



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 9 September, 2009
at 6:30 pm**

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Nil

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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Rev. Anne Hogan of Hornsby Uniting Church will be opening the Meeting in prayer.

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

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

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

Keep Australia Beautiful Sustainable Cities Awards.

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 12 August, 2009 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION

Page Number 1

Item 1 NOM7/09 LOCAL TRAFFIC COMMITTEE

COUNCILLOR MILLS TO MOVE

THAT:

1. Local Traffic Committee (LTC) recommendations are not to be considered adopted until ratified by resolution of Council;
2. A summary of LTC recommendations be reported to Council at monthly Ordinary Meetings for Council to adopt or otherwise determine as appropriate;

3. Reports in 2. above are to include the recommendation of the LTC for that monthly period as well as the Minutes of LTC meetings as an attachment;
4. Minutes of the LTC meetings no longer be circulated 'ad hoc' to Councillors to ensure no increase in the use of paper (i.e. no duplication) under this method. Councillors wanting a more urgent copy of the LTC Minutes prior to an Ordinary meeting should request an electronic/paper copy if needed.

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 2 GM13/09 PROPOSED SPECIAL VARIATION TO GENERAL INCOME

THAT Council

1. Agree to pursue an application for Ministerial approval for a special variation to general income commencing in the 2010/11 financial year.
2. Develop a comprehensive community engagement and consultation programme.
3. Determine whether the Council will present to the community options for consideration or a single proposal to apply for Ministerial approval for substitution of the Quarry rate or the introduction of a new recreational and sporting facilities levy.

Page Number 12**Item 3 GM14/09 ORGANISATION STRUCTURE**

THAT :

1. The Organisation Structure be determined to consist of five (5) Divisions being:
 - General Manager
 - Corporate & Community
 - Works
 - Planning
 - Environment.
2. The General Manager's Division include a Corporate Strategy Branch and a Human Resources Branch.

The Manager, Corporate Strategy within the General Manager's Division assumes responsibility for the decentralised Customer Service function in accordance with the requirements set out in this report.

CORPORATE AND COMMUNITY DIVISION**Page Number 22****Item 4 CC52/09 FOURTH QUARTER REVIEW OF MANAGEMENT PLAN INCLUDING BUDGET 2008/09**

THAT:

1. The contents of Executive Manager's Report No CC52/09 be received and noted.
2. The June 2009 Quarter Review of the Management Plan, including performance indicators, be received and noted.
3. The June 2008/09 Budget Review be adopted.

Page Number 26**Item 5 CC54/09 TENDER T4/2009 - MOTOR VEHICLE ACCIDENT MANAGEMENT SERVICES**

THAT:

1. Council not accept any tender for Tender No. T4/2009 – Motor Vehicle Accident Management Services and advise all tenderers.
2. The administrative processes of managing motor vehicle accident and repair services be undertaken by Council staff within existing resource levels.
3. The process of awarding work for major accident and minor damage repair of Council vehicles be by way of quotations sought from appropriate service providers.

Page Number 30**Item 6 CC68/09 DRAFT HORNSBY SHIRE SOCIAL PLAN 2010-2014 FOR PUBLIC EXHIBITION**

THAT:

1. The contents of Executive Manager's Report No CC68/09 be received and noted.
2. The draft Hornsby Shire Social Plan 2010-2014 and associated Operational Plan for January 2010 to June 2010 be placed on public exhibition for a period of 28 days, with submissions on the documents being invited during such period.
3. At the completion of the public exhibition period, a further report be prepared for Council's consideration which summarises the submissions received during the exhibition period and recommends the adoption of The Hornsby Shire Social Plan 2010-2014 and the associated Operational Plan for January 2010 to June 2010.

Page Number 36**Item 7 CC69/09 OUTSTANDING COUNCIL RESOLUTIONS**

THAT the contents of Executive Manager's Report No. CC69/09 be received and noted.

Page Number 38**Item 8 CC71/09 COUNCILLOR REPRESENTATION ON COMMITTEES / WORKING PARTIES / TASK FORCES - SEPTEMBER 2009 TO SEPTEMBER 2010**

THAT Council:

1. Review the current list of Committees, Working Parties and Task Forces and determine which should continue to operate.
2. Having regard to its decision in 1. above, determine Councillor representation on the continuing Committees, Working Parties and Task Forces for the period until September 2010.

Page Number 41**Item 9 CC72/09 COUNCIL'S 2008/09 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS**

THAT:

1. The General Purpose and Special Purpose Financial Reports for 2008/09, distributed under separate cover, be received, noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the Financial Reports.

3. The Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Reports.
4. The General Manager be delegated authority to fix the date of the Ordinary Meeting at which the Financial Reports are formally “presented to the public”.

Page Number 44**Item 10 CC73/09 JULY 2009 INVESTMENT AND BORROWING REPORT**

THAT the contents of Executive Manager’s Report No CC73/09 be received and noted.

Page Number 47**Item 11 CC74/09 ELECTION OF DEPUTY MAYOR**

THAT:

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

Page Number 51**Item 12 CC75/09 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2009 TO SEPTEMBER 2010**

THAT Council:

1. Adopt the Schedule of ordinary Council Meetings as set out in Attachment 1 for the period October 2009 to September 2010.
2. Adopt the Order of Business as set out in Attachment 2 for the ordinary Council Meetings to be held in the period October 2009 to September 2010.

ENVIRONMENT DIVISION**Page Number 54**

Item 13 EN29/09 COMPANION ANIMALS STRATEGY 2009-2011

THAT Council adopt the Companion Animals Strategy 2009-2011.

Page Number 57**Item 14 EN31/09 AMENDMENT TO FEES AND CHARGES**

THAT

1. The proposed fees and charges be placed on public exhibition for a period of 28 days.
2. Where no submissions are received objecting to the proposed amendments to the fees and charges, those new fees or charges be deemed as being adopted by Council, effective from the date of the close of the public exhibition.
3. Any submissions objecting to a proposed fee or charge be reported to Council for its consideration.

Page Number 60**Item 15 EN32/09 REPORT ON FOOD SAFETY PROGRAM 2008-2009**

THAT the contents of Executive Manager's Report EN 32/09 be received and noted.

Page Number 64**Item 16 EN33/09 SEWERAGE SERVICES PROVIDED BY SYDNEY WATER -
THE NSW GOVERNMENT PRIORITY SEWERAGE SCHEME**

THAT:

1. Council bring the issue to the Sydney Coastal Councils Group and use that group's leverage to lobby State government to address the problem of sewerage Galston and Glenorie in a shorter timeframe, i.e. prior to 2011.
2. Council prepare a report on the water quality associated with the villages of Galston and Glenorie and this be forwarded to Sydney Water to emphasise the problems currently facing these areas.
3. The Executive Manager Environment organise a delegation of councillors and senior staff to meet with the Minister for Water to discuss this issue.
4. Council indicate whether it wants to commit to the preparation of a preliminary concept design and economic and financial evaluation for a revised sewerage scheme for the Galston and Glenorie areas.

Page Number 70**Item 17 EN35/09 DRAFT HORNSBY KU-RING-GAI BUSH FIRE RISK
MANAGEMENT PLAN**

THAT Council endorse the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan prepared by the Hornsby Ku-ring-gai Bush Fire Risk Management Committee for public exhibition.

PLANNING DIVISION

Nil

STRATEGY DIVISION

Nil

WORKS DIVISION

Page Number 74

Item 18 WK67/09 TENDER T1/2009 - CONSTRUCTION OF WATER SUPPLY TO CROSSLANDS RESERVE VIA SOMERVILLE ROAD HORNSBY HEIGHTS

THAT Council accept the tender submitted by P J Spears Plumbing Pty Ltd. for Tender No. T1/2009 – “Construction of Water Supply to Crosslands Reserve via Somerville Road Hornsby Heights” for the lump sum price, included an allowance for provisional items, as stated in the attached Confidential Memo (WD D&C 25/2009). The price will be made public on formal acceptance of the tender.

Page Number 78

Item 19 WK71/09 FRAMEWORK FOR UNDERTAKING TRANSPORT AND CAR PARKING MANAGEMENT ACTIVITIES IN HORNSBY SHIRE

THAT:

- 1 Report WK71/09 be received and noted.
- 2 The principles developed in the ILUTS be considered when determining future actions relating to transport and land use in Hornsby;
- 3 The Scoping Report for developing a Car Parking Management Strategy for the Shire referred to in this report be adopted and subject to funding availability, appropriate strategies be developed commencing with Hornsby Town Centre;
- 4 Details of respective car parking management strategies and policies be determined during development of the Shire’s Car Parking Management Strategy;
- 5 A review of the consistency of existing land use and transport planning policies including car parking management practices against the ILUTS objectives be undertaken on an ongoing basis subject to availability of resources.

Page Number 95

Item 20 WK72/09 WORKS PROGRESS REPORT - JULY 2009 - REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

THAT the contents of Executive Manager's Report No. WK72/09 be received and noted.

Page Number 97

**Item 21 WK73/09 "WELLUM BULLA" HORNSBY SHIRE COUNCIL
MATERIALS HANDLING FACILITY REPORT ON OPERATIONS AS
AT 30 JUNE 2009**

THAT the contents of Executive Manager's Report No. WK73/09 be received and noted.

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

1 LOCAL TRAFFIC COMMITTEE

COUNCILLOR MILLS TO MOVE

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Attachments:

There are no attachments for this report.

File Reference: F2009/00174

Document Number: D01231063

2 PROPOSED SPECIAL VARIATION TO GENERAL INCOME

EXECUTIVE SUMMARY

At the Councillors Strategic Planning Weekend in February 2009, Councillors determined a number of specific priorities for 2009/10 including the investigation of community preferences for modes of rating to fund the upgrade of recreational facilities.

In pursuing the priorities established, a draft list of proposed recreational and sporting facilities which are currently unfunded has been developed.

With this information, it is now appropriate for Council to give consideration to investigating the community's preferences.

The Local Government Act empowers the Minister for Local Government to limit increases in a Council's revenue from general income, known as rate pegging and following an application by a council to approve an increase in that council's general income by an amount greater than the rate peg.

To obtain the Minister's approval to an increase greater than the rate peg, Council may apply for increases in different forms, e.g.

- a specified one-off percentage increase larger than the general increase for the next rating year and built into all future years
- A specified one-of percentage increase larger than the general increase for a specified number of years subject to a reduction after reaching the end date
- A percentage increase, inclusive of the rate peg, for a period up to seven years and built into all future years

As part of an application, the Department of Local Government requires a Council to provide detailed information, but in particular, information in relation to the impact on ratepayers and community consultation.

Council is well placed to satisfy the requirements of the Department of Local Government, however it will be necessary to give particular consideration to the development and implementation of a community engagement and consultation process.

To date, Councillors have considered two potential options for a special variation being

1. A substitution and extension of the existing Quarry rate as a recreation and sporting facilities levy; or
2. A new recreational and sporting facilities levy.

It is proposed that Council pursue an application for Ministerial approval for a special variation to general income, commencing in the 2010/11 year; develop a comprehensive community engagement and consultation programme; and determine what options for the mode of rating will be presented to the community.

PURPOSE/OBJECTIVE

The purpose of this Report is to determine Council's attitude towards pursuing an approval for a rate variation commencing in the financial year 2010/2011.

DISCUSSION**Introduction**

Councillors actively participated in a strategic planning weekend from Friday 27 February to 1 March 2009.

The areas identified by Councillors for discussion at the weekend were:

1. Ensuring the financial sustainability of the organisation so it can respond to future challenges
2. Balancing the growing recreational and cultural needs with Council's ability to provide
3. Maintaining infrastructure
4. Managing the Hornsby Quarry site
5. Increasing the commercial activity in Hornsby and the other Town Centres.

Councillor's specific priorities for the coming four years were developed as:

1. Review Hornsby's Aquatic Centres including options to rebuild the Hornsby Pool (subject to funding)
2. Investigate the potential to extend the Brickpit Stadium (subject to funding)
3. Continue progress towards the desired future for the Hornsby Quarry and Environs
4. Ensure the financial viability of the organisation.

Councillors' specific priorities for the 2009/10 year included:

1. Investigate community preference for modes of rating to fund the upgrade of recreational facilities
2. Review Council's service provision model and structure, including services at Aquatic Centres and Community Centres
3. Review the organisation's ability to reduce costs and generate revenue in a responsible way
4. Consider rationalising some under utilised assets, particularly small parks and community buildings in poor locations
5. Decrease Council's expenditure on legal costs
6. Maintain quality service delivery appropriate to community needs and desires
7. Engage the community and positively market Council to its community.

Facilities to be funded

The priorities established at the Strategic Weekend have been pursued and, in particular, reports have recently been presented to Council in respect of extensions to the Brickpit Stadium, (Report WK51/09), the future of Hornsby Quarry and adjoining lands (Report WK50/09) and the Parks 5-year Capital Works Programme 2010-2015 (Report EN25/09).

Additionally, over the past few months, the Finance and Strategy Task Force has met with the General Manager and each Executive Manager to review their Division's budgets and services. As a result of the meetings, the Task Force agreed on a set of outcomes which has been submitted for Council's consideration. (Report CC63/09).

A draft list of proposed recreational and sporting facilities which are currently unfunded includes:

PROJECT	ESTIMATED AMOUNT
Berowra Learn to Swim facility	\$ 2.5 million
Hornsby Aquatic Centre	\$ 15 million +
Old Mans Valley Open Space	\$ 10 million +
Brickpit Stadium extension	\$ 4 million
Unfunded open space	\$ 15.5 million
Refurbishment of Epping & Galston Aquatic Centres	No amount is available

This list relates only to recreational and sporting facilities, which is the focus of a specific priority for the 2009/10 year. It also does not provide for a review of possible other income sources which would need to be finalised prior to any final determination of the extent of a rate variation. Additionally, the development of Council's Asset Management System and its review has disclosed other asset construction, maintenance and replacement issues including:

- Replacement of the Hornsby Pedestrian overbridge
- Drainage, construction and amplification programme
- Community Buildings

With the provision of this information, it is now appropriate for Council to give consideration, as proposed in its priorities, to investigating the community's preference for modes of rating to fund the upgrade of recreational and sporting facilities.

Special Rate Variations

Executive Manager's Report No.ST3/09, which was submitted to Council at its meeting held on 8 April 2009, in providing the public with information in relation to the Councillors Strategic Planning Weekend outcomes, outlined options for a potential rate variation. At that time it was recorded that consideration had been given to options to either substitute and extend the rate currently utilised to fund the cost of the forced acquisition of the former Hornsby Quarry land with a recreation and sporting facilities levy or to introduce a new rate as an expansion of Council's current general rate income as a recreational and sporting facilities levy.

Part 2, Chapter 5 of the Local Government Act 1993 empowers the Minister for Local Government to limit the increases in council's revenue from general income (s506). This annual limit is referred to as "rate pegging".

Council can apply to the Minister to increase its general income by an amount greater than the rate peg. Council has two avenues available under the Local Government Act in this regard:

- Section 508(2)

- Section 508A.

Section 508 (2) special variations

Section 508(2) enables the Minister to approve a percentage increase for a specified year that is greater than the rate peg for that year. While an increase under section 508(2) is for a specific year, the period for which the increase is to apply may be ongoing or fixed.

The basis of the application must reflect the purpose of the special variation:

- A special variation to fund an initiative that has a limited life span (e.g. a specific programme of environmental works) should be sought for a fixed number of years.
- A special variation designed to address a council's longer term financial position (e.g. to provide additional funding for infrastructure maintenance and renewal) should be sought on an ongoing basis, where this need can be justified.

Section 508A special variations

Section 508A allows a council to increase its general income by an amount that is greater than the general variation each year, up to a maximum of 7 years.

Under a section 508A variation, council identifies the percentage increase it requires for each year of the proposed variation, which includes the rate peg percentage for that year. It should be noted that in the event of an approved percentage being lower than the rate peg percentage determined in a particular year, the rate peg limit would apply so council is not disadvantaged. The increases for each year under a section 508A are cumulative and they remain in council's notional income base at the end of the variation period (similar to an ongoing section 508(2) variation).

The main difference between the two different legislative application methods is that under section 508(2), the adjustment is a one off increase for the upcoming year or years, whilst under a section 508A application, the increase is an all inclusive one, i.e., inclusive of the rate peg, for a minimum of 2 years and up to a maximum of 7 years.

As well, under section 508A, the gross increase over the package of years is perpetual (i.e., the increase continues on forever), whilst under section 508(2) the increase can be either indefinite or for a specified maximum period, after which Council's Permissible General Income is required to be adjusted downwards.

A table comparing the choices is shown following:

Special Rate Variation Applications – Available Choices

	Section 508(2) - In Perpetuity	Section 508(2) - Fixed Period	Section 508A
What you get:	A specified one off % increase larger than the General increase for the next rating year.	A specified one off % increase larger than the General increase for the next rating year.	Specifies a % increase for a period (i.e. the cumulative increase for a period of years up to 7 years)
For how long?	After the year of application, the increase is ongoing & built in to all future years. i.e. A Perpetual increase	Increase is limited to a specified number of years i.e. The real period to date increase (incl. future year general increases) is subject to a one off reduction in Councils permissible rate income after reaching the specified end date	At the end of the term specified, the cumulative increases in rating income achieved are ongoing & built carried fwd to future years i.e. A Perpetual increase
Advantages:	Increase is ongoing. Permits Council to access a continuing revenue base into the future	Permits an agreed increase to fund a specific one off project	Permits a fixed & agreed Rating Income base for Council with no dependency on the level of future year general increases. Provides revenue certainty to achieve Council's Long Term Financial Plans & Programs. Increase is ongoing.
Application Form	SV1	SV1	Written Submission

Department of Local Government Requirements

As part of an application, the Department of Local Government currently requires a council to provide:

- *Details of why they are seeking the variation, how the additional revenue from the increase will be applied and what benefits are expected from the proposed variation.*
- *A programme of the works to be funded from the special variation for the entire period. If the variation is ongoing, councils must provide a programme of works for the first five (5) years. (Note: If the purpose of the special variation is to maintain existing levels of service, a programme of works is not required).*
- *Details of the average impact the special variation will have on their rating categories and what measures, if any, they are proposing to limit the impact on vulnerable groups.*
- *Advice whether the council is proposing to have a minimum amount greater than the maximum minimum.*
- *Details of the steps they have taken to inform the community of the special variation proposal and to obtain community feedback on the proposal. This includes consultation through the draft management plan process, public meetings and any other initiatives, such as surveys or media publicity.*
- *A summary of the outcomes from these consultations, including any action they propose to address any common concerns.*
- *A forecast of their budget for the current year and the following three years based on two scenarios – one scenario assuming that the special variation application is approved and the other assuming that it is not approved. Councils are also required to provide a forecast of their key performance indicators based on these scenarios.*
- *Advice whether they are proposing to undertake any borrowings or whether they have considered other options to fund the proposed expenditure.*
- *Details of any productivity improvements and expenditure reductions they have made, or propose to make, to improve their financial sustainability.*
- *Advice regarding council's progress in implementing asset management plans and a long term financial plan (Note: Councils seeking additional income for infrastructure asset projects should have a comprehensive asset management plan in place).*

Whilst Council understands the Department's requirements and particularly the importance placed upon community consultation and the impact upon ratepayers of a special variation, Council should also understand that the environment in which special rate variation approvals are assessed and granted is changing significantly.

Recently, the Independent Pricing and Regulatory Tribunal (IPART) released its draft report on a revenue framework for local government.

In that Report, particularly section 16, IPART refers to two significant factors, being performance criteria and community engagement, against which applications for rate variations should be considered by the Department of Local Government and the Minister.

IPART outlines particular performance criteria which a Council should satisfy including:

- a. Community Strategic Plan
- b. 4 year Delivery Plan
- c. List of Infrastructure Works and Services

- d. Revenue Plan (4 years)
- e. Asset Management Plan.

