ensure that the CRR was not called upon to fund the maintenance of developer built assets.

PURPOSE/OBJECTIVE

The purpose of this progress report is to document the expenditure of CRR funds by Council from 1 July 2008 to 31 December 2008. The report also includes the findings of the external Expenditure Review Panel, as well as the subsequent progress on the assessment, investigation and completion of catchment remediation projects across the Shire.

DISCUSSION

Capital Remediation Projects

Approximately 50% of the 2008/2009 CRR budget has been allocated for capital works projects across the Shire. These works included bioretention systems, stormwater harvesting and reuse schemes, sediment basins, stream stabilisation/remediation and gross pollutant traps. In future years, it is expected that a greater proportion of the expenditure will transfer to fund the operation and maintenance of the installed devices and facilities.

Six projects have been completed (or near completion) as of the 31 December 2008. These include:

- Construction of a bioretention system, Berowra

- Construction of a large stormwater harvesting project, Cherrybrook
- Installation of a gross pollutant device (GPD), Cherrybrook
- Three separate creek enhancement and stabilisation projects, Berowra, Thornleigh and Pennant Hills

A full explanation of the account codes and project locations can be found in Attachment 3.

In addition:

- Five projects from previous years had minor residual expenditure
- Six projects on the 2008/2009 and 2009/2010 works schedule had pre-construction work carried out

Council's Design and Construction Branch conducted survey, design and construction of a majority of the capital works program in consultation with the Catchments Remediation Team Leader.

Non-capital Associated Expenditure

A component of the CRR budget for 2008/2009 supported various Environment Division operations which contribute to fulfilling obligations to improve water quality Shire-wide. Attachment 3 shows the specific expenditure breakdown for:

- pro-active maintenance of all stormwater improvement assets
- street sweeping
- community project support, e.g. Streamwatch and various committees
- implementation of a Geographic Information System (GIS)
- emergency response to spills
- water quality research and monitoring
- riparian restoration works
- salaries, wages, overheads and associated administrative costs for project management

CRR Expenditure Review Panel Report

On 2 April 2009, the CRR Expenditure Review Panel met to discuss the expenditure for the 1st half of the 2008/2009 financial year. The Panel noted that it had sighted and discussed the financial details of the CRR expenditure and considered all reports presented by council officers as acceptable and accountable. The Panel also included a number of specific comments and observations as follows:

- There were a number of small overrun items but nothing of concern to the Panel.
- There was concern raised that restricted funds from developer contributions set aside for maintenance of developer built assets may be called upon by Council due to losses caused by the global financial crisis. The panel was advised that CRR funds have not been called upon to pay for maintenance of these assets.
- The Panel asked that further detail be provided on the calculation of interest on CRR funds with a view to understanding better how CRR funds are invested by Council.
- Various issues were discussed in regard to their potential impact on existing CRR devices, including the impact of increased urbanisation and the resulting increases in impervious surface and climate change and the likelihood of storm events of greater intensity.

The Panel felt that these issues may create a liability on the CRR if not properly addressed within the overall management framework and that modelling may to be a valuable tool to assess the potential impact. Specifically, it was stated that these issues may render existing devices ineffectual or at the least undersized. Therefore, it was suggested that all options to mitigate the impact of stormwater on urban creeks and their associated receiving bodies should be considered.

BUDGET

The relevant budget and incurred expenditure for the Catchments Remediation Rate (CRR) is shown in Attachments 1-3.

POLICY

There are no policy implications.

CONSULTATION

This Progress Report has been compiled by staff from the Environment Division's Water Catchments Branch and Executive Unit. Advice from Council's Finance Branch was also sought and incorporated.

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

RESPONSIBLE OFFICER

The responsible officer is Mr David Beharrell, Catchments Remediation Team Leader, Water Catchments, telephone 9847 6860, hours 8:30am to 5:00pm, Monday to Friday.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. EN13/09 be received and noted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. CRR Balance 31 December 2008
2. CRR Non-capital Expenditure 31 December 2008
3. CRR Expenditure Summary 31 December 2008
4. CRR Panel Report April 2009

File Reference: F2005/00829-02

Document Number: D01143246

12 WORKS PROGRESS REPORT - MARCH 2009 QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH

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 January 2009 to 31 March 2009. The report outlines the numerous and diverse projects undertaken by the Branch during the 2008/09 Annual Operating Program.

PURPOSE/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.

The Roads and Traffic Authority revoked and re-issued the delegation in February 2009 to include -

- A broadening of roads covered by the delegation to include all Regional roads.
- A change to the reference source for determining which signs can be authorized by Council.
- A new limitation that restricts councils from authorizing permissive parking, “No Stopping” or “No Parking” within 1 kilometre of nominated train stations, with current unrestricted parking, without the approval of the RTA. In Hornsby Shire only 1 train station, Berowra, is a nominated train station.

Council remains an applicant for the implementation of any restriction, e.g. road closures, turning restrictions, etc., on public roads and “No Parking” and “No Stopping” restrictions on currently unregulated roads within a kilometre of Berowra railway station. These applications are determined by the Roads and Traffic Authority.

During the period under review 8 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
- * Pennant Hills 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. 1272 parking spaces in 14 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:-

- * 207 (106) patrols of schools to enforce parking regulations.
- * 2,838 (2,223) infringement notices were issued.
- * 6 (6) matters were defended in Hornsby Local Court.

(--) denotes activities from January to March 2008.

