



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 17 February, 2010
at 6.30pm**

TABLE OF CONTENTS

AGENDA AND SUMMARY OF RECOMMENDATIONS**MAYORAL MINUTES****NOTICES OF MOTION**

- Item 1 NOM1/10 Deductible Gift Recipient Obligations of Council..... 1

RESCISSION MOTIONS**MATTERS OF URGENCY****ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS****GENERAL BUSINESS****General Manager's Division**

- Item 2 GM1/10 Proposed Memorandum of Understanding - Hornsby Shire Council, Hills
Shire Council and Hawkesbury City Council 2
- Item 3 GM3/10 Elections - Caretaker Period 8
- Item 4 GM4/10 Review of Internal Audit Plan 2009/2010 (As at 31/12/2009) 12

Corporate and Community Division

- Item 5 CC8/10 Hornsby Shire Council Libraries - Review of Opening Hours 14
- Item 6 CC2/10 November/December 2009 Investment and Borrowing Report..... 20
- Item 7 CC3/10 Declarations of Pecuniary Interest and Other Matters 25
- Item 8 CC4/10 Review of Policy - Donations and Grants - Council Cash and Non Cash 28
- Item 9 CC5/10 Document Access Applications 19 November 2009 - 22 January 2010..... 31
- Item 10 CC6/10 2009/10 Management Plan and Budget - December 2009 Quarter Review 37

Environment Division

- Item 11 EN5/10 Tree Removal on nature strip at 27 Blackbutt Avenue, Pennant Hill 40
- Item 12 EN1/10 Native Vegetation Communities of Hornsby Shire Study 43
- Item 13 EN2/10 Tender T30/2009 - Landscaping and Associated Bulk Material Supplies..... 47
- Item 14 EN3/10 Parks Capital Works 2009-2010 December Quarter Progress Report 51
- Item 15 EN4/10 Tree Removal at 34 Dean Street, West Pennant Hills 53
- Item 16 EN6/10 2010 International Drought Symposium - University of California 55

Planning Division*Nil***Works Division**

- Item 17 WK1/10 Works Progress Report - December 2009 Quarterly Report - Assets Branch 57
- Item 18 WK2/10 Works Progress Report - December 2009 Quarterly - Traffic and Road
Safety Branch 66

Item 19	WK3/10 Works Progress Report - December Quarter 2009 - Design and Construction Branch	70
Item 20	WK4/10 Tender T34/2009: Supply and Delivery of Precast Concrete Drainage Products	73
Item 21	WK5/10 Tender T33/2009: Concreting: Form and Finish	76
Item 22	WK7/10 Tender No. T28/2009: Hornsby Quarry - Land Filling Approval	79
Item 23	WK8/10 Tender No. T36/2009: Supply and Installation of 40km/h Impact Rated Stainless Steel Bollards	82
Item 24	WK9/10 Works Building Services - Graffiti and Vandalism December 2009 Quarterly Report	85
Item 25	WK10/10 Engineering Services - Building Capital Works Program 2009/210 - December 2009 Quarterly Report	88

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

Item 26	MN13/09 Mayor's Notes from 1 to 30 November 2009.....	90
Item 27	MN1/10 Mayor's Notes from 1 to 31 December 2009	92

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Rev. Geoff Collison from St. Johns Anglican Church, Beecroft, 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 / LEAVE OF ABSENCE

PRESENTATIONS

DECLARATIONS OF INTEREST

Clause 52 of Council's Code of Meeting Practice (Section 451 of the Local Government Act, 1993) requires that a councillor or a member of a Council committee who has a pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

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

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

Clause 51A of Council's Code of Meeting Practice provides that a Councillor, Council officer, or a member of a Council committee who has a non pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

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

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

OR

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

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

CONFIRMATION OF MINUTES

THAT the Minutes of the Ordinary Council Meeting held on 9 December, 2009 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION

Page Number 1

Item 1 NOM1/10 DEDUCTIBLE GIFT RECIPIENT OBLIGATIONS OF COUNCIL

COUNCILLOR HUTCHENCE TO MOVE

That the General Manager submit a report to the March Ordinary Meeting outlining the process to be followed and the obligations to be accepted if Council was to be endorsed by the Australian Taxation Office as a Deductible Gift Recipient (DGR) enabling Council to receive gifts of money or property, the value of which can be claimed by donors as income tax deductions.

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 GM1/10 PROPOSED MEMORANDUM OF UNDERSTANDING - HORNSBY SHIRE COUNCIL, HILLS SHIRE COUNCIL AND HAWKESBURY CITY COUNCIL****RECOMMENDATION**

THAT Council:

1. Pursue the Memorandum of Understanding for a regional partnership with both The Hills Shire Council and the Hawkesbury City Council and singularly with The Hills Shire Council in the event that the Hawkesbury City Council declines to participate.
2. Authorise the Mayor and General Manager to finalise and execute the Memorandum of Understanding on behalf of Council.
3. Agree to the regional partnership proceeding on the basis as outlined in this Report with six monthly reports to Council.

Page Number 8**Item 3 GM3/10 ELECTIONS - CARETAKER PERIOD****RECOMMENDATION**

THAT Council adopt the draft Policy.

Page Number 12

Item 4 GM4/10 REVIEW OF INTERNAL AUDIT PLAN 2009/2010 (AS AT 31/12/2009)

RECOMMENDATION

THAT:

1. The contents of the General Manager's report No GM4/10 be received and noted.
2. A review of the Internal Audit Plan continue to be presented to Council on a half yearly basis.

CORPORATE AND COMMUNITY DIVISION

Page Number 14

Item 5 CC8/10 HORNSBY SHIRE COUNCIL LIBRARIES - REVIEW OF OPENING HOURS

RECOMMENDATION

THAT the contents of Executive Manager's Report No CC8/10 be received and noted.

Page Number 20

Item 6 CC2/10 NOVEMBER/DECEMBER 2009 INVESTMENT AND BORROWING REPORT

RECOMMENDATION

THAT the contents of the Executive Manager's Report No CC2/10 be received and noted.

Page Number 25

Item 7 CC3/10 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS

RECOMMENDATION

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

Page Number 28

**Item 8 CC4/10 REVIEW OF POLICY - DONATIONS AND GRANTS -
COUNCIL CASH AND NON CASH**

RECOMMENDATION

THAT the Policy - Donations and Grants – Council Cash and Non Cash (as amended) attached to Report No CC4/10 be adopted.

Page Number 31

**Item 9 CC5/10 DOCUMENT ACCESS APPLICATIONS 19 NOVEMBER 2009 -
22 JANUARY 2010**

RECOMMENDATION

THAT the documents outlined in Attachment 2 of Executive Manager's Report No. CC5/10 remain exempt from release under Council's Document Access Policy.

Page Number 37

**Item 10 CC6/10 2009/10 MANAGEMENT PLAN AND BUDGET - DECEMBER
2009 QUARTER REVIEW**

RECOMMENDATION

THAT the December 2009 Quarter Review of the Management Plan for 2009/10 – 2011/12 and the Budget for 2009/10 be received and noted.

ENVIRONMENT DIVISION

Page Number 40

**Item 11 EN5/10 TREE REMOVAL ON NATURE STRIP AT 27 BLACKBUTT
AVENUE, PENNANT HILL**

RECOMMENDATION

THAT Council approve the removal and replacement of a *Corymbia citriodora* (Lemon Scented Gum) located on the nature strip at 27 Blackbutt Ave, Pennant Hills.

Page Number 43

**Item 12 EN1/10 NATIVE VEGETATION COMMUNITIES OF HORNSBY
SHIRE STUDY**

RECOMMENDATION

THAT

Council endorse the “Native Vegetation Communities of Hornsby Shire 2008 Update” and place the study and associated latest mapping on public exhibition for a period of 42 days.

Page Number 47

Item 13 EN2/10 TENDER T30/2009 - LANDSCAPING AND ASSOCIATED BULK MATERIAL SUPPLIES

RECOMMENDATION

THAT Council accept the tenders of

- Benedict Sand and Gravel
- Thomson Landscape Supplies
- Camden Soil Mix
- M. Collins and Sons

as Council’s preferred suppliers for landscaping and associated bulk materials for a two year period, with an option to extend the contract for a further twelve months, subject to satisfactory performance.

Page Number 51

Item 14 EN3/10 PARKS CAPITAL WORKS 2009-2010 DECEMBER QUARTER PROGRESS REPORT

RECOMMENDATION

THAT the contents of Executive Manager's report EN3/10 be received and noted.

Page Number 53

Item 15 EN4/10 TREE REMOVAL AT 34 DEAN STREET, WEST PENNANT HILLS

RECOMMENDATION

THAT Council refuse consent to remove one *Eucalyptus saligna* (Sydney blue gum) located in the front yard of 34 Dean Street West Pennant Hills.

Page Number 55

Item 16 EN6/10 2010 INTERNATIONAL DROUGHT SYMPOSIUM - UNIVERSITY OF CALIFORNIA

THAT Council approve the attendance of the Manager, Water Catchments at the International Drought Symposium to be held on 24-26 March, 2010 in Riverside, University of California, USA, as professional development under his contractual conditions.

PLANNING DIVISION

Nil

WORKS DIVISION

Page Number 57

**Item 17 WK1/10 WORKS PROGRESS REPORT - DECEMBER 2009
QUARTERLY REPORT - ASSETS BRANCH**

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK1/10 be received and the progress of the 2009/10 Assets Branch Programmes for the December 2009 quarter be noted.

Page Number 66

**Item 18 WK2/10 WORKS PROGRESS REPORT - DECEMBER 2009
QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH**

RECOMMENDATION

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

Page Number 70

**Item 19 WK3/10 WORKS PROGRESS REPORT - DECEMBER QUARTER 2009
- DESIGN AND CONSTRUCTION BRANCH**

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK 80/09 be received and noted.

Page Number 73

**Item 20 WK4/10 TENDER T34/2009: SUPPLY AND DELIVERY OF PRECAST
CONCRETE DRAINAGE PRODUCTS**

RECOMMENDATION

THAT Council accept the tender submitted by Holcim Australia Pty Ltd. trading as Humes for all works under Tender No. T34/2009: Supply and Delivery of Precast Concrete Drainage Products.

Page Number 76**Item 21 WK5/10 TENDER T33/2009: CONCRETING: FORM AND FINISH****RECOMMENDATION**

THAT Council accept tenders for Tender No T33/2009: Concreting; Form and Finish, as follows:

Work category	First preference	Second preference
Concrete paving	Foster Civil Contracting Constructions Pty Ltd	Devcon Civil Pty Ltd
Drainage structures	Devcon Civil Pty Ltd	Foster Civil Contracting Constructions Pty Ltd
Kerb and guttering	South West Kerbing	Foster Civil Contracting Constructions Pty Ltd

Page Number 80**Item 22 WK7/10 TENDER NO. T28/2009: HORNSBY QUARRY - LAND FILLING APPROVAL****RECOMMENDATION**

THAT:

1. Council not accept any tender and negotiate with Cardno in the first instance regarding the scope of the works to arrive at a lump sum tender price.

Council declines to invite fresh tenders or seek fresh applications from tenderers or persons expressing interest in the contract, for the following reasons;

- i) Council has tested the market for the project and further tendering or fresh applications are not likely to produce a better result,
- ii) Timing constraints do not unduly delay this project.

Subject to the satisfactory conclusion of negotiations, Council enter into a contract with Cardno to undertake the works that will enable Council to seek the necessary approvals to allow for the filling of the quarry void with Virgin Excavated Natural Material.

2. In the event that negotiations with Cardno are not successful, similar negotiations proceed with GHD, and be reported back to Council.
3. The price be made public upon formal acceptance of the tender.

Page Number 84

Item 23 WK8/10 TENDER NO. T36/2009: SUPPLY AND INSTALLATION OF 40KM/H IMPACT RATED STAINLESS STEEL BOLLARDS

RECOMMENDATION

THAT:

1. Council not accept any tender, and prepare detailed bollard and footing designs and call tenders for the fabrication of bollards only.
2. Council declines to invite fresh tenders or seek fresh applications from tenderers or persons expressing interest in the contract, for the following reasons;
 - i) Council has tested the market for the project and further tendering or fresh applications are not likely to produce a better result.
 - ii) It is to Council's financial advantage to take the recommended action

Page Number 87

Item 24 WK9/10 WORKS BUILDING SERVICES - GRAFFITTI AND VANDALISM DECEMBER 2009 QUARTERLY REPORT

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK9/10 be received and noted.

Page Number 90

Item 25 WK10/10 ENGINEERING SERVICES - BUILDING CAPITAL WORKS PROGRAM 2009/210 - DECEMBER 2009 QUARTERLY REPORT

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK10/10 be received and noted.

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

Page Number 92

Item 26 MN13/09 MAYOR'S NOTES FROM 1 TO 30 NOVEMBER 2009

Page Number 94

Item 27 MN1/10 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 2009

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

1 DEDUCTIBLE GIFT RECIPIENT OBLIGATIONS OF COUNCIL

COUNCILLOR HUTCHENCE TO MOVE

That the General Manager submit a report to the March Ordinary Meeting outlining the process to be followed and the obligations to be accepted if Council was to be endorsed by the Australian Taxation Office as a Deductible Gift Recipient (DGR) enabling Council to receive gifts of money or property, the value of which can be claimed by donors as income tax deductions.

Attachments:

There are no attachments for this report.

File Reference: F2009/00174

Document Number: D01333731

2 PROPOSED MEMORANDUM OF UNDERSTANDING - HORNSBY SHIRE COUNCIL, HILLS SHIRE COUNCIL AND HAWKESBURY CITY COUNCIL

EXECUTIVE SUMMARY

Council at its Ordinary Meeting held on 9 December 2009, resolved that the General Manager prepare a Report which outlines how a regional partnership with the Hills Shire Council and Hawkesbury City Council could work.

It is considered that any regional partnership, in which Council participates, should involve community of interest, commitment to shared goals, mutual trust and leadership. These four factors will be important in maintaining benefits from a partnership.

In particular, there should be an agreed position with respect to the need for a constitution, an understanding of authority to make decisions, representation and alternate representation, support resources, regularity of meetings, responsibility to chair or lead discussion, issues to come within the scope of any partnership, mechanism for referral of issues and dissemination of outcomes of meetings to respective Councils/communities.

As the partnership in the first instance may only consist of Hornsby and The Hills Councils, it is proposed that no formal constitution be developed but that such evolve as the partnership is established. The partnership should commence on the basis of the execution of a simple Memorandum of Understanding.

The purpose of the group is to provide a forum to discuss important issues that commonly face the councils. Between The Hills and Hornsby, this will probably be dominated by land use, e.g., joint master planning of villages and transport planning issues along the boundary of the two areas, however, may also include issues that affect both Councils in a wider spatial context.

It will be important for Council to be able to determine at some future time, the benefits which have been achieved, from its involvement within the regional partnership.

The Report recommends that Council agree to the regional partnership proceeding on the basis as outlined.

PURPOSE/OBJECTIVE

To fulfil Council's request that a report be prepared outlining how a regional partnership with The Hills Shire Council and Hawkesbury City Council could work.

DISCUSSION

Council at its Ordinary Meeting held on 9 December 2009, considered Mayoral Minute No. 15/09 and resolved as follows:

THAT:

1. Council support the establishment of a Memorandum of Understanding with The Hills Shire Council and Hawkesbury City Council, which would assist the councils to work collaboratively on matters of regional significance, affecting the north west of Sydney.
2. The General Manager prepare a Report for Council's consideration for the 17 February 2010 Ordinary Meeting, which outlines how a regional partnership with the Hills Shire Council and Hawkesbury City Council could work.
3. Council reiterate its active support for the Northern Sydney Regional Organisation of Councils (NSROC).

Partnership Qualities

The motivation for establishing a regional partnership would appear to be predicated upon the three councils deciding to collaborate to meet agreed objectives, recognising the benefit of sharing resources and the additional strength that can come from joint submissions/advocacy to government.