IPART also outlines possible guidelines for community engagement. Although it is proposed that the Minister would establish the guidelines, the possible guidelines proposed by IPART are considered extremely impracticable and expensive.

Consideration also needs to be given to the proposed Integrated Community Strategic Planning requirements recently released by the Department of Local Government. These requirements include the development of

- a. A comprehensive "Management Plan"
- b. An Asset Management Plan
- c. A Long Term Financial Plan
- d. Community Consultation.

Council is well placed to satisfy either the proposed IPART or the proposed Department of Local Government requirements, however it will be necessary to give particular consideration to the development and implementation of a community engagement and consultation process.

The Department requires Councils to demonstrate that adequate communication and consultation has been carried out, including an assessment of the impact upon its ratepayers. Councils are required to provide details of the level of community support for the initiatives and any action proposed to address issues of common concern.

In particular, the Department advises the following in respect of impact on ratepayers and community consultation.

"Impact on Ratepayers

The submission will need to show the impact that the special variation will have on ratepayers, including which groups will be most affected and to what extent.

Council will also need to provide details of the average increases in rates for the different classes of ratepayers as a result of the special variation, for each year of the variation.

In addition, details of strategies the council proposed to adopt to assist those suffering hardship should also be included."

"Community Consultation

Given that consultation and planning may occur over an extended period of time, a council should signal its intention to apply for a 508A special variation in the draft management plans prepared in the years leading up to the year in which the application is lodged.

In the year that the application is to be submitted, the council must include in its draft management plan details of the application, including the outcomes to be achieved, how the success of the initiatives will be measured and how the outcomes will be reported in the council's annual report.

The council must also clearly indicate in its draft management plan the period over which the variation will be implemented, the percentage variation each year and the cumulative impact of the variation.

The submission must outline the range of methods used by the council to inform the community of the special variation proposal and to obtain community feedback on the proposal. This includes consultation through the draft management plan process, public meetings and any other initiatives, such as surveys or media publicity.

Councils must also provide a summary of the outcomes from these consultations, including details of the level of community support for the proposal and any action they propose to address issues of common concerns.”

Council has recently undertaken some research into resident reaction to a potential rate variation. This survey was undertaken amongst a representative cross section of residents. Participants were asked what they liked and valued about Hornsby Shire. Almost all respondents spoke positively of the bushland, the trees, the open spaces, and the waterways; in effect the natural environment.

Later in the survey, participants were asked which areas needed more action from Council. Improvements to infrastructure and services was rated as the top priority (44%), social/recreational wellbeing the second most important priority (20%) and the natural environment the third priority with only a 16% ranking. The research consultant assumed that although the natural environment was most valued it was not considered the most important area for Council to focus future effort on because residents were satisfied with the natural environment and somewhat dissatisfied with the current level of infrastructure and services provided by Council.

This assumption was later tested in focus groups with small groups of residents in the context of the inevitability of future rate rises and how the money should be allocated. A specific amount of rate rise was not mentioned.

The subject was discussed ‘in principle’ and focussed on what residents would like to see any additional money allocated to. It was generally agreed that any increases should go towards future local infrastructure projects; environmental projects were not mentioned by the group. It was also generally agreed that a range of projects, which all residents potentially could access, use or benefit from, was more acceptable than a specific project.

The Quarry Rate was occasionally mentioned during the focus groups. Most people seemed to be aware of this levy and saw it as relatively short term with a clear end point.

Options for consideration

In developing a comprehensive public engagement and consultation programme Council will need to ensure that the ratepayers are provided with the reasons why Council is pursuing a rate variation and the advantages and disadvantages of options for the implementation of a special variation.

In particular, the distinction between the two options referred to above being

1. A substitution and extension of the existing Quarry rate as a recreation and sporting facilities levy; or

2. A new recreational and sporting facilities levy needs to be made.

The substitution of the existing Quarry rate has inbuilt into it protection for the less advantaged e.g., pensioners, and would not involve any rate increase in the current economic conditions, but conversely, would not see a reduction in the rate levy in 2015/16.

The introduction of a new recreational and sporting facilities levy however, would require Council to give more detailed consideration to the impact of a new rate on ratepayers, particularly the additional rate burden for the next 5 years, but it would involve a decrease in the total rate levy in 2015/16 at the time of the removal of the existing Quarry rate levy.

The Council will need to determine whether the community should be invited to comment on each option or for Council to only consult with the community on one of the proposed options.

BUDGET

There are no direct budgetary implications for the 2009/10 financial year, however, if a rate variation is pursued, costs would be incurred associated with the implementation of a community engagement/consultation strategy. The receipt by Council of a rate variation in subsequent years will have a positive impact on rate revenue.

POLICY

There are no policy implications.

CONSULTATION

There has been consultation with Councillors and Executive Managers as outlined in the 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, a Triple Bottom Line assessment will be appropriate when a specific proposal is available for comment.

RESPONSIBLE OFFICER

The General Manager, Mr Robert Ball.

RECOMMENDATION

THAT Council

1. Agree to pursue an application for Ministerial approval for a special variation to general income commencing in the 2010/11 financial year.

2. Develop a comprehensive community engagement and consultation programme.
3. Determine whether the Council will present to the community options for consideration or a single proposal to apply for Ministerial approval for substitution of the Quarry rate or the introduction of a new recreational and sporting facilities levy.

ROBERT BALL
General Manager
General Manager Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00617
Document Number: D01228193

3 ORGANISATION STRUCTURE

EXECUTIVE SUMMARY

Section 332 of the Local Government Act, requires that a Council must determine an organisation structure and Section 333 requires the Council within twelve months of an ordinary election to re-determine its organisation structure.

Following the introduction of the Local Government Act 1993, the Council has determined and subsequently confirmed, an organisation structure consisting of six Divisions.

Consideration of principles of organisation design and the priority areas of the current Management Plan shows that Council's existing structure can be fundamentally confirmed.

As a consequence of a review of the organisation structure undertaken by the previous Council following the 2004 Ordinary Election, cross divisional work teams were instituted to address customer service, asset management, recreation services, economic development and compliance issues. Following these reviews, one structural variation is proposed being the amalgamation of the strategic oversight of customer service functions under one Division.

Particular attention is given to the Strategy Division where two significant resignations have provided an opportunity to consider the future of this Division.

Following this review the Strategy Division could be dissolved with the functions of economic development and the development contribution plan being allocated to the Planning Division and the General Manager assuming direct management control of the Corporate Strategy and Human Resources Branches.

The Council will continue to adapt the organisation structure to meet changing circumstances and to ensure an improvement in the provision of services to the residents of the Shire.

PURPOSE/OBJECTIVE

It is proposed that Council in accordance with the Local Government Act 1993 review and determine its organisation structure and affirm the organisation structure.

DISCUSSION

Introduction

Section 332 of the Local Government Act, requires that a Council must determine an organisation structure and Section 333 requires the Council within twelve months of an ordinary election to re-determine its organisation structure.

Following the introduction of the Local Government Act 1993, the Council determined and subsequently confirmed, an organisation structure consisting of six Divisions being:

General Manager;
Strategy;
Corporate & Community;
Works;
Planning; and
Environment.

No definition is given within the Local Government Act of an organisation structure. Council therefore, has determined its structure based upon these Divisions and functional responsibilities within each Division. This has permitted the organisation to evolve and adapt to meet the requirements of a changing shire community.

Current Structure

The structure previously adopted by Council has involved the following rationale:

Strategy

This Division was established to focus on the management of the strategic and forward planning aspects of Council in association with the other Divisions, in particular, to fulfil the expanding statutory requirements for future planning e.g., Management Plan. In addition to providing a strategic focus, the other functions which have been incorporated into this Division assist Council with implementation of human resource planning and work place reforms.

Works

The divisional focus for the Works Division has been the construction and maintenance of the physical built public infrastructure and structures within the Shire.

Such structures include: roads, footpaths, drainage, public offices and community buildings.

Traffic management, road safety, strategic property issues and the operation of Council's Aquatic Centres and Indoor Sports Stadium are also within this Division.

Planning

This Division was established to shape the natural and built environments of the Shire through the management of the approvals and strategic land use planning functions under the EPA Act. This Division undertakes strategic land use planning and processes development applications and construction certificates enabling a work team approach to application processing.

Corporate & Community

The Corporate & Community Division is a service provider, providing internal services e.g., administration, finance and information and technology services to the organisation and community services e.g., library, child care and aged services, to the community.

Environment

This Division when created was a new approach representing a key priority of the Council and demonstrated a commitment to environmental issues. Its functional responsibilities predominantly address the care, protection and maintenance of the natural environment and include waste services.

Principles of Organisation Design

Mercer (HR Consultants) and Michael Goold and Andrew Campbell from the Ashridge Business School have discussed the 6 principles of good organisation design which they consider will assist in addressing the most difficult challenges faced in ensuring organisational effectiveness.

They consider that having selected a basic organisation design, these six principles help address the key limitations or difficulties arising from any design and are useful to consider in a review:

- *The specialisation principle*- unit boundaries should be defined to achieve the most important benefits available from specialisation (with a particular focus on what autonomy needs to be afforded to an organisation unit to allow it be effective against the predominant organisational culture)
- *The coordination principle* – units should be defined so that the activities that most need to be coordinated fall within unit boundaries (with an ensuing focus on identifying and managing difficult links that fall across organisational boundaries)
- *The knowledge & competence principle* – responsibilities should be allocated to the person or team best placed to assemble the relevant knowledge and competence at reasonable cost
- *The control & competence principle* – units should be formed to facilitate effective, low cost control and commitment to appropriate goals
- *The innovation and adaptation principle* – organisations should be structured so they can innovate and adapt as uncertainties become clarified and environments change
- *The complexity principle* – the organisational design needs to sufficiently account for the complexities inherent to the business yet remain simple enough to allow capable people to work effectively.

Management Plan

When considering issues of organisational structure review, it is also important to contemplate that structure follows strategy. It is relevant therefore, for Council to contemplate how the existing organisation structure can implement Council's adopted Management/Strategic Plan.

The Management Plan for 2009/10 – 2011/12 contains the following priority areas identified by Councillors at their Strategic Planning Workshop in February 2009:

- Ensuring the financial sustainability of the organisation so it can respond to future challenges
- Balancing the growing recreational and cultural needs with Council's ability to provide
- Maintaining infrastructure

- Managing the Hornsby Quarry site
- Increasing the commercial activity in Hornsby and the other town centres

Consideration of these priority areas shows that Council can accommodate the elements of the current and proposed Management Plans into the existing organisation and indicates that the existing structure can be fundamentally confirmed, giving each Division a chance to report difficulties, canvass issues to be resolved, etc.

Management Plan reviews provide the basis for reporting progress against targets for each action. With the assessment of progress for each action, ExCo and the Council can determine whether any further organisation structure review would be beneficial.

2005 Review

As a consequence of the review of the Organisation Structure undertaken by the previous Council following the 2004 Ordinary election, the Council resolved inter alia that cross divisional work teams be instituted to address on a progressive basis the following:

- customer service
- asset management
- recreation services
- economic development
- compliance

A brief summary is provided in respect to each review.

Customer Service Review

The Customer Service Review team was convened to evaluate the current customer service functions provided by Council, with a particular emphasis on services located in the Administration Building and to suggest enhancements in order to improve customer satisfaction when accessing information, processing transactions or requesting service.

The following broad recommendations were suggested by the review team, taking into account constraints such as the limited ability to change the layout of the Administration Building and staffing limitations.

1. Develop, emphasise, reward and reinforce customer service culture
2. Improve telephone protocol and demand adherence
3. Re-design the website to be more user friendly and easier to navigate
4. Reconfigure the layout and signage of current customer service points
5. Explore management and reporting arrangements that will focus customer service issues in the organisation and allow escalation of issues where necessary
6. Develop a single customer service policy that includes complaints handling
7. Promote the functions of Council both internally and externally
8. Review the customer service interface for the Traffic section.

Each of these recommendations has been addressed internally with recommendation 5 being the recommendation with an organisation structure potential impact.

During the review, the review team was of the opinion that customer service needed to cut across the traditional professions within Council and customers are often unaware of which customer service business location they need to contact.

It is considered that there would be significant benefit in amalgamating the strategic oversight of customer service functions under one Division. Customer services frontline staff would not include library, waste or child care staff. It would be proposed that the strategic oversight of customer service come under the management authority of the Manager, Corporate Strategy within the General Manager's Division. It is anticipated that this position would be responsible for establishing programs that:

- a. Facilitated the sharing of information, personnel and practices between the various decentralised customer service units; and
- b. Established a common set of performance requirements for customer service within Hornsby Shire Council.

Recreation Services

The provision of recreation services in Council was reviewed by a Project Group, drawn from each of the Divisions responsible for the provision of leisure services. For the purposes of the exercise, leisure was defined to include open space resources, aquatic and indoor sport facilities and community and cultural facilities/services (Youth and Senior Citizen Centres, Galleries and Libraries, Performing/Visual Art facilities).

The Project Group canvassed some structural variances to the one currently operating within Council, including:

- Amalgamation of leisure activities in one area of responsibility
- Partial amalgamation – e.g. Aquatic/Indoor facilities and outdoor open space
- Separation of strategic and operational matters.

The Project Group identified that the current structure, where outdoor recreation resides within the Environment Division; Aquatic, Indoor activities and cycleway provision reside with the Works Division; and Community and Cultural Activities reside with the Corporate and Community Services Division, functions because of the good co-operation that exists between the various Divisions. It was considered that the current functional structure provided the best support to the various types of leisure services provided and encourages increased dialogue between Teams and Divisions which in itself is a desirable benefit.

The Project Group did however identify that there are certain shortcomings that would be common with any structure. The existence of the Leisure Strategic Plan (Adopted in 2002) which identifies leisure needs across the Shire in all asset classes was seen as its strength. The plan was formulated under the guidance of a Steering Committee made up of Managers of the various leisure/recreation classes within Councils. It has directed the efforts of the various Division for the last few years.

The review has concluded that there are no pressing reasons to alter the current structure. Notwithstanding, the Project Group is of the opinion that the provision of leisure services across the Shire, could be improved through an improved understanding of councillor and community expectations and an agreed understanding of the priority for the provision of leisure/recreation facilities.

Economic Development

Following the meeting of 9 March 2005, when the Organisational Structure Review was previously considered, economic development became a strategic focus of the Council. Subsequently, reports were submitted to Council on 25 May 2005, 8 February 2006 and 8 November 2006, at which the economic development framework and economic development strategy for the Shire were considered and developed by Council. Although not specifically stated, it was intended that during the period of the development of an economic strategy, relevant staff would be retained within the Strategy Division. Following the establishment of the strategy, the placement of operational aspects within the organisation structure was to be reviewed.

Further comment is provided under the heading “Strategy Division”.

Compliance

A Compliance Review Team was established to explore whether approvals and compliance functions should be separated to ensure compliance with Council’s requirements. Areas included approvals for development, food shops, waste management facilities, construction certificates and related inspections. It had been suggested that by separating the approvals function from the compliance function, greater compliance could be achieved. Consequently, the purpose of the review is to determine whether the separation of the approvals and compliance functions had the potential benefits that would warrant structural reform.

The Team appreciated that the expertise of staff is shared between approvals and enforcement matters. To separate these functions could necessitate a duplication of resources and may frustrate the communication of changes in legislation and best practice between staff.

With respect to the importance of communicating best practice and legislative changes to staff managing enforcement, it was considered that rather than separating approvals and compliance, there was a greater need for multi-skilling.

It was noted by the Review Team that assessment and inspection functions had been split within Assessment Team 1 of the Planning Division, to reduce the opportunities for corrupt behaviour. To ensure that requirements are met and standards observed, in some circumstances it is necessary to separate the inspection and approval roles.

The Team also considered information published by the NSW Ombudsman and Planning NSW Practice Note on exercising discretion which included advice on overcoming problems associated with the exercise of discretion by:

- Being aware of the legal limitations of discretion
- Identify and avoiding conflicts of interest
- Using clear and unambiguous controls
- Carefully using performance based controls
- Separating assessment and decision making functions.

Reading the enforcement guidelines for Councils published by NSW Ombudsman, it was apparent that enforcement had many discretionary facets. Such discretion should be exercised in consideration of the intent of the law, fairness, equity and environmental outcomes.

Consideration has also been given to the Department of Local Government's 'Reform Program – Promoting Better Practice'. Upon recent investigation of like sized councils, the Department has noted the merits of creating a specialist compliance section that enables it to deal with a range of compliance initiatives.

Applying the above principles to the Hornsby context, it is considered that there would be benefit in exploring a separation of compliance functions within multi-skilled teams along the lines of 'natural environment' and 'built environment'. This aspect will be pursued but is not anticipated to impact upon organisational design at the macro level.

Asset Management

Asset management consists of a series of actions that, taken together, lead to the provision of infrastructure that is relevant to the community's needs, appropriately maintained, and for which replacement or renewal arrangements have been made. Financial decisions relating to assets form part of the asset management process, as does consultation that leads to the determination of a level of service appropriate to the community's needs.

Asset management in Hornsby is based on plans prepared for the following key asset classes: roads, stormwater drainage, foreshore facilities, public buildings, open spaces and leisure facilities. Effective financial management underpins the actions taken in respect of the commissioning, operation, maintenance, renewal and eventual disposal of an asset. These decisions are based on parameters that experience has shown to be largely unique to each asset class. On this basis, the approach adopted by Council is that those with the expertise undertake the various actions relating to the management of an asset. Branch Managers in the Corporate and Community Services (Administration Services, Community Services), Environment (Bushland and Biodiversity, Parks and Landscapes, Water Catchments) and Works Divisions (Aquatic and Recreation Facilities, Assets, Design and Construction, Engineering Services, Property Development) currently have the skills and/or the responsibility for such tasks.

One option for organisation structure could involve the separation of some of the various asset management tasks, currently undertaken within individual Divisions, and their incorporation in a single "assets" Branch or Division. Separation in such a manner has the risk of loss of the synergy that comes from a detailed knowledge of the asset and its management (especially in determining where in the asset management cycle that any separation should occur), less effective supervision and management as managers who are not familiar with or have the requisite technical expertise to make decisions are required to do so, and increased costs of doing business as resources are duplicated to cover the increased skill acquisition, communication and consultation that may be required.

Key recommendations/decisions relating to the acquisition or disposal of an asset are seen to be the responsibility of the asset "owner" (within the Works, Environment or Corporate and Community Services Divisions), who commissions the subsequent maintenance or other actions from within the organisation (usually the Works or Environment Divisions), or externally to the organisation. This can occur within an organisation structure that has been determined on principles other than purely asset management.

Experience has shown that the existing co-operative arrangements where decisions are made in consultation with the Branch Managers across Divisions, who have that expertise, have been effective in ensuring that Council's assets are effectively managed. Intentional consultation via inter-Divisional working parties and specific project management teams has

been effective in ensuring the successful delivery of individual projects, and has also assisted in fostering communication generally across the organisation.

Review Questionnaire

During late 2008, an Organisation Review e-questionnaire was distributed to all staff that had access to a computer. The participation rate was approximately 73% of whom 86% fully completed the Questionnaire.

A review of the responses received, indicates that of the issues raised, the majority are more related to the micro, rather than the macro level of organisation design and these will be determined by ExCo. They do not however suggest an alternative divisional structure for Hornsby, but more imply a need to continue to review and consider the allocation of functional responsibilities amongst divisions.

Similarly, Councillors were invited to submit issues for consideration, in the Organisation Structure Review. The responses received have been considered and incorporated into this Review.

Strategy Division

Within the Strategy Division, there have been two significant resignations, which have provided the opportunity to give particular consideration to the future of this Division.

The Strategy Division coordinates change within council, including the development of the three year Management Plan, the blueprint for council operations. Through quarterly reviews, the Division also works to ensure council is meeting industry standards, community expectations and its own objectives in providing services to Hornsby Shire.

The Human Resources Branch facilitates and leads changes in workplace reform. The Branch also encourages staff to enhance their individual and professional skills through training and development, which works to promote leadership and teamwork skills in their contact with council and the community.