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 have been 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 intersection of Pembroke Street with Epping Road.
- Premier's Council for Active Living – local input into NSW Bike Plan to encourage more cycling in Hornsby Shire.
- 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 14 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 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 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 January 2009 to 31 March 2009.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Traffic Report

File Reference: F2004/05959-02
Document Number: D01137838

13 TENDER T22/2008: CONSTRUCTION OF UNDERGROUND STORAGE TANKS, FOXGLOVE OVAL, MOUNT COLAH

EXECUTIVE SUMMARY

Grant funding from the Australian Water Fund, Community Grants Scheme was approved in November 2007 towards a water harvesting project at Foxglove Oval, Mount Colah. Following site investigations and testing of this previous landfill site it was determined that the only suitable location for the concrete storage tanks would be at the north-western corner of the site on a parcel of land designated as a Crown Road Reserve. Negotiations with the Department of Lands proceeded on the basis that there would be no concerns regarding the status of the road, and Tender T22/2008 for the work was advertised.

Recent advice from Crown Lands has now indicated that the Department would not look favourably upon the use of the road reserve for this purpose. The Department has suggested that it may be appropriate for Council to acquire this land from the Crown in order to proceed with the project.

The strict time limits imposed by the grant conditions mean that the project cannot proceed in the manner originally envisaged. It is proposed to switch the funding to a similar water harvesting scheme at Berowra Oval. The Australian Water Fund has given approval for the revised location.

In the circumstances it is recommended that no tender be accepted under Tender T22/2008 and all tenderers be advised accordingly.

PURPOSE/OBJECTIVE

This report provides a recommendation that no tender be accepted for Tender T22/2008 Construction of Underground Storage Tanks, Foxglove Oval, Mount Colah, that all tenderers be advised accordingly and that no further action be taken in regard to this tender.

DISCUSSION

In mid 2007 the Federal Government invited application for grant funding under the Australian Water Fund Community Water Grants. Complying projects included water harvesting and water recycling schemes.

The collection of stormwater and reuse for irrigation purposes at Foxglove Oval Mount Colah was considered one of several worthy projects and a grant application was prepared and submitted by the Water Catchments Team in July 2007. This was based on a preliminary plan prepared in conjunction with the Parks and Landscape Team and Design and Construction Branch. The design allows for the collection of stormwater from an existing pipeline at the North West corner of the site, a gross pollution device, two concrete storage tanks and sterilisation/filtration equipment prior to use as water for surface irrigation of the oval. The formal offer of a grant from the Director Community Water Grants was received in November 2007.

It should be noted that Foxglove Oval is a remediated land fill site with up to 15m depth of refuse covering the majority of the site. This material has an extremely low load bearing capacity and is subject to substantial differential settlement over time. Hence the area of landfill was considered unsatisfactory for siting a large concrete storage tank.

It was accepted that the only suitable location for the storage tanks would be at the north western corner of the site within an area designated as a Crown Public Road.

It was decided to seek tenders for the proposed works before formal approval to the use of the road was received from the Department of Lands. This action was taken as a result of the strict time limits imposed on Council by the Grant conditions, and the fact that initial discussions with the Department of Lands did not identify any concerns that would have cast doubt on the approach taken.

Tender T22/2008 was advertised as a Lump Sum tender and a total of nine (9) tenderers were received from the following companies:

Devcon Civil Pty Ltd
Jaddfe Pty Ltd
Prime Water Australia Pty Ltd
Tricomm Pty Ltd
Maintek Freshwater Pty Ltd
Innaco Pty Ltd
Celtic Civil Pty Ltd
CC Pines Pty Ltd
Austexc Pty Ltd

Advice has now been received from Crown Lands that the Department would not look favourably upon a proposal to site the storage tanks within the Crown Road Reserve. They suggested that if Council wished to pursue this project it may be appropriate for Council to acquire the land in question. This action is currently under investigation. The Conditions of Tendering for the subject tender allows for a tender validity period of 90 days and this expires on 13 May 2009. It will not be possible to acquire the land or finalise approval for use of the Crown Road prior to this date.

In the current circumstances it is therefore recommended that no tender be accepted under Tender T22/2008 and all tenderers be advised accordingly.

Tenders have now been called for the water harvesting scheme at Berowra Oval and will close on 19 May 2009.

BUDGET

There are no budget implications as a result of this report.

POLICY

There are no policy implications as a result of this report.

CONSULTATION

This action has been evaluated and recommended after consultation with the Manager, Water Catchments Team, Ross McPherson; The Manager, Park and Landscape Team, Peter Kemp and the Manager, Design and Construction Branch, Rob Rajca.

TRIPLE BOTTOM LINE SUMMARY

No action has been recommended and therefore a Triple Bottom Line Report has not been included.

RESPONSIBLE OFFICER

For further information please contact Engineer Construction Mr Steven Crowe on 9847 6679.

RECOMMENDATION

THAT Council resolve to not accept any of the submitted tenderers for Tender T22/2008: Construction of Underground Storage Tanks, Foxglove Oval, Mount Colah and all tenderers be advised accordingly.

MAXWELL WOODWARD
Executive Manager
Works Division

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2008/00670
Document Number: D01145113

14 WORKS PROGRESS REPORT - MARCH 2009 QUARTER - ASSETS BRANCH

EXECUTIVE SUMMARY

This Assets Branch Works Progress Report for the March 2009 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 March 2009. 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 March quarter is \$7,930.

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 March quarter is \$2,320.

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 March quarter, repairs to footpaths totalled 375 sq. metres and no provision of new footpaths. 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 March quarter is \$2,000. 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 11 at the end of the March 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 March quarter, 2 sections of footpaths totalling 0.42km were reconstructed. Sixteen (16) sections totalling 1.87km have been reconstructed at the end of the March 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 March quarter, 288 signs were maintained and 23 new signs were erected. At the end of the March quarter, 672 signs have been maintained and 56 new signs have been erected.

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 March quarter: 84 guide posts and 258 metres of safety fences were maintained, and 48 metres of new safety fences and nil new guide posts were erected. At the end of the March quarter, 146 guide posts and 725 metres of safety fences have been maintained, and 218 metres of new safety fences and 100 new guide posts have been erected.