The three councils have a number of common issues and future challenges and can tackle them more effectively on a cooperative basis. There can be a perceived limit in the ability of any one council to fully represent the interests of its area and a partnership would provide a greater ability to represent those interests through a broader base. The resources of the partners and the level, scope and quality of information should be greater collectively than in one council. The capacity to achieve a coordinated strategic perspective on significant issues of mutual concern should be beneficial and distance some issues from a local or parochial perspective.

It is considered that any regional partnership, in which Council participates, should involve:

- Community of interest
- Commitment to shared goals
- Mutual trust
- Leadership

These four factors will be important in maintaining benefits from a partnership:

Community of Interest

The councils will need to identify and categorize the shared characteristics such as a similar pattern of current or future settlement, infrastructure or economic base, and/or a natural geographic cohesion. This community of interest may change over time, as issues emerge and development or decline occurs.

Commitment to Shared Goals

The shared goals of the councils may arise from perceived opportunities, e.g., funding from other spheres of government and/or perceived threats or challenges to the Councils' existing or proposed initiatives.

Mutual Understanding and Trust

There will be a need to ensure that there is a mechanism to agree to disagree on any particular issue. A formal acknowledgement of this (when it occurs) and statement of respect for respective positions should enhance the partnership. Difficulties can also arise through circumstances which may involve different funding priorities, lack of communication, lack of agreement, lack of power or lack of follow through.

Any of these deficiencies can cause conflict but resolution can be assisted through understanding, trust and through proper leadership.

Leadership

Leadership provides vision, energy and perspective to bring about a change in focus from local to regional and vice versa. There may be difficulty in some transitions where vested interests may lose influence. Should this occur, leadership will be needed as an issue develops.

In addition to community of interest, commitment to shared goals, mutual trust and the presence of active leadership, there will also be a need for resources to be available, a determined focus and an openness to discuss constraints and even the necessity to change and adapt for the benefit of the whole.

Partnership Function

In its resolution, the Council has specifically asked how a regional partnership “*could work*”. This is particularly important, as it is necessary to ensure that each of the participants is clear in its understanding of how the regional partnership would function. In particular, there should be agreement with respect to:

- The need for a constitution
- An understanding of the power to determine policy
- An understanding of authority to make decisions
- Representation and alternate representation within the regional partnership
- Support resources
- Regularity of meetings
- Responsibility to chair or lead discussion
- Issues to come within the scope of any partnership
- Mechanism for referral of issues
- Dissemination of outcomes of meetings to respective Councils/communities.

As the partnership in the first instance may only consist of Hornsby and The Hills Councils it is proposed that no formal constitution be developed but that such evolve as the partnership is established. The partnership should commence on the basis of the execution of a simple Memorandum of Understanding.

In the interim however the group should comprise of the two Mayors (or nominated substitutes) and senior Council officers. The group should be kept small, so as to be manageable and in addition to the Mayors include the General Manager (ex officio) and the Executive Managers Planning and Works from Hornsby and the counterparts from The Hills. Attendance from officers will be dependant upon issues. Other staff, agencies or business groups could be invited to attend meetings depending on agenda items.

The partnership should commence by having monthly meetings with a fixed agenda. There should be a maximum of 5-6 items on the agenda and those items should be of sufficient significance to warrant Mayors and senior officers attending. The frequency of meetings may reduce to quarterly meetings when the partnership matures. A responsible officer will need to be nominated as a meeting facilitator, who will be responsible for compiling and distributing the agenda. This can be discussed and resolved between the General Managers. The location of meetings can rotate between each Council.

Availability of resources as previously indicated, would also be important, however, this may be difficult to determine in advance and may be best left for assessment as situations arise.

Current Partnership Issues

The purpose of the group is to provide a forum to discuss important issues that commonly face the councils. Between The Hills and Hornsby this will probably be dominated by land use, e.g., joint master planning of villages and transport planning issues along the boundary of the two LGAs, however, may also include issues that affect both Councils in a wider spatial context.

Issues are likely to fall into two broad categories:

Firstly, those issues that the Councils have administrative responsibility for and can manage together, whether individually or jointly, and secondly, those issues that are the responsibility of another level of government. In the case of the latter, the group may wish to undertake joint lobbying and/or issue joint Council media statements.

The group may wish to be consulted before each Council enters into contracts which may affect (or benefit) the other Council (for example: waste management) or construct major infrastructure, or make major planning decisions. DAs referred to JRPPs could be noted.

Specific issues (in addition to those alluded to above) may include M2-F3 link, widening of the M2, North West Rail Link, Pennant Hills Road (particularly Carlingford), Galston and Glenorie sewerage, second Sydney airport and opportunities for emergency management coordination (RFS, SES etc).

Future Evaluation of Partnership

It will be important for Council to be able to determine at some future time, the benefits which have been achieved, by its involvement within the regional partnership and these might be assessed through:

- Improved effectiveness and efficiency of local government within Hornsby Shire
- Enhanced capacity within the Shire for economic, environmental and community development; and
- Increased access to resources
- Success in achieving Council's defined goals.

Northern Sydney Regional Organisation of Councils (NSROC)

Council has in its resolution made mention of its continued active support for the Northern Sydney Regional Organisation of Councils (NSROC). It is important that this support be expressed and continued. All regional organisations should be able to appreciate that shared

membership can be used cooperatively to address issues that cross regional boundaries. There will be an opportunity for issues raised in the context of any regional partnership to have additional exposure if necessary, through NSROC.

BUDGET

There are no budgetary implications.

POLICY

There are no policy implications with the adoption of this Report.

CONSULTATION

There has been consultation with the Mayor and representatives of The Hills Shire Council and the Mayor and Executive Managers, Planning and Works, Hornsby Shire Council.

TRIPLE BOTTOM LINE SUMMARY

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

Governance – Guidance towards a sustainable future
Ecology – Protect and enhance our natural environment
Economy – Resilient local economy & sustainable resource use
Society and Culture – Enhance social and community wellbeing
Human Habitat – Effective community infrastructure and services.

RESPONSIBLE OFFICER

The General Manager, Mr Robert Ball.

RECOMMENDATION

THAT Council:

1. Pursue the Memorandum of Understanding for a regional partnership with both The Hills Shire Council and the Hawkesbury City Council and singularly with The Hills Shire Council in the event that the Hawkesbury City Council declines to participate.
2. Authorise the Mayor and General Manager to finalise and execute the Memorandum of Understanding on behalf of Council.
3. Agree to the regional partnership proceeding on the basis as outlined in this Report with six monthly reports to Council.

ROBERT BALL
General Manager
General Manager Division

Attachments:

There are no attachments for this report.

File Reference: F2004/06248
Document Number: D01321049

3 ELECTIONS - CARETAKER PERIOD

EXECUTIVE SUMMARY

Council at its meeting held on 12 August 2009, in considering Executive Manager's Report WK 61/09 resolved, inter alia, to request the development of a policy concerning the publication of material in the lead up to local government ordinary elections.

Caretaker period conventions are generally intended to assure the community that public resources are not utilised in election campaigning, or that major decisions are not made that may bind an incoming government.

A review of a number of Victorian councils' policies and the South Australian LGA Model Caretaker Policy indicates that there is value in developing a policy covering more than the publication of material. It is therefore proposed that Council's policy include:

- (a) Decisions that are made by the Council
- (b) Any material that is published by the Council
- (c) Attendance and participation in functions and events
- (d) Use of the Council's resources
- (e) Access to Council information
- (f) Media services.

After consideration of all of these issues, the attached draft Policy is submitted, for Council's consideration, to define appropriate procedures and practices to be implemented in the lead up to local government ordinary elections.

PURPOSE/OBJECTIVE

To seek Council's adoption of a draft policy "Elections – Caretaker Period" that details appropriate procedures and practices to be implemented during the lead-up to Local Government Ordinary Elections.

DISCUSSION

Council at its meeting held on 12 August 2009, in considering Executive Manager's Report WK 61/09 resolved, inter alia, to request the development of a policy concerning the publication of material in the lead up to local government ordinary elections.

The lead-up to elections is generally defined as a "caretaker period" during which the source of publicly available information is readily discernible. The NSW Electoral Commissioner has indicated that in making the *Local Government (General) Regulation 2005*, it was the intention of the Executive that all electoral material should include the name and address of the person on whose instruction the material was printed. This scheme reflects important public policy and the fundamental principle that voters are to be informed of the source of electoral material, disseminated in the lead-up to an election whether or not the material may have been published in a candidate's private capacity (as an election campaigner or business person) or in a public capacity (as a Councillor or Member of Parliament).

Caretaker period conventions, in Australia, apply in State and Federal elections and are generally intended to assure the community that public resources are not utilised in election campaigning, or that major decisions are not made that may bind an incoming government.

In Australia, Victoria and Queensland appear to be the only States with a legislative requirement for local authorities to respect a “caretaker period” prior to local government elections.

The caretaker provisions, within Victoria, provide generally the following:

1. During the pre-election caretaker period, the Local Government Act prohibits councils from:
 - Making any “major policy decisions” that are not urgent or cannot reasonably be deferred without major negative repercussions
 - Printing, publishing or distributing any documents containing “electoral matter”, unless it only contains information about the election process.
2. Major policy decisions prohibited in Victoria during the caretaker period include:
 - Decisions about the employment or remuneration of the Chief Executive Officer
 - Entering into a contract where the total value exceeds whichever is the greater of \$100,000 or one per cent of the council’s revenue from rates in the preceding financial year.

However, Victorian councils are not prohibited from making planning related decisions during this period.

3. Electoral matter broadly includes any matter about the election, the performance of the incumbent council, a candidate or issue connected to the election that is intended or likely to affect voting in an election. It excludes material produced for the purpose of conducting the election or informing communities about the election process.
4. In practical terms, printed council publications that may be affected during the caretaker period include websites, newsletters, media releases, published speeches, brochures on services/facilities, advertisements, letters to residents and council newspapers.
5. All council services and programs will continue as normal during the caretaker period. Council annual reports, meeting agendas and minutes will continue to be available during this time.

A review of a number of Victorian councils’ policies and the South Australian LGA Model Caretaker Policy indicates that there is value in developing a policy covering more than the publication of material. It is therefore proposed that Council’s policy include:

- (a) Decisions that are made by the Council
- (b) Any material that is published by the Council
- (c) Attendance and participation in functions and events
- (d) Use of the Council’s resources
- (e) Access to Council information
- (f) Media services issues.

Prior to the 2008 NSW Local Government Elections, the NSW Government attempted to introduce a caretaker period for local government but the Bill was subsequently withdrawn. The then Department of Local Government consequently issued Circular No. 08-37; an extract from which is the following:

“COUNCIL DECISION MAKING PRIOR TO ORDINARY ELECTIONS

The purpose of this Circular is to remind councils that major decisions affecting their areas should not be undertaken during the period leading up to ordinary elections.

Like Commonwealth and State Governments, councils are expected to assume a “caretaker” role during election periods to ensure that major decisions are not made which would limit the actions of an incoming Council.

The caretaker period should commence from the date of the close of rolls (40 days before election day) being 4 August 2008 and end on the day the election is declared.

Caretaker government conventions promote transparency and accountability in local government decision making and improve community confidence in councils.

During caretaker periods, councils should exercise due caution in making major policy decisions that would bind an incoming council. In summary, councils should avoid:

- *determining controversial or significant development applications*
- *new or potentially controversial permanent appointments of general managers, and*
- *entering major contracts or undertakings.*

Councils should also avoid active distribution of material during this period if it promotes the current elected council’s policies or emphasises the achievements of an elected member or group.

Routine business should proceed as usual. Ultimately, decisions should be made in the public interest and councils should have regard to all the circumstances including the urgency of the issue and whether there may be financial or legal repercussions if the matter is deferred.

Consents, approvals or actions being fast tracked to avoid election deadlines may, in appropriate cases, be subject to referral to the Independent Commission Against Corruption or investigation by the Department.”

After consideration of all of these issues, the attached draft Policy is submitted, for Council’s consideration, to define appropriate procedures and practices to be implemented in the lead up to local government ordinary elections.

It is to be noted that the policy generally would apply at by-elections except for the provisions related to council decisions.

BUDGET

There are no budget implications in the adoption of this Report.

POLICY

The Policy implications apply following Council's adoption of the draft Policy.

CONSULTATION

This Report has been prepared following consultation with the Council's Executive Managers.

TRIPLE BOTTOM LINE SUMMARY

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

Governance – Guidance towards a sustainable future

Society and Culture – Enhance social and community wellbeing

RESPONSIBLE OFFICER

The General Manager, Mr Robert Ball.

RECOMMENDATION

THAT Council adopt the draft Policy.

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Draft Policy - Elections - Caretaker period

File Reference: F2010/00046
Document Number: D01324667

4 REVIEW OF INTERNAL AUDIT PLAN 2009/2010 (AS AT 31/12/2009)

EXECUTIVE SUMMARY

A six monthly report is presented to Council on the progress of the Internal Audit (IA) Plan. Report GM12/09 presented to Council's Ordinary Meeting on 12/08/2009 set out the progress details of the 2008/09 IA Plan as at June 2009. It also provided details of the proposed 2009/10, 2010/11 and 2011/12 Plans.

Progress outlined in this report as at December 2009 resulted in a 41% completion rate of the yearly plan.

PURPOSE/OBJECTIVE

To review the progress made within the 2009/10 Internal Audit Plan as at December 2009.

DISCUSSION

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

A completion rate of 41% of the yearly plan has resulted as at December 2009. This has been influenced by work carried forward from the previous year and additional items including preparation of expenditure audit certificates associated with grant capital works, internal investigations and assistance in responding to external audit recommendations.

BUDGET

There are no budget implications arising from this report.

POLICY

There are no policy implications arising from this report.

CONSULTATION

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

The internal auditors and the Service Management Group members from the Council On-line Syndicate Councils together with representatives from the Internal Audit Bureau have also been consulted in relation to further proposed system IT audits.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

Mr Brian Thompson, Internal Auditor.

RECOMMENDATION

THAT:

1. The contents of the General Manager's report No GM4/10 be received and noted.
2. A review of the Internal Audit Plan continue to be presented to Council on a half yearly basis.

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Internal Audit Plan 2009/10 - Schedule

File Reference: F2004/06186-02
Document Number: D01331897

5 HORNSBY SHIRE COUNCIL LIBRARIES - REVIEW OF OPENING HOURS

EXECUTIVE SUMMARY

In response to a request from Council and the Finance and Strategy Task Force, a review of opening hours across the Hornsby Shire Library network was conducted in the period September to November 2009.

The review indicates that library usage is increasing; there is strong community support for an increase in weekend opening hours at Hornsby, Epping and Pennant Hills libraries; changes to the weekday opening hours at Berowra Library would be supported; and library users are opposed to any reduction in the hours that libraries are open.

The results of the review were considered by the Finance and Strategy Task Force at its 16 December 2009 meeting where it was agreed that this Report be submitted to the February 2010 Ordinary Meeting for noting by Council.

PURPOSE/OBJECTIVE

The purpose of this Report is to respond to a request from Council and the Finance and Strategy Task Force to undertake a review of the opening hours at Council libraries.

DISCUSSION

The Hornsby Shire Library network covers five service points – at Hornsby, Pennant Hills, Epping, Galston and Berowra. The service caters for people of all ages and backgrounds, including preschoolers and their parents, young people, workers and the unemployed, students, and older community members. The service currently caters for 70,000 members, with visitors numbering almost 1,000,000 a year and loans of over 1.3 million in 2008/09. In the current financial year, these figures are increasing.

The library is increasingly seen by local residents as a safe and accessible social space and a freely available cultural and educational facility. Customers often combine a visit to study or borrow books and DVDs with attendance at one of the library's many outreach programs such as author talks, art exhibitions and storytime sessions. Many users visit more than one library in the network, while others identify very strongly with a particular branch.