Under the Development Contribution Program (Section 94), the Division coordinates the expenditure of funds collected to provide playing fields, playgrounds and parks, bushland regeneration, community facilities and roadworks required as a result of new development in the Shire.

Strategy also assists council in economic development and tourism, with an emphasis on revitalising and strengthening employment in the shire's commercial and industrial sectors.

The substantive issues of the Development Contribution Plan and Economic Development were initially under the umbrella of the Strategy Division to establish the strategic framework for these two functions. Having now established the strategic focus, both have become more operational and are able to be transferred to the Planning Division.

The Development Contribution Plan review has already been allocated to the Strategic Planning Branch of the Planning Division and its responsibility should now be formally transferred. Operational issues in relation to the granting of approvals for expenditure from the plan can be allocated to the Finance Branch of the Corporate & Community Division.

Similarly with respect to Economic Development, the Economic Development Strategy has been approved by Council and the function is now more focussed upon liaising with the business community, overseeing the operations of the Visitor Information Centre and marketing and promoting the Shire generally.

The Strategy Division could therefore be dissolved, but its functions remain as two distinct Branches which are re-allocated to other Divisions.

It is therefore necessary to consider to which Division or Divisions the two remaining distinct Branches should be re-allocated. Both retain to a certain extent, a strategic focus, but also have an impact upon the whole organisation. There is also greater importance being placed upon the role of Management Planning, with the introduction into State Parliament of the Local Government Amendment (Planning & Reporting) Bill 2009.

Under these circumstances, it is proposed that both the Human Resources Branch and the Corporate Strategy Branch come within the direct management control of the General Manager. Additionally it is proposed that the Corporate Strategy Branch Manager accept the strategic oversight of customer service functions.

BUDGET

There are no budget implications in this Report.

POLICY

There are no direct policy implications in respect of the recommendations contained within the Report.

CONSULTATION

This Report has been prepared following consultation with Councillors and the Executive Managers.

TRIPLE BOTTOM LINE SUMMARY

As this Report substantially provides Council with information related to investigations and surveys, and does not propose any significant actions, it is considered that no Triple Bottom Line considerations apply which require a sustainability assessment.

RESPONSIBLE OFFICER

The General Manager, Mr Robert Ball.

RECOMMENDATION

THAT:

1. The Organisation Structure be determined to consist of five (5) Divisions being:
 - General Manager

- Corporate & Community
- Works
- Planning
- Environment.

2. The General Manager's Division include a Corporate Strategy Branch and a Human Resources Branch.

The Manager, Corporate Strategy within the General Manager's Division assume responsibility for the decentralised Customer Service function in accordance with the requirements set out in this report.

ROBERT BALL
General Manager
General Manager Division

Attachments:

There are no attachments for this report.

File Reference: F2005/00087
Document Number: D01229745

4 FOURTH QUARTER REVIEW OF MANAGEMENT PLAN INCLUDING BUDGET 2008/09

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 June 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, and the March 2009 Review included changes which had a nil impact on the Budget, thus maintaining a forecast balanced Budget result at 30 June 2009.

The June 2009 actual result is a surplus of \$741K. This liquidity result is satisfactory in improving Council's net financial position, reducing significantly the 2008 working funds deficit and maintaining key financial performance indicators such as the unrestricted current ratio at acceptable levels.

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 June 2009 Quarter Review.

PURPOSE/OBJECTIVE

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 June 2009.

DISCUSSION

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, and the March 2009 Review included changes which had a nil impact on the Budget, thus maintaining a forecast balanced Budget result at 30 June 2009.

Based on inflows and outflows of funds, the actual result at 30 June 2009 is a surplus of \$741K. This liquidity result is satisfactory in improving Council's net financial position, reducing significantly the 2008 working funds deficit and maintaining key financial performance indicators such as the unrestricted current ratio at acceptable levels.

The main factors that have contributed to this surplus have been from one-off items such as an insurance rebate, reduced workers compensation premium due to improved claims history and reduced employee leave entitlement payouts due to lower staff turnover levels. Improved investment returns have also contributed to this surplus.

There are no Budget changes recommended as part of the June 2009 Quarter Review.

The March 2009 Quarter Budget changes were:

- \$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 June 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 June 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 CC52/09 be received and noted.
2. The June 2009 Quarter Review of the Management Plan, including performance indicators, be received and noted.
3. The June 2008/09 Budget Review be adopted.

JULIE WILLIAMS
Manager, Corporate Strategy
Strategy Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Fourth Quarter Review

File Reference: F2007/01487
Document Number: D01185751

5 TENDER T4/2009 - MOTOR VEHICLE ACCIDENT MANAGEMENT SERVICES

EXECUTIVE SUMMARY

A review of Council's light fleet vehicle accident management and minor repair processes has identified scope for improvement in terms of procedural efficiencies, costs and service levels. It was considered that better management of the repair of Council's motor vehicles would be achieved by splitting the process into two separate categories – major accident management and minor damage repair. As such, Council issued a Request for Tender (RFT) for Motor Vehicle Accident Management Services and a Request for Quotation (RFQ) for Mobile Motor Vehicle Minor Damage Repair Services. In light of the Tender and Quotation responses received, it is recommended that no Tender be accepted and that future management of both minor damage repair and major accident management be undertaken in-house by Council staff.

PURPOSE/OBJECTIVE

The purpose of this report is to advise Council of the outcome of the recent tender for the provision of Motor Vehicle Accident Management Services (Tender T4/2009). The Report recommends that no tenders be accepted and that future management of Council's motor vehicle repair process be undertaken by Council staff.

DISCUSSION

Following a tender process conducted during 2000, Council entered into an agreement with Australian Fleet Services for the provision of motor vehicle accident management services for Council's light vehicle fleet. The agreement was renewed annually until 2007 and has since continued on a monthly holding over arrangement.

As part of a review of the light fleet vehicle accident management and minor repair processes, Council staff identified scope for improvement in terms of procedural efficiencies, costs and service levels. The review identified that better management of the repair of Council's motor vehicles could be achieved by splitting the process into two separate categories – major accident management and minor damage repair. As such, Council issued a Request for Tender (RFT) for Motor Vehicle Accident Management Services and a Request for Quotation (RFQ) for Mobile Motor Vehicle Minor Damage Repair Services.

The Request for Tender (T4/2009) was issued in March 2009 with a closing date of 15 April 2009. Two submissions were received in response to the Tender, and only one of those (the current provider) fully complied with the tender requirements.

The lower than expected level of response to the RFT may be due partly to the complex nature of the Government Tender process which may have prevented some small businesses in this industry from responding. A copy of the Tender evaluation and selection weighted criteria assessment sheet is included as a confidential attachment to this Report.

An analysis of Council's current motor vehicle accident management and minor repair requirements has shown that the majority of work undertaken is for repairs of a nature that fall below the level of Council's current insurance excess of \$5,000. The minority that are in excess of this amount are referred to Council's insurers.

Following consideration of the complying tender, and after discussion with key Council staff, it has been established that some cost savings may be achieved if Council staff take on a greater proportion of the administrative functions involved in the process of managing the motor vehicle accident repairs. Much of this work is presently carried out by Australian Fleet Services for which Council pays a monthly management fee. It is also considered that further cost savings may be achieved by encouraging a more competitive environment among repairers who are prepared to quote for Council work.

It is noted that although it was originally felt that better management of Council vehicle repairs would be assisted by dealing with major accident repairs separately to minor damage repairs, results of the RFT and RFQ have not supported this.

Having regard to all of the above, it is recommended that Council not accept any of the tenders received in response to Tender No T4/2009. It is also recommended that Council take on the administrative functions of managing both the major accident and minor damage repair processes for its vehicles. With respect to the process of receiving quotations and the carrying out of repairs, it is proposed that Council utilise the services of a number of different motor vehicle repair companies.

In this regard, the responses to the RFT and RFQ will provide an initial list of companies. Those companies will be given the opportunity to quote on all repairs up to an estimated value of \$5,000. Quotations will be sought for each incident of repair work in order to maintain a competitive environment, with each separate job being awarded having regard to associated cost and timing referred to in the quote. Previous history regarding quality of work will also be given consideration.

By proceeding with the above methods of managing accident and minor damage repairs, there would be a requirement for greater involvement of Council staff in handling the associated administrative processes. However, Council's fleet, vehicle repair, and accident management internal processes are currently being reviewed and it has been established that by streamlining processes and gaining efficiencies through greater use of electronic fleet management systems, it would be feasible to manage the motor vehicle accident management and repair process from within Council's existing resources. All of the sections and staff of Council who would be involved in this have been included in discussions and all are supportive of the arrangement.

It is considered that taking on the administrative process of accident management functions within Council, and moving towards a quotation model for the provision of "under excess" motor vehicle accident and minor repairs, will encourage competition and allow Council to maintain greater control of the process. This will result in a fair market price being paid, greater efficiencies being achieved within the administrative process and potentially an overall reduction of Council's motor vehicle accident repair costs.

BUDGET

Council's Fleet Administration budget includes a sufficient allocation of funds for the management of accident damage and minor repair processes of Council vehicles. It is

envisaged that potential savings may be achieved from within that budget if the recommendation of this Report is adopted.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

The tender was advertised in accordance with relevant requirements to ensure appropriate community awareness. Evaluation and preparation of this Report has included consultation with relevant Council staff including the Manager, Procurement; Administration Coordinator; Risk and Insurance Manager; Manager, Engineering Services Branch; Coordinator, Engineering Resources; and the Depot Workshop Supervisor.

TRIPLE BOTTOM LINE SUMMARY

Working with our Community

The community was informed of the tender through advertising in the Sydney Morning Herald and the Advocate newspapers as well as electronically through E-Tender to ensure equitable opportunity for participation in the Tender.

Maintaining sound corporate financial management

The proposed process will ensure a more competitive supply of services to Council, establishing ongoing economically sustainable work practices.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Administration Services Branch – Robyn Abicair, and the Administration Coordinator - Natalie Cook. They can be contacted on 9847 6608 on 9847 6011 respectively.

RECOMMENDATION

THAT:

1. Council not accept any tender for Tender No. T4/2009 – Motor Vehicle Accident Management Services and advise all tenderers.
2. The administrative processes of managing motor vehicle accident and repair services be undertaken by Council staff within existing resource levels.
3. The process of awarding work for major accident and minor damage repair of Council vehicles be by way of quotations sought from appropriate service providers.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Tender Supplier Evaluation & Selection Weighted Criteria - Motor Vehicle Accident Management Services - *This attachment should be dealt with in confidential session, under s10a (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

File Reference: F2009/00107
Document Number: D01188279

6 DRAFT HORNSBY SHIRE SOCIAL PLAN 2010-2014 FOR PUBLIC EXHIBITION

EXECUTIVE SUMMARY

At the May 2009 Ordinary Meeting, Council considered Executive Manager's Report No. CC29/09 which provided details of the drafting process associated with the development of the Hornsby Shire Social Plan 2010-2014. This Report also provided Council with an update of the implemented actions of the Social Plan 2005-2010 and indicated that the Social Plan 2010-2014 would be submitted for Council's consideration at the September 2009 Ordinary Meeting.

The draft Social Plan 2010-2014 (copy attached) has been developed to comply with the requirements of the Department of Local Government. This Report presents the draft Plan for Council's consideration and recommends that it be placed on public exhibition.

PURPOSE/OBJECTIVE

The purpose of this Report is to present to Council the draft Hornsby Shire Social Plan 2010-2014 and recommend that the document be adopted and placed on public exhibition.

DISCUSSION

Planning Context

In May 2009, Council was provided with background information regarding the impending Integrated Planning and Reporting Legislation as summarised through Department of Local Government Circular No 08-65. The Circular stated that:

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.

(N.B. Hornsby Shire Council is required to submit a current Social Plan to the Department by the 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, however, only draft Integrated Planning and Reporting Guidelines have been released by the Department. The draft Guidelines do not contain any references to the requirement to produce social/community plans, but this may or may not change once the final Guidelines are released.

As a consequence of the above, most councils in NSW are 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 statement that applies in respect of the State of Environment Report would also apply in respect of a Social Plan.)

A subsequent circular from the Department of Local Government (Circular No 09-26) outlined the development of the Integrated Planning and Reporting Framework as of 29 June 2009. It states:-

The Minister for Local Government, the Hon Barbara Perry MP, introduced the Local Government Amendment (Planning and Reporting) Bill 2009 in Parliament on 25 June 2009. A copy of the Bill and the Agreement in Principle speech are available on the Department’s website under the link to Integrated Planning and Reporting. The Bill is expected to be debated when Parliament resumes for the Spring session from 1 September 2009.

As such, at the time of writing of this Report, there is no clear direction in relation to how social planning will integrate in the new planning and reporting framework. This, however, may change by the time this Report is considered by Council. If so, further information will be provided by way of a Late Item Memo.

The Planning Web™

Regardless of the legislative context, the Hornsby Shire Social Plan (2010-2014) has been developed to integrate with the adopted Management Plan 2009/10-2011/12. Specifically, the Social Plan 2010-2014 seeks to integrate with the Management Plan around the Planning Web™. The Planning Web™ seeks to address five elements of sustainability: governance;

ecology; economy; society and culture; and human habitat. These key elements (themes) are each broken down into three goals.

The Social Plan 2010-2014 seeks to articulate how Council's community services programmes can contribute to these goals. It is noted that a significant number of other Council planning documents will contribute to the achievement of these goals as well.

The planning approach adopted in the Social Plan 2010-2014 is essentially a top down and bottom up approach. The Planning Web™ was developed primarily as an internal working document by Council in order to give structure to sustainability work already being undertaken by Council. It is noted that this document was reviewed by the Sustainable Action Committee but was not a community generated framework. The development of the Planning Web™ is, therefore, considered to be a top down approach to planning.

As per Department of Local Government requirements, the Social Plan seeks to start at a community level to identify needs and issues and then to formulate appropriate responses to those issues. It is thus characterised as a bottom up approach to planning. To join the two approaches, the needs and issues identified in the social planning process have been broadly categorised within the five key elements of the Planning Web™ and then detailed under one of the 15 associated goals. The logic behind this approach is that all actions undertaken in the implementation of the Social Plan should contribute to the strategic intent of "*creating a living environment*".

The Social Plan does not seek to "own" or capture all the work that Council does in relation to the key areas and goals nominated in the Planning Web™. It contributes to the various key areas and goals within the responsibility of the Community Services Branch. It is anticipated that, as other Council strategic planning documents are developed, they will also adopt a similar approach, thereby building a picture of Council's broad contributions to sustainability as defined around the key elements and goals of the Planning Web™. By adopting such an approach, this will allow for a "helicopter view" of Council's broad contribution towards creating a sustainable society and provides a platform upon which an integrated planning approach for the organisation may be further developed in the future.

The Social Plan 2010-2014

The Social Plan is a four year (strategic) document that will inform operational (service) plans which will be produced annually in order to ensure that Council is responsive to community needs. As such, an attempt has been made to align the Social Plan reporting and planning timeframes to those discussed in the draft Integrated Planning and Reporting Guidelines. The timeframes associated with reporting on the Social Plan can be changed if required.

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 2010-2014, the content and structure of the Social Plan may be required to be adapted following its adoption. It is noted that this process, if necessary, will be undertaken in consultation with the Council. However, given the extent of the consultation undertaken to produce the Social Plan, it is likely that the information gathered during this process will contribute to the information used to produce the Community Strategic Plan and, therefore, changes to the structure or content are unlikely.

The Social Plan 2010-2014 takes a step away from the target group approach to planning that was used in the 2005-2010 Plan. This new approach was taken in order to better integrate

Council's approach to social planning with sustainability goals and the articulated needs of the community.

Whilst consultation occurred with target groups that are identified in the Social/Community Planning Guidelines, the resultant Social Plan addresses broader community issues such as transport, social isolation, safety, recreation, homelessness and other issues that are not experienced exclusively by one group. This approach is more conducive with growing social capital across the Shire and the other social and cultural sustainability goals identified in the Planning Web™. Services currently provided to target groups will not be abandoned but will be broadened out and made available to more of the community in order to make better use of available resources.

A six month operational or service plan is attached to this Report and will guide service provision through until June 2010. This short time frame will allow the Community Services Branch to re-orient around a new planning structure not wholly reliant on target group based service delivery. At the June 2010 Ordinary Meeting, it is proposed that Council be provided with a 12 month operational plan that will outline how the goals of the Social Plan will be addressed in the 2010/11 financial year. This approach will align Social Plan reporting timeframes with other corporate documents (including budget setting processes) and will also allow Council to prioritise social issues on an annual basis.

It is noted that many of the issues identified during the community consultation process used to inform the Social Plan 2010-2014 are beyond the control or responsibility of local government. The draft Integrated Planning and Reporting Guidelines suggest that these issues be documented and referred to the appropriate level of government for action. Although the link between social planning and integrated planning and reporting is yet to be formally finalised, this approach has been adopted within the Hornsby Shire Social Plan 2010-2014.

BUDGET

The Social Plan 2010-2014 will be delivered within the budget currently allocated to the Community Services Branch. The associated annual service plans will be adapted should additional funding become available.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

Internal

Manager, Children's Services – Narelle Misko
Coordinator Youth Services – Sharon Mizzi
Coordinator Over 55's services – Jayne Boardman
Coordinator Community and Cultural Facilities - Samantha Colbert
Community Development Officer - Access and Inclusion - Malcolm Wallace/Jian Zhao
Community Development Officer - Children and Families – Jian Zhao
Community Development Officer - Youth - Sue Downing
Community Development Officer - Adam Cryer
Team Leader, Home Modification and Maintenance Service - Jenny Ryan
Learning and Leisure Centre Officer – Kim Harris
Resource Officer (Over 55's) – Dolina Hall

Aboriginal Child and Family Strategy Community Facilitator - Herbert Smith

External

As detailed in the Appendix of the attached draft Social Plan (2010-2014)

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 Triple Bottom Line Councils strategic themes.

Working with our community

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

Conserving our natural environment

The draft Social Plan 2010-2014 will not impact negatively on our natural environment.

Contributing to community development through sustainable facilities and services

The project contributes significantly to community development outcomes as detailed in the draft Social Plan 2010-2014. The draft Plan also encourages and facilitates participation by all members of the community.

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

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

Supporting our diverse economy

The draft Social Plan 2010-2014 will not adversely impact on the economy of the Shire.

Maintaining sound corporate and financial management

The draft Social Plan 2010-2014 is proposed to be funded within existing budgets and grants.

Other Sustainability Considerations

The draft Social Plan 2010-2014 should have no negative impacts either for Council or the community.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Community Services Branch, Mr David Johnston. Mr Johnston can be contacted on 9847 6800. For further information, please contact the Manager Community Development – Mrs Lisa Cahill, who can be contacted on telephone 9847 6779.

RECOMMENDATION

THAT:-

1. The contents of Executive Manager's Report No CC68/09 be received and noted.
2. The draft Hornsby Shire Social Plan 2010-2014 and associated Operational Plan for January 2010 to June 2010 be placed on public exhibition for a period of 28 days, with submissions on the documents being invited during such period.
3. At the completion of the public exhibition period, a further report be prepared for Council's consideration which summarises the submissions received during the exhibition period and recommends the adoption of The Hornsby Shire Social Plan 2010-2014 and the associated Operational Plan for January 2010 to June 2010.

DAVID JOHNSTON
Manager - Community Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Draft Social Plan
2. Annual Service Plan

File Reference: F2004/06042
Document Number: D01222183

7 OUTSTANDING COUNCIL RESOLUTIONS

EXECUTIVE SUMMARY

Council's Policy dealing with Council Resolutions requires that a quarterly report be prepared for Council's consideration detailing resolutions which have not been substantially implemented within two months of being adopted, and the reason/s why they are not finalised. The attachment to this Report provides the necessary updates.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide details in respect of Council resolutions up until the end of May 2009 which have not been substantially implemented.