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 March 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 March quarter. Pest inspection and bait replacement at Brooklyn Baths were also undertaken in March 2009 with no activity detected.

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 commenced as scheduled in late March 2009 and are expected to be completed by the end of April. The Dangar Island Wharf part decking replacement was undertaken as scheduled in March 2009. The Parsley Bay West Pontoon Replacement has been rescheduled to May/June 2009 in conjunction with grant funding application.

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 March quarter is \$5,590.

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 March 2008 quarter, shown within brackets, was 101 roads totalling 193,457 m² and was as follows:

- * Asphaltic Concrete resurfacing 69 roads - 86,450 m² (32 roads - 51,011 m²)
- * Flush Seal resurfacing 34 roads - 70,100 m² (14 roads - 42,669 m²)
- * Reclamite surface treatment 80 roads - 151,450 m² (55 roads - 99,777 m²)

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 m². The progress at the end of the December 2008 quarter, shown within brackets, was 41 roads totalling 15,928 m² and was as follows:

- * Heavy Patching with AC 34 roads - 3,850 m² (38 roads - 5,238 m²)
- * Pavement Stab. with Cement 11 roads - 16,750 m² (3 roads - 10,690 m²)

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, 515 potholes were repaired in 209 roads and consumed approximately 64.8 tonnes of asphaltic concrete. At the end of the March quarter, 1,918 potholes have been repaired in 409 roads and consumed approximately 125.8 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 m² 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 m² 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 1,309 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. The broad scale Overland Flow Study for the urban areas of the Shire was in progress during the December/March quarters. 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. Draft Flood Maps have been prepared and were under review during the March quarter.

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. Based on updated cost estimates, fresh strategies will need to be formulated in order for construction to commence in the near future.

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. The auditing and uploading of data collected was undertaken as scheduled in January 2009 followed by optimization of the roads that should be considered for inclusion in the draft Pavements Maintenance Programme for 2009/10 in March 2009. Site inspection of the proposed roads in the draft programme has been scheduled for 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 December/March quarter. Implementation has been put on hold pending a decision on its future usage by Council.

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 was undertaken as scheduled during the March 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. WK16/09 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 March 2009
2. Gantt Chart B - 2008/09 Southern District Works Maintenance Programme as at 31 March 2009
3. Gantt Chart C - 2008/09 Pavement Works Maintenance Programme as at 31 March 2009
4. Gantt Chart D - 2008/09 Stormwater Management Programme as at 31 March 2009
5. Gantt Chart E - 2008/09 Asset Management Systems Implementation Programme as at 31 March 2009

File Reference: F2004/05959-02

Document Number: D01139314

15 WORKS PROGRESS REPORT - MARCH QUARTER 2009 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

EXECUTIVE SUMMARY

This is a report on the progress of works to be undertaken under the Federal Government's Regional and Local Community Infrastructure Program (RLCIP), an important component of the Government's economic stimulus measures. Council has been allocated \$833,000 under this Program, for works which must be completed by 30 September, 2009.

The Department of Infrastructure, Transport, Regional Development and Local Government has approved the list of projects submitted by Council. The Funding Agreement between Council and the Commonwealth has been prepared and it is anticipated that Council will receive funding shortly.

In the meantime, a number of projects have been commenced and progress of these is noted in this report.

PURPOSE/OBJECTIVE

Although the projects are shared by four Divisions, the Works Division has agreed to provide regular consolidated reports to Council with respect to the progress of these projects. This is the first of these progress reports.

DISCUSSION

The Australian Government has initiated a number of economic stimulus measures with the aim of minimising the negative impacts of the global recession on the national economy. Council has accepted the Government's offer of \$833,000 for local projects which can be commenced quickly and completed by September 30, 2009.

The funding agreement has been executed on behalf of Council, and payment of the grant monies is expected shortly.

The attached Table records the progress of the subject projects as at March 31, 2009.

BUDGET

There are no budget implications.

POLICY

There are no policy implications.

CONSULTATION

Consultation has been maintained with the following:

David Johnston – Manager, Community Services Branch

Cheryl Etheridge, Manager, Library and Information Services Branch
Chon-Sin Chua – Manager, Assets Branch
Peter Kemp – Manager, Parks and Landscape Team

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 new actions which may require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The responsible officer for preparation of this report is the Works Support Coordinator, Lyndon Taylor, telephone: 9847 6697.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK17/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. RCLIP Quarterly Expenditure

File Reference: F2008/00661
Document Number: D01140689

16 EXPRESSIONS OF INTEREST EOI 9/2009 - PROFESSIONAL SWIM COACHING RIGHTS, HORNSBY AQUATIC CENTRE

EXECUTIVE SUMMARY

Following an assessment of the Expression of Interest received, and interview with the tenderer, this report recommends the granting of a two (2) year licence for the Professional Coaching Rights at the Hornsby Aquatic Centre.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Expression of Interest No. EOI 9/2009: Professional Swim Coaching Rights, Hornsby Aquatic Centre.

DISCUSSION

Mr Harry Gallagher was first awarded the Professional Swim Coaching Rights at the Hornsby Aquatic Centre in 1999 for a four year period.

At its meeting of 8 September 2004, Council resolved to call for Expressions of Interest for the Professional Swim Coaching Rights at the Hornsby Aquatic Centre for a two year period, with a two year option. Mr Gallagher was again successful.

Mr Gallagher successfully applied to Council for a six month extension to his agreement, with a termination date of 31 March 2009. Council sought Expressions of Interest for the Professional Coaching Rights at the Hornsby Aquatic Centre in March 2009 for a two year period. Mr Gallagher did not lodge an Expression of Interest.