Over a two week period in October and November 2009, feedback on the library opening hours was elicited from community members and staff through a printed and online questionnaire. An exit survey was conducted for one week across the library network. In September and October 2009 a snapshot was taken of daily usage at each library, and monthly statistics were examined to reveal trends in library usage. This information was collated and analysed to form the basis of this Report. Details are provided below in respect of each Library and a spreadsheet is attached providing full details of the information collected.

Hornsby Central Library

Hornsby Central Library is the largest of the Shire's five library service points, and is located close to the central business district of Hornsby. As the hub of the library network, Hornsby Library is open for 65.5 hours a week. The longer opening hours allow the Library to support the services and programs provided by the four branch libraries. A comprehensive review of the services and programs provided at Hornsby Central Library was completed in 2005.

Hornsby Central Library is the busiest of the five libraries in the network. From July to October 2009, the number of visitors increased by 8.5% compared to the same period in 2008. There was a corresponding increase of 7% in loans. During the survey period, an average of 155 customers per hour visited the library. This equates to more than 10,000 people a week. 22% of customers interviewed in the exit survey stayed in the library for longer than one hour. An average 155 items were issued per hour, with the busiest period being registered on Sunday when the library is open for three hours. During the survey period, the average number of loans per hour on Sunday was 57% higher than the weekly average. There was an increase of 15% in the average number of visitors on Sunday when compared to the average for the week.

548 people indicated their level of satisfaction with the current opening hours. 70% of these respondents felt that the opening hours met their needs, while 30% were not happy. There was strong support for an extension of opening hours on the weekend. 43% of the comments received on an extension or change of hours favoured an increase in Sunday opening hours, while 19% favoured an unspecified extension of opening hours on the weekend. 26% favoured opening earlier during the week.

When asked what level of reduction would have least impact on their usage, 20% of those surveyed did not answer the question. Of those who commented, 70% opted for a reduction of hours during the week. Some comments were qualified with statements such as *'I'm not in favour of any reduction'*, *'longer hours are always ... more convenient'*, and *'it would make library access very difficult for me.'*

Epping Library

Epping Library is located in a relatively small building close to the local business centre, and is open for 60.5 hours a week. Despite parking limitations, usage is high and the library is seen as a valuable community service. In 2009, Epping Library won the Northern District Times Business Achiever Award – Local Business of the Year and the Community Service/Not for Profit Award. A comprehensive review of the services and programs provided at Epping Library was completed in 2003.

Since the library was refurbished in 2003, there has been a continuous increase in usage, peaking in July to October 2009 when an 8% increase in visitors was recorded, compared to the same period in 2008. During the survey period, the library catered for an average of 79 visitors an hour and issued an average of 93 loans per hour. Bookings for computers are high, with an average of approximately 1,800 logons per month recorded during September and October 2009. The exit survey showed that a significant number of library users (21%) spent more than an hour in the library.

Usage figures at Epping Library rise sharply on the weekend when the library hours are more limited. During the survey period, in 2.5 hours on Saturday morning there was an average increase in visitors of 14% with a corresponding increase in loans of 27%, compared to the

average for the week. Sunday is the busiest day at Epping Library. On average, 27% more customers visit the library in three hours on Sunday, compared to the average hourly rate for the week. Borrowing figures for Sunday are nearly double the hourly average for one week.

Overall, 61% of respondents were happy with the current opening hours, while 39% were dissatisfied. However, the shorter weekend hours were identified by survey respondents as an area where improvement could be made. 85% of those who expressed a preference for change suggested an increase in opening hours on the weekend. Anecdotal evidence reported in a staff survey supports this view. Staff indicated that customers often comment on the inconvenient weekend opening hours which conflict with work and family commitments.

When asked what kind of reduction would have least impact on their usage, 22% of those surveyed did not answer the question. Of those who did respond, 68% opted for a reduction of hours during the week. However a significant number of people (20%) added a comment indicating that they did not want to see any reduction in hours. Typical remarks included *'the library is a vital part of the community ... Any reduction is likely to have a major impact on some sections'*, *'please do not reduce'* and *'keep the hours the same.'*

Pennant Hills Library

Pennant Hills Library is co-located with the Pennant Hills Community Centre, close to the main business district. The Library is open for 64 hours a week. The library building, which was stage 1 of a potential two stage project, was opened in 1999. In 2002, because of the great increase in loans and visitors to Pennant Hills Library, opening hours were extended to include an additional 6.5 hours on the weekend. A comprehensive review of the services and programs provided at Pennant Hills Library was completed in 2006.

Library usage is rising steadily, and the number of visitors is increasing. From July to October 2009, there was a 2% increase in loans and a 3% increase in visitors compared to the same period in 2008. During the survey period, an average of 77 people visited the library hourly, with 23% of those surveyed staying longer than one hour. Over the same period, an average of 89 items was issued every hour.

Tuesday is consistently the busiest weekday at Pennant Hills Library. During the survey period there was a 14% increase in the average number of visitors on Tuesday, and an 11% increase in loans compared to the averages for the week. Sunday is also a busy time at Pennant Hills Library. 60% of people who commented on extended opening hours suggested an increase on the weekend.

On the question of opening hours generally, 72% of respondents were happy with the current opening hours, while 28% were not satisfied. 39% of respondents favoured earlier opening hours during the week, and 1% favoured opening on public holidays.

216 responses were received to the question asking what level of reduction would have least impact on individual usage. The favoured option, given in 30% of comments, was that the library closes earlier during the week. However, 22% of the responses contained statements expressing concern over any reduction in hours. Responses included *'Why would they be reduced?'*, and *'I'd be VERY disappointed to see the hours reduced.'*

Berowra Library

Berowra Library is co-located with the Berowra Community Centre and is open for 25.5 hours per week, and closed on Sunday. The library is staffed by one permanent staff member, with 12 hours of help from a Library Assistant. The Library was extended and refurbished in July 2009. A comprehensive review of the services and programs provided at Berowra Library was completed in 2002. As a result, in 2003, the opening hours were extended by seven hours to include opening on Friday morning and additional hours on Saturday afternoon.

Usage is steadily increasing, with loans rising by 7% from August to October 2009, compared to the same period in 2008. During the survey period, the Library served an average of 33 visitors per hour and lent 42 items per hour. More than half of the visitors spent between 15 and 30 minutes in the Library. Since the refurbishment there has been a 52% increase in the use of computers compared to the same period in 2008.

A relatively small number of people (75) completed the survey on opening hours. Of those who expressed a view, a significant number (48%) were dissatisfied with the current opening hours at Berowra Library.

When asked for feedback on an extension or change of library hours, the majority of survey respondents (68%) favoured extending opening hours during the week. The remainder, (32%) wanted an increase in hours on the weekend. Of those who preferred increasing weekday opening hours 55% suggested opening earlier, while 42% suggested closing later. The remainder of respondents in this category did not express a specific preference. Of those who wanted to extend opening hours on the weekend, 65% would like to see the library open on Sunday.

Only 53 comments were received on the issue of a possible reduction in hours. There was a strong feeling that the hours should not be reduced, with 40% of respondents expressing concern about any decrease in opening hours. Typical comments included *'how could you possibly reduce the hours?'*, *'Berowra is not open enough now'*, and *'the current hours of Berowra are not sufficient to meet my needs as the parent of young children.'* Respondents did not want a reduction of hours on Saturday.

Galston Library

Galston Library is located in a very small heritage listed church away from the main shopping area. The Library is open for 20.5 hours per week and is closed on Wednesday and Sunday. The service is staffed by one staff member, and usage is steady, with no significant change in the number of loans issued from July to October 2009, compared to the same period in 2008. A comprehensive review of the services and programs provided at Galston Library was undertaken in 2000. The findings of the review confirmed that there are limited opportunities to extend collections, services and programs at Galston Library due to the extremely small space available. No changes were made to the opening hours at that time.

During the survey period, an average of 13 people per hour visited the library and an average of 22 items was lent hourly. Galston Library users tend to spend less time in the library than do users of Hornsby's other libraries – a fact which is influenced by the limited amount of space in the library.

Relatively few people (25) commented on whether they were satisfied with the current library hours. The majority (64%) were not satisfied with the current arrangement. Most suggested that the library open earlier during the week. Of the 20 comments received on a possible reduction of hours, nearly half were not in favour of any reduction at all. One response summed up the view of those who objected to any decrease in hours: *'Galston's hours are minimal anyway and could not be reduced further without major impacts.'*

Conclusion

Depending on which library they visit most often, community members had differing views on the most appropriate opening hours for service points in the Hornsby Library network. The main areas of concern identified by customers were the weekend opening hours at Epping, Hornsby and Pennant Hills libraries. Epping Library is under pressure because of short opening hours on the weekend generally. Hornsby Library is extremely busy on Sunday afternoon and loans are increasing at Pennant Hills Library on Sunday. Changes could be made to the weekday opening hours at Berowra Library to better meet customer needs. The results of the investigation show that the vast majority of customers who provided feedback for this review did not want any reduction in library opening hours.

A draft of this Report was considered by the Finance and Strategy Task Force at its 16 December 2009 meeting when it was agreed that no action in respect of opening hours should be taken at this stage. The Task Force asked that the final Report be submitted for Council's consideration with a recommendation that it be received and noted. The Manager, Library and Information Services will, within budgetary constraints, take into account the results of the survey in respect of future recommendations about Council's library service.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report

CONSULTATION

Over a two week period consultation was carried out with the community – both users and non-users – and the library staff.

TRIPLE BOTTOM LINE SUMMARY

The Library Service supports the social element of Council's Triple Bottom Line framework. Any change to the opening hours could impact on the library's role as a social and cultural facility.

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No CC8/10 be received and noted.

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

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Library Opening Hours Statistics

File Reference: F2004/05999-02

Document Number: D01287867

6 NOVEMBER/DECEMBER 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. In this regard, investments are generally held for the medium to long term.

This Report indicates that the total investment income for the month ending December 2009 was \$768,000 compared to the budgeted income for the same period of \$450,000. Of the year to date investment income earned, 31% relates to externally restricted funds such as Section 94, and is required to be allocated to those funds.

The Report notes that because of credit events in December 2009, the CDO investment known as PURE has incurred a decline in capital value on maturity. It is also noted that based on their risk profiles, the CDO investments known as PURE and SCEPTRE have been written down to a zero value in Council's Financial Statements over the past few years and are not expected to reach maturity with capital intact.

As indicated to the Finance and Strategy Task Force at its November 2009 meeting, a review of Council's CDO's and Capital Guaranteed Products is being undertaken and may result in decisions to reinvest available funds in other relevant products. Details will be provided to Council when the next investment and borrowing report is submitted for Council's consideration at the 17 March 2010 Ordinary Meeting.

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 - December 2009

- The At-Call and Term Deposits achieved an annualised return of 4.69% for the month compared to the benchmark of 3.75%. The current market value for this investment category as at 31 December 2009 is \$20.477 million.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of 38.82% for the month compared to the benchmark of 37.95%. 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. The current market value for this investment category as at 31 December is \$1.016 million.

- Floating Rate Notes (FRNs) are bonds that have a variable coupon equal to a money market reference rate. This FRN investment achieved an annualised return of 6.15% for the month compared to the benchmark of 3.87%. The current market value for this investment category as at 31 December is \$1.922 million.
- Direct investments in CDO's achieved an annualised return of 4.47% for the month compared to the benchmark of 3.87%. The current market value for this investment category as at 31 December 2009 is \$3.563 million. It is noted that on 20 September 2009, the CDO named "Isosceles" matured, ensuring the return of the full amount of the invested capital to Council.
- The Capital Guaranteed Notes achieved an annualised return of 0.26% for the month compared to the benchmark of 3.87%. Due to poor performance over recent months the Capital Protected Notes coupons, with the exception of the Longreach PIU Fund, have not been accrued. The current market value for this investment category as at 31 December is \$6.394 million.
- For total investments, the annualised return for the month is 4.62% compared to the benchmark of 4.60%; and the year to date return after fees is 4.12% compared to the benchmark of 4.03%. The current market value of Council's structured investments has increased by \$1.203 Million from the valuations provided at 30 June 2009.

In respect of CDO's, Report No CC80/08 provided Council with advice in respect of the possible impact on corporate linked CDO's of the worsening economic conditions at the time - now referred to as the Global Financial Crisis or GFC. This advice related to the effect of credit events on capital invested by Council in CDO's. Since that time, the Finance and Strategy Task Force has been provided with regular updates about the status of CDO's and other components of Council's investment portfolio. These updates have included key risk exposures in Council's CDO portfolio known as PURE and SCEPTRE.

Due to credit events in December 2009, the CDO known as PURE has incurred a decline in capital value on maturity. Advice provided to Council is that the amount of capital and future coupon receipts impacted for PURE is a decline of 57.64% of Council's investment i.e. capital equating to \$288,192. Based on their risk profiles, the CDO's known as PURE and SCEPTRE have been written down to a zero value in Council's Financial Statements over the past few years and are not expected to reach maturity with capital intact. As a consequence, these investments will, for future reporting purposes, be considered as closed investments. In the event that there is a capital recovery or capital remaining at maturity in respect of these CDO's, Council will be advised in the appropriate month's investment and borrowing report.

As indicated to the Finance and Strategy Task Force at its November 2009 meeting, a review of Council's CDO's and Capital Guaranteed Products is being undertaken and may result in decisions to reinvest available funds in other relevant products. Details will be provided to Council when the next investment and borrowing report is submitted for Council's consideration at the 17 March 2010 Ordinary Meeting.

Economic/Financial Conditions

Statement by Glenn Stevens, Governor: Monetary Policy – 1 December 2009

“At its meeting today, the Board decided to raise the cash rate by 25 basis points to 3.75 per cent, effective 2 December 2009.

The global economy has resumed growth. With economic policies remaining expansionary, growth is likely to continue next year, though it will probably be modest in the major countries, due to the continuing legacy of the financial crisis. In China and Asia generally, where financial sectors are not impaired, recovery has been much quicker to date and prospects appear to be for good growth in 2010. Financial markets have improved considerably during 2009, notwithstanding periodic setbacks, and capital flows into Asia and other emerging market regions have been picking up.

In Australia, the downturn was relatively mild, and measures of confidence and business conditions suggest that the economy is in a gradual recovery. The effects of the early stages of the fiscal stimulus on consumer demand are fading, but public infrastructure spending is starting to provide more impetus to demand. Prospects for ongoing expansion of private demand, including business investment, have been strengthening. There have been some early signs of an improvement in labour market conditions. The rate of unemployment is now likely to peak at a considerably lower level than earlier expected.

Inflation has declined from its peak last year, helped by the fall in commodity prices at the end of 2008 and a noticeable slowing in private-sector labour costs during 2009. In underlying terms, inflation should continue to moderate in the near term, though it will probably not fall as far as thought likely six months ago. Headline CPI inflation on a year-ended basis has been unusually low because of temporary factors, and will probably rise somewhat over the coming year. Both CPI and underlying inflation are expected to be consistent with the target in 2010. The rise in the exchange rate during this year will have some impact in containing prices for traded goods and services in the period ahead, and will dampen growth in the trade-exposed sector of the economy.

Credit for housing is expanding at a solid pace, and dwelling prices have risen significantly this year. Business credit has fallen, as companies have reduced leverage in an environment of tighter lending standards, and as some lenders have scaled back their balance sheets. The decline in credit has been concentrated among large firms, which generally have had good access to equity capital and, more recently, to debt markets. Share markets have recovered significant ground, which, together with higher dwelling prices, has meant a noticeable recovery in household wealth.

The Board's assessment of the outlook remains much as in the November Statement on Monetary Policy. Growth in 2010 is likely to be close to trend and inflation close to target.

