



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 19 May 2010
at 6.30pm**

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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Rev. Ingrid Robertson from Berowra Uniting Church, Berowra 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. Speakers are requested to ensure their comments are relevant to the issue at hand and to 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 21 April, 2010 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION**Page Number 1****Item 1 NOM4/10 PROTECTION OF TREES ON DEVELOPMENT SITES - AUSTRALIAN STANDARD AS4970-2009**

COUNCILLOR HUTCHENCE TO MOVE

THAT Council:

1. Notes AS4970-2009 Protection of Trees on Development Sites.
2. Has regard to the Standard in the assessment of the impact of new development on existing trees.
3. Incorporates key guidelines of the Standard into its Comprehensive Development Control Plan.

Page Number 2**Item 2 NOM6/10 REVIEW OF COUNCIL, WORKSHOP AND TASK FORCE MEETING SCHEDULES**

COUNCILLOR HUTCHENCE TO MOVE

THAT the General Manager arrange for a review to be undertaken of the scheduling of Council, Workshop and Task Force meetings to achieve greater efficacy and productivity. Such a review is to consider the consolidation of meetings on the one date, the use of formal Workshop Meetings (with all Councillors in attendance) to receive presentations and make decisions and the restructuring of Task Forces into formal Committees of Council with delegation to make decisions or recommendations. The outcomes of the review are to be reported to Council at the July 2010 Ordinary Meeting such that any changes necessary can be adopted at the September 2010 Ordinary Meeting when Council determines its schedule of meetings, order of business and appointments to Committees, Working Parties and Task Forces for the period to September 2011.

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 3

Item 3 GM8/10 AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION - 2010 ANNUAL CONFERENCE

RECOMMENDATION

THAT the Report be received and noted.

Page Number 9

Item 4 GM9/10 LEGAL SERVICES PANEL

RECOMMENDATION

THAT Council:

1. Dissolve its existing legal services panel, adopted on 9 August 2006.
2. Invite the following firms to be members of its new legal services panel in accordance with the terms and conditions of Tender T14/2009:
 - a. Crawford & Duncan Lawyers;
 - b. Marsdens Law Group;
 - c. Matthews Folbigg Lawyers;
 - d. Pikes Lawyers; and
 - e. Storey & Gough Lawyers.
3. Note that from time-to-time, it may be necessary for the General Manager to engage the services of a legal firm, who is not on the legal services panel, to provide specialist legal advice to Council.
4. Write to all unsuccessful Tenderers advising of Council's decision.

CORPORATE AND COMMUNITY DIVISION

Page Number 13

Item 5 CC24/10 REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE

RECOMMENDATION

THAT:

1. The draft amended Code of Meeting Practice attached to Report No CC24/10 be adopted for the purpose of public exhibition in accordance with the requirements of the Local Government Act.
2. Following the public exhibition period, a further report be prepared for Council's consideration such that a final Code can be adopted by Council.

Page Number 19

Item 6 CC25/10 INVESTMENT AND BORROWING REPORT - PERIOD ENDING MARCH 2010

RECOMMENDATION

THAT the contents of the Executive Manager's Report No CC25/10 be received and noted.

Page Number 24

Item 7 CC26/10 MARCH 2010 QUARTER REVIEW: 2009/10 - 2011/12 MANAGEMENT PLAN AND 2009/10 BUDGET

RECOMMENDATION

THAT the March 2010 Quarter Review of the Management Plan for 2009/10 – 2011/12 and the Budget for 2009/10 be received and noted.

Page Number 27

Item 8 CC27/10 DURAL AND DISTRICT HISTORICAL SOCIETY - PROPOSED LEASE OF COTTAGE - PART OF GALSTON RECREATION AREA - CROWN RESERVE D500223 AND R81698 - 412X GALSTON ROAD, GALSTON

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No CC27/10 be received and noted.

-
2. Council, as Reserve Trust Manager, enter into a further five year lease with the Dural and District Historical Society Inc. in respect of the existing cottage and surrounds at Galston Recreation Reserve, 412x Galston Road Galston on the following basis:
- a) Rental for the initial 12 months of tenure to be \$500 per annum (inclusive of GST).
 - b) Rental to be subject to annual review in accordance with the movement in the Consumer Price Index.
 - c) The lessee to be responsible for the payment of all costs associated with services provided to the property including but not limited to electricity, gas and water usage.
 - d) The lessee to maintain throughout the term of the lease a public liability insurance policy for an amount of not less than \$20 million for any one incident, with such policy noting Hornsby Shire Council as an interested party.
 - e) The cottage to only be used for the purpose as detailed in The Society's 17 March 2010 response to Tender No T7/2010.
 - f) The lessee to be responsible for the internal repairs, maintenance and decoration of the cottage only.
 - g) The lessee to acknowledge Council's support in the provision of the cottage in its annual reports and publications, any advertising and community events.
 - h) The lessee to be responsible to ensure the security of the cottage during the term of their occupation.
 - i) The lessee to bear 50% of costs incurred in respect of the preparation of the necessary lease documentation.
3. The lease will be subject to consent by the Minister administering the Crown Lands Act.

Page Number 32

Item 9 CC28/10 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS - COUNCILLORS AND DESIGNATED PERSONS

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.

ENVIRONMENT DIVISION

Page Number 35

Item 10 EN12/10 DRAFT SUSTAINABLE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY FOR THE SHIRE OF HORNSBY 2010 - 2015

RECOMMENDATION

THAT:

1. The draft “Waste Avoidance and Resource Recovery Strategy for the Hornsby Shire 2010 – 2015” be placed on public exhibition for a period of four weeks.
2. A further report be provided to Council at the conclusion of the public exhibition period.

Page Number 40

Item 11 EN18/10 CATCHMENTS REMEDIATION RATE (CRR) EXPENDITURE PROGRESS REPORT 2009/2010

RECOMMENDATION

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

Page Number 43

Item 12 EN19/10 FINAL BUSH FIRE RISK MANAGEMENT PLAN FOR HORNSBY/ KU-RING-GAI

RECOMMENDATION

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

Page Number 46

Item 13 EN20/10 SERVICE LEVEL AGREEMENT WITH THE RURAL FIRE SERVICE

RECOMMENDATION

THAT:

1. Council endorse the new Rural Fire District Service Level Agreement for Hornsby Ku-ring-gai and the Hornsby/ Ku-ring-gai District Rural Fire Service Zoning Agreement.