One Expression of Interest was received for EOI 9/2009 from the following applicant:

- * Burnsworth Pty Ltd, trading as Aquabliss – Thornleigh.

The Expression of Interest was evaluated based on the stipulated criteria contained within the provided information package. Namely:

- * Qualifications
- * Coaching Experience
- * Qualifications, coaching experience of other coaching personnel.
- * The licence fee offered for years 1 and 2.
- * Proposed coaching program
- * References.

The proposed licence agreement requires the principal coach to provide 80% of all coaching on deck. This requirement was placed on respondents.

It is the conclusion of the assessment panel, on the basis of the assessment of the Expression of Interest and additional information supplied by the applicant, that Burnsworth Pty Ltd (Aquabliss – Thornleigh) meets all the stipulated criteria.

Full details of the Expression of Interest submitted are available on file. Excepting this report, the summary and details of the response received are to be treated as confidential in accordance with the Local Government Act.

BUDGET

The proposed licence fee of \$15,000, additional contribution for use of an additional lane (\$5000) and admission fee of \$1.00 per swimmer per entry offered by the applicant will result in the squad program returning Council income of approximately \$27,000 per annum. This is consistent with current budgets.

POLICY

There are no policy implications.

CONSULTATION

Consultation was taken in conjunction with the Hornsby Amateur Swimming Club.

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.

Contributing to community development through sustainable facilities and services.

The granting of a licence to Aquabliss in line with the recommendation of this Report will provide an ongoing squad training facility for the residents of Hornsby Shire.

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

The granting of a licence to Aquabliss for Professional Swim Coaching will promote the well-being of the Shires population, by providing swim coaching opportunities for the diverse range of people in the community.

Maintaining sound corporate and financial management.

The granting of a licence as proposed in the Recommendation will provide a modest financial return to Council to assist in the operation of the Hornsby Aquatic Centre.

RESPONSIBLE OFFICER

The responsible officer for this report is Scott Hewitt, Manager Aquatic and Recreational facilities, who can be contacted on 9477 3855.

RECOMMENDATION

THAT Council award the Professional Coaching Rights at the Hornsby Aquatic Centre to Burnsworth Pty Ltd (trading as Aquabliss – Thornleigh)

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00154

Document Number: D01144874

17 BUILDING CAPITAL WORKS PROGRAM 2008/2009 - MARCH 2009 QUARTERLY REPORT

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 March 2009.

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 March 2009.

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 WK21/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Building Capital Works for 2008-2009 March 09 Report

File Reference: F2004/05958
Document Number: D01145469

18 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM MARCH 2009 QUARTERLY REPORT

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 – March 2009</i> |
|-------------|--|
| Graffiti | \$69,000 |
| Vandalism | \$76,400 |
| | |
| TOTAL | \$145,400 |

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 WK22/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2004/00728
Document Number: D01145476

19 WORKS PROGRESS REPORT - MARCH QUARTER 2009 - DESIGN AND CONSTRUCTION BRANCH

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 third quarter of 2008/2009. Overall, projects were undertaken in accordance with the timing and budgets shown in the previously adopted program.

Nine additional Footpath Improvement Projects are underway funded (\$200,000) from the Regional and Local Community Infrastructure Program (RLCIP) from the Federal Government.

Additional S94 funds are required for the following projects:

- Hornsby CBD Civic Improvements – Station Street, Hornsby – Cenotaph Park
– Coronation Street, Hornsby south side
- Cherrybrook Community Cultural and Child Care Centre

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 for the Parks and Landscape Team.

The team is also involved in the project management of major building works such as the Berowra Rural Fire Station and the Cherrybrook Community Cultural and Child Care Centre.

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

Council has received an additional funding under Regional and Local Community Infrastructure Program (RLCIP) from the Federal Government. The following footpath projects have been included in this year's program.

1. Sefton Road, Thornleigh - No. 1 to No. 5 south side
2. Wood Street, Thornleigh - Bellevue St to Thornleigh St (west side)
3. Duneba Drive, Westleigh - Quarter Sessions Rd to Gundy Place (north side)
4. Hannah Street, Beecroft - York Street to Hull Rd (south side)
5. Hull Road, Beecroft - Hannah Street to Chapman Avenue (east side)
6. Ray Road, Epping - Kent Street to Dunmore Road (north side)
7. Malton Road, North Epping - Boundary Road to north end (west side)
8. Boundary Road, North Epping - Watford Close to Malton Road (north side)
9. Grayson Road, North Epping - Norfolk Road to Holland Street (south side)

The Design and Construction Branch has had 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

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

1. Patching of Road Pavements with Full Depth Asphalt
2. Water Harvesting Scheme – Berowra Oval

Current contracts include:

1. Minor Asphalt Works
2. Stabilisation of Road Pavements
3. Supply and Delivery of Precast Concrete Drainage Products
4. Plumbing Services
5. Construction and Reconstruction of Vehicular Crossings and Footpaths
6. Sprayed Bituminous Surfacing
7. Greenway Park Community Centre Upgrade and Construction of Childcare Centre
8. Construction of Hornsby Ku-ring-gai District Rural Fire Centre and Emergency Facility
9. Design and Construction of Public Pontoon Kangaroo Point Brooklyn
10. Construction of Underground Tanks Greenway Park Cherrybrook
11. Supply and Lay Asphaltic Concrete
12. Construction of Civil Engineering and Infrastructure Works for the Rural Sports Facility, Galston
13. Architectural Services for Development of a Fire Control District Office - Berowra Waters Toll Gates Site
14. Pavement Marking (NSROC)
15. Supply of Metal Drainage Grates, Access Covers and Litter Traps
16. Minor Asphalt Works
17. Stabilisation of Road Pavements
18. Grass Cutting of Roadsides
19. Electrical Services
20. Material Testing and Site Investigation

21. Supply and Delivery of Precast Concrete Drainage Products
22. Supply and Delivery of Road Materials
23. Supply and Delivery of Concrete
24. Concrete Form and Finish
25. Construction of Galston Skate Park
26. 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 32 Authorised Contractors, including two new contractors authorised during the quarter.