With the risk of serious economic contraction in Australia having passed, the Board has moved at recent meetings to lessen gradually the degree of monetary stimulus that was put in place when the outlook appeared to be much weaker. These material adjustments to the stance of monetary policy will, in the Board's view, work to increase the sustainability of growth in economic activity and keep inflation consistent with the target over the years ahead."

Borrowings

In respect of borrowings, the weighted average interest rate payable on loans taken out from 2000 to 2009, based on the principal balances outstanding, is 6.69%. The Borrowings Schedule, as at 31 December 2009, is attached to this Report.

BUDGET

Total investment income for the year to date ending December 2009 was \$768,000. The budgeted income for the period was \$450,000. Of the investment income, approximately 31% relates to external restrictions (Section 94) and is, therefore, restricted. A variation to the investment budget will be considered in the March 2010 Budget Review.

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 the Executive Manager's Report No CC2/10 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. HSC Investment Portfolio as at 30 Nov 2009
2. HSC Investment Portfolio as at 31 Dec 2009
3. HSC Borrowings Schedule as at 30 Nov 2009
4. HSC Borrowings Schedule as at 31 Dec 2009

File Reference: F2004/06987
Document Number: D01319241

7 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS

EXECUTIVE SUMMARY

Section 449 of the Local Government Act (the Act) details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Return/s by Councillors and Designated Persons. Section 450A(2) of the Act details the reporting requirements associated with the lodgement of such Returns.

In accordance with those Sections of the Act, this Report provides information regarding the various Returns recently lodged with the General Manager. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Return/s lodged with the General Manager have been tabled in accordance with the requirements of the Local Government Act.

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

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

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

they are lodged under S449(1). These Returns are tabled at the next available Ordinary Meeting of Council; and

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

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns at the Ordinary Meeting held on 9 December 2009 - Report No. CC98/09. Since that time, one additional Return has been lodged with the General Manager and is now tabled as required by the Local Government Act.

Date Lodged	Councillor/Designated Person (Position)	Reason for Lodgement
7/12/2009	Programme Director - Children's Services Section - Westleigh Nursery & Pre-School	Internal Transfer

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

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

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00480
Document Number: D01320865

8 REVIEW OF POLICY - DONATIONS AND GRANTS - COUNCIL CASH AND NON CASH

EXECUTIVE SUMMARY

Each year, Council provides financial assistance to community groups or organisations that address the identified needs of people within the Hornsby Shire. This is done in accordance with the Policy titled Donations and Grants – Council Cash and Non Cash, hereafter referred to as the Donations Program.

The last policy update for the Donations Program was conducted in April 2009 (see Report No CC12/09). This current review seeks to make minor amendments to the Policy to reflect the terminology used in the Social Plan 2010-2014, which was adopted by Council in November 2009 following consideration of Report No CC91/09.

PURPOSE/OBJECTIVE

The purpose of this Report is to submit for Council's consideration a proposal for a minor review of the Policy governing the Donations Program to take into account terminology changes arising from the adoption of the Social Plan 2010-2014.

DISCUSSION

With the high value placed on Council's Donations Program by the community, it is essential that the Program meets the needs of the community, provides optimal value for money and is administered in a manner that is seen to be equitable, efficient and transparent. With this in mind, the Donations Program Policy has been reviewed by staff involved in the processing of applications. The review seeks to align the terminology and structure used in the Social Plan 2010-2014 with that used in the Donations Program. The proposed changes are detailed in the attachment to this Report using track changes.

BUDGET

The Donations Program is funded from within Council's recurrent budget.

POLICY

The relevant Policy is titled Donations and Grants – Council Cash and Non-Cash.

CONSULTATION

Consultation in the preparation of this Report was held with the following persons:

- Ms Lisa Cahill – Manager Community Development, Community Services Branch
- Ms Sue Downing – Youth Development Officer, Community Services Branch.
- Mr Malcolm Wallace – Community Development Officer Access and Inclusion, Community Services Branch.

TRIPLE BOTTOM LINE SUMMARY

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

Working with our community

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

Conserving our natural environment

The Donations Program will not impact negatively on our natural environment.

Contributing to community development through sustainable facilities and services

The project contributes significantly to community development outcomes for 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 Donations Program is provided for within the recurrent Budget, and the outcomes will be complementary to our diverse economy.

Maintaining sound corporate and financial management

The proposals contained in this Report will be funded within the recurrent Budget, and will promote sound financial management and greater transparency.

Other Sustainability Considerations

The proposal will have no negative impacts either for Council or the Community.

RESPONSIBLE OFFICER

The responsible officer for this report is Mr David Johnston – Manager Community Services Branch.

RECOMMENDATION

THAT the Policy - Donations and Grants – Council Cash and Non Cash (as amended) attached to Report No CC4/10 be adopted.

DAVID JOHNSTON
Manager - Community Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Donations and Grants - Council Cash and Non-Cash

File Reference: F2009/00132

Document Number: D01324559

9 DOCUMENT ACCESS APPLICATIONS 19 NOVEMBER 2009 - 22 JANUARY 2010

EXECUTIVE SUMMARY

At its Ordinary Meeting of 12 March 1997, Council adopted a Document Access Policy to facilitate access by members of the public to documents held by Council. The Policy was last reviewed at the Ordinary Meeting of 8 April 2009 and a copy of the current version is included as Attachment 1. The Policy is made having regard to Section 12 of the Local Government Act which requires that Council consider restrictions placed on access to information, and the reasons for such restrictions, within three months of the original request. This Report allows such consideration by Council and recommends that the relevant documents as outlined in Attachment 2 to this Report remain exempt from release under Council's Document Access Policy.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with the opportunity to review restrictions that have been placed on access to information under Council's Document Access Policy during the period 19 November 2009 – 22 January 2010 and to make the reasons for those restrictions publicly available.

DISCUSSION

Document Access Applications

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

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

- (b) *access to the relevant document or other information is obtained under the Freedom of Information Act 1989.*
- (6) *A review is not required under this section if the restriction concerned has been removed."*

Applications Received 19 November 2009 – 22 January 2010

There were 166 applications processed under Council's Document Access Policy in the period 19 November 2009 – 22 January 2010. The time taken to process these 166 applications was 332 hours. An additional 24 applications were received but not finalised at the time this Report was written and these applications will be included in the report for the next processing period.

The processing time service goal for Document Access Applications is targeted as being less than the time allowed for a determination of an application under the Freedom of Information Act (currently 21 calendar days). The average processing time for applications received in the current reporting period was 19 calendar days.

Restricted Access

Following receipt of applications under the Document Access Policy, files are reviewed by the Information Access Officer or the Freedom of Information Officer of the Administration Services Branch, to determine if any documents fall within any of the exceptions outlined in Paragraphs 3(a) - 3(k) of the Policy and if access should be restricted. Of the 166 applications processed in the period, nine applications resulted in restricted access to Council files. In total, 66 documents from those restricted access applications fell within the provisions of paragraphs 3(a) - 3(k) of the Document Access Policy.

Review of Access

A schedule of the 66 restricted access documents that fell within paragraphs 3(a) - 3(k) of the Document Access Policy is set out in Attachment 2. In making a decision about whether documents should be released or restricted, regard is given to Section 12 of the Local Government Act, Council's Document Access Policy and the NSW FOI Manual issued by the Office of the NSW Ombudsman. Consideration is also given to the Privacy and Personal Information Protection Act 1998, the Health Records and Information Privacy Act 2002 and Council's Privacy Management Plan.

The documents to which access was restricted fell into the following categories of Council's Document Access Policy:

- Contrary to the Public Interest (PI) - 6 documents*
- Personnel Matters (PS) – 0 documents*
- Personal Hardship (PH) – 0 documents*
- Trade Secrets (TS) – 0 documents*
- Prejudice the Maintenance of the Law (PL) – 0 documents*
- Security of Council (SC) – 0 documents*
- Breach of an Act (BA) - 42 documents*
- Plans and Specifications (RP) - 2 documents*
- Commercial Privilege (CP) - 10 documents*
- Commercial Advantage (CA) – 0 documents*
- Legal Professional Privilege (PR) - 6 documents*

Specific allocation of each restriction as it applies to the applications received during this reporting period is provided as part of the attached schedule. Further explanatory notes in respect of all the restricted access categories are provided below:

Contrary to the Public Interest (PI) - **Paragraph 3(a)** of the Document Access Policy states that a document is not to be released where access to the document would be contrary to the public interest. This is a difficult concept to define and each application must be judged on its merits taking into consideration Privacy and Freedom of Information guidelines and Council's Policy.

Personnel Matters (PS) - In accordance with **Paragraph 3(b)** of the Document Access Policy, documents dealing with personnel matters concerning particular individuals are restricted from access.

Personal Hardship (PH) - Where documents contain information about the personal hardship of a resident or ratepayer, the personal details are removed in accordance with **Paragraph 3(c)** of the Document Access Policy, and most of the requested documents are released.

Trade Secrets (TS) - Any part of a document that is deemed to be dealing with trade secrets remains restricted from access under **Paragraph 3(d)** of Council's Document Access Policy.

Prejudice the maintenance of the Law (PL) - **Paragraph 3(e)** of the Document Access Policy states information should not be released that, if disclosed, would prejudice the maintenance of law.

Security of Council (SC) - **Paragraph 3(f)** of the Document Access Policy restricts information containing matters affecting the security of Council, Councillors, Council staff or Council property.

Breach of an Act (BA) - **Paragraph 3(g)** of the Document Access Policy states that no document should be released the disclosure of which would constitute an offence against an Act.

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

Commercial Privilege (CP) - **Paragraph 3(i)** restricts commercial information of a confidential nature which would, if disclosed, be likely to prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or to reveal a trade secret.

Commercial Advantage (CA) - **Paragraph 3(j)** restricts information of a commercial nature which would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

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

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

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

Freedom of Information Applications

During this reporting period, seven new Freedom of Information (FOI) applications were received and six applications were brought forward from the previous period. Of those total 13 applications, eight have been determined within this reporting period and five applications are being carried forward. In addition, work was carried out on two Internal Reviews of FOI determinations and six External Reviews of FOI determinations.

The total time spent by Council staff on processing FOI applications during this reporting period was approximately 61 hours. Details of allocation of this time are included in the table below. It should be noted that of the total 61 hours, 26 hours was spent processing applications submitted by one applicant.

Description	Number of hours expended
Processing of FOI application/s	44 hours
Processing of Internal Reviews	1 hour
Processing of External Reviews	16 hours

Privacy and Personal Information Protection Act

No applications were received under the Privacy and Personal Information Protection Act during the reporting period.

BUDGET

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

In addition to the 332 hours invested in processing the 166 Document Access applications, and the 61 hours spent handling FOI applications and reviews, extra time was also spent carrying out various ad-hoc functions in relation to Document Access, Freedom of Information and Privacy matters e.g. photocopying documents, explaining information access issues to Council customers (both in person and over the telephone), and coordinating Pecuniary Interest Declaration returns for designated staff and Councillors. The time utilised on these activities was approximately 289 hours.

There continues to be a requirement for reliance on casual staff assistance in order to maintain reasonable levels of customer service standards in respect of processing applications for access to information held by Council as the demand for this service has remained high throughout this reporting period.

POLICY

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

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the documents outlined in Attachment 2 of Executive Manager's Report No. CC5/10 remain exempt from release under Council's Document Access Policy.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

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

File Reference: F2004/07298
Document Number: D01326336

10 2009/10 MANAGEMENT PLAN AND BUDGET - DECEMBER 2009 QUARTER REVIEW

EXECUTIVE SUMMARY

The General Manager is required to report to Council each quarter as to performance against Council's current Management Plan and Budget, including revised estimates of income and expenditure. In this regard, the December 2009 Quarter Review is attached.

The 2009/10 Original Budget forecast a deficit at 30 June 2010 of \$343K. The September 2009 Review of the Budget included positive budget changes totalling \$118K and the December 2009 Review now provides further positive changes of \$235K. The forecast Budget position at 30 June 2010 is, therefore, a surplus of \$10K.

The General Manager has requested each Division to review their expenditure on discretionary items in subsequent reviews, having regard to the provision of reasonable service levels and community expectations, in an attempt to increase the forecasted year end surplus. Any financial year end surplus should be used to improve Council's key liquidity indicators such as working funds, the unrestricted current ratio and employee leave entitlement reserves.

It is recommended that the December 2009 Quarter Review be received and noted.

PURPOSE/OBJECTIVE

The purpose of this Report is to present for Council's consideration the December 2009 Quarter Review of the Management Plan for 2009/10 – 2011/12 and the Budget for 2009/10.

DISCUSSION

On 10 June 2009, Council adopted its 2009/10 – 2011/12 Management Plan which included the 2009/10 Budget and 2009/10 Fees and Charges. The Management Plan sets out the manner in which Council intends to align its business goals with its intent of "*creating a living environment*" and is divided into the following five elements:

- Governance
- Ecology
- Economy
- Society and culture
- Human Habitat

At the request of Council, the September 2009 Quarter Review format was revised to present the information more succinctly and visually. The aim of the revision was to provide adequate detail in an easy-to-read format that supports decision making and maintains accountability and good governance. The December 2009 Quarter Review is presented in the new format.

The December Quarter Review includes the second quarter financial results for 2009/10, comparing actual expenditure and income for the first six months of 2009/10 against the budget for the period.

The September Quarter Review result

The 2009/10 Original Budget forecast a deficit at 30 June 2010 of \$343K. The September 2009 Review resulted in positive budget changes totalling \$118K thus forecasting a deficit at year end of \$225K. The positive budget changes were as a result of an organisational review of existing restricted assets which resulted in an identification of amounts which could be released for general purpose use.

The December Quarter Review result

The December 2009 Review of the Budget includes the taking up of labour savings identified within the Planning Division of \$295K and incorporating an increased expense budget of \$60K towards a Playfix database update within the Environment Division. The net recommended changes are, therefore, a positive \$235K for the December Quarter. The amended 2009/10 Budget forecast for 30 June 2010 is now a surplus of \$10K.

The projected year end surplus, at this time, is insufficient to improve Council's key liquidity indicators such as working funds, the unrestricted current ratio and employee leave entitlement reserves to prudent financial levels. As a consequence, the General Manager has requested each Division to continue to review their expenditure on discretionary items in subsequent reviews, having regard to the provision of reasonable service levels and community expectations, in an attempt to increase the forecast year end surplus.

BUDGET

This Report provides the December Quarter Review of the 2009/10 Budget.

POLICY

There are no specific policy implications associated with this Report.

CONSULTATION

All Divisions and appropriate staff have had input into the December 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 the December 2009 Quarter Review of the Management Plan for 2009/10 – 2011/12 and the Budget for 2009/10 be received and noted.

GARY BENSLEY
Executive Manager
Corporate and Community Division

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. 2nd Quarter Review - December 2009/10 Included under separate cover

File Reference: F2008/00630
Document Number: D01328818

**11 TREE REMOVAL ON NATURE STRIP AT 27 BLACKBUTT AVENUE,
PENNANT HILL**

EXECUTIVE SUMMARY

This report recommends that Council removes a *Corymbia citriodora* (Lemon Scented Gum) from the nature strip on the boundary of a Council easement and 29 Blackbutt Avenue Pennant Hills.

The health of the tree is in significant decline, with approximately 50% dieback throughout the canopy. The resident, Mr. G Dyer of 27 Blackbutt Avenue, requested the removal of the tree on 23 November 2009.

An inspection was undertaken by Council's Tree Management Officer, Doug Foster, on 1 December 2009. He recommended that the tree be removed because its health was in decline. Due to strong opposition to the tree's removal by adjacent neighbour, Mr. Marcer, a second inspection was carried out by Council's Tree Management Co-ordinator, Dennis Hoye, on 10 December 2009.

Following discussion with Council's Manager, Parks and Landscape, Peter Kemp, Mr. Hoye recommended that the tree be removed. Given Mr. Marcer's strong views, the matter has been referred to an Ordinary Meeting of Council.