2. The General Manager be given delegated authority to sign the Rural Fire District Service Level Agreement for Hornsby Ku-ring-gai and the Hornsby/ Ku-ring-gai District Rural Fire Service Zoning Agreement.

PLANNING DIVISION

Nil

WORKS DIVISION**Page Number 50****Item 14 WK32/10 2010/14 4-YEAR ROLLING WORKS IMPROVEMENT PROGRAMS****RECOMMENDATION**

THAT:

1. Council adopt the 2010/14 4-Year Rolling Local Road and Footpath Improvement Programs presented at Appendix A and Appendix B respectively in Executive Manager's Report No. WK32/10 subject to the adoption of the Council's 2010/11 Budget.
2. An amount of \$25,000 is allocated in the 2010/11 Budget for the Local Road Improvement Program Rural Component to implement the Rural Road Management Plan Long Term Recommendations, Year 7 of 10.
3. An amount of \$200,000 is allocated in the 2010/11 Budget for the Local Road Improvement Program Rural Component for the Sealing Unsealed Roads Implementation Program, Year 6 of 10.

Page Number 58**Item 15 WK34/10 WORKS PROGRESS REPORT - MARCH 2010 QUARTER - ASSETS BRANCH****RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK34/10 be received and the progress of the 2009/10 Assets Branch Programmes for the March 2010 quarter be noted

Page Number 67**Item 16 WK36/10 HORNSBY SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE - APPOINTMENT OF COMMUNITY REPRESENTATIVES**

RECOMMENDATION

THAT Council:

1. Appoint Mr Chris Taylor, Mr Colin Morrison and Ms Vanessa D'Emanuele as local community representatives of the Hornsby Shire Floodplain Risk Management Committee.
2. Appoint Mr Brian Pearson of A Ward as a Reserve for the Hornsby Shire Floodplain Risk Management Committee in the event that any of the applicants recommended for appointment decline to accept their appointment as local community representative or resigns from the Committee as some stage in the future.

Page Number 71

Item 17 WK37/10 WORKS PROGRESS REPORT - MARCH QUARTER 2010 - DESIGN AND CONSTRUCTION BRANCH

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK37/10 be received and noted.

Page Number 75

Item 18 WK38/10 HORNSBY CBD DRAINAGE PROJECT - CURRENT STATUS

RECOMMENDATION

THAT:

1. Council note the current status of the Hornsby CBD Drainage Project.
2. A further report is submitted to Council with regard to the strategy for funding the works required on completion of the current study on possible lower cost alternatives.

Page Number 79

Item 19 WK39/10 WORKS PROGRESS REPORT - MARCH 2010 QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH

RECOMMENDATION

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for the period 1 January 2010 to 31 March 2010.

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

1 PROTECTION OF TREES ON DEVELOPMENT SITES - AUSTRALIAN STANDARD AS4970-2009

COUNCILLOR HUTCHENCE TO MOVE

THAT Council:

1. Notes AS4970-2009 Protection of Trees on Development Sites.
2. Has regard to the Standard in the assessment of the impact of new development on existing trees.
3. Incorporates key guidelines of the Standard into its Comprehensive Development Control Plan.

Notes from Councillor:

On 26 August 2009, Standards Australia published 'Australian Standard AS4970-2009 Protection of Trees on Development Sites'.

The Standard describes current 'best practice' for the planning and protection of trees on development sites. The Standard provides 'guidance' for arborists, architects, builders, engineers, land managers, landscape architects, and contractors, planners, building surveyors, those concerned with the care and protection of trees and all others interested in the integration between trees and construction.

Key aspects of the Standard is better definition of the 'Structural Root Zone (SRZ) of trees, which is a critical consideration on development sites. The Standard also recommends that a project arborist be utilised on site to minimise damage to trees as well as certifying that completed works have complied with approved plans.

In summary, the Standard aims to assist those concerned with trees in relation to development. Where development is to occur, the Standard provides guidance on how to decide when trees are appropriate for retention, and on the means of protecting those trees during construction work. It does not argue for or against development, or for the removal or retention of trees nor does it consider the monetary value of trees.

Attachments:

There are no attachments for this report.

File Reference: F2009/00174

Document Number: D01395069

2 REVIEW OF COUNCIL, WORKSHOP AND TASK FORCE MEETING SCHEDULES

COUNCILLOR HUTCHENCE TO MOVE

THAT the General Manager arrange for a review to be undertaken of the scheduling of Council, Workshop and Task Force meetings to achieve greater efficacy and productivity. Such a review is to consider the consolidation of meetings on the one date, the use of formal Workshop Meetings (with all Councillors in attendance) to receive presentations and make decisions and the restructuring of Task Forces into formal Committees of Council with delegation to make decisions or recommendations. The outcomes of the review are to be reported to Council at the July 2010 Ordinary Meeting such that any changes necessary can be adopted at the September 2010 Ordinary Meeting when Council determines its schedule of meetings, order of business and appointments to Committees, Working Parties and Task Forces for the period to September 2011.

Attachments:

There are no attachments for this report.

File Reference: F2009/00174

Document Number: D01403924

3 AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION - 2010 ANNUAL CONFERENCE

EXECUTIVE SUMMARY

In accordance with the approval granted by resolution of Council of 9 December 2009, the General Manager attended the 2010 Annual Conference of the American Society for Public Administration (ASPA) held during 9-13 April 2010 in San Jose, California.

The Conference was the 70th Annual Conference of the Society and the theme was Invigorating Public Service for Change.

The conference was structured around plenary sessions, panel sessions, discussion circles and workshops. Attendees included practitioners, academics, new professionals and students.

There were a number of themes focussed upon during the conference that were of special interest.