During the March quarter 60 plans and specifications were issued and 0 crossings were constructed by Council's contractors.

Section 94 funded Projects

Station Street Hornsby and Coronation Street Southside projects

These projects form part of Council's planned improvements to the Hornsby Westside, a high priority for Council. These projects are considered eligible for funding under the Town Centre Footpath Widening portion of the S94 Plan. This portion of the Plan has insufficient funds to enable these projects to be completed. Funds for the extension of the Hornsby Mall currently held under the Plan total \$1.710Million. It is now proposed that as the westside works are a higher priority for Council at this time, Council borrow from the latter part of the Plan to fund the works now in progress. The budget for these projects was initially based on concept designs. These designs required significant revision as design progressed and details of site conditions, the extent of utilities and their location became apparent, and following consultation and review as the projects developed.

The proposed funding is now as follows:

- Station St Hornsby – current budget provision \$300,000 additional \$90,000 required, total \$390,000
- Coronation St South Side – current budget \$450,000 additional \$55,000 required, total \$505,000
- Preconstruction activities (design, consultation, utility preparations etc), total \$100,000

The total additional funds required to complete these projects is \$145,000.

Cherrybrook Cultural Community and Child Care Centre project

Additional S94 funds are required for the Cherrybrook Cultural Community and Child Care Centre project to cover unforeseen site costs. An amount of \$270,000 is required bringing the total budget to \$4,395,000 for this project. The additional funds are recommended to be sourced from S94 Multi-purpose Community Facilities account.

BUDGET

With exception of the S94 funded projects specifically discussed elsewhere in this report, all other projects are funded by existing budgets.

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.

RECOMMENDATION

THAT:

- (1) The contents of Executive Manager's Report WK6/09 be received and noted.
- (2) Additional funds totalling \$145,000 be allocated from S94 funds (Hornsby Mall Extensions) to fund the Station Street and Coronation Street improvements.
- (3) Additional funds totalling \$270,000 be allocated from S94 funds (Multi-purpose Community Facilities) to the Cherrybrook Community Cultural and Child Care Centre project.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Gantt Charts

File Reference: F2004/05959-02

Document Number: D01145673

20 BEROWRA WATERS AND BROOKLYN - PARKING ISSUES

EXECUTIVE SUMMARY

Berowra Waters and Brooklyn are subject to heavy parking demand during weekends and holiday periods. At these times parking demand peaks exceed the available supply, resulting in localized congestion as well as inappropriate and illegal parking. The demand is generated by river residents who have no vehicle access to their properties, visitors accessing the waterways and surrounding areas for recreation, and local businesses. Council has on a number of occasions considered changes to parking management however improving access for one group will by necessity restrict access for another given the limited number of parking spaces available on the constrained sites. The Brooklyn Parking Study prepared by Sinclair Knight Merz in November 1998 and the Berowra Waters Plan of Management prepared by Connell Wagner in September 1999 provide options for increasing parking supply which may be further considered by Council.

PURPOSE/OBJECTIVE

This report has been prepared to review the results of investigations and Council resolutions relating to parking in Brooklyn and Berowra Waters. In approving DA/1269/2008 on April 1 2009, for reconstruction of the Berowra Waters boatshed, Council resolved in part that –

- A separate report be prepared for Council's consideration regarding the parking issues at Berowra Waters and Brooklyn with such report to include various options for an increase in car parking capacity and funding opportunities that may be considered to resolve these issues.*

DISCUSSION

BEROWRA WATERS

The Berowra Waters Plan of Management, adopted by Council in June 2001 (refer PLN 181/01), includes options for the management of carparking. Parking surveys taken around 1998 indicate that peak demand for parking throughout Berowra Waters was calculated to be 556 parking spaces with a maximum of 450 available, assuming stack parking where appropriate. This left a shortfall of 106 parking spaces however the report noted that there were 64 vacant lots able to be developed with dwellings, which would increase the potential shortfall to at least 170 parking spaces.

The options from the Berowra Waters Plan of Management are listed in italics with comments from Traffic and Road Safety Branch under.

Option 1 Maintain Status Quo.

Sub-Option 1. Layout eastern compound more efficiently.

The carpark within the compound in Kirkpatrick Way is currently unsealed and unmarked. It is primarily used by off shore residents. The Berowra Waters Plan of Management has identified that the use of this carpark could be formalized by way of lease or licence to the Berowra Waters Pontoon Association. This action is currently being pursued, but is

dependent on other land management issues involving the establishment of a formal road reserve in lieu of the current crown land.

Experience at other carparks indicates that sealing the carpark within the compound to provide marked spaces will probably reduce the number of parking spaces by between 10% and 20%. Marked spaces and aisles must be in accordance with the Australian Standard which is based on the needs of a typical large vehicle. In practice, informal or unmarked spaces allow smaller vehicles to park in spaces smaller than the standard space. Currently up to 70 vehicles fit in the car park and regular users have become adept at squeezing vehicles into substandard spaces.

Further efficiency gains are not possible by linemarking, therefore this option offers no net benefit. The question of increasing the capacity of this carpark is discussed elsewhere in this report.

Sub-Option 2. Allow visitors to use eastern carpark.

It appears this comment relates to the compound in which case such a move will increase opportunities for visitor parking by reducing resident parking. No further action is recommended as there will be no net increase in number of parking spaces.

Sub-Option 3. Maintain numbers and layout on Dusthole Bay carpark.

No adverse impact on parking numbers. The use of this carpark is further discussed below.