PURPOSE/OBJECTIVE

The *Corymbia citriodora* (Lemon Scented Gum) is recommended to be removed and replaced for health and safety reasons. Due to strong objections from a resident, it is considered that the decision as to whether or not to remove the tree should rest with Council.

DISCUSSION

Mr. Marcer, of 29 Blackbutt Avenue, contacted Council to inform of root pruning by the resident at 27 Blackbutt Avenue on 12 November 2009. An inspection was made by Council's Tree Management Officer, where it was observed that minor roots had been pruned from the tree. No action was taken by Council as the roots that were pruned had minimal impact on the overall condition of the tree. The roots were pruned to prevent further damage to the garden edge at No. 27 and were approximately 80mm in diameter.

A request was submitted by Mr. G Dyer, resident of 27 Blackbutt Avenue, for the removal of the tree on 23 November 2009. An inspection was undertaken by Council's Tree Management Officer, Doug Foster, on 1 December 2009 and he recommended that the tree be removed for health reasons. Mr. and Mrs Dyer and Mrs Marcer were advised of the decision at the time of inspection. Mr. Marcer was not at home at the time.

Mr. Marcer objected on several occasions to the decision to remove the tree, as recorded in Council's Customer Request Management System (SR274938, SR274938, SR272920, SR274938 and SR279914). The objections state that Mr. Marcer does not wish the tree to be

removed. He has threatened to take Council to the Land and Environment Court if Council goes ahead with its removal.

The tree has been surveyed for its location by Council's surveyors. The tree is located on the road reserve, which is wholly owned by Council.

The tree is not locally indigenous or located within an endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) or the *Threatened Species Conservation Act 1995* (NSW).

Council officers have assessed the Lemon Scented Gum to be in decline and not worthy of preservation. In Council's assessment there is enough evidence to justify the removal of the tree. The attached photographs and assessment documentation provide a more detailed description of the condition of the tree and the justification for its removal.

If Council resolves to retain the tree a further inspection will be made by a qualified arborist to provide a detailed report to identify remedial work. It is anticipated that such remedial pruning would result in the loss of approximately 50% of the canopy, leaving a one-sided, aesthetically poor looking tree. The large number of pruning wounds would add further stress to the tree and would lead to further decline of the tree.

All tree assessments were made by visual external inspections. Internal, underground or aerial investigations were not undertaken.

Tree details

Species:	<i>Corymbia citriodora</i>
Common Name:	Lemon Scented Gum
Height:	18m
Age Class:	Mature

BUDGET

Tree removal can be undertaken by Council's Parks Service Unit within the available budget.

POLICY

The recommendation is consistent with Council's relevant policy document, the Tree Management Plan.

CONSULTATION

Residents at both 27 and 29 Blackbutt Avenue were consulted, as discussed above.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Doug Foster, Tree Management Officer, Parks and Landscape, telephone 9847 6546, between 9am and 5pm, Monday to Friday.

RECOMMENDATION

THAT Council approve the removal and replacement of a *Corymbia citriodora* (Lemon Scented Gum) located on the nature strip at 27 Blackbutt Ave, Pennant Hills.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Photo 1 - Tree location on nature strip
2. Photo 2 - Lemon Scented Gum
3. Tree Risk Form
4. Survey - Tree location No. 27 Blackbutt Avenue, Pennant Hills

File Reference: F2009/00081-09

Document Number: D01311271

12 NATIVE VEGETATION COMMUNITIES OF HORNSBY SHIRE STUDY

EXECUTIVE SUMMARY

Hornsby Shire comprises large areas of bushland. A vegetation survey was prepared for Hornsby Shire in 1990. This information has recently been updated to reflect changes to the native vegetation classification and mapping in the intervening decades. This information provides better information for Hornsby Shire residents, land managers and grant bodies.

This new information will be publicly exhibited.

PURPOSE/OBJECTIVE

To report the native vegetation study to Council and the community and to publicly exhibit the native vegetation report and maps.

DISCUSSION

Hornsby Shire is known as the 'Bushland Shire' due to its unique and extensive bushland areas. The native vegetation in the Shire is highly diverse and contains significant native vegetation communities with over 1,000 native vascular plant species. The first native vegetation survey and mapping for Council was in 1990 by P and J Smith. Since that time there have been many changes in the Shire's vegetation due to ongoing clearing for development and changes to State and Federal legislation. The legislative changes have included a large number of Hornsby Shire's vegetation communities being listed as Endangered or Critically Endangered Ecological Communities (EEC's) under the *NSW Threatened Species Act 1994* (TSC Act) and the *Australian Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In 2005 it was recognised that there was a need to undertake an updated native vegetation survey which updated the remaining native vegetation, classified all the vegetation in Hornsby Shire and identified the conservation significance of the Shire's native vegetation communities consistently with State and Federal listings. This has been prepared as spatial information on Council's Geographical Information System to assist Council in decision making for natural resource management and environmental assessment processes. The vegetation mapping project has been updated to keep all Council data as current as possible and most importantly consistently identifying native vegetation listed under the TSC Act. The Bushland and Biodiversity Team contracted P and J Smith to undertake the survey entitled 'Native Vegetation Communities of Hornsby Shire 2008 Update' (See Attachment 1).

The consultants, Dr Peter Smith and Dr Judy Smith are highly regarded in the industry and having prepared the original vegetation survey, were uniquely placed to undertake the current study. The methodology they employed satisfies mapping standards set by the NSW Department of Environment Climate Change and Water (DECCW) and included aerial photographic interpretation, ground truthing and data collection of some 600 quadrats. As a result of the survey Smith and Smith 2008 have classified a total of 34 native vegetation communities in the Hornsby Local Government Area (LGA). The survey area excluded

several national parks and nature reserves are under the sole management of the National Parks and Wildlife Service (NPWS).

The study found that twenty-eight of the vegetation communities are significant at national, State, regional or local level, including:

- two critically endangered ecological communities listed under Commonwealth legislation - Turpentine-Ironbark Forest and Blue Gum Shale Forest (listed as 'Blue Gum High Forest')
- one endangered ecological community listed under Commonwealth legislation - Shale/Sandstone Transition Forest
- one critically endangered ecological community listed under NSW legislation - Blue Gum Diatreme Forest (forms part of 'Blue Gum High Forest' as listed under NSW legislation, but not 'Blue Gum High Forest' as listed under Commonwealth legislation)
- nine endangered ecological communities listed under NSW legislation - Duffys Forest, Rough-barked Apple River-flat Forest, Forest Red Gum River-flat Forest, Shale Gravel Transition Forest, Swamp Oak Floodplain Forest, Coastal Saltmarsh, Swamp Mahogany Forest, Floodplain Paperbark Scrub and Floodplain Reedland (the last three are forms of the listed community, 'Swamp Sclerophyll Forest on Coastal Floodplains', while Rough-barked Apple River-flat Forest and Forest Red Gum River-flat Forest are forms of the listed community, 'River-flat Eucalypt Forest on Coastal Floodplains')
- eleven regionally significant communities (Sydney region) - Coachwood Rainforest, Grey Myrtle Rainforest, Blue-leaved Stringybark Diatreme Forest, Angophora-Red Mahogany Forest, Rough-barked Apple-Forest Oak Forest, Blackbutt-Rough-barked Apple Forest, Narrow-leaved Apple Slopes Forest, Narrow-leaved Apple Gully Forest, Rock Platform Heath, Sandstone Swamp and Seagrass Meadow
- four locally significant communities (Hornsby Shire) - Blackbutt Gully Forest, Silvertop Ash-Scribbly Gum Woodland, Angophora Woodland and Mangrove Swamp.

The other six communities of lesser conservation significance are Peppermint-Angophora Forest, Bloodwood-Scribbly Gum Woodland, Narrow-leaved Scribbly Gum Woodland, Grey Gum-Scribbly Gum Woodland, Yellow Bloodwood Woodland and Scribbly Gum Open-woodland/Heath. Together, these six communities make up 83% of the native vegetation of the survey area (12,858 of 15,505 ha). The significant communities make up only 17% (2647 ha) of the survey area.

The three communities of greatest conservation significance, the critically endangered Turpentine-Ironbark Forest, Blue Gum Shale Forest and Blue Gum Diatreme Forest, all occur on easy topography on relatively fertile soils, and have been severely depleted and fragmented by clearing for urban and rural development. Over 95% of their original extent on the Cumberland Plain has been cleared. Hornsby Shire has about a quarter of the remaining area of both Turpentine-Ironbark Forest (295 of 1183 ha) and Blue Gum Shale Forest (37 of 168 ha), and possibly all of the remaining area of Blue Gum Diatreme Forest (14 ha). Very little of these communities are conserved in NPWS estate.

Native vegetation mapping will always be a changing data set as areas are cleared, other areas are restored or revegetated and as mapping is refined. The vegetation mapping from the study is vital to ensuring Council's obligations within environmental assessment processes are met. It is also an essential tool for making land management and biodiversity conservation decisions. It will be an invaluable tool for obtaining grants, supporting the work of Bushcare

volunteers and informing strategic programs such as bush fire management methodologies and climate change adaptation.

The mapping will be placed on public exhibition to assist residents in identifying where significant vegetation occurs and where there may be environmental constraints on properties containing endangered vegetation. Residents may access the vegetation study and maps on Council's website and at the Planning Division counter at Hornsby Council's administration building. If any resident disagrees with Council's vegetation mapping of their property, they may submit a brief report with field data and photographs to Council with the results of a field investigation by a qualified ecologist and Council will review the mapping and amend it where justified.

BUDGET

There are no budget implications from this report.

POLICY

By undertaking the study Council meets its obligations under Federal and State legislation and completes a high priority action identified in the Hornsby Shire Biodiversity Conservation Strategy and Action Plan 2006.

CONSULTATION

Consultation with Town Planning Services, Parks and Landscape and Water Catchments (GIS Officer) were undertaken prior to this report.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Diane Campbell, Manager – Bushland and Biodiversity, telephone 9847 6903, between 9am and 5pm, Monday to Friday.

RECOMMENDATION

THAT

Council endorse the "Native Vegetation Communities of Hornsby Shire 2008 Update" and place the study and associated latest mapping on public exhibition for a period of 42 days.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Native Vegetation Communities of Hornsby Shire 2008 Update
2. Native Vegetation Maps of Hornsby Shire 2008 Update

File Reference: F2004/09257

Document Number: D01318051

13 TENDER T30/2009 - LANDSCAPING AND ASSOCIATED BULK MATERIAL SUPPLIES

EXECUTIVE SUMMARY

There is no existing contract in place for the supply of landscaping and associated material supplies. Council's estimated expenditure for these products over the last twelve months is approximately \$238,000. In November 2009 Tender No. T30/2009 was issued. The term of the resulting contract, which is expected to commence in February 2010, will be two years with a one year option to extend the contract subject to satisfactory performance.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Tender No. T30/2009: Landscaping and Associated Bulk Materials which cover the following product range.

Bulk products: turf underlay, garden soil mix, sand, etc.

- Benedict Sand and Gravel
- Thomson Landscape Supplies
- Camden Soil Mix
- M. Collins and Sons

Non bulk materials: treated pine sleepers, mushroom compost, etc.

- Thomson Landscape Supplies
- M. Collins and Sons

DISCUSSION

Tender No. 30/2009 is a Schedule of Rates tender. A summary of tenders, together with full evaluation details are in folder F2009/00741. Excepting this report, the summary and details of the tenders received are to be treated as confidential in accordance with the Local Government Act.

The objective of the tender is to investigate options to purchase landscaping and associated bulk material supplies from one or more suppliers, allowing Council to receive value for money over the life of the contract while considering commercial, quality, delivery and environmental criteria.

A public tender notice was advertised in the Sydney Morning Herald and the relevant local newspapers. The tender was issued in October 2009 with a closing date of 11 November 2009.

Responses were received from the following five companies:

- Benedict Sand and Gravel

- Thomson Landscape Supplies
- Camden Soil Mix
- M. Collins and Sons
- Vermont Sands - This tender was received late and therefore has not been included in the evaluation process.

Tender Evaluation

As part of the evaluation process weighted and non-weighted supplier selection criteria were developed and scored by the evaluation team.

Criteria included:

- Commercial
- Trading terms, discounts, invoices and payments
- OH&S management
- Past performance and experience
- Delivery lead time and timeframes
- Contractors capability and capacity
- Quality assurance systems
- Local business and industry
- Understanding our requirements
- References
- Organisational commitment to environmental management and sustainability
- Company profile, ABN and financial details.
- Warranties

The tendered Schedule of Rates were evaluated for each tender by applying them to estimated annual quantities for the main items of work that would normally be expected for the proposed contract. The other information were assessed based on information submitted with each tender, information gained from their nominated referees and past performance with Hornsby Shire Council where applicable.

Based on the results of the tender evaluation, all conforming tenders were found satisfactory.

BUDGET

The schedule of rates contained within the tender has been allowed for within the 2009/2010 budget. The tender process has identified savings of at least \$10,000pa, based on previous year's consumption.

POLICY

The tender process has been undertaken in accordance with Council's tendering policy.

CONSULTATION

The evaluation and assessment of this tender was completed by the following Council staff:

Gail Tighe	Acting Procurement Contracts and Catalogue Coordinator
Geoff Witt	Parks Service Unit Coordinator

Andrew Flick Parks Service Unit Officer
Clint Jones Construction Technical Officer

TRIPLE BOTTOM LINE SUMMARY

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

Working with our Community

The community was informed of the tender through advertising in the press

Conserving our natural environment

The preferred suppliers products are not expected to have any adverse impact on the natural environment. The preferred suppliers have appropriate environmental management systems in place.

Contributing to community visions in planning for the future of the shire

The preferred suppliers resulting from the tender process are suppliers that have been used by Council on previous occasions. The products and services provided have been satisfactory to date and will enhance Council's requirements for the future of the parks and ovals of the Shire.

Fulfilling our community's visions in planning for the shire

The supply of landscaping and associated bulk material supplies at the most economic price will assist in providing these products to the community's satisfaction.

Supporting our diverse economy

Not applicable for this tender.

Maintaining sound corporate and financial management

The evaluation process considered the commercial arrangements for the product range. Savings have been identified for bulk sand/soil purchases.

Other sustainability considerations

The evaluation process considered environmental products and disposal, environmental management systems, sustainable alternatives and labour.

RESPONSIBLE OFFICER

For further information, please contact Geoff Witt, Parks Service Unit Coordinator, on 9847 4811 or Robyn McKenzie, Procurement Manager on 9847 6642, Monday to Friday 8.30am - 5pm.

RECOMMENDATION

THAT Council accept the tenders of

- Benedict Sand and Gravel
- Thomson Landscape Supplies
- Camden Soil Mix
- M. Collins and Sons

as Council's preferred suppliers for landscaping and associated bulk materials for a two year period, with an option to extend the contract for a further twelve months, subject to satisfactory performance.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2009/00741
Document Number: D01327105

14 PARKS CAPITAL WORKS 2009-2010 DECEMBER QUARTER PROGRESS REPORT

EXECUTIVE SUMMARY

The Parks Capital Works Program for 2009/2010 contains works required to maintain park assets in a safe and enjoyable condition. It also includes a works program for improving the parks of Hornsby Shire with funding from development contributions levied under Section 94 of the Environmental Planning and Assessment Act, 1979.

PURPOSE/OBJECTIVE

This report is to inform Council of the progress of the 2009/10 Parks Capital Works Program as at 31 December 2009.

DISCUSSION

Attachment 1 is a status report on projects listed for 2009/10.

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

BUDGET

There are no budget implications arising from this report.

POLICY

There are no policy implications arising from this report.