DISCUSSION

In accordance with the Council Resolutions Policy, each Division has carried out a review of any resolutions up until the end of May 2009 which have not been substantially implemented. This has resulted in the attached spreadsheet being prepared which shows a list of outstanding resolutions per Division. Details are provided about the:

- Report Number and Name
- Outstanding Resolution
- Latest Status
- Comment

In preparing Outstanding Council Resolutions reports, the General Manager and Executive Managers give special consideration to any long outstanding resolutions and, where such resolutions exist, provide comments about whether further action may be unlikely or impractical. In these cases, Council may wish to determine whether or not the item should be removed from further reporting in the Outstanding Council Resolutions report.

BUDGET

Any budgetary implications are included in the relevant report or in the "Latest Status" column of the attached spreadsheet.

POLICY

This Report meets the requirements of Council's Policy dealing with Council Resolutions.

CONSULTATION

Each Division with outstanding resolutions has contributed to the preparation of this Report.

TRIPLE BOTTOM LINE SUMMARY

Any Triple Bottom Line considerations are detailed in the relevant section of individual Reports.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Administration Coordinator – Natalie Cook who can be contacted on 9847 6011.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. CC69/09 be received and noted.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Outstanding Council Resolutions - as at 31 May 2009

File Reference: F2005/00112
Document Number: D01225341

8 COUNCILLOR REPRESENTATION ON COMMITTEES / WORKING PARTIES / TASK FORCES - SEPTEMBER 2009 TO SEPTEMBER 2010

EXECUTIVE SUMMARY

Council determines the representation of Councillors on its various Committees, Working Parties and Task Forces annually. This Report provides details of the current Committees, Working Parties and Task Forces and seeks Council's determination about the continuation of each and the appointment of Councillors for the period to September 2010.

PURPOSE/OBJECTIVE

The purpose of this Report is to enable Council to review its existing Committees, Working Parties and Task Forces and appoint Councillors for the period September 2009 to September 2010.

DISCUSSION

The current list of Committees, Working Parties and Task Forces has been updated by each Division and is attached for information. To assist Council in its determination of Councillor representation, the 2008/09 Councillor representatives on each Committee, Working Party and Task Force are included in the column titled Councillor Representation 2008/09 and a blank column has been left in respect of Councillor Representation 2009/10.

Task Forces

Council has previously requested that as part of the preparation of this Report, details be provided about the operation of Task Forces. In this regard, it is noted that the previous Council created the following five Task Forces to specifically address significant challenges and help with the enormous amount of business that needs to be considered by Council:

- Community, Cultural and Recreation Facilities Task Force
- Employment and Economic Development Task Force
- Finance and Strategy Task Force
- Infrastructure and Asset Management Task Force
- Sustainability and Environment Task Force

The first three of the Task Forces have met on a regular basis throughout the last 12 months, whilst the Infrastructure and Asset Management Task Force and the Sustainability and Environment Task Force are yet to meet.

The Community, Cultural and Recreation Facilities Task Force aims to consider the provision of community, cultural and recreation facilities across the Shire using a coordinated, whole of Council approach. In 2008/09, the Task Force met on a monthly basis and had strategic involvement in the proposed extension to the Hornsby Wood Working Men's Shed in Headen Park, Thornleigh; the formation of a Hornsby Arts Reference Committee as proposed in the Cultural Plan; the proposed extension to the Brooklyn Community Health Centre to provide a

Meeting Room; the finalisation of the development of the Cherrybrook Community and Cultural Centre and the Greenway Park Early Childhood Education Centre; the proposed upgrade of the Asquith Community Centre at Storey Park, Asquith; the drafting of the Community and Cultural Facilities Strategic Plan; and the proposal to establish the Wallarobba Arts and Cultural Centre at Willow Park in Hornsby.

The Employment and Economic Development Task Force meets on a two monthly basis and aims to advance the employment and economic development opportunities across the Shire and acts as a conduit for internal and external stakeholders, including businesses, to receive and provide information on issues of interest. The Task Force provides a coordinated whole of Council forum for the debate and discussion of issues relating to employment and economic development. Projects to be considered over the coming year arise directly from the adopted Economic Development Strategy, and include a review of the Strategy and research into the barriers and opportunities for development in the Shire.

The Finance and Strategy Task Force meets on a monthly basis and aims to focus on the financial sustainability of both the organisation and the proposed capital projects to be undertaken on behalf of the community. The Task Force does this by defining appropriate funding options for specific community projects taking into account the immediate and long term funding requirements and the competing priorities for various projects. In essence, the Task Force balances financial constraints with the social impact of programs and community expectations of its Council. Projects currently being considered by the Task Force include a review of each Division's budgetary responsibilities, an update of Council's Strategic Financial Plan and ongoing reviews of Council's investments and borrowings.

Council may wish to take this opportunity to give consideration to the continued operation of each of the Task Forces having regard to the activities of each of them over the past 12 months.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

No Council policies are affected by this Report.

CONSULTATION

Consultation has occurred with the General Manager and Executive Managers in preparing the attached list.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Administration Services Branch – Robyn Abicair, and Council’s Administration Coordinator – Natalie Cook. They can be contacted on 9847 6608 and 9847 6011 respectively.

RECOMMENDATION

THAT Council:

1. Review the current list of Committees, Working Parties and Task Forces and determine which should continue to operate.
2. Having regard to its decision in 1. above, determine Councillor representation on the continuing Committees, Working Parties and Task Forces for the period until September 2010.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Draft Councillor Representation on Committees List - 2009-2010

File Reference: F2004/07056
Document Number: D01226015

9 COUNCIL'S 2008/09 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS

EXECUTIVE SUMMARY

Council's General Purpose and Special Purpose Financial Reports for the year ended 30 June 2009 (the Financial Reports) have been completed and are ready to be referred for audit. This Report recommends such referral. Following receipt of the Auditor's Reports, it is anticipated that the Financial Reports and Auditor's Reports will be "presented to the public" at the 14 October 2009 Ordinary Meeting in accordance with legislative requirements.

PURPOSE/OBJECTIVE

The purpose of this Report is for Council to:

- receive the unaudited Reports
- resolve to refer the Reports for audit
- resolve that the Reports be authorised for issue to the public on receipt of the Auditor's Report
- delegate authority to the General Manager to fix the date of the Meeting at which the audited Reports will be presented to the public

DISCUSSION

In accordance with the requirements of the Local Government Act, Council must prepare and have audited its Financial Reports within four months after the end of a financial year. The Financial Reports for 2008/09, which have recently been completed and are included under separate cover, are ready to be referred for audit.

Council is required to give notice as to the Meeting at which the Financial Reports (including the Auditor's Reports) will be "presented to the public". The proposed date for this Meeting will be set as soon as possible after the Auditor's Reports have been received. In this regard, it is anticipated that the Reports will be "presented to the public" at the 14 October 2009 Ordinary Meeting. Council's external auditor, Denis Banicevic of PricewaterhouseCoopers, is expected to be available to make a presentation on the Reports at that Meeting.

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

It should be noted the Reports are not for distribution to the public at this stage as they are unaudited. The audited Reports are those that will be made available to the public in accordance with Local Government Act requirements.

BUDGET

There are no implications on the 2009/10 Budget.

POLICY

Details of relevant policies are set out in Note 1 to the Reports.

CONSULTATION

Appropriate staff in all Divisions were requested to provide income and expenditure accruals where considered necessary in addition to information on internally and externally restricted assets.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

THAT:

1. The General Purpose and Special Purpose Financial Reports for 2008/09, distributed under separate cover, be received, noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the Financial Reports.
3. The Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Reports.
4. The General Manager be delegated authority to fix the date of the Ordinary Meeting at which the Financial Reports are formally “presented to the public”.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00176

Document Number: D01226129

10 JULY 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 month of July 2009 was \$109,000 compared to the budgeted income for the month of \$75,000. 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 (most recently reviewed by Council at its 8 April 2009 Ordinary Meeting).

DISCUSSION

Council's Investment Performance - July 2009

- The At-Call and Term Deposits achieved an annualised return of 4.00% for the month compared to the benchmark of 3.00%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of 87.94% for the month compared to the benchmark of 70%. 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 3.78% for the month compared to the benchmark of 3.17%.
- The Capital Guaranteed Notes achieved an annualised return of 0.26% for the month compared to the benchmark of 3.17%. 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 5.31% for the month compared to the benchmark of 3.17%.
- For total investments, the annualised return for the month is 4.94% compared to the benchmark of 4.59%.

Economic/Financial Conditions

The Reserve Bank of Australia (RBA) kept interest rates unchanged at 3% for a third consecutive month at its July 2009 meeting. The result was expected amid signs the lowest borrowing costs in 49 years, and government spending, were helping the economy avoid the global recession. Retail sales increased 1% in May 2009, twice as much as economists estimated, largely attributed to spending at department stores and restaurants. With interest rates on hold at 3%, RBA Governor Glen Stevens suggested that rates may begin to rise (without waiting for unemployment to peak), as the Australian dollar continued its appreciation against the US dollar (US 83 cents in July), its highest point since the start of the financial crisis in September 2008.

Global equities fell at the beginning of July 2009, on anticipation of poor second quarter earnings as well as the worse than expected unemployment figure in the US. However, as investor sentiment improved based on speculation that the worst of the global recession was over, this sparked a rally in global equities, particularly after the welcoming forecasts projected by the International Monetary Fund (IMF). The IMF revised its forecast for the global economy, projecting it will expand 2.5% in 2010, compared with its projection of 1.9% in April.

Borrowings

In respect of borrowings, the weighted average interest rate payable on loans taken out from 1998 to 2009, based on the principal balances outstanding, is 6.69%. The loans taken out repay principal and interest over a 10 year period with a fixed interest rate. The Borrowings Schedule, as at 31 July 2009, is attached to this Report.

BUDGET

Total investment income for the month of July 2009 was \$109,000. The budgeted income for the period was \$75,000. 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 CC73/09 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Jul09 Council Investment Report
2. Jul09 Council Borrowings Schedule

File Reference: F2004/06987
Document Number: D01226213

11 ELECTION OF DEPUTY MAYOR

EXECUTIVE SUMMARY

In accordance with Section 231 of the Local Government Act, Councillors may elect a person from among their number to be the Deputy Mayor, with such term of office being either equal to that of the Mayoral term or for a shorter period. Prior to the March 2004 local government elections, Hornsby Council's Mayor was elected annually by the Councillors. It was also the practice to elect a Deputy Mayor whose term of office was the same as for the Mayor.

At the 2004 local government elections, the method of electing the Mayor for Hornsby Council changed to be by the residents/ratepayers across the Shire for the term of the elected Council, rather than by the elected Councillors on an annual basis.

Although Councillors no longer have the responsibility of electing the Mayor, it is still necessary for Council to decide whether or not to elect a Deputy Mayor and if so, to determine the period of the term to be served by the Deputy Mayor. Council's latest decision in this regard was the Ordinary Meeting held on 8 October 2008, when it considered Report No. CC86/08 and elected Councillor Steve Evans as Deputy Mayor for the period to September 2009.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with the opportunity to consider whether or not it wishes to elect a Deputy Mayor. If Council decides to elect a Deputy Mayor it will also need to determine the term for which the Deputy Mayor will serve and the method of voting to be used for electing the Deputy Mayor.

DISCUSSION

The Role of Deputy Mayor

The Deputy Mayor may exercise any function of the Mayor, at the request of the Mayor, if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor. It should be noted that if there was to be a casual vacancy in the office of Mayor, a by-election for the position of Mayor would need to be conducted by a NSW Electoral Commission appointed Returning Officer in accordance with a timetable set by Section 292 of the Local Government Act i.e.; on a Saturday that falls not later than three months after the vacancy occurs.

Period of Election of the Deputy Mayor

Under Section 231 of the Local Government Act, Councillors may elect a Deputy Mayor for the same period as the Mayoral term or for a shorter period. As Council's Mayor is popularly elected, the current Mayoral term is until the next local government elections are held in September 2012. Council may, therefore, determine that a Deputy Mayor be elected for the

period until September 2012 or for some shorter period e.g.; 6 months, 12 months, 18 months, etc.

Method of Election

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

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

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

Preferential ballot

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

Ordinary ballot

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

Open Voting

Open voting uses the same system as ordinary ballot, except that voting is by a show of hands or similar means and not by secret ballot.

Other Issues

Choosing by Lot

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

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

Following the Mayoral election held on 14 September, 2000 (which was conducted by preferential ballot) a number of Councillors sought permission to inspect the ballot papers and the progress of the count in respect of that election. Advice was sought from Abbott Tout Solicitors about the Councillors' requests and also about the ability of the candidates for election to appoint scrutineers. In summary, that advice was that the candidates were not entitled to appoint scrutineers; an inspection of the ballot papers should not be permitted; the progress of the count should not be revealed; and the ballot papers for the Mayoral and Deputy Mayoral election should be destroyed after the election has been declared.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

This Report has been prepared following consultation with the General Manager.

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.

This Report provides information and proposes a standard procedural practice in accordance with the Local Government Act. It does not recommend any actions which require a sustainability assessment and, as such, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Administration Services Branch - Robyn Abicaire, and the Administration Co-ordinator, Natalie Cook. They can be contacted on 9847 6608 and 9847 6011 respectively.

RECOMMENDATION

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.

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

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Deputy Mayoral Election Nomination Form

File Reference: F2004/07075
Document Number: D01230138

12 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2009 TO SEPTEMBER 2010

EXECUTIVE SUMMARY

In accordance with Clause 15(1) of its Code of Meeting Practice, Council normally determines the schedule of ordinary meeting dates for the following year, and the order of business to apply at those ordinary meetings, at the Meeting when the Deputy Mayor is elected (generally September each year).

In this regard, a draft schedule of meeting dates for the period October 2009 to September 2010, and the proposed order of business at those meetings have been prepared and are recommended for adoption by Council. The draft schedule of meeting dates incorporates the continuance of the current practice of Planning Meetings being held on the first Wednesday of the month, Ordinary Meetings being held on the second Wednesday of the month, no meetings being held on the third Wednesday of the month and Workshop Meetings being held on the fourth and/or fifth Wednesdays of the month as required.

PURPOSE/OBJECTIVE

The purpose of this Report is to seek Council's approval to a proposed schedule of ordinary meeting dates, and the order of business to apply at those meetings, for the period October 2009 to September 2010.

DISCUSSION

Meeting Dates

As a result of its consideration of Report No CC51/08 in June 2008, Council adopted a schedule of meetings and an order of business to apply at those meetings for the period from July 2008 to September 2009. It is noted that the Report was considered earlier in the year than normal because of the local government elections being scheduled for September 2008. Subsequently, Council amended its meeting cycle when it considered Report No PLN235/08 at the 3 December 2008 Planning Meeting and resolved that only one Planning Meeting per month be held, on the first Wednesday of each month, commencing from 4 February 2009.

Council's Code of Meeting Practice was amended in accordance with Council's resolution at the 4 February 2009 Planning Meeting. In this regard, the following definition is now included in the Code of Meeting Practice in respect of Council's ordinary meetings:

ordinary meetings are meetings of Council, other than extraordinary meetings, held during each year on such regular days and at such regular times as Council may appoint. They include:

Planning Meetings which are held at 6.30 pm on the first Wednesday of each month (excluding January) to consider items relating to planning matters;

Ordinary Meetings which are held at 6.30 pm on the second Wednesday of each month (excluding January) to consider items other than planning matters;

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

In accordance with the above definition, a schedule of recommended ordinary meeting dates for the period from October 2009 to September 2010 has been drafted and is included as Attachment 1 to this Report. It is noted that the NSW Local Government Association Conference will be held from 24 - 28 October 2009 and that this does not interfere with any proposed Ordinary or Planning meeting dates.

In accordance with usual practice to date, a Deputy Mayoral election has been scheduled to be held at the September 2010 Ordinary Meeting.

Order of Business

The Order of Business which has applied since its most recent adoption by Council in June 2008 is recommended to continue with one minor amendment. The amendment is the inclusion of a "Political Donations Disclosure" statement which is in accordance with standard Planning Meeting practice. It is proposed that this Order of Business, as set out in Attachment 2, be adopted by Council to apply for the period October 2009 to September 2010.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

This Report has been prepared in accordance with Council's Code of Meeting Practice.

CONSULTATION

There has been consultation with appropriate Council officers in the preparation of this Report as well as reference to relevant Council Policies and legislative documentation.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT Council:

1. Adopt the Schedule of ordinary Council Meetings as set out in Attachment 1 for the period October 2009 to September 2010.
2. Adopt the Order of Business as set out in Attachment 2 for the ordinary Council Meetings to be held in the period October 2009 to September 2010.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Schedule of Council Meetings for the Period October 2009 - September 2010
2. Order of Business for Council Meetings - October 2009 - September 2010

File Reference: F2004/07032
Document Number: D01230454

13 COMPANION ANIMALS STRATEGY 2009-2011

EXECUTIVE SUMMARY

A total of seven written submissions were received during the July 2009 public exhibition of the draft Companion Animals Strategy 2009-2011.

Six of the submissions were concerned with cats and the danger they pose to wildlife and requested more controls restricting cats from leaving their property and penalties for noncompliance.

Unfortunately, Council does not have the delegation to increase these powers, controls and/or fines and cannot issue penalties for a wider range of actions than those contained in the *NSW Companion Animals Act 1998*, legislation which has been prepared by the New South Wales Government.

Notwithstanding, the Action Plan in the draft Strategy has been amended to include additional actions aimed at providing more assistance and resources to address cat complaints, including information on cat enclosures.

The other submission requested more and larger off leash dog exercise areas within the Shire. Opportunities for the development of additional off leash areas will be examined by the Parks and Landscape Branch.

PURPOSE/OBJECTIVE

To provide details on the comments received during the public exhibition period of the draft Companion Animals Strategy 2009-2011 and updates inserted into the Strategy for Council's consideration and adoption.

DISCUSSION

Background

At the 10 June 2009 Ordinary Meeting Council resolved that:

1. *The draft Companion Animals Strategy 2009-2011 be placed on public exhibition for four weeks.*
2. *A further report be presented to Council outlining the results of the public exhibition.*

The draft Companion Animals Strategy 2009-2011 was placed on public exhibition for a period of four weeks. The exhibition period commenced on Tuesday 30 June 2009 and closed on Friday 31 July 2009. Advertisements were placed in the local media and the draft Strategy remained on Council's website during this period. A total of seven written submissions were received and a table summarising the submissions and individual records has been included as an attachment.

Six of the submissions related to the perceived inadequacy of cat management and controls. The main argument was the danger to wildlife posed by uncontrolled cats, particularly when they are allowed out at night. The submissions did request that the draft Strategy provide more control on cats roaming off their property and that a penalty be applied for noncompliance.

The draft Strategy is based on the enforcement provided to councils under the *NSW Companion Animals Act 1998*. Council does not have the delegation to increase these powers, controls and/or fines and cannot issue penalties for a wider range of actions than what is contained in the legislation.

Notwithstanding the above, the Action Plan in the draft Strategy has been amended to include additional actions to address cat complaints. These include identifying ownership of the cats, providing information to cat owners reminding them of their responsibilities and providing design specifications for cat enclosures. In addition a cat can be seized at any time if that action is taken to protect a person or animal from injury or death. It is not an offence for a cat to be on another property, but there may be an offence in what the cat is doing including injury to a person or animal or causing damage or offensive noise. Education programs will be increased. These programs will emphasise the responsibility of owners to keep their cats confined at night.

There are a range of enclosures available from various organisations and the names and contact details of these companies will be made available to interested persons and those identified as having a cat problem. Information will also be included on Council's fact sheets. Council will also make available free of charge a copy of the Victorian Government booklet "*How to build cat proof fencing and cat enclosures*". A leaflet will also be produced that can be used for letterbox drops into homes in areas where a problem cat has been reported and the owner is unknown.

As a result of the submissions further consultation will be undertaken with the Bushland Management Team to determine if any opportunities exist to expand Wildlife Protection Areas. Further consultation and investigation will also be undertaken with the Parks and Landscapes Team and National Parks and Wildlife Service for the development of off-leash areas and areas available for on-leash dog walking.