Option 2 Calabash Bay/Point. Use of Crown roads/track.

Not recommended due to significant adverse environmental impacts and high cost of developing and maintaining unsealed roads with regular use.

Option 3A Dusthole Bay carpark

Sub-Option 1 Rearrange carpark layout to reduce trailer spaces at rear of carpark.

There are currently 85 formal car and trailer spaces and 50 formal car spaces in the Dusthole Bay carpark. Rearranging the carpark cannot be supported as it merely swaps one use for another with no net increase in parking availability. This sub-option has been superseded by sub-option 2 under.

Sub-Option 2 Rearrange existing carpark and deck part of carpark.

At the Planning meeting of 16 July 2008 Council gave consent to a development application by Cameron Brae Pty Ltd for the re-configuration and refurbishment of the existing carpark, upgrading, re-configuration and expansion of open space, construction of new foreshore boardwalks plus decks, landscaping and a new pump out facility. On 26 March 2009 a modification to the proposal was approved by the Manager Planning Assessment Team 2 under delegation which resulted in 235 parking spaces including 88 car and trailer spaces, 62 car spaces for public use and 85 car spaces in the lower deck only for private use. All trailer parking spaces are to be sign-posted. Flexible parking arrangements will be provided on the upper deck of the proposed carpark to allow for both car/trailer spaces and cars. Cameron Brae is to have exclusive use of the lower parking deck only. The patrons of the Marina building are not allowed to park elsewhere in the Dusthole Bay carpark.

In accordance with the Berowra Waters Plan of Management, the proposed car parking arrangement will be reviewed after two years of the date of the development consent via the submission of a traffic impact study prepared by the applicant's traffic consultant.

The approved development has resulted in an increase of 3 car and trailer parking spaces, 12 public carparking spaces and 85 private parking spaces over existing numbers which is unlikely to satisfy the existing demand for public parking.

Additional parking cannot be provided in Dusthole Bay carpark without loss of open space or adding more levels to the carpark.

Sub-Option 3 Charge parking fees.

The Department of Land and Water Conservation and National Parks have previously advised that they would not object to pay parking as long as all users, including residents, were charged. Paid parking machines in remote locations have considerable down time due to vandalism and when administration costs are included the income stream is not particularly lucrative. Before paid parking could be introduced Council must establish a parking demand strategy in accordance with the Roads and Traffic Authority requirements for paid parking. Due to the extensive public consultation required, it would be more appropriate to consider the issue of paid parking at Berowra Waters as part of a Shire wide parking strategy.

Option 3B Eastern carpark

Sub-Option 1 Minor rock/vegetation clearing.

Due to the geometry of the roadway, steep slopes and trees, formalising the angle parking near the intersection of Berowra Waters Road and Kirkpatrick Way may increase parking by up to 3 spaces with the loss of one significant tree. Rock removal along sections of Kirkpatrick Way will add another 3 spaces however, this will require geotechnical investigation due to known instability in the area. The high cost prevents further investigation at this stage.

Sub-Option 2 Above ground concrete deck over existing compound and extend carpark to the west over existing vehicle track.

The Plan of Management assumed a cost of \$900,000 however adjustment for inflation over ten years will bring this to more than \$2,000,000. There would be significant visual impacts with the structure 8 metres above the ground. No funding sources for construction are known however charging a fee for use would defray some of the construction and operating costs. It is essential that detail design and estimates be prepared before Council considers a business plan for multideck parking. This option is not supported at this stage, due to environmental and cost considerations.

Sub-Option 3 Underground carpark to existing compound extend carpark over existing vehicle track

Current cost may exceed \$3,000,000 compared to the Plan of Management estimate of \$1,500,000 after adjustment for inflation. Compared to Sub-Option 2 there will be no visual impact and better potential for security, however higher fees will need to be charged to defray construction and operating costs. It is essential that detail design and estimates be prepared before Council considers a business plan for multideck parking.

Both this and the previous option will have significant impact on the character of Berowra Waters and need to increase parking supply needs to carefully considered. Refer to the Manager Parks and Landscapes Team comments in the conclusion this report.

Option 4 Maximise other core parking areas.

Limited parking is available along Bay Road however the narrow road width and the lack of a footway along with the need to provide large trailer and coach access precludes more parking being provided along the roadway without extensive reconstruction. A detailed design and

estimate will be required before a recommendation can be made and this project is not in the current Design and Construction program.

Option 5 Park and Ride and/or on site parking.

Sub-Option 1 Utilisation of existing carparking areas associated with transport nodes e.g. Berowra railway station, shopping centre, tourist centre.

Sub-Option 2 – Remote parking such as that proposed for Berrilee.

Sub-Option 3 Water transport e.g. Brooklyn.

Delays on the ferry and lack of bus access due to poor road geometry make remote park and ride on the eastern side unattractive. Remote parking on the western side will have visual impact and noise issues with neighbours. Water transport from other areas will involve considerable time and expense. Overall, making remote parking attractive will involve providing parking restrictions to force parking out of Berowra Waters. In addition, it is likely that a bus service will have to be subsidised until patronage increases to the point where the service becomes viable. These options will require the development of public/private partnerships which are beyond the scope of this report.

The marina in Dusthole Bay appears to be the only private site large enough to provide a significant increase in parking in Berowra Waters however this can only be considered when assessing any future development application.

Expanding the eastern compound

In addition to the options in the Berowra Waters Plan of Management, requests have been received to increase the size of the compound at the end of Kirkpatrick Way. An intruding rock wall in the first section of the compound restricts space to allow only the aisle and one row of parking. The wider section contains two rows of parking and an aisle. Current capacity is about 70 vehicles.

Moving the compound fence and retaining wall west towards the river will not result in an increase in parking spaces within the compound as the walking track connection to Kirkpatrick Way will need to be maintained. Assuming space is retained for a new 2 metre wide walking track along the river, the extended compound will not be wide enough to provide even one row of parallel parking along the rock wall.