- Managing Performance and Measuring Results
- Revenue Strategies for Fiscal Sustainability
- Policy Possibilities Versus Fiscal Realities of Implementing “Green” Policies
- Managing e-Government to Engage the Public

It was indicated at the conference that most presentations in due course would be listed on the website www.aspanet.org.

PURPOSE/OBJECTIVE

The purpose of this Report is to submit to Council, a Report on the General Manager’s attendance at the 2010 Annual Conference of the American Society for Public Administration held in San Jose, California, USA.

DISCUSSION

In accordance with the approval granted by resolution of Council of 9 December 2009, the General Manager attended the 2010 Annual Conference of the American Society for Public Administration (ASPA) held during 9-13 April 2010 in San Jose, California.

The Conference was the 70th Annual Conference of the Society and the theme was Invigorating Public Service for Change. The Conference theme was selected as the US faces the challenges of economic growth, budget and financial accountability, effective and affordable health care, restoration of national and local infrastructure, and the public service was now looked upon for solutions.

The Conference was opened by the President of the Institute drawing attention to the dichotomy which exists with the public claiming, when things are going well in society

“government get off our backs” and when things go wrong in society, “there ought to be a law”. Addressing this is obviously a continuing challenge for all governments.

The opening plenary session was presented by Mr John Berry, who is the Director of the United States Office of Personnel Management, responsible for recruiting, hiring and setting benefits policy for 1.9 million federal civilian employees. He was appointed by President Obama to implement a personnel management reform agenda.

Another highlight was a special lecture by Mr Paul Volcker, an American economist. He was Chairman of the Federal Reserve under Presidents Jimmy Carter and Ronald Reagan and currently is Chairman of President Obama’s newly formed Economic Recovery Advisory Board.

The closing plenary session was a discussion by the former Mayor of Kansas City and the Mayors of Riverside and Santa Cruz California, examining fiscal challenges confronting cities. Additionally, part of the closing session was the inauguration of Meredith Newman as President of ASPA. Meredith Newman is Professor and Chair, Department of Public Administration, Florida International University and is an Australian citizen holding dual nationality with the US.

The conference was structured around plenary sessions, panel sessions, discussion circles and workshops. Attendees included practitioners, academics, new professionals and students. The sessions attended included:

Saturday April 10

New Member and First Time Attendees Orientation

Open Plenary

Revenue Strategies for Fiscal Sustainability

Workshop – How to Lead Organisational and Cultural Change to Achieve Results for Customers

Sunday April 11

ICMA Meeting

Ethical Governance: A Comparative Examination

Green Technologies and Fiscal Realities

Donald C Stone Lecture

Monday April 12

Increasing Transparency via Electronic Governance: Information Access and Citizen Engagement in a Transforming Democracy

Super Session – The State of Open Government: Transparency Trust and Technology

Workshop – Changing our Communities: The Possibilities of Going Green

Workshop – Achieving Optimal (representative) Citizen Participation

Tuesday April 13

Budget Process – From Citizen Engagement to Measurement of the Results

Fiscal Stewardship in Times of Revenue Shortfalls

Closing Plenary

There were a number of themes focussed upon during the conference that were of special interest. These are discussed briefly in the following.

Managing Performance and Measuring Results

There was considerable discussion in relation to achieving results for customers and ensuring accountability and transparency in government operations.

The approach being pursued involved an evolution of reporting, from \$ allocated, to \$ spent, to immediate results (What got done), to economic impact, to return on investment (What were the outcomes).

One interesting aspect, which aligned with what Hornsby had undertaken in its recent review, was an approach by the US federal government to re-examine its role and services by asking:

What the government does

- Is a role to address the underlying problem or concern necessary? Are the mission and objectives clear?
- Have there been significant changes that relate to the reason for initiating it?
- When, if ever, will there no longer be a need for a role? Would it be undertaken in the same way if it was starting today?
- Is the current mission fully consistent with the initial or updated statutory mission (e.g., no significant mission creep or morphing)? Is the program, policy, function, or activity a direct result of specific legislation?

How it does it

- How does the program/agency measure success? Are the measures reasonable and consistent with the applicable statutory purpose? Are the measures outcome-based, and are all applicable costs and benefits being considered? If not, what is being done to do so?
- Is it well targeted to those with the greatest needs and the least capacity to meet those needs?
- Is it using the most cost-effective or net beneficial approaches when compared to other tools and program designs?

Who does it

- Does the program/policy encourage or discourage private markets from investing their own resources to address the problem?

How it gets financed

- Is it affordable and financially sustainable over the longer term, given known cost trends, risks, and future fiscal imbalances? What would be the likely consequences of eliminating the program, policy, function, or activity? What would be the likely implications if its total funding was cut by 25 percent?

Revenue Strategies for Fiscal Sustainability

Local Government in the US relies substantially upon taxes other than property taxes, including sales tax, tourism taxes, bed taxes etc.

The global financial crisis has led to substantial falls in taxes other than property tax and in particular there have been substantial reductions in what was classified as inter-governmental revenue. Across the US, the States' budget deficits are being shared with local government through the reduction of inter-governmental revenue normally transferred from the State to Local Government. Of the States in the US, 48 were in deficit.

A Study of actions taken within 3 US States had shown:

1. The reluctance of States to increase taxes leads to prolonged fiscal difficulties
2. States should exercise self discipline and set aside funds in reserve for economic down-turns
3. Failure of States to address fiscal issues early only exacerbates fiscal problems

These conclusions readily apply to local government as to States.

An interesting proposal which was being developed on a voluntary basis was what was called fiscal regionalism. This involved cooperative strategies to create a capacity to distribute costs and benefits of economic development across local government areas. The intention of this fiscal regionalism was to share economic wealth, generally achieved through non property tax growth, to lead to a decrease in fiscal inequality and the poverty rate. This also involved influencing land use planning to ensure that tax wealth was equitably distributed, rather than competition for tax growth developing through land use planning.

There was now an attempt in the Los Angeles area to distribute on a competitive basis, 10% of all sales tax revenue, to encourage economic development and job creation.