CONSULTATION

No consultation was necessary for the preparation of this report.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's report EN3/10 be received and noted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Parks Capital Progress Report December 09-10

File Reference: F2004/06971
Document Number: D01328796

15 TREE REMOVAL AT 34 DEAN STREET, WEST PENNANT HILLS

EXECUTIVE SUMMARY

This report recommends that Council refuse the application for consent to remove one *Eucalyptus saligna* (Sydney Blue Gum) located in the front yard of the property at 34 Dean Street West Pennant Hills. The applicant has appealed previous decisions to refuse consent by the Parks and Landscape Team and has requested that the matter be referred to an Ordinary Meeting of Council.

The applicant's Blue Gum is considered to be part of a surrounding Blue Gum High Forest vegetation community. This community is listed as a critically endangered ecological community by the NSW Scientific Committee.

PURPOSE/OBJECTIVE

The owner of the property seeks Council approval to remove one *Eucalyptus saligna*.

DISCUSSION

This matter was previously considered by Council on 14 October (See EN39/09 – Attachment 2), where the matter was deferred to enable the residents an opportunity to obtain supporting evidence through a tree assessment report prepared by an independent arborist. The independent arborist's report (Attachment 1) was submitted on 28 January, 2010.

There are several matters of conjecture arising from the independent arborist's report.

1. The tree has been identified as a *Eucalyptus pilularis* (Blackbutt) in the report. The tree is in fact a *Eucalyptus saligna* (Blue Gum).
2. The report states that "the driveway is only a dirt driveway" and "the tree's root system would be completely compacted". In fact the driveway has two concrete strips which have been in place for many years. Compaction caused by vehicles accessing the property on these strips would be minimal and unlikely to be deleterious to the tree.
3. The report states the tree is considered in excellent health, the foliage colour and density are normal and there are few epicormic shoots. This is in agreement with the assessments made by Council staff.
4. The only reason in the report for supporting the removal of the tree is due to previous branch failure. Branch failure history and concerns about further branch failure are not considered to be compelling reasons to allow the removal of this tree.

Tree details

Species: *Eucalyptus saligna*
Common Name: Blue Gum
Height: 22 metres
Age Class: Mature

BUDGET

There are no budgetary implications arising from this decision.

POLICY

There are no policy implications arising from this decision.

CONSULTATION

There is no requirement for consultation in this matter.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Dennis Hoye, Tree Management Coordinator, Parks and Landscape, telephone 9847 6706, between 9am and 5pm, Monday to Friday.

RECOMMENDATION

THAT Council refuse consent to remove one *Eucalyptus saligna* (Sydney blue gum) located in the front yard of 34 Dean Street West Pennant Hills.

ROBERT STEPHENS

Executive Manager

Environment Division

Attachments:

1. Arborist Report - 34 Dean St - West Pennant Hills
2. Executive Manager's Report No. EN39/09

File Reference: TA/1413/2007

Document Number: D01329224

16 2010 INTERNATIONAL DROUGHT SYMPOSIUM - UNIVERSITY OF CALIFORNIA

EXECUTIVE SUMMARY

The Water Science and Policy Centre at the University of California is holding an International Drought Symposium on 24-26 March, 2010 to compare drought impacts and mitigation under various physical, economic and institutional situations, and to allow innovative approaches to be considered and adopted by the various countries.

The symposium will be attended by senior disciplinary experts from Spain, Australia, South Africa, Mexico, and California – all drought prone areas. The disciplines of the symposium include economics, agronomy, hydrology, ecology, technology, policy and water management.

It is considered that the Manager, Water Catchments' attendance at the symposium will benefit Council in dealing with its short and long term challenges relating to water/drought management.

The symposium will be an excellent personal professional development opportunity for the Manager, Water Catchments.

PURPOSE/OBJECTIVE

The purpose of this report is to seek Council's approval for the Manager, Water Catchments to attend the International Drought Symposium to be held at the University of California on 24-26 March, 2010.

DISCUSSION

Professional development is an important and essential component of the personal development of Council staff. It is crucial that technical staff are kept up-to-date with current and best practice relating to water management in other countries.

Hornsby is the second largest local government area in the Sydney region. Protection of the natural environment and the improvement of water quality is a high priority for Council in pursuing its strategic intent of "Creating a living environment". The Manager, Water Catchments and his team are committed to the improvement and conservation of the Shire's natural resources, in particular, water management.

Attached to this report is a symposium outline. The symposium comprises a series of presentations by teams of water experts from Australia, Mexico, South Africa, Spain and the United States (California). The 35 water experts will be joined by two keynote speakers.

BUDGET

There are no budget implications, as costs will be covered from the Manager Water Catchments' personal professional development budget, associated with his contract of employment.

POLICY

There are no policy implications with the adoption of this report.

CONSULTATION

Consultation has been undertaken with the Executive Manager Environment in the preparation of this report.

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

RESPONSIBLE OFFICER

Mr Robert Stephens, Executive Manager Environment, telephone 9847-6576.

RECOMMENDATION

THAT Council approve the attendance of the Manager, Water Catchments at the International Drought Symposium to be held on 24-26 March, 2010 in Riverside, University of California, USA, as professional development under his contractual conditions.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. International Drought Symposium Information

File Reference: F2004/06225
Document Number: D01331673

17 WORKS PROGRESS REPORT - DECEMBER 2009 QUARTERLY REPORT - ASSETS BRANCH

EXECUTIVE SUMMARY

This Assets Branch Works Progress Report for the December 2009 Quarter provides information to Council regarding the progress of the adopted 2009/10 Assets Branch Programs relating to works maintenance, road pavement and stormwater management in the Shire, and the implementation of asset management systems for sealed road pavement and drainage.

Key Performance Indicators (KPIs) for the various maintenance activities are included in the report and the progress of the various programs is presented in the Gantt charts attached to the report. The progress of the various activities is generally in accordance with the adopted programs for the 2009/10 Service Plan.

OBJECTIVE

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

The report covers work carried out by the Assets Branch of the Works Division for the second quarter of the 2009/10 Service Plan ending 31 December 2009. A summary of the works carried out to date is also provided.

WORKS MAINTENANCE

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

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

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

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

Civil assets maintained by the Works Division include:

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

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

Road Shoulder and Unsealed Road

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

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

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

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

The Key Performance Indicator (KPI), stated as the average maintenance cost per km per year on unsealed roads, is \$12,600. The average maintenance cost per km at the end of the December quarter is \$1,710.

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

Drainage

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

Routine Maintenance comprises: programmed routine stormwater drainage system checking and clearing by Council crews on an area basis; and on demand drainage structure repair and lining of the side and floor of open drainage channels. The KPI for drainage maintenance, stated as the average maintenance cost per km per year of urban drainage maintenance, is \$3,500. The average maintenance cost per km at the end of the December quarter is \$1,370.

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

Footpath and Footway

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

Routine Footpath Maintenance comprises programmed routine inspection and repair of isolated section/s of footpath, and programmed resheeting of segments of footpaths with asphaltic concrete to eliminate minor trip edges or concrete grinding to address moderate trip edges. The 413km footpath network is inspected at least once a year by Council crews or a contractor. During the December quarter, repairs to footpaths totalled 751 sq. metres. At the end of the December quarter, the repairs to footpath totalled 1,217 sq metres.

The KPI for footpath maintenance, stated as the average maintenance cost per km per year, is \$2,400. The average maintenance cost per km at the end of the December quarter is \$1,900. The Service Level stated as the number of reported trip and fall incidents on footpaths per 100km of <30 (less than 30) per year was 3 at the end of the December quarter.

Footpath Reconstruction comprises programmed reconstruction by contract for segments of various types of footpaths ranging from concrete slabs to asphalt, brick, tile and heritage slabs. The Service Level for this program is 2.0km of footpath reconstruction. During the December quarter, 6 sections of footpaths totalling 1.03km were reconstructed. At the end of the December quarter, 16 sections of footpath totalling 1.91km have been reconstructed.

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

Roadside Furniture

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

Street Name and Traffic Signs routine maintenance comprises programmed installation of new advisory and directional signs, and on demand repair/replacement of street name and traffic signs. During the December quarter, 230 signs were maintained and 46 new signs were erected. At the end of the December quarter, 659 signs were maintained and 103 new signs were erected.

Guide Post and Safety Fences routine maintenance comprises programmed installation of new guide posts and safety fences and on demand repair/replacement of guide posts and safety fences. During the December quarter: 88 guide posts and 731 metres of safety fences were maintained, and no new safety fences or guide posts were erected. At the end of the December quarter: 395 guide posts and 1,477 metres of safety fences have been maintained, and no new safety fences or guide posts have been erected.

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

Foreshore Facilities

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

Routine Maintenance comprises programmed routine inspection and minor repairs of public wharves, pontoons, boat ramps and tidal baths by Council crews and specialist contractors, and on demand minor repair works. During the December quarter, all 14 facilities have been inspected. Step, boat ramp and fish cleaning table pressure cleaning were also carried out at Parsley Bay, Berowra Waters and Kangaroo Point during the December quarter. Pest inspection and bait replacement at Brooklyn Baths were also undertaken in October, November and December 2009. No termite activity was detected during the December 2009 inspection, however, significant termite damage and wood rot were noted. Termicide spray was also undertaken at the approaches to the baths walkway in December 2009 as a precautionary measure.

Upgrading/Replacement normally comprises programmed major repairs/upgrading on public wharves, periodic replacement of pontoons and periodic reconstruction of sea walls by contract. The McKell Park Baths shark fencing and floor were checked by contract divers in September 2009. Twenty four (24) piles were repaired and 48 pieces of decking around the piles were replaced during the December quarter.

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

PAVEMENT MANAGEMENT

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

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

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

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

- * The KPI for the sealed road network, stated as the percentage of road network rated in "Good/Very Poor" condition, are >68/<2 (greater than 68% / less than 2%). These percentages are forecast to decrease/increase in future years based on the current funding level. These percentages have remained relatively constant due to the Roads to Recovery Funding.
- * The KPI for sealed roads, stated as the average maintenance cost per km, is \$8,000 per year. The average maintenance cost per km at the end of the December quarter is \$3,360.

Road Resurfacing

Road resurfacing comprises programmed Reclamite surface treatment, and asphaltic concrete (AC) and flush seal resurfacing by contract. The programmed resurfacing is 132 roads totalling 232,920 square metres. The progress at the end of the December quarter, shown within brackets, was 79 roads totalling 128,474 m2 and was as follows:

- * Asphaltic Concrete resurfacing 54 roads - 83,560 m2 (21 roads - 42,818 m2)
- * Flush Seal resurfacing 21 roads - 59,220 m2 (0 road - 0 m2)
- * Reclamite surface treatment 57 roads - 90,140 m2 (58 roads - 85,656 m2)

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

Preparation for Resurfacing

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

The programmed preparation works was 56 roads totalling 17,460 m2. The progress at the end of the December quarter, shown within brackets, was 16 roads totalling 4,810 m2 and was as follows:

- * Heavy Patching with AC 49 roads - 2,930 m2 (16 roads - 4,810 m2)
- * Pavement Stab. with Cement 7 roads - 14,530 m2 (0 road - 0 m2)

Pothole Repairs

Pothole repair comprises programmed inspection and filling of potholes with AC on 12 patrol area basis by a Council crew with a Flocon truck. During the December quarter, 904 potholes were repaired in 130 roads and consumed approximately 43.7 tonnes of AC. At the end of the December quarter, 1,309 potholes were repaired in 200 roads and consumed approximately 75.7 tonnes of AC.

Road Restorations, Hydrants and Carpark Maintenance

This activity comprises programmed restoration of road openings by public utility authorities and plumbers in asphaltic concrete, raising of hydrants, and carpark maintenance involving some pavement and pothole repair by Council crew, line marking and resurfacing by contractors. During the December quarter, no restorations were carried out and 4 service adjustments were made on 3 roads.

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

STORMWATER MANAGEMENT

Stormwater management major activities include:

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

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

Progress of programmed activities for Stormwater Management is generally in accordance with the adopted programme given in Gantt Chart D. Minor drainage improvement/upgrading works was in progress with regard to the negotiation for access for the Lonsdale Avenue works during the December quarter. The Consultant's final flood maps based on the Broadscale Overland Flow Study for the urban areas of the Shire was received in September 2009. This study is part of the Floodplain Risk Management Plan Development and will culminate with the preparation of Flood Planning Levels Map for the Shire. Discussions with the Consultants to broaden the Broadscale Overland Flow Study to include for PMF (Probable Maximum Flood) Design Model Runs, Climate Change Sensitivity Runs and the Mapping of Hawkesbury River Floodplain were in progress during the December quarter. The extended study commenced in early January and is scheduled for completion by April 2010.

Major Drainage improvement works will not be undertaken in 2009/10 as the allocated funding has been placed in a restricted asset account towards the Hornsby CBD Drainage Project Stage 1. Construction will commence only when sufficient funds have been accumulated and based on current funding level would not take place until 2015/16. Alternative funding options will need to be considered to commence the project at an earlier date.

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

ASSET MANAGEMENT SYSTEMS

Three asset management systems are currently being maintained/implemented:

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

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

Pavement Management System (PMS)

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

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

Other PMS development activities include: preparation of valuation for AAS27 requirements; update of feedback system for data updating; preparation of Grants Commission report, and development of PMS-GIS interface to enable graphical access to PMS data. Collection of traffic, road condition and roughness data was in progress during the December 2009 quarter. The audited data was also uploaded to the PMS in December 2009.

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

Drainage Asset Management System (DRAMS-PIPEPAK)

The Drainage Asset Management System (DRAMS-PIPEPAK) Implementation Program consists of the collection of stormwater drainage asset data in respect of the location and condition of the pits and pipes. The location of pits in Council's stormwater drainage system was undertaken using a global positioning system (GPS). The collection of the pit and pipe condition was undertaken by field inspection.

The DRAMS database has been converted to the updated version named PIPEPAK.

PIPEPAK implementation activities include: GPS and condition data audit, update of feedback system for data updating; development of PIPEPAK model; formatting PIPEPAK for AAS27 requirements; and development of PIPEPAK-GIS interface for graphical access to PIPEPAK data. The checking of drainage data in preparation for asset valuation was in progress during the December quarter.

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

Footpath Management System (FMS)

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

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

The collection of footpath condition and inventory data by a contractor has been scheduled for the March 2010 quarter.

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

BUDGET

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

POLICY

There are no policy implications.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

A TBL assessment is not required for this progress report.

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK1/10 be received and the progress of the 2009/10 Assets Branch Programmes for the December 2009 quarter be noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Gantt Chart A - 2009/10 Northern District Maintenance Program as at 31 December 2009
2. Gantt Chart B - 2009/10 Southern District Maintenance Programme as at 31 December 2009
3. Gantt Chart C - 2009/10 Pavement Works Maintenance Programme as at 31 December 2009
4. Gantt Chart D - 2009/10 Stormwater Management Programme as at 31 December 2009
5. Gantt Chart E - 2009/10 Asset Management Systems Implementation Programme as at 31 December 2009

File Reference: F2004/05959-02
Document Number: D01324440

18 WORKS PROGRESS REPORT - DECEMBER 2009 QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH

EXECUTIVE SUMMARY

This report provides Council with information on the works and activities undertaken by the Traffic and Road Safety Branch for the period 1 Oct, 2009 to 31 December, 2009. The report outlines the numerous and diverse projects undertaken by the Branch during the 2009/10 Annual Operating Program.

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

Management and Administration

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

Traffic Management

Council is the responsible Authority for the management of traffic on public streets within its proclaimed boundaries other than classified roads. However, the Roads and Traffic Authority has revoked Council's delegated powers to approve traffic facilities that prevent or restrict access of vehicles or pedestrians on public roads and approve some categories of parking restrictions near public transport infrastructure. **Council remains an applicant for**

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

During the period under review, 9 items were referred to the Local Traffic Committee for a recommendation as shown in Attachment 1. Throughout all of the above projects the community was consulted and where possible amendments made to suit the community's needs or requests.