Extending the compound north towards the existing walking track will result in the removal of 8 public parking spaces outside the compound but increase parking within the compound by 12 spaces, providing a net increase of 4 resident spaces. The loss of 8 public parking spaces to provide parking for 12 residents cannot be supported.

It may be possible regularize the shape of the compound by cutting into the rock wall however as this section is below an area where geotechnical instability has been previously addressed, a geotechnical assessment would be required before the cost can be estimated. If the geotechnical assessment is favorable, this will gain 10 resident parking spaces with no loss of public parking. The cost of such works is expected to be considerable.

The supply of parking around Berowra Waters is restricted by the severe topography. Even the lowest cost options to increase parking will be relatively poor value for money given the few spaces gained. Previous verbal advice from state government agencies is that they would not be prepared to contribute towards or approve parking improvements unless all spaces were available for visitors and they will not support paid parking if residents were exempt as they consider Berowra Waters to be an area of regional significance.

BROOKLYN

In 1998 Sinclair Knight Merz prepared a traffic and parking study of Brooklyn which contained 15 recommendations. The study was considered by Council on 10 October 2001 in report WK93/01. Listed under are the Council resolutions in italics with Traffic and Road Safety Branch comments under.

1. *Council invite expressions of interest for a commercially viable leasing/purchase of car spaces for a car parking proposal on Council land in Dangar Road.*

It is understood that expressions of interest have not been called as Council has not resolved that the land can be used for parking.

2. *A concept design and preliminary estimates be prepared for the car parking area in upper McKell Park for consideration by Council in future Budgets and Management Plans.*

Part of Upper McKell Park has been kerbed and sealed however the work was done to improve amenity and has not increased the number of parking spaces. The remainder of Upper McKell Park is mainly grassed area which is used for parking during the worst peaks. On the vast majority of days when not required for parking, the grassed area may be used as recreational open space. Sealing and formalising this area is not a priority as this will reduce the recreational use without increasing the number of parking spaces.

3. *The Parsley Bay parking area within the existing pavement area be redesigned to provide for more car only spaces and reduce the number of spaces for trailer and car.*

A design has been prepared but is unfunded. Recent monitoring indicates both Parsley Bay and Mooney Mooney cannot meet the demand for trailer parking during holiday peaks, in which case removing trailer parking for more single vehicle parking cannot be justified.

4. *The Planning Division to consider a proposal for parking on residential lots in Brooklyn for residents with water only access.*

Council has subsequently considered the issue of commuter berthing and parking in Brooklyn on a number of occasions. Of note, Council considered the issue at its meeting on 18 September 2002 when it considered Executive Manager's Report No. PLN307/02 concerning the preparation of the Kangaroo Point Community Masterplan. The Report contained a discussion on commuter berthing and car parking opportunities in Brooklyn and the necessity to prepare an issues paper on same. The Report noted that:

"The current land use strategies for Brooklyn make provision for commuter berthing and parking in a number of zones that directly adjoin the Hawkesbury River in Brooklyn. These zones are the Residential AT (Low Density – Tourist Village), Special Uses A (Community Purposes) and Business D (Aquatic Service Centre) zones under the HSLEP 1994.

Lands in the Residential AT zone (properties Nos. 31 to 87 Brooklyn Road) contain attributes for the establishment of private commuter berthing and parking facilities. The zoning permits the establishment of commuter berthing and parking for river residents (i.e. a marina and associated parking), the land is located in relatively close proximity to river residents and it has the necessary deep water access. As the Planning Division can already consider a proposal by an individual or consortium of river residents for commuter berthing and

parking on residential zoned land, it is not necessary to prepare an issues paper to investigate opportunities to permit same."

Council resolved to note that Council's current land use planning strategy provides the opportunity for the establishment of commuter berthing and car parking in appropriate zones in Brooklyn.

5. ***The access road along the rear of the Hawkesbury River Marina be listed for consideration by the Hornsby Local Traffic Committee as a shared zone.***

The civil works have been completed and the area functions as a shared zone. However, due to the lack of contrasting pavement the area cannot be sign posted as a shared zone in accordance with the Roads and Traffic Authority's technical direction. Such action would not change parking availability in Brooklyn.

6. ***When Stage 1 McKell Park is completed, a review of all signage, including car parking locations, be reviewed.***

This was completed in 2006 and resulted in 4P parking restrictions being provided in high use areas outside businesses and facilities. Enforcement and monitoring is ongoing.

7. ***A concept feasibility study for visitor parking fees at Brooklyn be arranged provided the Department of Land and Water Conservation agree with this concept.***

This has been deferred pending monitoring of the results of Item 6 above. At this stage parking appears to be working satisfactorily with more parking turnover during peak periods outside businesses and facilities. Before paid parking could be introduced Council must establish a parking demand strategy in accordance with the Roads and Traffic Authority requirements for paid parking. Due to the extensive public consultation required, it would be more appropriate to consider the issue of paid parking at Brooklyn as part of a Shire wide parking strategy.

8. ***Council request the State Rail Authority to provide a fully constructed permanent car park on State Rail Authority land opposite the Anglers Rest Hotel.***

Linemarking the area will result in a reduction in the number of parking spaces due to the irregular shape of the site and cannot be supported.

9. ***A Committee be formed comprising interested residents, stakeholders and Councillors to continue to examine parking issues at Brooklyn and to review the implementation of the Stage 2 McKell Park Development.***

This action was deferred pending the commencement of Stage 2 improvements to Lower McKell Park. On the 14 June 2006 Council considered report WK34/06 regarding extending Lower McKell Park by reclaiming material dredged from Brooklyn Harbour. Council resolved to investigate potential opportunities for funding contributions from appropriate state government departments and those parties with a commercial interest who stand to benefit from the dredging of Brooklyn Channel. Council also resolved that extension of the carpark by reclamation would not be further considered.