Policy Possibilities Versus Fiscal Realities of Implementing "Green" Policies

The environment is increasingly becoming an issue of awareness in American society and in the US government. Approaches being addressed include:

- Construction & Demolition waste diversion
- Sustainable purchasing program
- Energy efficient mechanical systems
- Rainwater collection systems
- Bicycle riding programs
- Carpool/ride share programs
- Elimination of light pollution
- Stormwater management
- Energy efficient windows
- Hydro energy
- Solar water heater
- Use of biofuels
- Recycling programs
- Mulching
- Native plant landscaping
- Low or no Volatile Organic Compounds (VOCs)
- Alternative fuel vehicles
- Energy efficient lighting systems
- Use of recycled or reclaimed materials
- Low flush toilets/waterless urinals

- On-site wind turbines
- Wind generator/fields
- Solar technologies
- Compact Fluorescent Lighting (CFLs)
- Electric vehicle charging stations
- Sustainable cleaning products
- Vegetated roofs
- Greenhouse gas reduction plans
- Energy management plans
- CO2 reduction programs
- Water conservation strategies
- Locally manufactured building materials

Managing e-Government to Engage the Public

At the Conference there were some high level Speakers from Federal, State and Local Government who addressed challenges facing all governments in the digital age. These Speakers included Ms Teri Takai, Chief Information Officer, State of California, Mr Brian Moura, Deputy City Manager, City of San Carlos, California, Mr Allan R Shark, Executive Director, Public Technology Institute and Assistant Professor Rutgers, University School of Public Affairs and Administration.

Various Speakers spoke about the use of Facebook, Blogs, Twitter and Multi-media in making a government more accountable and transparent.

There were challenges for government including:

- Training employees on use of sensitive information
- Threats from the aggregation of personal information held by government
- Open government requires higher levels of responsibility in protecting information
- Control measures to mitigate threats, such as hacking
- Participation depends upon access to broadband and internet
- Time is precious and generally immediate responses are needed whilst government processes are frequently long and complex
- Audience times in and out
- How can government be sure that the information the public want is available when they want it
- The challenge of communicating information quickly through multi channels
- Young people don't seem to be concerned about sharing information
- Increasingly more people are addicted to technology and to not utilise technology will not be an option.

Many Speakers did express a view of being nervous about the future of what was called "push button decision making".

It was indicated at the conference that most presentations in due course would be listed on the website www.aspanet.org.

BUDGET

The costs previously approved by Council included the conference registration fee, accommodation and meals. The estimated cost based upon \$A = US 90c was proposed to be approximately \$2,000. Although final costs are not yet available, the limit approved will not be exceeded. Funds for conferences are available within the allocated budget.

POLICY

There are no policy implications.

CONSULTATION

There has been no consultation with respect to 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.

Attendance at the Conference however did 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 the Report be received and noted.

ROBERT BALL
General Manager
General Manager Division

Attachments:

There are no attachments for this report.

File Reference: F2004/05848-02

Document Number: D01387954

4 LEGAL SERVICES PANEL

EXECUTIVE SUMMARY

Council recently invited tenders for Council's new legal services panel.

A review panel was established to evaluate the eighteen conforming tenders. Tenders were evaluated against weighted criteria including; value for money, experience, communication and response time and quality of service.

The review panel has recommended the appointment of five legal firms to provide legal services across Council's business areas, which best demonstrate their ability to provide services in accordance with *Tender T14/2009 – Provision for Legal Services*.

PURPOSE

The purpose of this report is to seek Council's endorsement for the establishment of a new legal services panel.

DISCUSSION

On 9 August 2006, Council resolved to appoint the following legal firms to Council's legal services panel (hereafter, the Panel):

- Abbott Tout Lawyers (now HWL Ebsworth Lawyers);
- Pike, Pike & Fenwick Solicitors;
- Storey & Gough Solicitors; and
- Wilshire & Webb Lawyers.

These firms have most commonly provided legal services for the Planning Division in respect of appeals against development applications and orders. However, Council has also engaged other firms to provide services for insurance, I.T, property, traffic and industrial relations matters. They include DLA Phillips Fox, Matthews Folbigg, Mahony Dominic, Crawford & Duncan, Ingenio Consulting and Workplace Law.

Since the appointment of the current panel, there has been increasing recognition to expand the range of legal services to cover other Council business units. Consequently, on 9 December 2009, Council resolved to call for tenders for the provision of legal services in accordance with *Tender T14/2009 – Provision for Legal Services*. (A copy of the Tender document is held at Attachment 1 of this report).

In response to Council's invitation, eighteen firms lodged conforming tenders.

Council established an evaluation panel to review tenders and recommend the appointment of a new legal services panel. The evaluation panel comprised a Councillor from each Ward, the General Manager and the Executive Managers, Works and Planning Divisions. The

Executive Manager Environment Division was also a member of the evaluation panel in his capacity of Acting General Manager.

Disclosures of Interest:

The Executive Manager Works advises Council of a non-pecuniary, less than significant conflict of interest in relation to one of the Tenderers for these works. Council is advised that a member of the Executive Manager's extended family is a partner of one of the firms tendering for this work. Following discussion with the General Manager, it has been agreed that the Executive Manager would continue to participate in the evaluation of the tenders.

Each member of the review panel advises Council that they currently have, or have previously had business relationships with one or several firms that responded to the invitation to tender. The nature of the relationships is/was limited to panel members work duties and not of a personal nature. Therefore, formal declarations of interest were not considered necessary.

The evaluation panel undertook an evaluation of each tender and applied weighted criterion against the requirements of the tender. Value for money, experience, communication and response time and quality of service were given greater weighting as part of the evaluation. Other criteria were resources and contingencies, business structure and understanding of local government, availability and access to legal advice, settlement discounts and compliance and understanding of the tender. A complete copy of the 'tender supplier evaluation and selection weighted criteria' spreadsheet is held at Confidential Attachment No. 2. (This attachment should be dealt with in confidential session, under s10A(2)(d) of the *Local Government Act, 1993* as it 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.*

The tenderers recommended by the evaluation panel to be members of the legal services panel best demonstrated their ability to provide legal services to Council against the weighted criteria. It was noted that a number of tenderers not selected would also be suitable, however, were more expensive, and/or did not best demonstrate their ability to provide services to Council.