Traffic and Transport Planning

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

Current major projects include:

Major Traffic and Transport Planning projects undertaken during December 09 quarter are outlined below:

- * Updating of Hornsby CBD and Shire traffic models (on-going)
- * Hornsby Shire Housing Strategy
- * Development of Hornsby Shire Car Parking Management Strategy
- * Development of Hornsby Town Centre Car Parking Management Strategy
- * Review and assessment of intersection operation of Pacific Highway junctions along the western side of Hornsby Town Centre and George Street and Bridge Road.
- * Review and implementation of Hornsby Shire Integrated Land Use & Transport Strategy (on-going)
- * Review and assessment of access options for Hornsby Quarry site and Hornsby Aquatic Centre

Since June 2009, considerable time has been spent negotiating with private operators to implement a Carshare scheme in Hornsby town centre, the challenge being to develop a scheme that is cost neutral to Council. The operators regard Hornsby Shire as being too far from the city centre for a Carshare scheme to be viable however they are receptive to a trial in partnership with Council. A Request for Quotation was sent to the two interested companies on 27 August 2009 with a closing date of 30 September 2009. As no conforming bids were received Council staff are negotiating with the companies attempting to develop a cost neutral proposal. The results will be reported to Council in early 2010 after legal advice regarding the proposed terms and conditions has been obtained.

Car Parking Management

In addition to patrolling on street parking restrictions, Traffic Rangers are contracted to patrol private parking areas used by the public. Discussions are on going with owners of a small private car park regarding patrols. Staff are also considering requests to patrol private roads subject to minimum criteria being met. 1294 parking spaces in 15 car parking areas within the Shire are currently patrolled as shown in Attachment 1.

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

- * *119 (206) patrols of schools to enforce parking regulations.*

- * 3,159 (3,142) infringement notices were issued.
- * 6 (9) matters were defended in Hornsby Local Court.

(--) denotes activities from October to December 2008.

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

There is currently 1 Traffic Ranger vacancy.

Road Safety Education

Council held its first Free Child Restraint Safety Check event on 29th October, 2009. This event invited the community to have their child restraints checked for safety and correct fit by authorised RTA restraint fitters.

A third "Helping Learner Drivers Become Safer Drivers" workshop for parents and supervisors of learner drivers was held in November. This workshop is designed to give practical advice about supervising learner drivers, completing the log book and understanding the benefits of supervised on road driving experience.

The very popular "Safer Senior Drivers" workshop was held in November, the fourth seniors road safety workshop for the year.

In December, Council's Road Safety Officer, along with Youthsafe, were available to deliver the "Are We There Yet?" road safety presentation to interested high schools. The presentation is a novice driver and passenger safety session, encouraging simulation and group discussion that reinforces the need for young drivers to manage distractions, limit passengers, recognise their novice status, and continue gaining experience, even after obtaining their P-plates.

Bicycle, Pedestrian and Public Transport Facilities and Planning

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

- Audit of all bus stops across the Shire in accordance with Disability Discrimination Act requirements.
- Prioritising bicycle projects for Design and Construction Branch, and providing input into other traffic management and road construction projects to improve pedestrian and bicycle access where possible.

Development Assessment and advice on Town Planning Issues

The Traffic and Road Safety Branch provides advice to the Planning Division on 'as needed' basis. During the period under review, traffic comments and impact assessments were made on 3 development applications as shown in Attachment 1.

BUDGET

There are no budget implications arising from this report.

POLICY

There are no policy implications.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

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

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Attachment 1 - Traffic and Road Safety Branch Activities

File Reference: F2004/05959-02
Document Number: D01324800

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

EXECUTIVE SUMMARY

This is a report on the progress of works which are carried out by the Design and Construction Branch of the Works Division for the second quarter of 2009/2010. Overall, projects were undertaken in accordance with the timing and budgets shown in the previously adopted program.

PURPOSE/OBJECTIVE

The purpose of this report is to provide information as to the timing of the various Improvement Programs being undertaken by the Design and Construction Branch.

DISCUSSION

Improvement Program

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

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

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

Individual projects have been financed from Divisional allocations as previously approved by Council when it adopted the 2009/10 budget. If complementary grant funding identified for a project alters, the program will be reviewed and reported to Council in a subsequent quarterly review.

Significant Impacts

The Design and Construction Branch has a number of staff vacancies in the Design Team. These staff vacancies have impacted on preconstruction activities for the 2009/2010 Program. Some additional temporary resources are being sought with a view of catching up on programs. Progress in this regard will be monitored and further reported in the future.

Tenders / Contracts

Tenders called during the December quarter were:

1. Material Testing of Site Investigation
2. Supply and Delivery of Metal Drainage Grates, Access Covers & Litter Traps
3. Concreting Form and Finish
4. Supply of Delivery of Precast Concrete Drainage Products
5. Design and Construction Epping Water Harvesting
6. Hornsby Quarry – Landfilling Approval
7. Supply and Installation of 40 km/hr Impact Rated Stainless Steel Bollards

Current contracts include:

1. Construction of Water Supply to Crosslands Reserve
2. Minor Asphalt Works
3. Stabilisation of Road Pavements
4. Supply and Delivery of Precast Concrete Drainage Products
5. Plumbing Services
6. Construction and Reconstruction of Vehicular Crossings and Footpaths
7. Sprayed Bituminous Surfacing
8. Patching of Road Pavements with Full Depth Asphalt
9. Supply and Lay Asphaltic Concrete
10. Pavement Marking (NSROC)
11. Grass Cutting of Roadsides
12. Electrical Services
13. Supply and Delivery of Road Materials
14. Supply and Delivery of Concrete
15. Greenway Park Community Centre Upgrade and Construction of Childcare Centre
16. Cherrybrook Community Childcare Facility – Consultant to Finalise Plans and Documentation
17. Design and Construction of Public Pontoon Kangaroo Point Brooklyn
18. Architectural Services for Development of a Fire Control District Office – Berowra Waters Toll Gates Site
19. Construction of Hornsby Ku-ring-gai District Rural Fire Centre and Emergency Facility

Vehicular Crossing Construction

The Design and Construction Branch is also responsible for issuing plans and specifications and supervising vehicular crossing construction. Property owners have the choice of using a contractor from Council's Authorised Contractors List, or pay Council to construct vehicular crossings on their behalf. There are currently 47 Authorised Contractors, including three new contractors authorised during the quarter.

During the December quarter 68 plans and specifications were issued and 4 crossings were constructed by Council's contractors.

BUDGET

There are no budget implications.

POLICY

There are no policy implications.

CONSULTATION

The program has been developed in consultation with the respective program managers.

TRIPLE BOTTOM LINE SUMMARY

A Triple bottom line summary is not required for this report as this is done at an individual program level.

RESPONSIBLE OFFICER

The responsible officer is the Manager, Design and Construction Branch Mr Rob Rajca telephone 9847 6675 between 8:30 a.m. - 5:00 p.m., Monday to Friday.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK 80/09 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Gantt Charts

File Reference: F2004/05959-02
Document Number: D01326432

20 TENDER T34/2009: SUPPLY AND DELIVERY OF PRECAST CONCRETE DRAINAGE PRODUCTS

EXECUTIVE SUMMARY

The proposed contract for “Supply and Delivery of Precast Concrete Drainage Products” (stormwater pipes, lintels and headwalls) is required to service the needs of Council’s Works Division whilst carrying out road and drainage construction and maintenance.

The proposed contract will be for 12 months duration with an option to extend the contract for a further 12 months period. Holcim Australia Pty Ltd. trading as Humes have been recommended for acceptance of this tender.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Tender No.T34/2009: Supply and Delivery of Precast Concrete Drainage Products.

DISCUSSION

The Tender No. T34/2009 is a Schedule of Rates tender. A summary of tenders, together with full evaluation details are on file (Trim folder F2009/00813). Excepting this report, the summary and details of the tenders received are to be treated as confidential in accordance with the Local Government Act.

Three (3) tenders were received for Tender No. T34/2009 from the following companies.

- BCP Precast
- Holcim Australia Pty Ltd. trading as Humes
- James Hardie FRC Pipes

The tenders were evaluated based on the stipulated criteria, namely:-

- Cost of the Works
- Past performance and experience in similar types of works
- Plant and supply source locations
- Quality Assurance
- Occupational Health and Safety Systems
- Sustainability

The tendered Schedule of Rates were evaluated for each tender by applying them to estimated annual quantities for the main items of work that would normally be expected for the proposed contract. The other criteria were assessed based on information submitted with each tender, information gained from the tenderers’ nominated referees and past performance with Hornsby Shire Council where applicable.

Confidential Memo WD D&C 05/2010, that has been separately distributed, contains information regarding the evaluated value of work of the tender and summary of evaluation. Full details of the tender evaluation are on file and are confidential.

The results of the evaluation indicate that the most advantageous tender is from Holcim Australia Pty Ltd. trading as Humes.

The total estimated work under this contract is in the order of \$70,000 per annum. The only complete tender received for this tender is from Humes and their price appears to be reasonable.

Full details of the tender evaluation are on folder.

BUDGET

There are no budgetary implications.

POLICY

There are no policy implications.

CONSULTATION

The tender has been evaluated in conjunction with the main users of the proposed contract.

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.

Conserving our natural environment

The tenderer's environment management system and procedures were evaluated to ensure commitment to protecting the environment.

Contributing to community development through sustainable facilities and services

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

Precast concrete drainage products are essential for the reconstruction and maintenance of Council's road network and other assets in order to maintain efficient and effective stormwater drainage systems. This will provide confidence and enhance safety to residents and the general public who use these roads and other assets.

Supporting our diverse economy

Proper maintenance of stormwater drainage systems will encourage the residents and the general public to use the roads and other amenities in the Shire with confidence and this in turn has a positive effect on the local economy and businesses.

Maintaining sound corporate financial management

Precast concrete products will provide cost effective reconstruction and maintenance of road and drainage assets.

Other sustainability considerations

The Environment Policy and Corporate Policy of the tenderers were taken into consideration in the evaluation of tender.

RESPONSIBLE OFFICER

For further information, please contact Engineer construction, Mr. Wimal Dasanayake on 98476673.

RECOMMENDATION

THAT Council accept the tender submitted by Holcim Australia Pty Ltd. trading as Humes for all works under Tender No. T34/2009: Supply and Delivery of Precast Concrete Drainage Products.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Refer to Confidential Attachment to WK4/10, located in the Confidential Section of Business Paper Confidential Memo WD D&C5/10 (circulated separately by Councillors). - *This attachment should be dealt with in confidential session, under Section 10A (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: F2009/00813
Document Number: D01331491

21 TENDER T33/2009: CONCRETING: FORM AND FINISH

EXECUTIVE SUMMARY

The proposed contract, Concreting: Form and Finish, is required to service Council's needs for the construction of concrete formwork, fixing of reinforcing steel, paving and finishing of concrete. Types of concreting include kerb and guttering (machine and hand placed), paving for footpaths, bike paths and vehicular crossings and construction of stormwater drainage structures. Work under this contract is required mainly for the Works Division Construction and Maintenance Programs.

Council does not have the specialist personnel and equipment required for this work and therefore open tenders have recently been called in accordance with the Local Government Act. The proposed contract will be for 12 months duration with an option to extend the contract for a further 12 months period. Foster Civil Contracting Construction Pty Ltd, Devcon Civil Pty Ltd and South West Kerbing have been recommended for acceptance of this tender.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Tender No. T33/2009: Concreting: Form and Finish.

DISCUSSION

The Tender No. T33/2009 is a Schedule of Rates tender. A summary of tenders, together with full evaluation details are in folder F2009/00812. Excepting this report, the summary and details of the tenders received are to be treated as confidential in accordance with the Local Government Act.

Seven (7) tenders were received for Tender No. T33/2009 from the following companies.

- Aston and Bourke Pty Ltd
- Allbuild NSW Pty Ltd
- CW Concrete
- Devcon Civil Pty Ltd
- Foster Civil Contracting Construction Pty Ltd
- Kelbon Project Services Pty Ltd
- South West Kerbing

The tenders were evaluated based on the stipulated criteria, namely:-

- Cost of works
- Past performance and experience in similar types of works
- Plant and equipment resources
- Labour and sub-contract resources
- Occupational health and safety systems

- Sustainability

The tendered Schedule of Rates were evaluated for each tender by applying them to estimated annual quantities for the main items of work that would normally be expected for the proposed contract. The other criteria were assessed based on information submitted with each tender, information gained from the tenderers' nominated referees and past performance with previous Hornsby Shire Council works where applicable.

The work under this contract can be grouped under three categories, namely,

1. Concrete paving
2. Drainage structures
3. Kerb and guttering

It is considered that the work available under this contract will require two contractors for each category of work to provide greater flexibility and efficiency for Council.

Based on the results of the tender evaluation, tenders from Foster Civil Contracting Constructions Pty Ltd, Devcon Civil Pty Ltd and South West Kerbing were found satisfactory. Based on benefits to Council, the preferences of these three tenderers against the three work categories are shown in the table in last paragraph (under Recommendation). Full details of the tender evaluation are on file.

The total estimated cost of work under this contract is in the order of \$300,000 per annum.

BUDGET

There are no budgetary implications.

POLICY

There are no policy implications.

CONSULTATION

The tender has been evaluated in conjunction with the main users of the proposed contract.

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.

Conserving our natural environment

The processes on site are controlled by sediment and erosion minimisation measures, and protecting environmentally sensitive areas.

Contributing to community development through sustainable facilities and services

Concrete kerb and guttering and drainage structures will enhance and protect Council's assets and provide comfort and safety for the public.

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

The rehabilitation and improvement of the road pavements and other assets with kerb and guttering and drainage systems will have a positive effect on conserving and enhancing Council's assets.

Maintaining sound corporate financial management

The cost effective rehabilitation of the road pavements and other assets enhances the value of Council's assets and minimises maintenance cost over the life of these assets.

Other sustainability considerations

The company's management policy, OH&S and Environmental management systems were taken in to consideration in the evaluation of tenders received.

RESPONSIBLE OFFICER

For further information, please contact Engineer construction, Mr. Wimal Dasanayake on 98476673.

RECOMMENDATION

THAT Council accept tenders for Tender No T33/2009: Concreting; Form and Finish, as follows:

Work category	First preference	Second preference
Concrete paving	Foster Civil Contracting Constructions Pty Ltd	Devcon Civil Pty Ltd
Drainage structures	Devcon Civil Pty Ltd	Foster Civil Contracting Constructions Pty Ltd
Kerb and guttering	South West Kerbing	Foster Civil Contracting Constructions Pty Ltd

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Refer to Confidential Attachment to WK5/10, located in the Confidential Section of Business Paper Confidential Memo WD D&C2/10 (circulated separately to Councillors). - *This attachment should be dealt with in confidential session, under Section 10A (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: F2009/00812
Document Number: D01331579

22 TENDER NO. T28/2009: HORNSBY QUARRY - LAND FILLING APPROVAL

DISCLOSURE OF INTEREST – EXECUTIVE MANAGER

Council is advised of a non-pecuniary, less than significant conflict of interest in relation to one of the tenderers for the subject contract. I advise that a close family relative is employed by the parent company of one of the tenderers. I further advise that a friend is employed by this tenderer and has had a significant role in preparing that tenderer's bid for this project, and was involved in that tenderer's presentation to the evaluation panel. Following discussion with the General Manager, it has been agreed that I should continue to participate in the evaluation of the tenders and subsequent report to Council.

EXECUTIVE SUMMARY

Council at its meeting of 14 October 2009 in considering report WK74/09 resolved that "*Council proceed to invite Expressions of Interest from Consultants for the preparation of the planning and environmental approvals necessary to facilitate the filling of the Quarry pit with VENM*".

The proposed contract for 'Hornsby Quarry - Land Filling Approval' is required to seek the necessary approvals to allow for the filling of the quarry void with Virgin Excavated Natural Material (VENM).

Tenders have been called in accordance with the Local Government Act and it has been recommended that Council not accept any tender and that negotiations be entered into in the first instance with Cardno.