BUDGET

There are no immediate budget implications contained within this report. The services in the draft Strategy fit within the existing budget allocated for companion animal management in the Environmental Sustainability and Health Team.

POLICY

The draft Strategy once endorsed and adopted by Council will be undertaken by the Environmental Sustainability and Health Team. There are no other policy implications associated with the implementation of this draft Strategy.

CONSULTATION

The draft Strategy was placed on public exhibition for a period of four weeks. The community was invited to submit comments on the draft Strategy and provide suggestions for improvement.

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 TBL assessment of the draft Strategy has already been undertaken and reported in EN17/09.

RESPONSIBLE OFFICER

The responsible officer is Sue Moyes, Sustainable Health Coordinator, telephone 9847 6816 between the hours of 8.30 am and 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT Council adopt the Companion Animals Strategy 2009-2011.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Companion Animals Strategy 2009-2011
2. Submissions on Companion Animals Strategy

File Reference: F2009/00370
Document Number: D01217168

14 AMENDMENT TO FEES AND CHARGES

EXECUTIVE SUMMARY

A recent amendment to the *Protection of the Environment Operations (General) Regulation 2009* made under the *Protection of the Environment Operations Act 1997* has resulted in the Administration Fee associated with Clean-up and Prevention Notices being increased from \$320 to \$433, effective 1 July 2009.

It is also requested that the cost of the *Application to Install a Wastewater Treatment System* be increased from \$320 to \$433 and that Council increase the fee for the assessment of *Application to Install a Wastewater Treatment System*, where the capacity of the system will be greater than 10 equivalent persons, from \$320 to \$500.

In addition to the above, it is requested that Council set a fee for the processing of any referral to a public authority and for the sale of Council's cycling maps.

Under the *Local Government Act 1993* Council is required to advertise any amendments to its adopted fees and charges.

PURPOSE/OBJECTIVE

The purpose of this report is to amend the adopted *Fees and Charges 2009-2010* for:

- Environmental Protection Notices under the *Protection of the Environment Operations Act 1997* (issuing of a Notice).
- Application to Install Wastewater Treatment in an Unsewered Area (less than 10 equivalent people).
- Application to Install Wastewater Treatment in an Unsewered Area (greater than 10 equivalent people).
- Processing fee for referral to an Authority.
- Sale of Cycling Maps.

It is requested that the above be updated in Council's 2009-10 Fees and Charges.

DISCUSSION

On 1 July 2009 the *Protection of the Environment Operations (General) Regulation 2009* made under the *Protection of the Environment Operation Act 1997* amended the fee for Clean-up, Prevention and Noise Control Notices. The following amounts are prescribed as the fees payable under section 94 (2), 100 (2) or 267A (2) of the Act in respect of a notice issued during the following periods:

- | | |
|---|-------|
| a. before 1 July 2009 | \$320 |
| b. on or after 1 July 2009 and before 1 July 2010 | \$433 |
| c. on or after 1 July 2010 and before 1 July 2011 | \$444 |
| d. on or after 1 July 2011 and before 1 July 2012 | \$455 |
| e. on or after 1 July 2012 | \$466 |

As a result of the above it is also proposed to amend the fee for the Application to Install Wastewater Treatment in an Unsewered Area.

It is also proposed to increase the fee payable for the Application to Install Wastewater Treatment in an Unsewered Area where the capacity of the system is greater than 10 equivalent people. The assessment of applications for these systems requires a greater amount of staff time than for the smaller systems (at least double).

In addition to the above, it is requested to create a fee for the processing of referrals required to an authority under an Act or Regulation. The proposed fee for this referral is consistent with that imposed for referrals to authorities by the Planning Division.

Finally, it is requested to create a fee for the sale of the bike maps produced by the Environment Division. The cost proposed is a small percentage of the retail cost of colour maps of similar size and quality.

BUDGET

In line with the abovementioned changes and amendments to onsite sewage management assessment the following changes are proposed for Council's Fees and Charges 2009-2010:

	Current Fee	Proposed Fee
Clean-up Notice	\$320	\$433
Prevention Notice	\$320	\$433
Application to Install Wastewater Treatment in Unsewered Areas	\$320	\$433
Application to Install Wastewater Treatment in Unsewered Areas (Over 10 equivalent people)	\$320	\$500
Processing fee for referral to an Authority	\$0	\$110
Bike Map	\$0	\$5

POLICY

There are no Council policy implications in this report.

CONSULTATION

In accordance with Sections 610(f) and 705 of the *Local Government Act 1993* Council cannot amend its fees and charges without first giving public notice (for at least 28 days) of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations. The amended fees and charges are required to be advertised for a period of 28 days in the local newspaper and a copy placed at the library.

TRIPLE BOTTOM LINE SUMMARY

There are no additional Triple Bottom Line considerations arising from this report as the changes recommended do not have an impact on the services or equipment already provided.

RESPONSIBLE OFFICER

The responsible officer is Rebecca Maiden, Acting Manager Environmental Sustainability and Health, telephone 9847 6541, between the hours of 8.30 am and 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT

1. The proposed fees and charges be placed on public exhibition for a period of 28 days.
2. Where no submissions are received objecting to the proposed amendments to the fees and charges, those new fees or charges be deemed as being adopted by Council, effective from the date of the close of the public exhibition.
3. Any submissions objecting to a proposed fee or charge be reported to Council for its consideration.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2004/06981
Document Number: D01221934

15 REPORT ON FOOD SAFETY PROGRAM 2008-2009

EXECUTIVE SUMMARY

Council has completed its first year as a New South Wales (NSW) Food Authority Category B Enforcement Agency.

All high and medium risk food businesses were inspected at least once and the majority of identified non-compliance issues were rectified during the reporting period. There are a few premises that were inspected late in the reporting period that require works to ensure compliance. Issues associated with these premises are currently being addressed.

The NSW Food Authority has amended its requirements and councils are now required to inspect 90% of high and medium risk category businesses as opposed to the previous 100% requirement. The Environment Division has yet to decide whether it will continue with inspecting all high and medium risk premises or amend its approach and only inspect the top 90% of these premises based on previous inspection history. If the latter approach is taken it will allow for more routine inspections of high risk premises during the current financial year and provide additional time and support to food handlers during these inspections.

PURPOSE/OBJECTIVE

To provide information and results for Council's Food Business Inspection Program for the 2008/2009 financial year.

DISCUSSION

On 1 July 2009, Council commenced as a Category B Enforcement Agency as part of a partnership agreement with the NSW Food Authority. One of the major commitments of this partnership is that Council must undertake one or more reinspections following any noncompliance with a critical food handling practice, until full compliance is achieved.

The main requirement of the agreement was that Council inspect all high and medium risk retail food businesses in the Shire at least once. This has now been revised by the NSW Food Authority to achieve 90% inspection rate of high and medium risk businesses. Currently the team is determining if it will continue to inspect the entire 100% of all high and medium premises or inspect the mandatory 90%. Should the team decide to inspect 90% of all high and medium premises officers will have additional time to ensure that businesses with a history of non-compliance or those identified as being of the highest risk are able to be inspected twice during this period. Additionally, it may allow more time for the Health Officers during those inspections to improve food handling skills and knowledge and reduce the risk of food borne illness.

A report on Council activities must be provided to the NSW Food Authority every six months. The first report results were included in a report to Council in February 2009 (EN 1/09).

The NSW Food Authority has recently changed the six monthly activities reporting criteria for the second half of the financial year and extended the time for reporting, in response to extensive media enquiries and other pressures such as the public interest around the “name and shame” facility (the publishing of Penalty Infringement Notices, on the NSW Food Authorities website). The report is now based on results for the numbers of businesses inspected rather than a percentage. This activity report will be reviewed again by the NSW Food Authority once all reports have been received and tabulated.

Results

The results for 2008/09 are as follows:

Food Businesses Requiring Inspection	08/09
Number of high risk businesses	356
Number of medium risk businesses	117

Inspection Results	08/09
Number of primary inspections conducted	530
% of primary inspections found to be satisfactory (no reinspection required)	49%
% of inspections requiring reinspection	51%
% of those that pass at first reinspection	75%

During the above reporting period Council identified a total of 473 medium and high risk businesses which required at least one initial inspection. The total number of initial inspections was 530, which meant that 57 businesses received a second routine inspection.

Warning letters

Should Council identify a noncompliance, a graduated enforcement approach is undertaken to ensure compliance with the Food Standards Code. Warning letters are sent when there are any identified issues of non-compliance, both critical and noncritical, with the Food Standards Code. The letter outlines the breach that has been identified and provides a list of actions and required timeframe to ensure compliance.

Number of Warning Letters issued	502
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Improvement Notices

An Improvement Notice is issued when a critical risk is identified and a range of actions are required to be undertaken within a short period of time. The Improvement Notice incurs an administration fee of \$330, including one reinspection, in addition to the inspection fee, annual administration fee and any fines and/or prosecution.

Number of Improvement Notices issued	16
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Prohibition Orders

A Prohibition Order is issued for serious matters of non-compliance when there is an immediate risk to public health. The Order may relate to the whole or part of a food premises and/or equipment. The business must receive a Certificate of Clearance after a satisfactory inspection before being able to open or use the part or equipment.

Number of Prohibition Orders	1
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Seizure Notices

A Seizure Notice is issued to minimise immediate risk from food and/or equipment.

Number of Seizures	3
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Fines

Fines are issued for breaches of food safety standards, often as a consequence of previously identified non-compliance.

Number of Penalty Infringement Notices (Fines)	23
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BUDGET

There are no immediate budget implications arising from this report. Two full time equivalent Health Officers are employed by Council and this is sufficient to undertake the minimum level requirement of one inspection per year.

For the current financial year Council has elected to charge all high and medium risk food businesses the maximum annual administration fee indicated in the *Food Regulation 2004* of \$250 for a small premise, \$500 for a medium premise and \$2,000 for a large premise. Additionally, Council adopted inspection fees in the 2009/10 Fees and Charges, depending on the number of full time equivalent food handlers they employ, of \$77 for small, \$110 for medium and \$154 for large food businesses.

POLICY

There are no policy implications arising from this report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Sue Moyes, Sustainable Health Coordinator, telephone 9847 6816, hours 8.30 am – 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT the contents of Executive Manager's Report EN 32/09 be received and noted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2004/08373-03
Document Number: D01223141

16 SEWERAGE SERVICES PROVIDED BY SYDNEY WATER - THE NSW GOVERNMENT PRIORITY SEWERAGE SCHEME

EXECUTIVE SUMMARY

In February 1997 the NSW Government nominated 16 villages across Sydney with high environmental sensitivity for improved sewerage services. This became known as the Stage 1 Sewerage Priority Program. Work in the final village under this program was completed in February 2009, and now 5,400 village properties across Sydney have been serviced.

The industrial area in Mt Ku-ring-gai and Brooklyn/Danger Island, within Hornsby Shire, were included in this first stage of the Priority Sewerage Scheme. Connections became available to Brooklyn properties in November 2007 and to Dangar Island in April 2008. Connections became available to the Mt Ku-ring-gai industrial area in 2008.

In December 2001, the NSW Government announced the extension of the Priority Sewerage Program to include an additional 20 unsewered villages within Sydney Water's area of operations. The areas of Cowan, Galston and Glenorie were included in this Stage 2 Program.

Minister Costa recently confirmed that planning for the Cowan Sewerage Scheme started in January 2009 and that it is envisaged that construction funding and a start date for construction will be determined in 2011-12. He also advised that it is anticipated that planning for the Galston and Glenorie village areas will start in 2011. Given past history there is no guarantee that these timeframes will be met.

Council could explore the option of preparing an expression of interest (EOI) to canvass whether there is private interest in servicing the unsewered villages, particularly Galston and Glenorie. However, such an approach should only be considered after the preparation of a revised scheme and economic and financial analysis, which would give residents an idea of the costs they would be required to pay. Notwithstanding, there is the real possibility that residents will pay more for a private scheme than one built and operated by Sydney Water.

The report concludes that Council should adopt the current approach of continually raising the profile of the issue with Sydney Water in an endeavour to bring forward the design and construction of suitable sewerage schemes to service Cowan, Galston and Glenorie.

PURPOSE/OBJECTIVE

The purpose of this report is to examine the history of the Priority Sewerage Program as it applies to Hornsby Shire and to discuss options to facilitate the acceleration of this program to the villages of Cowan, Galston and Glenorie.

DISCUSSION

The State Government initiated the Priority Sewerage Program in 1997 to address the need for better sewage management of unsewered communities across the State. Brooklyn/Dangar Island and the Mt Ku-ring-gai industrial area were listed along with other areas for attention under Stage 1 of this program.

Sydney Water provided an update in 2001 and included Galston, Glenorie and Cowan along with seventeen other village areas in Stage 2 of the Priority Sewerage Program – see Council report EN49/01. In May 2006, the NSW Government announced the first 10 villages to be serviced under Stage Two. None of the villages in the Hornsby Shire were included in this announcement.

Investigations into sewerage Brooklyn and Dangar Island commenced in 2003 (EN42/03) with the connections to sewerage scheme commencing in late 2007. Prior to this the expectation was that Brooklyn/Dangar Island residents would be able to connect to a sewerage scheme in late 2005.

Recent correspondence from the Minister for Water and Sydney Water staff has confirmed that planning for the Cowan Sewerage Program commenced in January 2009. Planning work is expected to take up to 24 months to complete. Sydney Water will then apply to the Independent Pricing and Regulatory Tribunal (IPART) for construction funding in 2011/12.

Planning for a sewerage scheme for Galston and Glenorie is scheduled to commence in 2011. In 2002 Council was advised that initial planning for the Galston and Glenorie areas would commence by 2006 with construction anticipated by 2010.

Council actions to date

Previous Investigations

In 1998, Council commissioned Martens and Associates to undertake two desktop assessments for sewage management in the Galston area. The first of these reports, *Assessment of Sewage Treatment and Reuse Options in the Galston Village Area*, examined the environmental need for change and technical options available to address the problem. A copy of this report was sent to the Environment Protection Authority and to Sydney Water in a bid to raise the Galston area on the State Government's Priority Sewerage Scheme list.

A second report, *Galston Sewage Study Economic Evaluation*, examined the economic implications of a range of treatment options presented in the first report. Some of the options available for raising the necessary capital to complete the project were also addressed. These reports were presented to Council in 1999 (EN77/99).

A further report was also presented to Council in 2002 (EN34/02) to provide Council with an overview of the findings of the Galston and Glenorie villages: Sewage management investigations carried out by Martens & Associates Pty Ltd. The report highlighted the most viable option for the management and disposal of sewage generated by the villages of Galston and Glenorie. Development in the Hills Council area was not included in the investigations.

Both of the above reports are now out of date due to changes in technology, planning and environmental standards. These studies would therefore need to be updated prior to any other independent action by Council. A consultant engineer has suggested that \$100K should be set aside for any further investigations to establish a revised preliminary concept design and economic and financial evaluation.

Resident Sewerage Committee

As a result of the Councillors Strategic Workshop in 1999, the issue of facilitating the environmentally responsible provision of sewerage facilities for urban and rural communities in the Shire became a strategic action. Accordingly, at the Ordinary Meeting of 8 December 1999, Council determined that a Residents Committee should be convened to investigate the issue of sewage treatment in the unsewered areas within the Shire. The Residents Committee met regularly between July 2000 and the end of 2006, when the Committee folded due to non-attendance at meetings by committee members.

Recent actions

Over the past 16 months Council officers have met senior Sydney Water staff in a bid to increase the urgency with which Sydney Water addresses the environmental problems associated with sewage disposal in Cowan, Galston and Glenorie. Correspondence was also sent to the relevant ministers, including the NSW Premier, in an attempt to bring forward investigations for the sewerage of Galston, Glenorie and Cowan.

Options to facilitate a Sewerage Scheme in Cowan, Galston and Glenorie

The village of Cowan is now in the planning phase for the development of a sewerage scheme and it is unlikely that any action by Council would expedite the sewerage of the Cowan area.

Options to facilitate the sewerage of Galston and Glenorie could include the following:

1. Bring the issue to the Sydney Coastal Councils Group and use that group's leverage to lobby the State government to address the problem of sewerage Galston and Glenorie in a shorter timeframe, i.e. prior to 2011.
2. Council prepare a report on the water quality associated with the villages of Galston and Glenorie and this be forwarded to Sydney Water to emphasise the problems currently facing these areas.
3. The Executive Manager Environment organise a delegation of councillors and senior staff to meet the Minister for Water to discuss this issue.
4. Council advise affected households to write to the relevant Minister and their local Members of Parliament raising the issue.
5. Council undertake its own investigation (approx. \$100K) and, if viable, seek expressions of interest for the construction of a sewerage scheme for Galston and Glenorie. The preparation and evaluation of an expression of interest ("EOI") would be an additional cost.
6. Take no action and observe/report on Sydney Water's progress towards the sewerage of Cowan, Galston and Glenorie.

Options one, two, three and four are not resource intensive, but have the potential to influence the State Government on this issue.

Option 5

The *Water Industry Competition Act 2006* and the regulations supporting its implementation (the *Water Industry Competition (General) Regulation 2008* and the *Water Industry Competition (Access to Infrastructure Services) Regulation 2007*) came into effect on 8 August 2008. The objectives of the Act and supporting regulations are to encourage competition in the water industry and to foster innovative recycling projects and dynamic efficiency in the provision of water and wastewater services. However, the process of setting up such a scheme is complex and highly regulated.

Key aspects of the legislation include:

- Ensuring new entrants face similar obligations where like services are provided
- Strict licensing rules to ensure that all services are delivered in a safe, reliable manner and with minimal environmental impacts
- Provisions to prevent retailers from disconnecting small customers for non-payment of debt and to require the implementation of NSW Government social policies, such as pensioner rebates.

While the option of seeking EOIs for a private company to design, build, and operate a sewerage scheme servicing Galston and Glenorie is a possibility, it is possible that even if Council embarked on this course of action it would not expedite the sewerage of Galston and Glenorie any quicker than the process currently underway within Sydney Water.

Prior to any EOI, engineering designs would need to be developed and a financial analysis prepared to inform residents of likely costs that they could incur. A consultant engineer has suggested that a conservative estimate of total project costs would be in the order of \$25 million, not including decommissioning, connection or land acquisition costs, to service the Galston and Glenorie villages. However, Sydney Water has advised that the average cost of servicing the unsewered areas across Sydney has averaged \$80K per allotment. This would translate into about \$40m to service the villages of Galston and Glenorie.

The Galston and Glenorie villages contain about 500 properties. The large capital cost associated with servicing these villages would probably result in higher connection and ongoing costs for residents compared to a scheme built and operated by Sydney Water. Sydney Water effectively spreads its costs across the Greater Sydney Metropolitan Area, thus subsidising costs to smaller areas.

It is estimated that the development of a preliminary concept design and economic and financial evaluation would cost in the order of \$100K. It should also be noted that calling for an EOI for a project with no intention of progressing it is not ethically responsible and would most likely jeopardise other projects that Council put out to tender. Another major decision to be made prior to any EOI would be the determination of the boundaries of such a scheme, i.e. which properties would or would not fall within the project.

Council does not have the internal expertise in the delivery of sewerage systems and consultants would need to be contracted to prepare designs prior to seeking expressions of interest, as well as the need for these to be technically reviewed. Council would also be in a position whereby it would need to become a facilitator between any private sewerage company and the communities of Galston and Glenorie. This may require additional staff and resources.

BUDGET

There are no budget implications resulting from these recommendations.

POLICY

There are no policy implications resulting from these recommendations.