The evaluation panel noted that some tenderers were best placed to provide legal services across each of Council's business areas whereas other tenderers were best suited to providing specialist advice for specific legal matters. This has been reflected in the evaluation panel's recommendations. The evaluation panel also noted that whilst the firms recommended to be members of Council's new legal services panel would generally provide legal advice across each of Council's business areas, it may be necessary for the General Manager to engage the services of a legal firm, who is not on the legal services panel, to provide specialist legal advice to Council, on a case-by-case basis.

Pursuant to s3.16 of the *Tendering Guidelines for NSW Local Government* and c178 of the *Local Government Regulation 2005*, following the review of tenders by the evaluation panel, Council must either:

- a. *Accept the tender that, having regard to all the circumstances, appears to be the most advantageous; or*
- b. *Decline to accept any of the tenders.*

This evaluation panel recommends that Council accepts five tenders as detailed in the recommendation to this report.

BUDGET

There are no budget implications associated with this report.

POLICY

There is no policy implications associated with this report.

CONSULTATION

This report is the outcome of the deliberations of the legal services tender review panel.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

The Executive Manager Planning is responsible for the preparation of this report.

RECOMMENDATION

THAT Council:

1. Dissolve its existing legal services panel, adopted on 9 August 2006.
2. Invite the following firms to be members of its new legal services panel in accordance with the terms and conditions of Tender T14/2009:
 - a. Crawford & Duncan Lawyers;
 - b. Marsdens Law Group;
 - c. Matthews Folbigg Lawyers;
 - d. Pikes Lawyers; and
 - e. Storey & Gough Lawyers.
3. Note that from time-to-time, it may be necessary for the General Manager to engage the services of a legal firm, who is not on the legal services panel, to provide specialist legal advice to Council.
4. Write to all unsuccessful Tenderers advising of Council’s decision.

SCOTT PHILLIPS
Executive Manager
Planning Division

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Tender T14/2009
2. Tender Supplier Evaluation & Weighted Criteria Spreadsheet - *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: F2009/00825
Document Number: D01400877

5 REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE

EXECUTIVE SUMMARY

Council Code of Meeting Practice was last reviewed at the 8 April 2009 Ordinary Meeting. Since that time, additional information and guidelines about council meetings have been received from various authorities. This has prompted officers to conduct a further review of the Code which has regard to the information and guidelines received as well as any other issues which have arisen since the last review.

The main issues considered in this review are the recording of Councillor voting at Council meetings; the process to be followed by Councillors in respect of the submission of apologies/requests for leave of absence; the requirements in respect of political donations disclosure statements; and the audio recording of Council meetings. It is noted that the second and third issues have already been resolved by updating Council's current procedures in respect of the conduct of Council meetings, but they are yet to be incorporated in the Code of Meeting Practice. This review provides such opportunity.

In respect of voting at Council meetings, it is noted that Council currently records the voting of Councillors for all planning matters and notices of motion. Due to a recommendation from the Division of Local Government that Councillor voting also be recorded for tenders, it is recommended that Council record voting on all matters considered at meetings. This would ensure consistency in the minutes and provide ease of administrative procedures by eliminating the need to determine whether or not voting should be recorded on a particular item.

The audio recording of Council meetings has been an issue for a number of years. From this review, it is evident that the recordings are rarely utilised for the purpose stated in the Code and taping of the meetings does not appear to be necessary. If Council continues to record meetings, there are resource impacts for Council associated with the processing of applications by members of the public for access to the recordings as well as any maintenance and/or upgrading of the recording equipment in Council Chambers. It is recommended that Council cease the audio recording of its meetings.

If Council adopts the draft amended Code attached to this Report, it will need to publicly exhibit the document in accordance with Section 361 of the Local Government Act. Following the receipt of any submissions, a further report will need to be prepared for Council's consideration.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with information about proposed amendments to the Code of Meeting Practice; and to recommend that Council adopt a draft amended Code for the purpose of public exhibition in accordance with the requirements of the Local Government Act.

DISCUSSION

Council last reviewed its Code of Meeting Practice at the 8 April 2009 Ordinary Meeting as part of its consideration of Report No. CC12/09 – Review of Policies and Codes – Corporate and Community Division. Since that time, additional information and guidelines about council meetings have been received from various authorities. This has prompted officers to conduct a further review of Council’s Code of Meeting Practice.

The main source of additional information received in respect of this matter is Meetings Practice Note No. 16 issued by the Division of Local Government (DLG). In this regard, the DLG advised that the revision of the Meetings Practice Note had mainly taken into account legislative changes that had occurred since the Practice Note was last published and also responded to questions raised by councillors during Councillor Information Seminars conducted by the DLG after the 2008 local government elections.

In reviewing Council’s Code of Meeting Practice, staff have had regard to the DLG’s updated Meetings Practice Note and any other relevant issues or matters which have arisen since the last review of the Code. The main review items are summarised into the following headings:

- Recording of Councillor voting at Council meetings
- The process to be followed by Councillors in respect of the submission of apologies/requests for leave of absence
- The requirements in respect of Political Donations Disclosure Statements
- The audio recording of Council meetings

Although some of these matters have already been addressed by Council through changes to procedures at meetings, they have not formally been included in the Code of Meeting Practice. Details in respect of each are provided below.

Recording of Councillor voting at Council meetings

Council’s current Code of Meeting Practice requires that the names of Councillors who voted for and against any planning matters as well as notices of motion be recorded in the minutes of the meeting – refer clauses 30(6) and 30(7) of the Code.

Since the last review of the Code, the DLG has issued Circular No 09/39 which attached the Tendering Guidelines for NSW Local Government. In Section 3.17 of the Guidelines – Acceptance or Rejection of Tenders – it is stated:

“For transparency, it is suggested that the minutes record the names of the councillors who supported the decisions and the names of any councillors who opposed (or are taken to have opposed) the decision.”