PURPOSE/OBJECTIVE

This report provides a recommendation for Tender No. T28/2009: Hornsby Quarry - Land Filling Approval.

DISCUSSION

Tender No. T28/2009 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.

Four (4) tenders were received from the following companies:

- APP Corporation Pty Limited (*APP*)
- Cardno Lawson Treloar (*Cardno*)
- GHD Pty Ltd (*GHD*)
- Manidis Roberts (*MR*)

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

- Price
- Past performance and experience
(The tenderer shall present to the Client satisfactory evidence that they have satisfactorily completed projects similar to that required by this contract)
- Skills, qualifications, experience and past performance of the proposed personnel for the Project team, including sub consultants
- Resources available to deliver the various project components; current commitments of key personnel
- Project methodology and appreciation of the key issues in the project specification
- Public consultation strategy and demonstrated experience in undertaking community consultation
- Sustainability
- Quality Assurance systems
- Occupational Health and Safety Systems
- Financial Capacity

The priced bill of quantity rates were evaluated along with the lump sum price of each tender. Other criteria were assessed on information submitted with each tender and additional information following presentations from all four tenderers to the selection panel and a further presentation to Councillors from two tenderers that were shortlisted after the first presentation.

The attached Confidential Memo WD D&C 9/2010 provides the lump sum price of each tender and a summary of the evaluation. Full details of the tender evaluation are on file.

From the results of the evaluation it is recommended that Council not accept any tender as it is expected that a better outcome can be achieved in negotiating the fee structure with minor changes to the scope of work. Accordingly it is recommended that negotiations be entered into in the first instance with Cardno. In the event that negotiations with Cardno are not successful, similar negotiations can proceed with GHD.

BUDGET

The cost for the project is estimated at approximately \$300,000 including consultant fees, external fees, project management and contingencies. There are sufficient funds in the current restricted asset account for Hornsby Quarry for the funding requirements to progress the environmental approval process to fill the quarry pit including consultant and approval fees, together with associated project management costs.

POLICY

There are no policy implications.

CONSULTATION

The tender has been evaluated in consultation with the Manager - Town Planning Services, Mr James Farrington.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

For further information, please contact the Project Coordinator Design – Design and Construction Branch, Mr Craig Clendinning on 9847 6701.

RECOMMENDATION

THAT:

1. Council not accept any tender and negotiate with Cardno in the first instance regarding the scope of the works to arrive at a lump sum tender price.

Council declines to invite fresh tenders or seek fresh applications from tenderers or persons expressing interest in the contract, for the following reasons;

- i) Council has tested the market for the project and further tendering or fresh applications are not likely to produce a better result,
- ii) Timing constraints do not unduly delay this project.

Subject to the satisfactory conclusion of negotiations, Council enter into a contract with Cardno to undertake the works that will enable Council to seek the necessary approvals to allow for the filling of the quarry void with Virgin Excavated Natural Material.

2. In the event that negotiations with Cardno are not successful, similar negotiations proceed with GHD, and be reported back to Council.
3. The price be made public upon formal acceptance of the tender.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Refer to Confidential Attachment to WK7/10, located in the Confidential Section of Business Paper Confidential Memo WD D&C 9/10 (circulated separately to Councillors). - *This attachment should be dealt with in confidential session, under Section 10A (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: F2009/00753
Document Number: D01332324

23 TENDER NO. T36/2009: SUPPLY AND INSTALLATION OF 40KM/H IMPACT RATED STAINLESS STEEL BOLLARDS

EXECUTIVE SUMMARY

The proposed contract for 'Supply and Installation of 40km/h Impact Rated Stainless Steel Bollards' is required to for the upcoming Oxford Street Local Road Improvement Program project.

Tenders have been called in accordance with the Local Government Act and it has been recommended that Council not accept any tender and prepare its own bollard and footing designs and re tender for the fabrication of bollards only.

PURPOSE/OBJECTIVE

This report provides a recommendation for Tender No. T36/2009 Supply and Installation of 40km/h Impact Rated Stainless Steel Bollards.

DISCUSSION

Tender No. T36/2009 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.

Three (3) tenders were received from the following companies:-

- Civico Contracting Pty Ltd (**Civico**)
- Leda Vannaclip Pty Ltd (**Leda**)
- Maxxis Group (**Maxxis**)

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,
- Proposed bollard design, impact resistance, appearance, locking and lifting mechanism,
- Proposed footing design and ease of installation and relocation.

The priced bill of quantity rates were evaluated along with the lump sum price of each tender and an allowance made for provisional items was made in determining prices. Other criteria were assessed on information submitted with each tender and additional information submitted at Council's request.

The attached Confidential Memo WD D&C 10/2010 provides the lump sum price of each tender and a summary of the evaluation. Full details of the tender evaluation are on file.

From the results of the evaluation it is recommended that Council not accept any tender and prepare detailed bollard and footing design and call tenders for the fabrication of bollards only. Council will install the bollards.

BUDGET

Funding is available from the Oxford Street project in the 2009/2010 and 2010/2011 Local Road Improvement Program

POLICY

There are no policy implications.

CONSULTATION

The tender has been evaluated in consultation with the Landscape Architect / Project Manager, Mr James Frawley.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

For further information, please contact the Project Coordinator, Mr Craig Clendinning, on 9847 6701.

RECOMMENDATION

THAT:

1. Council not accept any tender, and prepare detailed bollard and footing designs and call tenders for the fabrication of bollards only.
2. Council declines to invite fresh tenders or seek fresh applications from tenderers or persons expressing interest in the contract, for the following reasons;
 - i) Council has tested the market for the project and further tendering or fresh applications are not likely to produce a better result.
 - ii) It is to Council's financial advantage to take the recommended action

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Refer to Confidential Attachment to WK8/10, located in the Confidential Section of Business Paper Confidential Memo WD D&C10/10 (circulated separately to Councillors). - *This attachment should be dealt with in confidential session, under Section 10A (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: F2009/00845
Document Number: D01333185

24 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM DECEMBER 2009 QUARTERLY REPORT

EXECUTIVE SUMMARY

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

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

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

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

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

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

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

Rapid removal discourages graffiti vandalism because:

- It removes the vandal's thrill associated with seeing their name or work on public display.

- It demonstrates that a site is being monitored and cleaned there is an increased risk of detection.
- Vandals will continue to return to and damage a site if it is ignored.

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

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

<i>TYPE</i>	<i>COST</i>
	<i>July 2009 – December 2009</i>
Graffiti	\$35,000
Vandalism	\$56,000
	<hr/>
TOTAL	\$91,000

BUDGET

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

POLICY

There are no policy implications associated with this report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK9/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2004/00728

Document Number: D01333906

**25 ENGINEERING SERVICES - BUILDING CAPITAL WORKS PROGRAM
2009/210 - DECEMBER 2009 QUARTERLY REPORT**

EXECUTIVE SUMMARY

Council's Management Plan 2009/2010 provides a list of Capital Works for 2009/2010. This report provides Councillors with progress information for Building Capital Works projects for the period 1 July 2009 to 30 December 2009.

PURPOSE/OBJECTIVE

The purpose of this report is to advise Council on the progress on the 2009/2010 Engineering Services - Building Capital Works Program undertaken by the Building Services Team of the Engineering Services Branch.

DISCUSSION

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

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

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

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

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

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

The attached Gantt Chart displays the completed projects included in the 2009/2010 Building Works program during the period 1 July 2009 to 31 December 2009.

BUDGET

The budgetary considerations of this report are shown in Council's Management Plan for 2009/2010.

POLICY

There are no policy implications.

CONSULTATION

Consultation has been carried out with the following:

- David Johnston – Manager, Community Services
- Samantha Colbert – Community Centre and Hall Co-ordinator
- Scott Hewitt – Aquatic and Recreation Facilities Manager
- Cheryl Etheridge – Manager, Library Services
- Dana Spence – Co-ordinator, Parks 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 responsible officer for preparation of this report is the Engineering Services Manager, Peter Powell, on 9847 4803.

RECOMMENDATION

THAT the contents of Executive Manager's Report No WK10/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Engineering Services - Building Capital Works for 2009/2010 December 09 Report

File Reference: F2004/05958
Document Number: D01333917

26 MAYOR'S NOTES FROM 1 TO 30 NOVEMBER 2009

Sunday 1 November – The Mayor attended the Police and Community Youth Clubs Service of Thanksgiving at St John's Uniting Church, Wahroonga.

Monday 2 November – The Mayor attended the Rotary Club of Epping John William Langston Memorial Scholarship Presentation Dinner at Boronia Grove Function Centre, Epping.

Friday 6 November – The Mayor attended the iNova Pharmaceuticals Launch Event at Thornleigh.

Friday 6 November – The Mayor attended Hornsby Meals on Wheels Annual Volunteer Thank You and Presentation Lunch at Asquith Golf Club.

Friday 6 November – Councillor Smart, on behalf of the Mayor, attended the Rotary Club of Berowra 30th Annual Art & Craft Exhibition Opening Night at Berowra Community Centre.

Friday 6 November – The Mayor and Mrs Berman attended the Rays of Hope Inaugural Ball at the Four Seasons Hotel, Sydney.

Saturday 7 November – The Mayor, accompanied by Councillor Chopra, officially opened the new Rural Fire Control Office at Berowra.

Saturday 7 November – The Mayor and Mrs Berman attended the Grupo Pastoral Don Bosco Annual Charity Dinner at Roselea Community Centre.

Saturday 7 November – The Mayor attended Movies under the Stars at Forest Park, Epping.

Sunday 8 November – The Mayor and Mrs Berman attended Hornsby RSL Sub Branch Youth Club's 50th Anniversary Picnic and Reunion Day at Galston Park

Wednesday 11 November – The Mayor attended the Remembrance Day Commemoration Service at Hornsby Cenotaph.

Thursday 12 November – The Mayor launched the 2009 Kmart Wishing Tree Appeal at Hornsby Westfield.

Thursday 12 November – The Mayor attended the National Training Platinum Awards at the Four Seasons Hotel, Sydney.

Friday 13 November – The Deputy Mayor, on behalf of the Mayor, attended The Shack Evening BBQ at Epping.

Saturday 14 November – The Mayor attended Movies under the Stars at Warrina Street Oval, Berowra.

Tuesday 17 November – The Mayor attended Bendigo Bank North Epping's Community Grants Program 2009 Presentation at North Epping.

Thursday 19 November – The Mayor and Mrs Berman attended Mr V I Ratnapala's celebration of 3 years' practice as a Solicitor and Conveyancer in the Hornsby area, at Normanhurst.

Friday 20 November – The Mayor attended the Opening Ceremony for Pacific Hills Christian School's New Building at Dural.

Saturday 21 November – The Mayor welcomed participants at a Community Meeting held at Asquith Leagues Club.

Saturday 21 November – The Mayor attended Movies under the Stars at Ruddock Park, Westleigh.

Monday 23 November – The Mayor hosted a Citizenship Ceremony at Pennant Hills Community Centre.

Wednesday 25 November – The Mayor attended the "Mayors against the CBD Metro" Press Conference at Parliament House, Sydney.

Thursday 26 November – The Mayor attended the Australian Living Launch of the Eco Challenge at Redfern.

Saturday 28 November – The Deputy Mayor, on behalf of the Mayor, attended the Bushcare and Community Nursery Volunteers Annual Workshop at Hornsby RSL Club.

Saturday 28 November – The Deputy Mayor, on behalf of the Mayor, attended the North Epping Village Fair in celebration of North Epping Community Bank's 6th Birthday, at North Epping Shopping Centre.

Saturday 28 November – The Deputy Mayor, on behalf of the Mayor, attended the Official Opening of Greenway Park Early Childhood Education Centre and Cherrybrook Community and Cultural Centre at Cherrybrook.

Saturday 28 November – The Deputy Mayor, on behalf of the Mayor, officiated at The Youth Art Prize Award and The Hornsby Art Prize Award ceremonies at Cherrybrook.

Sunday 29 November – Councillor McMurdo, on behalf of the Mayor, attended the Music in the Park Event at McKell Park, Brooklyn.

Please note that these are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

File Reference: F2004/07053

Document Number: D01305774

27 MAYOR'S NOTES FROM 1 TO 31 DECEMBER 2009

Wednesday 2 December – Mrs Berman, on behalf of the Mayor, attended the Camp Hike Climb Launch at Hornsby.

Thursday 3 December – The Mayor attended Loreto Normanhurst's Year 7-11 Awards Ceremony at the School.

Thursday 3 December – The Deputy Mayor, on behalf of the Mayor, attended the Hunters Hill Mayoral Christmas Drinks at Hunters Hill Town Hall.

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

Friday 4 December – The Mayor attended Hornsby Ku-ring-gai Parkinson's Support Group Christmas Party at Asquith Bowling & Recreation Club.

Friday 4 December – The Deputy Mayor, on behalf of the Mayor, attended Hornsby War Memorial Committee's Christmas Dinner at Hornsby RSL Club.

Friday 4 December – Councillor Russell, on behalf of the Mayor, attended The Hills Shire Council's Mayoral Community Christmas Party at Bella Vista.

Sunday 6 December – The Deputy Mayor, on behalf of the Mayor, attended the Friends of Lisgar Gardens Christmas Social Sunday at Lisgar Gardens.

Sunday 6 December – The Deputy Mayor, on behalf of the Mayor, and Councillor Chopra attended the performance by Epping RSL Golden Kangaroos Concert Band and The Tempo Terrific Band at The Epping Club.

Monday 7 December – The Mayor attended Arden Infants' Christmas Celebration "Carols at Sunset" at Roselea Community Centre, Carlingford.

Tuesday 8 December – The Mayor attended Barker Junior School's 2009 Celebration at The Sydney Convention & Exhibition Centre, Darling Harbour.

Wednesday 9 December – The Mayor attended Wideview Public School's 2009 Presentation Day at the School.

Thursday 10 December – The Mayor attended Galston Public School's Annual Presentation Day at Galston Seventh Day Adventist Hall.

Thursday 10 December – The Mayor attended Galston High School's Annual Presentation Evening at the School.

Friday 11 December – The Mayor attended Hornsby Girls High School's Annual Speech Day at Hornsby RSL Club.

Friday 11 December – The Deputy Mayor, on behalf of the Mayor, attended Cheltenham Girls High School’s Annual Presentation Day at Sydney Opera House.

Friday 11 December – The Mayor and Mrs Berman attended the City of Ryde Christmas Season Celebration at Brush Farm House, Eastwood.

Saturday 12 December – The Mayor attended Hornsby Community Church Carols in the Park at Hornsby Park.

Sunday 13 December – The Mayor attended Hornsby Dog Training Club’s Christmas Party at Rofe Park.

Monday 14 December – The Mayor attended Asquith Boys High School Presentation Evening at the School.

Monday 14 December – The Mayor attended the KH & HDCA Christmas Bash at Asquith Bowling & Recreation Club.

Tuesday 15 December – The Mayor attended the Iranian Ladies Group Christmas Lunch at Pennant Hills.

Tuesday 15 December – The Mayor attended Normanhurst Boys High School Annual Presentation Evening at Hornsby RSL Club.

Tuesday 15 December – The Deputy Mayor, on behalf of the Mayor, attended Asquith Girls High School Annual Presentation Evening at the School.

Wednesday 16 December – The Mayor attended the Commissioning of The Reverend Christopher Pears as Rector of St Luke’s Anglican Parish at Hornsby Heights.

Thursday 17 December – The Mayor attended the Italian Senior Group’s Christmas Lunch at Willow Park.

Thursday 17 December – The Mayor hosted the Mayoral Community Christmas Reception at Hornsby RSL Club.

Sunday 20 December – The Mayor attended Reverend Arthur Pearce’s Service of Closure at St John’s Uniting Church, Wahroonga.

Monday 21 December – The Mayor attended the Twilight Markets and Christmas Concert at Waitara Oval.

Please note that these are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

File Reference: F2004/07053

Document Number: D01327649