CONSULTATION

Consultation between the Executive Manager Works, the General Manager and Sydney Water has taken place.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Robert Stephens, Executive Manager Environment. He can be contacted by telephoning 9847 6756 between the hours of 8.30 am to 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT:

1. Council bring the issue to the Sydney Coastal Councils Group and use that group's leverage to lobby State government to address the problem of sewerage Galston and Glenorie in a shorter timeframe, i.e. prior to 2011.
2. Council prepare a report on the water quality associated with the villages of Galston and Glenorie and this be forwarded to Sydney Water to emphasise the problems currently facing these areas.
3. The Executive Manager Environment organise a delegation of councillors and senior staff to meet with the Minister for Water to discuss this issue.
4. Council indicate whether it wants to commit to the preparation of a preliminary concept design and economic and financial evaluation for a revised sewerage scheme for the Galston and Glenorie areas.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00061
Document Number: D01227294

17 DRAFT HORNSBY KU-RING-GAI BUSH FIRE RISK MANAGEMENT PLAN

EXECUTIVE SUMMARY

A draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan (the "Risk Plan") has been prepared by the Hornsby Ku-ring-gai Bush Fire Risk Management Committee under the Section 52 of the Rural Fires Act 1997.

The new Risk Plan is based on a new methodology that addresses the increased risk caused by predicted fire behaviour due to climate change.

The draft plan will shortly be placed on public exhibition. A report outlining any changes flowing from the public exhibition period will be presented to Council. The final Risk Plan will be provided to the Hornsby Ku-ring-gai Bush Fire Management Committee for its endorsement and to the NSW Bush Fire Coordinating Committee for approval.

PURPOSE/OBJECTIVE

The purpose of the report is for Council to note the process and endorse the public exhibition of the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan for a period of 42 days.

DISCUSSION

Hornsby Council is an active member of the Hornsby Ku-ring-gai Bush Fire Management Committee (BFMC) which is required to prepare a Bush Fire Risk Management Plan for the Hornsby and Ku-ring-gai local government areas under Section 52 of the Rural Fires Act 1997. Hornsby's councillor representative on the BFMC is Councillor Mick Smart and the staff representative is Diane Campbell, Manager of the Bushland and Biodiversity Team. Other organisations represented on BFMC include the NSW Rural Fire Service, NSW Fire Brigades, Ku-ring-gai Council, National Parks and Wildlife Service, Department of Lands, Police, the NSW Ambulance Service, Energy Australia and the Nature Conservation Council.

The Bush Fire Risk Management Plan is a strategic document that identifies the level of bush fire risk for a district, strategies to manage the risk and the agencies that are responsible for implementing the strategies. A plan is prepared every five years. The previous Hornsby Ku-ring-gai Bush Fire Risk Management Plan (Risk Plan) commenced in 2002 following the introduction of the Rural Fires Act in 1997 and was audited following a five year period, and subsequently carried forward pending the preparation of the current plan.

The new draft Plan has been prepared in accordance with the Bush Fire Management Committee Policy 3/2007 on Bush Fire Risk Management, the Model Plan, guidelines and the Risk Register Manual which is a computer based software package. A major difference between the old and the new Risk Plan is the application of a new methodology that addresses the increased risk caused by predicted fire behaviour due to climate change. The Risk Plan also uses map based information as a far more powerful management tool to locate assets, rate the risks and document risk treatments for land managers. Council has been provided with details on the implications of this Risk Plan at an informal briefing session conducted by the NSW Rural Fire Service.

To assist in the formulation of the Risk Plan nine community information barbeques were held throughout the two local government areas to incorporate community knowledge and concerns into an early draft of the plan. These were well attended by over 400 people who made more than 100 submissions. The submissions indicated a high level of understanding (84%) and acceptance of the risk rating (84%) within the management plan process. The highest response (89%) was from people who indicated they are undertaking bushfire preparedness on their own properties. However this may be questioned as few included any written details of what actions had been carried out. Approximately 66% of respondents wanted more actions undertaken including hazard reductions, more treatment of public bushland and additional community education. The Risk Plan is available on the website <http://www.hkbfmc.org.au>.

The draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan has now incorporated the expressed community concerns which have fine tuned the plan and its presentation. The draft plan is attached for Council to note and endorse its formal public exhibition for 42 days. Following the exhibition period the Hornsby Ku-ring-gai Bush Fire Risk Management Plan is then finalised and forwarded to the Hornsby Ku-ring-gai Bush Fire Management Committee for its endorsement and to the NSW Bush Fire Coordinating Committee for approval.

BUDGET

There are no budgetary implications for the exhibition of the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan except, for the costs of placing advertisements in newspapers. There will most likely be costs associated with implementing the adopted Risk Plan. The necessary works and programs arising from the approved Risk Plan will be provided to Council at the appropriate time for its consideration.

POLICY

There are no policy implications of exhibiting the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan.

CONSULTATION

Hornsby Council bushfire management staff of the Bushland and Biodiversity Team was commissioned to play a major role in preparing the Bush Fire Risk Management Plan. Other agencies involved included:

- NSW Rural Fire Service
- Ku-ring-gai Council
- NSW National Parks and Wildlife Service
- Department of Lands
- NSW Fire Brigades
- RailCorp
- Transgrid
- Energy Australia

TRIPLE BOTTOM LINE SUMMARY

Working with our Community

The formal public exhibition of the draft plan will provide opportunity for members of the public to make submissions as a further avenue for informing and enabling community input.

Conserving our natural environment

The draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan has considered the impact of wildfire events and bushfire hazard reduction activities on the bushland of the two local government areas. The Plan further assesses the risk to important environmental assets including threatened species and communities. Protection of the natural environment forms an important part of the land management response to risk treatments.

Contributing to community development through sustainable facilities and services

An outcome of the development of the draft Plan is a better understanding by the community of the risk of bushfire. Implementation of the Plan, once finalised, requires land managers to adequately address the risk in a planned and prioritised manner in accordance with the Plan.

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

The plan will be a strategic tool for land and fire managers to assess risks, and to assign and implement treatments for the next 5 years. This will enable an ordered and strategic approach to implementing sound bushland management to address bushfire risk for the community.

Supporting our diverse economy

Bushfire risk management outlined in the draft Plan requires the two Councils, National Parks and Wildlife and the Department of Lands as land managers to implement treatments to mitigate the risks of bushfires on the community. The Plan when finalised will be important in the management of publicly owned bushland which is highly valued by the community.

Maintaining sound corporate financial management

There are community benefits in undertaking risk management planning and implementing the treatments in a preventative manner associated with the management of bushfire as outlined in the draft Plan.

Other sustainability considerations

Budgetary issues and climatic conditions can affect Council's capacity to implement the risk treatments described in the draft Plan

RESPONSIBLE OFFICER

Amelia Jones is the responsible officer for Bushfire Management and has prepared the draft Bushfire Risk Management Plan. She is available on 9847 6720, Monday to Friday, 8:30 am – 5pm.

RECOMMENDATION

THAT Council endorse the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan prepared by the Hornsby Ku-ring-gai Bush Fire Risk Management Committee for public exhibition.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Hornsby Ku-ring-gai Bushfire Risk Management Plan Draft
2. Asset and Treatment Tables
3. Maps

File Reference: F2004/06591
Document Number: D01228892

18 TENDER T1/2009 - CONSTRUCTION OF WATER SUPPLY TO CROSSLANDS RESERVE VIA SOMERVILLE ROAD HORNSBY HEIGHTS

EXECUTIVE SUMMARY

The proposed contract for 'Construction of Water Supply to Crosslands Reserve via Somerville Road Hornsby Heights' is required to provide a new water supply line to Crosslands Reserve and will service Council, NPWS and Crosslands Convention Centre. The current galvanised iron supply line runs through bushland, is badly corroded and leaks are increasing. The new supply line will be constructed of polyethylene pipe and will be buried below the existing unsealed road.

Tenders have been called in accordance with the Local Government Act. Construction for the proposed contract is scheduled to commence in late September 2009 and the work is expected to be completed within six weeks of Council giving possession of the work site weather permitting. P J Spears Plumbing Pty Ltd. has been recommended for acceptance of this tender.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Tender No. T1/2009 - Construction of Water Supply to Crosslands Reserve via Somerville Road Hornsby Heights.

DISCUSSION

Tender No. T1/2009 is a Lump Sum tender and a summary of all tenders together with full evaluation details have been placed on file. Excepting this report the summary and details of the tenders received are to be treated as confidential in accordance with the Local Government Act.

Fifteen (15) tenders were received from the following companies:

- Alannette Pty Limited
- Antoun Civil Engineering P/L
- Kanal Construction Pty Ltd
- Little Ants Pty Ltd
- Milbant Constructions Pty Ltd
- Mistral Plumbing
- P J Spears Plumbing Pty Ltd
- R A Smith Contracting Pty Ltd
- Veolia Water Network Services Pty Ltd
- Arogen Pty Ltd
- Brefni Excavations and Earthmoving Pty Ltd
- Central Trenching Services

- Codmah Pty Ltd
- El Civil Engineering Pty Ltd
- Ledonne Constructions Pty Ltd

The following criteria have been used for the evaluation of the tenders:

- Price,
- Past performance and experience,
(The tenderer shall present to the Principal satisfactory evidence that they have satisfactorily completed projects similar to that required by this contract, or that they are competent to carry out the works pertaining to the contract in a workmanlike manner and to the satisfaction of the Principal),
- Project Program and Resourcing Details
- Plant and equipment resources
- Labour and subcontractor resources,
- Sustainability
- Construction Management Plan
- Quality Assurance systems,
- Occupational Health and Safety Systems,
- Financial Capacity
- Current Contractual Commitments

The priced bill of quantity rates were evaluated along with the lump sum price of each tender, including rates for selected provisional items, and compared with the average price tendered and Council's pre-tender estimate for the works. Other criteria were assessed on information submitted with each tender, information gained from the tenderers' nominated referees and additional information following interviews with selected tenderers.

The attached Confidential Memo WD D&C 25/2009 provides the lump sum price of each tender and a summary of the evaluation. Full details of the tender evaluation are on file.

The results of the evaluation indicate that the tender from P J Spears Plumbing Pty Ltd. would be the most advantageous to Council.

BUDGET

Council has reached an agreement with the Crosslands Convention Centre (CCC) and the Department of Environment, Climate Change and Water, National Parks and Wildlife Division (DECCW) to jointly fund the replacement of the Crosslands Water Supply pipeline, on the basis that the CCC will contribute 50% of the costs and DECCW 25% and Council 25% of capital works costs associated with the replacement of the pipeline.

The total available budget for this project is \$298,360. The total cost for this project including contingencies, certification and project management is estimated to be approximately \$300,000.

Based on the lump sum price and estimated cost for provisional items submitted by P J Spears Plumbing Pty Ltd there will be adequate funds available to accept this tender for the works.

POLICY

There are no policy implications.

CONSULTATION

The tender has been evaluated in consultation with Council's Parks Landscape Coordinator, Mr Kurt Henkel.

TRIPLE BOTTOM LINE SUMMARY

Working with our Community

The community was informed of the tender through advertising in the Sydney Morning Herald and Hornsby and Upper North Shore Advocate newspapers and on Tenderlinks.

Conserving our natural environment

The processes on site are controlled by strict environmental measures including sediment and erosion minimisation, noise and pollution controls and protection of environmentally sensitive areas. The water supply line is routed along the roadway and does not require disturbing the surrounding bushland.

Contributing to community development through sustainable facilities and services

P J Spears Plumbing Pty Ltd has specified in their tender that they support and promote the principles of economic sustainability. Both vehicular and pedestrian traffic controls are to be put in place prior to commencing works on any work site, to protect and guide the public around the works and to protect the workmen. It is a requirement under the contract that Occupational Health and Safety (OH&S) Systems are in place in order to comply with the OH&S Act and Regulations. The OH&S system has been checked as part of the tender evaluation.

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

The water supply line once completed will provide a permanent water supply to all users of Crosslands Reserve, both the Council owned section and that owned by NPWS and also users of the Convention Centre.

Supporting our diverse economy

The facility will provide permanent drinking water to Crosslands Reserve and the Crosslands Convention Centre which will have a positive effect on the amenity of the area. This in turn will have a positive effect on the local economy and businesses.

Maintaining sound corporate financial management

The proposed work will replace the existing galvanised iron water service to Crosslands Reserve. This current service has reached the end of its useful life and requires continual maintenance to repair corroded sections of pipeline. These sections are often in bushland and require labour intensive repairs. The proposed new line is along the existing access road and will have minimal impact on the surrounding bushland during construction and for maintenance.

Other sustainability considerations

The company's Environment and Social Policy and management systems of each tenderer was taken in to consideration in assessing the tender.

RESPONSIBLE OFFICER

For further information, please contact Engineer Construction, Mr. Wimal Dasanayake on 9847 6673.

RECOMMENDATION

THAT Council accept the tender submitted by P J Spears Plumbing Pty Ltd. for Tender No. T1/2009 – “Construction of Water Supply to Crosslands Reserve via Somerville Road Hornsby Heights” for the lump sum price, included an allowance for provisional items, as stated in the attached Confidential Memo (WD D&C 25/2009). The price will be made public on formal acceptance of the tender.

MAXWELL WOODWARD
Executive Manager
Works Division

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Refer to Confidential Attachment to WK 67/09, located in the Confidential Section of Business Paper Confidential Memo WD D&C 25/09 (circulated separately to Councillors). - *This attachment should be dealt with in confidential session, under s10a (2) (d) of the Local Government Act,1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

File Reference: F2009/00031
Document Number: D01228225

19 FRAMEWORK FOR UNDERTAKING TRANSPORT AND CAR PARKING MANAGEMENT ACTIVITIES IN HORNSBY SHIRE

EXECUTIVE SUMMARY

On 27 May 2009 a Councillor Workshop was held to present the background principles and action plans that underpin the Shire's Draft Integrated Land Use and Transport Strategy (ILUTS) and to discuss the proposed framework for developing a car parking management strategy for the Shire.

Integrating land use and transport is one of Council's elements of '**Creating a Living Environment**'. In order to fulfil this element, the ILUTS was commissioned to develop sustainable smart travel strategies and action plans that would minimise dependency on private motor vehicle use. The recommended strategies and action plans are consistent with the broad sustainability principles that Council has progressively developed in recent years. A copy of the ILUTS Report has previously been distributed to Councillors, and is available on Council's website.

Recent parking utilisation surveys undertaken in the major centres established that the demand for conveniently located public parking spaces (both on-street and off-street) is intensive. In order to address this problem, it is necessary to develop a car parking management strategy for the Shire to address common concerns of various user groups with respect to lack of public and commuter parking. A framework for developing an overall car parking management strategy is included in the *Scoping Report on Parking Management in Hornsby Shire*, also previously distributed to Councillors and available from the website.

It is recommended that:

1. Council agree to consider principles developed in the ILUTS when determining future actions relating to transport and land use in Hornsby;
2. The Scoping Report for developing a Car Parking Management Strategy for the Shire be adopted and subject to funding availability, appropriate car parking management strategies and policies be developed commencing with Hornsby Town Centre.
3. A review of the consistency of existing land use and transport planning policies including car parking management practices against the ILUTS objectives be undertaken on an ongoing basis subject to availability of resources.

PURPOSE/OBJECTIVE

The purpose of this report is to:

1. Seek Council's endorsement of the principles developed in the ILUTS as a suitable means of determining future strategic actions relating to transport and land use in the Shire;
2. Outline a framework for developing a suitable car parking management strategy for the Shire and to seek Council's endorsement of the issues that need to be considered when developing the strategy.

DISCUSSION

Background

In cities where private vehicles are the predominant mode of transport, residents are denied freedom of choice about the way they live and move around. This culture of private vehicle use has produced a dependency which has resulted in spiralling cause and effect where traffic congestion produces the 'demand' for more and bigger roads and removal of 'impediments' to traffic flow such as pedestrians and cyclists and limits the demand for public transport. The removal of impediments to traffic flow makes private vehicle use more pleasurable and advantageous at the expense of sustainable modes of travel including public transport. This induces more private vehicle trips which consequently results in greater traffic volumes.

In the context of land use planning, urban design of cities has previously focused on meeting the needs of private vehicles, for example by providing enclosed shopping malls with large parking areas. These kinds of environments facilitate private vehicle access, thus inducing even more traffic. This results in demand for more parking and road space. If private vehicle trips are not constrained, roads and parking areas will get bigger, consuming greater tracts of land that could be used for other socially useful purposes.

Framework for Determining Land Use and Transport Activities in Hornsby Shire

In 2002 Council engaged a consultant to develop an Integrated Land Use and Transport Strategy (ILUTS) for the Shire with the objective of minimising private car usage; in particular for journey to work commuter trips.

Specific requirements of the ILUTS were to achieve the following:

1. Develop and advocate smart travel techniques that give people the freedom and option to use sustainable transport modes e.g. by improving public transport services and its accessibility;
2. Develop a series of action plans consistent with broad ILUTS principles and strategies that would form a program for more detailed studies, investigations such as the development of a suitable Car Parking Management Strategy for the Shire;
3. Define a range of indicators to assist Council in monitoring the implementation and effectiveness of the ILUTS (e.g. car ownership ratios and public transport mode share);
4. Develop and advocate smart travel techniques that give people the freedom and option to use sustainable transport modes e.g. by improving public transport services and its accessibility;
5. Develop a series of action plans consistent with broad ILUTS principles and strategies that would form a program for more detailed studies, investigations such as the development of a suitable Car Parking Management Strategy for the Shire;
6. Define a range of indicators to assist Council in monitoring the implementation and effectiveness of the ILUTS (e.g. car ownership ratios and public transport mode share);
7. Recommend an implementation program including priorities, responsibilities and potential funding opportunities.

A draft study report of the Shire's Integrated Land Use and Transport Strategy was completed and submitted to Council in November 2004 and reported to Council at the Ordinary Meeting held in October 2005. The ILUTS recommended a number of action plans that should be adopted as broad principles for determining future actions relating to transport and land use in

the Shire. The actions are consistent with the broad sustainability principles that Council has progressively developed in recent years and relate to:

1. Travel Demand Management

Travel Demand Management (TDM) is the application of strategies and policies to reduce automobile travel demand, or to redistribute this demand in space or in time.

The need to reduce automobile dependency is central to the effort to reduce greenhouse gas emissions from urban transportation which is responsible for about 23% of world energy-related Green House Gas emissions (International Energy Agency, 2006b). It should also be noted that increases in vehicle travel are linked to a range of health problems including poor urban air quality, road injuries and fatalities, and reduced physical activity. Having regard to the above, managing the demand to travel can be a cost-effective alternative to increasing road capacity. A demand management approach to transport also has the potential to deliver better environmental outcomes, improved public health and stronger communities, and more prosperous and liveable cities.

There are several TDM measures that can be implemented to minimise the spiralling effect of automobile dependency. In many cases, implementation of these measures is generally outside the scope of Council and is often the responsibility of high level agencies or the state government. Examples of TDM measures that can be initiated at the local level by Council for implementation in the Shire include:

- Pedestrian and cycling facility enhancements. This initiative is already being carried out as part of current activities of the Traffic and Road Safety Branch;
- Car sharing programs. Investigations of options for implementing this initiative are currently underway following a report to Council on this matter.
- Car parking management and park & ride. Measures relating to this initiative will be identified during development of the Shire's Car Parking Management Strategy that will shortly be commenced;
- Introducing alternative work arrangements such as telecommuting (working from home) and flexi-time work schedules with employers in order to reduce congestion at peak times. Telecommuting is seen as a solution to traffic congestion caused by single-car commuting, and the resulting urban air pollution and petroleum use. This initiative isn't for everyone. The most suitable professions are those where there is discrete and generally self-contained employment such as project work and policy analysis, research, planning and writing. A tool kit outlining procedures for implementing telecommuting has been developed by **TravelSmart Australia**. The toolkit contains an example of a telecommuting agreement used by the Roads and Traffic Authority in New South Wales. Major employers in the Shire including Council could be encouraged to consider adopting this initiative as a means of reducing employees' carbon footprint where appropriate, through minimizing daily commuting.
- Urban Growth Management. This initiative has been incorporated as part of principles developed by the Town Planning Services Team to guide Council's existing land use strategies and formulation of the draft Hornsby Shire Housing Strategy.
- Requiring users of parking to pay the costs directly instead of Council having to provide public parking for specific user groups. Council should formally determine its position regarding charging for public parking in the Shire. The recommended policy framework and implications of this initiative are discussed elsewhere in this report (i.e. Car Parking Management).