Also, the DLG’s Meetings Practice Note No. 16, at point 2.8.6 states:

“. . . Council can choose to record the voting on all matters in its minutes. Where a council makes this decision, this should be provided for in its code of meeting practice. Where councils are required by the Act or Regulation to record voting by way of a division, see section 2.9 below.

It would be good practice for councils to consider the recording of voting on important matters, such as tendering.”

Having regard to those documents, it would appear prudent that Councillor voting in respect of tenders should be recorded in the minutes of a meeting.

Staff also believe, to ensure consistency in the minutes and provide ease of administrative procedures by eliminating the need to determine whether or not voting should be recorded on a particular item, it would be appropriate for Council to record voting on all matters considered at a meeting. As a consequence, the draft Code has been amended to incorporate this practice - refer to amended clause 30(6) of the Code.

The process to be followed by Councillors in respect of the submission of apologies/requests for leave of absence

This matter was previously brought to the attention of Councillors and staff in January 2010 when Council amended its procedures in respect of the non-attendance of Councillors at Council meetings. This procedure was made effective from the first meeting of 2010. This review of the Code now provides the opportunity for amendments to be made to reflect these changes.

This amendment has been incorporated in clause 10(4) of the attached draft Code. A Note to that clause also provides suggested format and wording for a notification to the General Manager by Councillors of their non-attendance at a Council Meeting.

The requirements in respect of Political Donations Disclosure Statements

Section 147 of the Environmental Planning and Assessment Act requires persons or organisations to disclose any relevant political donations or gifts which they have made to Councillors or staff. If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a planning application which is to be considered at a Council meeting, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest, and manage the conflict of interests in accordance with Council's Code of Conduct. Clause 51A(4) of the Code has been amended to reflect this requirement. It reflects the statement that is currently made by the Chairman at the commencement of all Planning Meetings.

The audio recording of Council meetings

Clause 66.1 of the Code refers to Audio Recording of Council Meetings. It states that:

- (1) (a) *Council will audio record all Council meetings to assist in the accurate production of Meeting Minutes.*
- (b) *the recordings will be available to members of the public once the minutes have been finalised*

Councillors will be aware that problems have been experienced with the equipment in Council Chambers used to audio record the meetings. Ad-hoc issues continue to be experienced despite staff's best endeavours to ensure the reliability of the equipment through relevant upgrades and regular maintenance checks.

The issue of audio recording of Council Meetings has been debated by Council previously. Several reports have been considered, the latest of these being Report No. CC77/06 (at the October 2006 Ordinary Meeting). That Report provided an historical overview of the issues associated with the question of whether or not to record Council meetings, and provides a useful reference for Councillors.

The decision of whether or not to record Council meetings is a discretionary one for Council, with no legislative obligation to do so. In the past, Council has chosen to record the meetings for the purpose of assisting in the accuracy of the Minutes. Noting this, Council officers have reviewed the number of times audio recordings have been referred to in the preparation of minutes. This has indicated that the audio recordings are referred to on average less than once per year. It should be noted that the accuracy of Council minutes was discussed in Report No CC121/07 and it confirmed an accuracy rate of 99.2% in minutes for the period from 2004. It seems apparent that there is minimal need for reliance on the audio recordings of meetings to assist in accurate production of the minutes.

The main impact of audio recording Council meetings is that these recordings become a “document” of council and as such applications can be made by members of the public to access the “document”. Public access to these recordings gives rise to implications under the Privacy and Personal Information Protection Act which precludes the release of any personal information under such a request. The result is that each time an application is made by a member of the public for access to an audio recording of a Council meeting, Council officers are required to review the entire recording to ensure there is no reference to personal information, and if there is, to either arrange for the removal of such information or consult with the third person whose personal information is included on the audio recording. This practice consumes a considerable amount of time and Council resources each time it is undertaken.

Council officers have also reviewed the number of applications which have been made by members of the public to access audio recordings of Council meetings. In the period since January 2003, there has been an average of approximately six applications per year. In all cases the verification of the accuracy of Minutes did not appear to be the purpose of the request as no amendments to the Minutes were proposed as a result of access being provided. Review by members of the public of audio recordings of Council meetings appears to focus on the discussion and debate which took place, rather than the actual decision of items considered by Council. It should be noted that in two cases, as a result of a member of the public seeking access to an audio recording of a Council meeting, Council officers have been required to participate in an appeals process through the Administrative Decisions Tribunal which consumed considerable resources. It should also be noted that 27% of all applications for audio recordings were made by the one applicant.

It is evident from the above that the audio recordings of Council meetings are rarely utilised for the purpose stated in the Code and that the practice is not necessary. By continuing to record meetings, there is a potential significant impact on Council resources used to process applications by members of the public as well as maintaining and/or upgrading the relevant electronic equipment in Council Chambers. As such, clause 66(1) of the Code is recommended for deletion.

The attached draft Code incorporates the amendments discussed above, a small number of other changes and updates to provide clarification, as well as grammatical/formatting corrections. All proposed amendments are shown in *track changes*.

Although most of the proposed amendments to Council's Code are not substantial in nature and would not require public exhibition in accordance with section 362 of the Local Government Act, the proposed deletion of Clause 66.1 of the Code may be considered significant and of general public interest. As such, if Council adopts the draft amended Code attached to this Report, it would be necessary to publicly exhibit the document in accordance with Section 361 of the Act. Following the receipt of any submissions, a further report would then need to be prepared for Council's consideration.

BUDGET

Whilst there are no short term budgetary implications associated with this Report, if Council adopts the recommended changes to the Code, there may be medium to longer term savings associated with the maintenance/upgrade of audio recording equipment.

POLICY

This Report recommends amendments to Council's Code of Meeting Practice which are shown in the attached document. Should Clause 66(1) of the Code be deleted, Council's Policy - Audio Recording of Council Meetings (copy attached) will need to be removed from Council's Policy Register.

CONSULTATION

The preparation of this Report has had regard to the updated Meetings Practice Note No. 16 – issued in August 2009 by the DLG via Circular No 09/32; and the Tendering Guidelines for NSW Local Government – issued in October 2009 by the DLG via Circular No 09/39. There has also been consultation with the General Manager, relevant Executive Managers and staff.