Kangaroo Point and Saltpan Reserve.

Separate to the above resolution for parking in Brooklyn, two other locations outside the central Brooklyn area have been suggested as being suitable for river resident parking. Supporters claim that providing river commuter parking away from the congested areas of Brooklyn will free up parking spaces within Brooklyn for others. Kangaroo Point and Saltpan Reserve are two sites suggested.

At its meeting on 16 March 2005, Council considered a Masterplan for Kangaroo Point and adopted "Masterplan Option A" which promoted the provision of 62 car parking spaces to service the use of the land as a recreation area. In doing so Council declined to include commuter parking in Kangaroo Point (which was "Masterplan Option B") however Council also resolved to invite river residents and commercial marina proprietors to prepare a joint submission to Council to utilise part of Saltpan Reserve for secure parking.

At its meeting on 2 July 2008, Council considered a report presenting submissions from commercial marina proprietors in Brooklyn and a representative of Hornsby Shire river residents concerning the use of Saltpan Reserve for secure parking in association with the provision of commuter berthing at nearby commercial marinas. Council resolved that no further action be taken in respect of investigations for the establishment of secure commuter parking at Saltpan Reserve. Council also resolved to continue consultation with Gosford Council in respect of provision for commuter berthing and parking at Mooney Mooney for river residents. This latter consultation is ongoing.

CONCLUSION

Council's Manager Parks and Landscapes Team offers the following comments regarding access to Berowra Waters and Brooklyn.

"Both Brooklyn and Berowra Waters are small, confined villages set in very pleasing visual settings. At some point there needs to be a recognition that each place has a carrying capacity for visitors and for river settlement residents using the villages as a base for commuting. Attempts to extend either Brooklyn or Berowra Waters beyond a notional carrying capacity risk damaging the visual and recreation amenity that is the chief attraction of both villages. The Parks and Landscape Team is therefore generally not in favour of any parking solutions that involve the net loss of any soft landscaping areas within the parks at either Brooklyn or Berowra Waters to hard-engineered parking solutions.

There is no objection to the reconfiguration of existing paved parking areas as long as preservation of visual and recreational amenity of the parks is the paramount consideration.

The Parks and Landscape Team supports the conclusions in the report."

Both Berowra Waters and Brooklyn are areas of regional tourist significance. During public holidays, especially when they coincide with school holidays, parking demand exceeds supply. It should be noted that planning practice recognizes that it is not economically feasible to meet peak parking demand. Parking management guidelines set the economic parking supply at the 85%tile of demand. Even major shopping centres do not provide parking at a level which meets Christmas and Easter demand peaks as this would mean 15% of the parking supply would remain vacant every other day of the year.

Given the demands on public funds generally, current planning practice is to manage the existing parking supply more efficiently and seek alternatives to private car use. Parking in Berowra Waters and Brooklyn should be managed in accordance with strategic principles being developed by Traffic and Road Safety Branch. An issues paper for parking management in the Shire will be presented at the Workshop of 27 May 2009. Council can include the issues listed above in the strategy to ensure parking supply and management in each precinct is developed in accordance with land use and transport planning goals.

BUDGET

There are no budget implications associated with this report.

POLICY

There are no policy implications.

CONSULTATION

The Design Team Leader, Manager Parks and Landscapes Team and Acting Manager Town Planning Services were consulted during 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 for this report is the Manager Traffic and Road Safety Mr Lawrence Nagy telephone 9847 6524.

RECOMMENDATION

THAT

1. The report be received and noted.
2. Council further consider the need for additional car parking in Berowra Waters and Brooklyn in the context of the car parking strategy currently being prepared by the Traffic and Road Safety Branch.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00274

Document Number: D01145798

21 REPORT AQUATIC CENTRES - REDUCTION IN HOURS

EXECUTIVE SUMMARY

Council operates three Aquatic Centres located at Hornsby, Epping and Galston. The Centres operate all year round. Over the previous years it has been noted that the centres are not well utilised on Sundays over the winter period. It costs Council approximately \$1,000.00 per centre per Sunday to operate with minimal return, and it is now proposed that the Centres be closed on Sundays during the winter period.

PURPOSE/OBJECTIVE

The purpose of this Report is to advise Council of expenditure that will be saved with minimal impact on the community if Council closes the centres for Sunday trading from June to September.

DISCUSSION

Council's three aquatic centres operate Learn to Swim and Squad programs 12 months of the year. The centres also provide recreational programs and swimming on a year round basis. In discussion with Council's three Aquatic Centre Supervisors, it was highlighted that Sunday takings over the colder winter months were minimal. On several occasions, Sunday takings did not exceed \$100.00. It is proposed that Learn to Swim lessons on Sunday mornings from 8.00 am to 12 noon continue until 12 July 2009 at Hornsby Aquatic Centre. The proposed changes to operating hours will be advertised at the Centres and also on Council's website.

BUDGET

Closing the Aquatic Centres on Sundays for a sixteen (16) week period over winter would result in a \$48,000.00 reduction to the operating costs of the three centres.

POLICY

There are no policy implications arising from this decision.

CONSULTATION

Consultation has been taken with the Centres Supervisors from each centre.

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 Mr Scott Hewitt, Manager Aquatic and Recreational Facilities, telephone 9477 3855, hours 9am to 5pm, Monday to Friday.

RECOMMENDATION

THAT Council approve the closure of Council's Aquatic Centres at Epping Galston and Hornsby for Sunday trading from June 2009 to September 2009 inclusive, with the Hornsby Aquatic Centre remaining open for Learn to Swim activities until 19 July 2009.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

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