- Improving public transport infrastructure, such as bus stops and routes. This initiative is ongoing as part of current activities of Council and other state government agencies;
- Provision of bicycle-friendly facilities and environments such as secure bike storage areas and shower rooms with new developments. This initiative is part of current activities of other state government agencies. Council's bike plan has also identified areas where bicycle friendly facilities such as secure bike storage areas should be provided. Consideration should be given to including this initiative in Council's Development Control Plans;
- Workplace or Green Travel Plans. This initiative is generally an employer-based package of alternative travel options to the car which also suggests ways to use the car more efficiently for in-work travel and commuting. A typical Workplace or Green Travel Plan may look at walking, cycling, public transport incentives, flexible ways of working such as telecommuting, car sharing and company car fleet (e.g. choice of vehicle, driver training, fleet operation). A tool kit outlining procedures for implementing Workplace or Green Travel Plan has been developed by **TravelSmart Australia**. Major employers in the Shire including Council should be encouraged to develop specific Green Travel Plans for their organisations as a means of encouraging their staff to travel in more sustainable ways when going to and from work.
- Encourage schools to develop and implement school travel plans. In partnership with the Australian Government's Travel Demand Management Initiative 2005-2007, the NSW Government initiated a school travel plan project. The objective of this project is to address the dramatic increase in car reliance for the journey to school by encouraging secondary school students to choose more sustainable and physically active modes of travel such as walking, cycling and public transport. This initiative would help to reduce the number of private car trips that are generated by students attending schools currently experiencing traffic and parking stress. It is understood that Northholm Grammar School has successfully implemented a school travel plan to manage students driving to school which has reduced traffic congestion during school peaks and manages on-street parking.

2. Public Transport

For many 'journey to work trips', public transport represents a real alternative to the car. Using public transport not only saves money when compared to the total costs of running a car to get to work, but also allows the user to avoid stress from driving in peak-hour traffic. However, there are considerable issues surrounding the current quality of and easy access to available public transport services. One of the biggest obstacles facing public transport users is poor connectivity to established public transport networks and lack of information relating to available services.

Many of the action plans relating to public transport are generally outside the scope of Council, being the responsibility of bus companies and NSW Government who are the providers and regulator of services. Examples of measures that can be initiated at the local level by Council to support and promote public transport service use in the Shire include:

- Encourage major organisations or large employers in the Shire to develop public transport access plans;
- Develop and publicise maps showing public transport routes to major land destinations in Sydney;

- Initiate the development of an integrated interactive community based public transport information system. The objective of such a system is to provide an integrated source of information that permits the wider community to access material that relates to all forms of public transport. This information would be accessible from the World Wide Web and offer a range of comprehensive public transport services including regional bus and train timetables, together with information regarding taxi, ambulance and other community based modes of transport.
- Spot and corridor based improvements. This includes provision of bus shelters, better lighting for better security and signposting to highlight public transport nodes;
- Service based projects. This includes lobbying and negotiating with public transport providers to provide better services to areas where there is a potential for increased public transport patronage;
- Encourage public transport use for business travel to destination served by public transport;
- Provide a community bus or encourage major employers in the Shire to provide a shuttle bus service that links remote locations with existing public transport services e.g. from industrial areas to the train station. Implementation of this measure is subject to compliance with existing regulatory requirements. State Rail currently operates a shuttle bus from Hornsby Station to Asquith Electric Car Sheds.

Implementation of some of the above measures will require Council to work closely with the public transport operators and State Government, recognising that a partnership is required to effect identified actions.

The improvement of facilities cannot be funded within existing budgets and must be listed for consideration in a future budget.

3. Walking and Cycling

Walking and cycling have the lowest environmental impact of all forms of transport. These modes of travel produce no pollution or greenhouse gas emissions. In addition, community safety and physical fitness levels are enhanced when more people choose to get out of their cars and opt to walk and cycle.

The Walking and Cycling action plan is already been carried out as part of current activities undertaken by the Traffic and Road Safety Branch. However, more work still needs to be done to provide a pleasant walking and cycling environment in the Shire. Some of the measures that can be initiated at the local level by Council to promote walking and cycling include:

- Publicity/promotion - Produce a map showing walking and cycling routes with times, not distances, to local facilities such as shops and bus stops. (People often have an unrealistic idea of how long it takes to walk).
- Open-up safe short cuts for pedestrian access to local facilities where possible. A considerable effort has already been made by Council to implement pedestrian and cycle facilities throughout the Shire, including dedicated paths, however, the network lacks connectivity and facilities are frequently isolated. These existing facilities could be made of much greater relevance through a focus on providing links and connections between existing infrastructures. Additional connections and linkages should be identified and prioritised through the existing Hornsby Shire Bike Plan and future

- Pedestrian Access and Mobility Plans (PAMPs). The network can then be publicised through maps and community information.
- Encourage organisations to provide umbrellas in foyers for staff use to deter short vehicle trips during inclement weather, e.g. driving to Westfield when raining.
 - Increase funding to review and improve condition of existing footpaths and where possible expand the network to meet user requirements. New facilities should include on and off road paths and trails, crossing facilities (signalised and unsignalised), cycle parking facilities and signage where required.
 - Encourage employers in the Shire to take part in 'National Walk to Work Day'. This is already been carried out through the initiative of other agencies and the Environment Division.
 - Initiate 'TravelSmart Get to Work days' encouraging staff to come by alternative means.
 - Encourage local primary schools in the Shire to introduce Walking Bus Programs. A Walking School Bus is a group of primary school children who walk to and from school along a safe and enjoyable set route, accompanied by a minimum of two parent driver/supervisors per 'bus'. One parent 'drives' at the front of the bus, while the other parent supervises at the rear. Additional parents may be needed depending on the local requirements. The walking bus picks up 'passengers' along the way at designated 'bus stops'. The 'bus stops' can be meeting points along the route or at homes of the Walking School Bus participants. The process is reversed in the afternoon, led by the same or a different adult driver/supervisor. It can be flexible to suit the needs of families using it. The 'bus' can go as seldom or as often as parents want to 'drive' it and children want to use it. This means that it can even operate as little as one morning or afternoon each week. Many schools start the Walking School Bus on a one-day per week basis and increase its schedule over time. The service is free. Every child is welcome to join the bus even if their parents cannot be drivers. Apart from environmental and social benefits, one of the benefits of the Walking School Bus is the reduction of traffic congestion around schools.
 - Education - Both children and adults will generally benefit from specialist education particularly related to cycling. Courses for beginners and 'lapsed cyclists' can provide the necessary road skills and improve confidence. Local bicycle user groups often offer cycle 'buddy' assistance. Buddies can assist cyclists in identifying safe routes, for example, between home and work, and accompanying the new cyclist a few times to give them confidence. Council should take a lead role by promoting and supporting this type of scheme.
 - Integrate pedestrian and cycling planning into all Council activities. Planning for pedestrians and cyclists should not be undertaken in isolation from other Council activities. A holistic approach should be adopted that permeates all aspects of Council's work, e.g. review of traffic facilities or asset maintenance projects to determine whether pedestrian or bicycle access can be improved.

It is however acknowledged that parking availability is important for economic viability of town centres.

Implementation of measures required to promote walking and cycling will need financing. Unfortunately the severe topography in certain parts of the Shire makes infrastructure provision relatively expensive and difficult to use. Council can source funds from State Government grants as well as from its annual budget allocations for traffic facilities.

4. Land Use and Development

A document explaining the policy context of integrating land use and transport was released by the NSW government in 2001. This document explains the policy that was developed to reduce car travel and provide more equitable access to jobs and services. The state

government policy on integrating land use and transport underpins the action plan that relates to land use and development. The intended objective of this action plan is to achieve the following planning objectives in the Shire:

- Improve access to housing, jobs and services by walking, cycling and public transport;
- Increase the choice of available transport and reducing dependence on cars;
- Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;
- Support the efficient and viable operation of public transport services;
- Provide for the efficient movement of freight.

Directing future urban growth to achieve the planning objectives outlined above requires Council to consider and weight the significance of each criterion which needs to be satisfied. For example, the weighting of ILUTS principles, such as meeting higher densities, mixed uses, accessibility and structured development needs to be considered against other criteria such as community aspirations, conservation and environmental outcomes.

Many of the ILUTS principles are currently addressed in the planning of centres and Council already has a number of place-based planning controls or DCP's. While broad scale changes to DCP's are not envisaged or required, a review of the consistency of existing parking policies against the ILUTS objectives should be undertaken as a rolling program consistent with envisaged and already adopted programs for review and incorporation into DCP's where appropriate.

5. Local Street Management

This action plan seeks to increase the liveability of local residential neighbourhoods by reducing the negative impacts of traffic through creation of areas that are conducive to walking and cycling. Some measures that can be adopted and implemented to realise this action plan include:

- Redesign of local streets to reduce traffic speeds and vehicle dominance by implementing local area traffic management schemes (LATM). This initiative is on-going as part of current activities of the Traffic and Road Safety Branch;
- Provide suitable facilities on local streets that enhance safety and encourage walking and cycling. This initiative is also on-going as part of current activities of the Traffic and Road Safety Branch;
- Review and revise the Shire's road hierarchy plan with respect to the function of roads that are under the jurisdiction of Council. A road hierarchy outlining the functional classification of roads should also include the type of facilities that can be implemented in respective Council roads. The road hierarchy is currently under review and will be reported to Council in due course;
- Assess and rank traffic and parking problems in residential neighbourhoods and develop prioritised solutions to address problems experienced by local communities. This is regularly undertaken by the Branch;

Council is already undertaking the initiatives listed above. Design and implementation of some initiatives will require additional funding and resource allocation in situation where these cannot be met from existing resources.

6. Arterial Roads

This action plan seeks to reduce the negative impacts of main road through traffic (e.g. Pennant Hills Road, New Line Road) on the amenity of activity centres and residential areas by:

- Reducing the barrier effect of arterial routes on local trips, especially pedestrians and bicycles;
- Reducing the number of accidents occurring on arterial routes and improving overall safety for all road users;
- Increasing bus priority along arterial routes with consequent positive benefits on bus travel times and reliability.

Since the management and control of arterial roads falls under the jurisdiction of the RTA, realisation of this action plan is dependent on the input and cooperation of the RTA. Council's role in this respect would mainly be limited to lobbying the RTA to implement the necessary measures that are required to reduce the negative impacts of main road through traffic. Some of the measures that can be initiated by Council to realise this action plan include:

- Review traffic conditions for arterial road networks, identify bottlenecks and establish a priority of infrastructure improvements requirements;
- Lobby the RTA and relevant State Government agencies and Commonwealth Government regarding implementation of identified infrastructure improvements including the provision of an appropriate national highway link between the F3 Freeway and M2 Motorway;
- Instigate regular liaison meetings with RTA representatives to progress required improvements.

7. Access to the National Park and other Areas of Open Space

Hornsby Shire includes large areas of National Park and other bushland that attracts visitors from the local and metropolitan region of Sydney. At present access to these areas is dominated by the private car where visitors and residents compete for limited parking availability. Consideration needs to be given to improving and promoting access by other modes to ensure the future sustainability of these areas. The suggested measures include:

- Increasing awareness of existing public transport routes and opportunities for visiting national parks and areas of open space using existing paths and trails;
- Developing public transport links to support existing facilities or developing facilities that can be accessed through existing public transport services;

This action plan can be initiated with relatively limited resources but will require greater resources to realise the medium and long term opportunities. This action plan can be funded in partnership with Stakeholders, particularly National Parks and Wildlife Service (NPWS), Department of Lands and the transport operators. Council will be expected to take a lead role

in initiating this action plan through development of proposals, conduct of local research and organisation of meetings.

8. Car Parking Management

Car parking management is a critical part of an integrated transport system. It has a significant influence on car use in that, if parking is not available at the destination, car use is minimised. In this regard, car parking is considered to be an important and valuable travel demand management tool.

It is noted that existing Council car parking rates meet full demand which is not consistent with ILUTS principles in centres which have good access to public transport. In this regards, Council should consider the following general policy principles:

- Review current car parking rates in Council's DCP's with a view of reducing or adopting minimum rates;
- Review the viability of parking requirements of constrained sites and the time frame of providing public parking on Council sites in Hornsby Town Centre;
- Actively support the improvement and use of non car options such as public transport, cycling, walking, motor cycles and car sharing in accordance with the ILUTS principles. This initiative would over time lead to a reduction in car parking demand and positive health and environmental outcomes. Where conflict between users exist, Council will need to prioritise the needs of non car options i.e. providing bus stops by removing timed parking within a shopping strip;
- Review existing parking management practices and develop relevant policies and strategies to guide car parking management activities in the Shire;
- Review on-street and off-street parking time limits to ensure optimum supply and durations and determine if pay parking would be a viable option of managing car parking demand in the Shire. This is currently on-going;
- Dedicated commuter parking should not be expanded except where demand substantially exceeds supply and there are no other viable alternatives of travel;
- Where applicable, Council should encourage reduced parking provisions for employee parking in major business developments;
- Any reduction of long term parking spaces must be considered in conjunction with adequate alternative transport access (e.g. local bus service improvements; Parramatta and North West Rail Links, bicycle links and storage facilities);
- Any apparent parking shortage should be reviewed with an objective to increase effective utilisation of existing spaces (e.g. by providing appropriate time limits or adopting an approach that favours appropriate short term use to sustain viability of business centres by reducing all day commuter parking or employee parking);
- Consideration should be given to the parking needs of those who drive to railway stations after the morning peak period;
- Encourage shared use of off-street parking spaces at major centres where night time activities are promoted;
- Engage an independent consultant to evaluate the economic viability of introducing pay parking in Hornsby, Epping and Pennant Hills or any other centres Council may wish to nominate;
- If pay parking is considered suitable, develop a pricing structure for on and off-street parking which is economically viable and fosters good economic development in the best interest of all stakeholders;

9. Administration

Implementation of the ILUTS actions is dependent on the management and administration structures in place and the political will to achieve change. Many of the actions will require Council to work closely with other stakeholders including public transport operators and State Government. It is however envisaged that administration of the ILUTS can largely be

accommodated within existing Council resources and would inevitably be spread across Council departments and external stakeholders.

Specific measures will need to be assessed and priorities in line with available budget resources. The publicity and promotion of certain measures such as walking and cycling will require some resource allocation.

Framework for Developing a Car Parking Management Strategy for Hornsby Shire

Numerous concerns have been raised regarding car parking management in the Shire. Based on recent surveys undertaken in major town centres, it is apparent that there are significant parking issues in certain parts of the Shire that need to be addressed by Council. These issues appear to be created by rail and town centre commuters and are likely to be influenced by the deficiency of alternative options to private vehicle use and the relative isolation of where people live and work.

It is considered that most of the parking problems and issues that are experienced in major centres will only increase if we continue to maintain the traditional approach of satisfying travel demand by providing more car parking spaces. Having regard to the above, a proactive approach has been undertaken informally by initiating a program to develop an integrated strategy for the Shire that will address common concerns of various user groups with respect to lack of public parking and commuter parking. The issues that need to be reviewed and included in a car parking management strategy for the Shire are outlined below:

1. Resident Parking Schemes (RPS)

Council has been requested from time to time to introduce Resident Parking Schemes on local roads, in particular around railway stations or major town centres. This matter is currently regulated by an RTA policy that generally does not encourage provision of resident parking schemes in areas where residents have access to off-street parking.

Since most of the residents in the Shire (with the exception of residents of the River Settlements) have access to off-street parking, previous requests for Resident Parking Schemes in the Shire have been refused by Council due to the current RTA policy and guidelines.

Suggested Policy Direction

Having regard to the existing RTA policy on RPS, Council should not support the introduction of Resident Parking Schemes in areas of the Shire that have access to off-street parking. A review should be undertaken to determine appropriate policies to guide parking management for residents of the River Settlements.

Specific details and aspects of this policy should be determined during development of the Shire's Car Parking Management Strategy that will shortly be commenced.

2. Commuter Parking

In the context of the Shire's ILUTS, rail commuter parking is considered to be detrimental to local communities because it:

- Contributes to traffic congestion on local roads;
- Impacts on local amenity;
- Attracts commuters from other areas;
- Provides parking opportunity for employees who would otherwise use public transport;
- Competes with feeder bus services, potentially making them unviable; and
- Competes with short stay parking needs in commercial/retail centres.

On the other hand, it should also be noted that availability of sufficient commuter car parking spaces around public transport nodes can be a key initiative in making public transport a more attractive and viable alternative to driving a private car as it enables a seamless integration between the two competing transport options.

It is acknowledged that Council has previously provided unrestricted on-street angle parking in areas such as Epping, Hornsby and Waitara that are predominantly used for long term parking by rail commuters. Having regard to the objectives of the ILUTS, provision of further all-day commuter parking facilities at major public transport terminals such as railway and bus stations should not be supported. Provision of rail commuter parking should be considered as an interim measure to be replaced in the long term by feeder bus services when rail patronage reaches a critical mass.

Communities near railway stations and city bus services currently experience difficulties with commuter parking. At the Ordinary Meeting of 8 April 2009 Council adopted a resolution in part calling *on the State Government to develop a commuter management strategy to adequately address the commuter needs of north western Sydney residents. Progressing this matter will require further lobbying the State Government with the support of neighbouring Councils (The Hills, Parramatta, Ryde) in the matter.*

Suggested Policy Direction

- No additional all-day 'rail or bus commuter parking areas' should be provided by Council as this is a state government responsibility;
- Council should lobby the relevant authorities to improve peak hour frequency and connecting bus services to the Railway Stations;
- The number of all day parking spaces within 500m of railway stations should be reviewed and gradually reduced and made available for short term use where warranted by competing demand e.g. shopping centres and community facilities.

Specific details and aspects of this policy should be determined during development of the Shire's Car Parking Management Strategy that will shortly be commenced.

3. Employee Parking

Currently all commercial and industrial developments regardless of their locations are required to provide adequate parking for both employee and visitors. This practice has been the major cause of traffic congestion in Sydney, with constant upgrade of the road network capacity to accommodate the increasing traffic. This has been done at the expense of declining use of public transport, and consequent reduction in level of service. Continuing provision in future developments for employee parking in commercial centres, particularly where public transport facilities are available, is not sustainable as it will contribute to the eventual collapse of the entire transport system. Providing full employee parking in centres is a significant contributor to peak hour traffic congestion.

Suggested Policy Direction

Council should consider reducing the number of employee parking spaces in major commercial centres by:

- Progressively limiting the available free on-street parking spaces within a radius of, for example, 500m of the boundary of the commercial/employment centre, e.g. by introducing time restrictions;
- Reduce employee parking rates for developments in proportion to the level of public transport facilities available. Limiting or prohibiting employee parking provision for any development where public transport facilities are available, e.g. near railway stations;
- Giving incentives to developers in terms of concession on floor space ratios if a transport or access plan is provided to limit the use of private vehicles and achieve a target and sustainable mode split;
- Providing incentives to both employers and employees for car/van share schemes.

Specific details and aspects of this policy should be determined during development of the Shire's Car Parking Management Strategy that will shortly be commenced.

The effectiveness of this policy would depend on how parking stock would be controlled or managed by Council since an employee who is denied access to easy (inexpensive, conveniently located) parking can either accept more difficult (more expensive, less conveniently located) parking or opt to use other modes such as public transport.

4. *On-Street Parking Control*

Parking utilisation surveys have shown that the maximum parking duration relating to normal activities in major centres ranges between one to two hours, with only a small percentage exceeding two hours. Generally, unrestricted parking spaces close to railway stations are occupied by commuters or town centre employees. People wishing to use the train during the day generally have to park a long way from the station. These people may be elderly and frail and unable to walk the required distance to the station. The provision of 3 or 4 hour parking areas generally does not solve the parking supply problem. Around town centres such as Hornsby and Pennant Hills, the short term parking spaces, in particular 3 hour spaces, are generally used by local employees who are able to relocate their vehicles to other areas during breaks in their work day.