Should Council adopt the draft amended Code, there will be a requirement to publicly exhibit the document. Following the public exhibition period, a further report will be prepared for Council's consideration regarding any submissions received.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT:

1. The draft amended Code of Meeting Practice attached to Report No CC24/10 be adopted for the purpose of public exhibition in accordance with the requirements of the Local Government Act.

2. Following the public exhibition period, a further report be prepared for Council's consideration such that a final Code can be adopted by Council.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Code of Meeting Practice
2. Audio Recording Policy

File Reference: F2006/00032
Document Number: D01377891

6 INVESTMENT AND BORROWING REPORT - PERIOD ENDING MARCH 2010

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 period ending March 2010 was \$1,390,000 compared to the 2009/10 budgeted income for the same period of \$715,000. Of the year to date investment income earned, 61% relates to externally restricted funds such as Section 94, and is required to be allocated to those funds. Based on the results to date, the March Quarter review of the 2009/10 Budget recommends an increase to general fund investment income of \$200,000 (refer to Report No CC26/10 for further details).

At its February 2010 meeting, the Finance and Strategy Task Force indicated its support for the process of selling Capital Protected Notes where the current yield to maturity could be exceeded by investing the funds in an alternative investment product. It is noted that during March 2010, two Westpac Capital Protected Notes (Camelotfund and PPEN Orion Trust) met this criteria and were sold and then re-invested in a term deposit providing a return of 6.5% annually.

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 - March 2010

- The At-Call and Term Deposits achieved an annualised return of 5.27% for the month compared to the benchmark of 4.0%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of 51.74% for the month compared to the benchmark of 48.41%. 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.
- 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 6.36% for the month compared to the benchmark of 3.92%. The market value of this investment as at 31 March 2010 is \$1.880 million.

- Direct investments in CDO's achieved an annualised return of 5.54% for the month compared to the benchmark of 3.92%. The market value of these investments as at 31 March 2010 is \$2.284 million.
- The Capital Guaranteed Notes achieved an annualised return of 0.31% for the month compared to the benchmark of 3.92%. 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 market value of these investments as at 31 March 2010 is \$4.631 million.
- For total investments, the annualised return for the month is 5.54% compared to the benchmark of 5.08%; and the year to date return after fees is 4.15% compared to the benchmark of 4.04%.

At its February 2010 meeting, the Finance and Strategy Task Force indicated its support for selling Capital Protected Notes where the current yield to maturity could be exceeded by investing the funds in an alternative investment product. It was noted that this would also result in a reduction in Council's investment in structured products. During March 2010, two Westpac Capital Protected Notes (Camelotfund and PPEN Orion Trust) met this criteria and were sold and then re-invested in a term deposit providing a return of 6.5% annually. In making this decision, Council's investment advisor provided professional assistance in respect of the required sale price and the yield to maturity percentage.

Extract from the Minutes of the Monetary Policy Meeting of the Reserve Bank Board – 6 April 2010

International Economic Conditions

Recent data indicated that the global economy had continued to expand in early 2010. The recovery was still two-speed: growth was strong in the emerging and middle-income economies, particularly in Asia, but the expansion was less well-entrenched in some of the large advanced economies. Overall, Consensus forecasts suggested that global economic growth in 2010 would be around 4 per cent, which was about average.

Domestic Economic Conditions

GDP growth was 0.9 per cent for the quarter, which was a little stronger than expected at the time of the February Statement on Monetary Policy. With some upward revisions to earlier quarters, growth in 2009 was 2.7 per cent.

Conditions in the labour market were continuing to improve. While employment was estimated to have been unchanged in February, it had risen by around 200,000 since August.

Household surveys suggested that consumer sentiment had remained at a high level in recent months, though consumers appeared quite cautious in their spending; there had been little growth in retail spending over recent months.

The business surveys suggested that business conditions and confidence were both at above-average levels. However, there was some variation across sectors, and some caution in spending plans outside the mining sector. The non-residential building sector remained subdued and, abstracting from the surge in construction of educational facilities, new approvals were at relatively low levels.

Developments in commodity markets meant that the increase in the terms of trade through 2010 was likely to be substantially larger than forecast in the February Statement on Monetary Policy. This implied strong growth in nominal incomes in the Australian economy over 2010. The increases in coal and iron ore prices, along with the developments in the LNG sector, were also contributing to a strong outlook for investment in the resources sector.

Information on the housing market suggested that conditions remained buoyant. Nationwide capital city price growth was running at around 1 per cent per month in early 2010, and auction clearance rates had remained high in March, especially in Melbourne. On the demand side, population growth was strong, households had confidence about future income growth, and mortgage rates were at below-average levels. At the same time, the supply of new housing was not expanding sufficiently, partly because of the land usage policies of local and state governments and also because of the tightness of finance for developers. Members also noted that the current price growth was somewhat at odds with the falls in housing loan approvals over recent months.

Credit to the household sector had recently continued to grow at a moderate pace of around 0.7 per cent per month. The decline in business credit had slowed noticeably in early 2010, suggesting that the period of corporate deleveraging was coming to an end.

Financial Markets

In Australian markets, the Government guarantee for bank debt issuance had ceased at the end of March. There had been some use of the guarantee program in its final month, mostly by branches and subsidiaries of foreign banks. The major domestic banks had undertaken a solid amount of unguaranteed issuance.

In foreign exchange markets, the US dollar had appreciated against the currencies of the major advanced economies, though it remained quite low in a longer-run perspective. The Australian dollar had tended to appreciate over the past month and was at multi-year highs against the euro, pound sterling and New Zealand dollar.

The increase in the cash rate in early March had been passed through in full to most variable lending rates. Members noted that lending rates for housing and business were a little below their averages for the period since 1997.

Considerations for Monetary Policy

In the view of the Board, with forecasts suggesting that growth in the domestic economy in 2010 would be around trend and that inflation would be around 2½ per cent, consistent with the medium-term target, the level of interest rates in the economy would be expected to be close to average. This remained the underlying rationale for consideration of any adjustment to the cash rate in the current period. Since lending rates were still a little below average, members expected that they would probably need to rise further in the period ahead.