Suggested Policy Direction

In order to sustain the economic viability of these centres, it is recommended that Council's car parking management strategy should favour short term use in centres where this is

warranted by gradually reducing all-day use by commuters or employees. This will require a review of existing on-street time limits to ensure effective utilisation of existing spaces. Specific details and aspects of this policy should be determined during development of the Shire's Car Parking Management Strategy that will shortly be commenced.

5. Pay Parking

The pay parking strategy is considered an effective measure to control and manage on-street parking.

Pay parking schemes are intended primarily:

- To ensure both safety and traffic efficiency within the overall context of travel demand management and the management of traffic on the road system.
- To provide equitable access to parking spaces for road users on roads and road related areas where demand for parking exceeds the available parking spaces through increased parking turnover.
- Where demand exceeds supply, ration the use of both on-street as well as off-street car parking spaces on roads and road related areas, to allow short to medium term parkers to gain access to parking during business hours by removing competition from all-day parkers.
- To ensure that any parking demand strategy is consistent with any land transport strategy for the area, and to support and complement the transport objectives especially public transport rather than working against them.

There are generally no resident exemptions for 'Pay Parking Schemes'. All costs associated with the establishment and operation of pay parking schemes on roads and road related areas must be met from Council resources. This includes costs associated with the provision and maintenance of parking signs and pavement markings, publicity and enforcement. Costs of implementing such schemes can exceed income in remote locations. Vandalism of equipment can also result if pay parking schemes are not accepted in the community.

If this strategy is introduced in Hornsby Shire, it would be a major shift from current parking practices and community expectations. In this respect, such a strategy needs to be carefully evaluated to avoid unintended consequences. Central Business District (CBD) interests have historically opposed pay parking because when there are no integrated parking management strategies to cater for essential requirements, charges can drive shoppers to other centres where parking is plentiful and free.

On the other hand, if there is no regulation on parking demand and supply, business can suffer due to congestion arising from vehicles circulating around when looking for vacant parking spaces. Provision of parking meters would increase parking space turnover, accessibility and business viability.

Notwithstanding the additional income that would be generated, introducing pay parking would also generate additional work tasks associated with maintenance of the parking meters, money handling and attending to additional correspondence/public complaints. In order to minimise public complaints and increase acceptability of pay parking, revenue collected from parking meters should be used to fund improvements for public transport access and mobility management programs that encourage use of public transport e.g. additional walk and cycle facilities.

Suggested Policy Direction

If Council wishes to proceed with paid parking, a consultant should be engaged to develop a business case for each centre or area regarding the feasibility of charging users for parking. Paid parking should only be implemented initially on a trial basis in identified areas after alternative car parking management options have been discounted.

Since introducing pay parking schemes in the Shire would be a major shift from current parking practices, it is envisaged that this approach would be may not be acceptable to some sectors of the community. It is therefore recommended that if Council wishes to proceed

with introducing pay parking, an appropriate information and community engagement strategy form an essential part of any proposal.

Pay parking controls may include both on-street and off-street parking although an initial trial should be confined to on-street areas only. To select appropriate locations for initial introduction, consideration must be given to the impact of shifting use to locations where charges do not apply. The application of this principle (i.e. charging for parking) would vary in each centre depending on a number of factors such as:

- Financial viability of introducing paid parking in respective centres;
- Peak hour traffic and parking conditions;
- Impacts of all-day parking on retail and commercial activities;
- Impacts of future land use development potential;
- The parking needs of various user groups;
- Provision for commuter parking at railway stations;
- Equity and the 'User Pays' principle.

Notwithstanding, it should be noted that the RTA requires the parking authority (in this case Council) to have a formal parking policy and or traffic management plan for the Shire or areas where it intends to implement a paid parking scheme. To ensure that meter parking schemes (MPS) are not seen to be introduced in an area solely for the purposes of raising revenue, Council would be required by the RTA to undertake a parking study to establish the justification for the proposal. The study required by the RTA must be undertaken in the context of Council's parking policy when developed and submitted to the Local Traffic Committee for its consideration and advice. The guidelines and requirements for implementing Pay Parking Schemes are outlined in the RTA Manual for Pay Parking (*available on the RTA website*).

6. Parking Rates and Guidelines

The RTA Guide to Traffic Generating Developments has been the main source of reference for developing Local Government parking codes in NSW. The parking provision rates used in the RTA Guide are based on limited surveys conducted in the seventies on a broad spectrum of land uses throughout metropolitan and country centres when car usage, particularly for commercial premises, was at the highest level. The surveys conducted for each individual use in isolated cases provided results of maximum demand and did not take into account factors such as shared use, proximity to public transport and high density residential developments that have since occurred. In this regard, the RTA Guide is considered outdated and should only be used as a 'guide' rather than a requirement. It would

be appropriate to engage a land economist to help determine parking rates that will stimulate commercial development without having adverse impacts on sustainability.

Many local government authorities have recently updated their parking control and provision requirements based on more recent surveys conducted or demand management policies. Hornsby Council's existing DCP for car parking requirements for future developments is essentially based on provisions in the RTA Guide with little or no modification. Parking surveys conducted in Hornsby Town Centre as part of the ILUTS have indicated that the utilisation of existing available parking spaces is far below the current RTA Guide or Council DCP requirements. The results of this survey are outlined in the Hornsby Shire Parking Strategy Review Working Paper.

Based on the current DCP for Hornsby Town Centre, future potential development sites would require 1,750 spaces. However, based on current demand rates, the future parking demand for these potential sites is only 1,410 spaces. Utilisation of existing parking spaces in Hornsby Town Centre indicates that parking provision rates for future development could be reduced without affecting the commercial viability of the centre. However, the determination of provision rates for future commercial developments would depend on the target mode splits to be achieved as a result of the ILUTS.

Suggested Policy Direction

The existing parking rates should be reviewed in line with future parking demand management policies and Council should consider different parking provision rates for developments within Hornsby Town Centre from other centres. Based on interim analysis, suggested provision rates for Hornsby Town Centre are outlined in the ***Hornsby Shire Parking Strategy Review Working Paper*** prepared as part of the ILUTS. These rates should be revised pending the outcome of likely mode split effect of the ILUTS.

Specific details and aspects of this policy should be determined during development of the Shire's Car Parking Management Strategy that will shortly be commenced.

Conclusion and Recommendation

The following is recommended with respect to the above framework for Developing a Car Parking Management Strategy for Hornsby Shire:

1. As a long term objective, Council should actively support the improvement and use of non car options such as public transport, cycling, walking, motor cycle and car sharing in accordance with the ILUTS principles. This initiative would in the long term lead to a reduction in car parking demand and positive health and environmental outcomes. Where conflict between users exist, Council should prioritise the needs of non car options i.e. providing bus stops by removing timed parking within a shopping strip.
2. Review existing parking management practices and develop an integrated car parking management strategy for the Shire commencing with Hornsby Town Centre. The issues that should be addressed and incorporated in the study are outlined in the scoping document on *Parking Management in Hornsby Shire* available on Council's website. The study should also include a review of the Access and Mobility DCP to facilitate equitable access to major transport nodes.

BUDGET

Some tasks associated with development of the Shire's car parking management strategy have already been undertaken using existing in-house resources. The cost of completing the remaining tasks for this project is estimated at \$80,000. This includes an amount of about \$35,000 that is required to develop a traffic and car parking management strategy for Hornsby Town Centre. Since this amount has not been allocated in the current budget, progression of this project to the next stage is dependent upon the availability of funds. Projects that cannot be funded within existing budgets will be listed for consideration in a future budget.

POLICY

New policies for car parking management practices will be developed if Council resolves to proceed with development of a car parking management strategy for the Shire.

CONSULTATION

The Manager Town Planning Services, Manager Property Services and Manager Sustainability and Health Team were consulted in the preparation of this report.

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.

At this stage this report simply provides Council with information and does not propose any actions. Therefore, Triple Bottom Line assessment was not required for this Report.

RESPONSIBLE OFFICER

The officer responsible for preparation of this Report is the Transport Planner – Bernard Choongo. He can be contacted on 9847 6680.

RECOMMENDATION

THAT

1. Report WK71/09 be received and noted.
2. The principles developed in the ILUTS be considered when determining future actions relating to transport and land use in Hornsby;
3. The Scoping Report for developing a Car Parking Management Strategy for the Shire referred to in this report be adopted and subject to funding availability, appropriate strategies be developed commencing with Hornsby Town Centre;
4. Details of respective car parking management strategies and policies be determined during development of the Shire's Car Parking Management Strategy;
5. A review of the consistency of existing land use and transport planning policies including car parking management practices against the ILUTS objectives be undertaken on an ongoing basis subject to availability of resources.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2006/00078
Document Number: D01228545

20 WORKS PROGRESS REPORT - JULY 2009 - REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

EXECUTIVE SUMMARY

This is a further 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 approved the Council's list of projects, formalised the Funding Agreement between Council and the Commonwealth and provided the full sum of \$833,000 in advance.

Progress on all related RLCIP projects is noted in this Report.

PURPOSE/OBJECTIVE

The Works Division has agreed to provide regular consolidated reports to Council with respect to the progress of all RLCIP projects, including those undertaken by the Corporate & Community and Environment Divisions. This is the second of these progress reports.

DISCUSSION

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

In early August, in consultation with the Department, Council sought to vary the Funding Agreement in line with actual expenditures.

The attached Table records the progress of the projects as at July 31, 2009 and shows revised RLCIP Budget allocations.

As required by the Funding Agreement, Council will arrange Opening Ceremonies at various locations around the Shire. The first of these is planned to occur at North Epping Oval on 12 September 2009.

A final report will be presented to Council after 30 September 2009, when these projects are required to be completed.

BUDGET

Any minor cost overspends on RLCIP projects will be funded from Council's normal budget allocations and reported in later Budget Reviews.

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. WK72/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. RCLIP Project Status - as at 31 July 2009

File Reference: F2008/00661
Document Number: D01229167

21 "WELLUM BULLA" HORNSBY SHIRE COUNCIL MATERIALS HANDLING FACILITY REPORT ON OPERATIONS AS AT 30 JUNE 2009

EXECUTIVE SUMMARY

Development Consent No. 2393/03 for the continuation of operation of the "Wellum Bulla" Hornsby Shire Council Materials Handling Facility was granted by Council on 16 February 2005.

The facility has been established to enable Council to reuse much of the excavated material generated from the maintenance and improvement of local roads, footpaths and drains within the Shire.

This report provides Councillors with information relating to the operation of the facility as at 30 June 2009.

PURPOSE/OBJECTIVE

The purpose of this report is to advise the Council of the operation of the "Wellum Bulla" Hornsby Shire Council Materials Handling Facility as at 30 June 2009.

DISCUSSION

1. Purpose of the Facility

The facility is located approximately 1.5 kilometres north of Mt Kuring-gai Railway Station on land between the F3 Freeway and the Northern Rail Line.

Hornsby Shire Council generates a quantity of material waste per year in undertaking normal programs of infrastructure construction and maintenance. The facility was established to enable Council to reuse much of the excavated material generated from the maintenance and improvement of local roads, footpaths and drains within the Shire.

A significant portion of this material waste is made suitable for re-use in Council's works programs by stockpiling, separating, sorting and sieving the material at the facility. Excavated materials such as sand, soil, gravel and profile material are sieved and graded to provide a variety of reusable materials; sieved concrete and asphalt material are sent for reprocessing at an external commercial crushing facility and returned as re-usable material as required. The maximum throughput of materials processed on-site is limited to 30,000 tonnes per annum.

2. Development Consent

Approval of the materials handling facility was initially granted by Development Consent No. 193/97 dated 22 June 1998.

The facility was established during 1998 to 2000 and commenced operations on 1 March 2001. The facility operated in accordance with the consent until 1 March 2004.

Following Development Consent No. 2393/03 granted on 16 February 2005, the facility recommenced operations on 16 May 2005.

3. Management of the Facility

The facility is managed by Council's Engineering Services Branch staff in accordance with the following responsibilities and reporting:

Site Supervisor

- Ensure that signed and dated checklists are completed and forwarded to the Site Manager.
- Issue and follow up on Corrective Actions, non-conformances and observations.
- Report on effectiveness of safeguard measures to the Site Manager.
- Implement the Incident Management Plan as required.

Site Manager (Engineering Resources Coordinator)

- Ensure implementation and maintenance of environmental actions and controls in the EMP.
- Ensure that site personnel are aware of their environmental responsibilities in the management and implementation of safeguard controls and actions.
- Ensure that site assessments by the Site Supervisor are being carried out and reported to the Site Manager.
- Ensure that corrective and preventative actions arising from internal assessments or environmental audits are implemented.

Facility Manager (Manager Engineering Services)

- Ensure implementation and maintenance of environmental actions and controls in the EMP.
- Address any environmental or community complaints made about the site.
- Provide progress reports to Council on the operations of the facility.

4. Protection of Natural Waters and Site Drainage

The facility is operated in accordance with an Environmental Management Plan that incorporates the requirements of Department of Environment and Climate Change (formerly Environment Protection Authority), NSW National Parks and Wildlife, Department of Lands.

The Environmental Management Plan contains extensive environmental safeguards to protect the amenity of the surrounding natural and built environment.

The facility has two sedimentation ponds located on site designed to contain a 1 in 20 year rainfall event.

Any stormwater overflow from the site is designed to discharge into the stormwater drainage system of the F3 Freeway via a series of concrete catchment drains through the National Park.

5. Weed Management

A weed management plan has been implemented at the facility. The plan is being carried out by Urban Bushland Management Projects Pty Ltd under the direct supervision of Council's Bushland Management Operations Coordinator.

The plan comprises a systematic program involving initial weed control, weed suppression, revegetation of buffer areas and bush regeneration.

Progress to date includes removal of environmental weeds and noxious weeds in the operational area and the adjacent National Park area immediately surrounding the site. In addition, a three metre buffer has been created behind the acoustic wall together with removal of Bamboo, Lantana, Cape Broom, Crofton Weed and Privet in this area.

6. Monitoring Committee

A "watchdog" group known as the "Wellum Bulla" Hornsby Shire Council Materials Handling Facility Monitoring Committee, consisting of two Councillors, four community representatives, two Council staff, an environmental representative and one Metropolitan Aboriginal Land Council member has been established to overview and monitor the operation of the facility.

The Monitoring Committee meets each four months on site at the facility and a report is provided to Council.

Report No. WK10/09 was presented to Council for consideration at its Ordinary Meeting of 11 March 2009 regarding Meeting No. 1/09 of the Committee.

Report No. WK46/09 was presented to Council for consideration at its Ordinary Meeting of 8 July 2009 regarding Meeting No. 2/09 of the Committee.

Meeting No. 3/08 due to be held on 9 October 2008 was cancelled by the Chairman of the Committee as the Committee includes two Councillors nominated by Council, and the incoming Council had yet to determine the Councillor representatives for the various Committees throughout the Shire at the time of the meeting.

7. Operation of the Facility

Tonnages

Prior to taking a decision to transport excavated material to the facility, operational staff assess the cost of disposal of waste/surplus material as part of their job planning. The facility is only used to dispose of materials if it can be justified on economic grounds, or where there is a compelling requirement to recover a certain type of material from the waste stream.

The tonnages through the facility for 2008/2009 to date are as follows:

STOCKPILES AND THROUGHPUT AS AT 30 JUNE 2009

Material	Stockpiles 30/06/08	Input	Site Processing of mixed waste	Output	Stockpiles 30/06/09
Unprocessed Mixed Material	0	4674		0	0
Processed Material suitable for re-use	667		3030	3506	191
Processed Material for landfill disposal	167		529	410	286
Concrete for recycling	527		1115	1602	40
New material	48	286		276	58
TOTAL	1409	4960		5794	575

The throughput for 2008/2009 was 4960 tonnes comprising 286 tonnes of new material purchased, 1115 tonnes of concrete and asphalt and 3559 tonnes of mixed waste received from excavated material from road and drainage works. This excavated material was primarily generated from the road assets branch carrying out maintenance works.

The road construction branch has also generated 5000 tonnes of excavated material to date for 2008/2009. The excavated material generated by the road construction branch was transported direct to recyclers or landfill for economical purposes as the work sites enabled material to be sorted on site and transported in 7 tonne and 14 tonne trucks.

- *Financial status*

The facility operated at a surplus of \$954 for the 2008/2009 period (Attachment A). Gate charges for the receipt of material are set each year with the objective of achieving a break-even operating cost for the facility. This objective has been achieved.

There have been significant increases in tipping fees at the recyclers and landfills from 1 July 2006. The Department of Environment and Conservation (Environment Protection Authority) advised in November 2005 that the Government would introduce the City and Country Environment Restoration Program, which involves seven major environmental initiatives totalling over \$400 million. The Program is funded by the Waste and Environment Levy which replaced the current Waste Levy in 2006. Over the ensuing five years, there is an annual increase of \$6 per tonne of waste disposed of, in addition to the current waste levy increases and annual adjustments for inflation.

The gate charges at the facility are calculated on the anticipated tonnage of excavated materials received and the cost of the operation of the facility. An economic analysis comparing facility gate charges versus the cost of transport and disposal of excavated material direct to recyclers and landfills by the road asset branch confirms that it is in Council's financial interest to continue operation of the facility.

Based on the 2008/09 Waste and Environment Levy of \$46.70 per tonne, the cost to dispose of mixed material directly to landfill without processing at the Materials Handling Facility

would have resulted in additional costs to Council of \$140,000 based on 3030 tonnes of processed material suitable for re-use on Council works.

It should be noted that the 2008/09 Waste and Environment Levy has been increased to \$58.80 per tonne as from 1 July 2009.

BUDGET

The cost of disposal of waste/surplus materials from various works projects is factored into estimates for each job or maintenance activity. As costs increase, the amount of work that can be achieved within a fixed budget will decrease. Increasing waste disposal charges will adversely impact on current budgets with outputs being decreased. The internal loan used to finance the establishment of the facility has been repaid.

POLICY

There are no policy implications for Council.

CONSULTATION

Consultation has been held with the Manager Assets and the Manager Design and Construction.

TRIPLE BOTTOM LINE SUMMARY

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

Working with our community

The facility has been established to optimise the opportunity for recycling of unwanted materials, thereby allowing scarce landfill space to be better used by the community. A Monitoring Committee has been established to overview and monitor the operation of the facility. Four community representatives have been included in the Committee.

Conserving our natural environment

Hornsby Shire Council generates a significant quantity of material waste per year in undertaking normal programs of infrastructure construction and maintenance. The facility was established to enable Council to reuse much of the excavated material generated from the maintenance and improvement of local roads, footpaths, drains and parks within the Shire.

Contributing to community development through sustainable facilities and services

The operation of the facility has been proven to be financially viable and can be considered to be an effective use of the site. There is a demonstrated need for the facility which is measured by the amount of waste material that is recycled and reused in Council works resulting in a reduction of material disposed to landfill.

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

The location of the facility promotes utilisation of major transport corridors via the F3 Freeway and the Pacific Highway to access the site.

Maintaining sound corporate financial management

The gate charges at the facility have been calculated to reflect the cost of the operation of the facility. An economic analysis comparing increased facility gate charges versus the cost of transport and disposal of excavated material direct to recyclers and landfills by the road asset branch confirms that it is in Council's financial interest to continue operation of the facility.

Other sustainability considerations

The facility is operated in accordance with an Environmental Management Plan that incorporates the requirements of Environment Protection Authority, NSW National Parks and Wildlife, Department of Lands. The Environmental Management Plan contains extensive environmental safeguards to protect the amenity of the surrounding natural and built environment.

RESPONSIBLE OFFICER

This report has been prepared by Peter Powell, Manager Engineering Services. Further information may be obtained on 9847 4803.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK73/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Attachment A

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