On the question of timing, the fact that the prospective rise in the terms of trade was now likely to be noticeably stronger than had been expected was a factor suggesting that it might be prudent not to delay adjustment. Overall, members considered that the outlook for the economy suggested that there was a case for a further step in the process of returning interest rates to more normal levels.

The Decision

The Board decided to raise the cash rate by 0.25 percentage points to 4.25 per cent, effective 7 April.

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 March 2010, is attached for Council's information.

BUDGET

Total investment income for the year to date period ending March 2010 was \$1,390,000. The budgeted income for the period was \$715,000. Of the investment income, approximately 61% relates to external restrictions (Section 94) and is, therefore, restricted. The March Quarter review of the 2009/10 Budget recommends an increase to general fund investment income of \$200,000 (refer to Report No CC26/10 for further details).

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 CC25/10 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 31 Mar 2010
2. HSC Borrowings Schedule as at 31 Mar 2010

File Reference: F2004/06987
Document Number: D01386434

7 MARCH 2010 QUARTER REVIEW: 2009/10 - 2011/12 MANAGEMENT PLAN AND 2009/10 BUDGET

EXECUTIVE SUMMARY

The General Manager is required to report to Council each quarter as to performance against Council's current Management Plan and Budget, including revised estimates of income and expenditure. In this regard, the March 2010 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, whilst the December 2009 Review recommended positive changes of \$235K. The 2010 March Review recommends positive budget changes of \$200K thus amending the forecasted Budget result at year end to a \$210K Budget surplus. The projected Budget surplus of \$210K is a liquidity based result and is satisfactory in respect of movement in net available working funds for this financial year.

It is noted that there are a number of key asset sales for this financial year which are still to be brought to account. Part of the proceeds from the sale of those properties will be used to fund a strategic land acquisition in the Hornsby CBD. It would also be prudent to set aside the remainder of the proceeds to assist in improving Council's working funds position; ensuring that Council's employee leave entitlement and other corporate restricted asset accounts are maintained at appropriate levels; as well as addressing ageing infrastructure issues where possible. Updates in respect of these issues will be reported to Council in the June 2010 Quarter Budget Review.

It is recommended that the March 2010 Quarter Review be received and noted.

PURPOSE/OBJECTIVE

The purpose of this Report is to present for Council's consideration the March 2010 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

It is noted that the adopted Budget forecast a deficit at 30 June 2010 of \$343K.

The September 2009 Quarter Review

The September 2009 Review recommended \$118K of positive budget changes, which led to a forecast deficit at year end of \$225K. The positive budget changes emanated from an organisational review of restricted assets resulting in an identification of amounts which could be released from some restricted assets for general purpose use.

The December 2009 Quarter Review

The December 2009 Review identified labour savings in the Planning Division of \$295K and incorporated an increased expense budget of \$60K to be put towards a Playfix database update within the Environment Division. The net recommended changes were a positive \$235K and the amended 2009/10 Budget forecast for 30 June 2010 became a surplus of \$10K.

The March 2010 Quarter Review

The March 2010 Review includes the third quarter financial results for 2009/10, and compares actual expenditure and income from 1 July 2009 to 31 March 2010 against the Budget for the same period. The Net Operating and Capital result after internal funding movements at March 2010 has resulted in a favourable variance of \$2.068 million compared to the March 2010 Budget. This positive variance has largely been the result of Budget timing, accrued expenditure not recognised when compared to Budget and phasing of the annual Budget.

The March 2010 Review recommends positive budget changes of \$200K which amends the forecast Budget result at year end to a surplus of \$210K. This projected budget surplus is a liquidity based result and is satisfactory in respect of movement in net available working funds for this financial year. The following budget changes are recommended:

- increased street lighting expenditure (\$55K)
- increased road restoration income (-\$70K)
- increase advertising costs to cover Kangaroo Point expression of interest (\$12.5K)
- net cost reduction for Aquatic Centres (-\$112.5K)
- allocation provided to upgrade Council's main electrical switchboard (\$75K)
- increased investment returns (-\$200K)
- increased expenditure allocation towards Hornsby Pool redevelopment (\$40K)
- increased budget of \$25K for Men's Shed extension funded by property services savings

It is noted that there are a number of key asset sales for this financial year which are still to be brought to account. They are the sale of old Cherrybrook Nursery and Pre-school site as well as Council property in Pound Road, Hornsby. Part of the proceeds from the sale of those properties will be used to fund a strategic land acquisition in Lynda Street, Hornsby. It would also be prudent to set aside the remainder of the proceeds to assist in improving Council's working funds position; ensuring that Council's employee leave entitlement and other corporate restricted asset accounts are maintained at appropriate levels; as well as addressing ageing infrastructure issues where possible.

Updates in respect of the above issues will be reported to Council in the June 2010 Quarter Budget Review.

BUDGET

This Report provides the March 2010 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 March 2010 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. March 2010 Quarter Review

File Reference: F2008/00630
Document Number: D01390997

8 DURAL AND DISTRICT HISTORICAL SOCIETY - PROPOSED LEASE OF COTTAGE - PART OF GALSTON RECREATION AREA - CROWN RESERVE D500223 AND R81698 - 412X GALSTON ROAD, GALSTON

EXECUTIVE SUMMARY

At the March 2010 Ordinary Meeting, Council considered the future lease of the cottage building and surrounds located within Galston Recreation Reserve and resolved to invite expressions of interest to lease the property. Council requested that following receipt of expressions of interest, a report be provided for consideration of the Community, Cultural and Recreation Facilities Task Force and subsequently by the Council.

Expressions of interest were invited under Tender No T7/2010 and only one submission was received, that being from the Dural and District Historical Society Inc (The Society). As a consequence, the Task Force agreed at its April 2010 meeting that the matter should be referred directly to Council for consideration.

This Report provides comments from officers regarding the expression of interest received and also seeks Council's endorsement, as Reserve Trust Manager, to enter into a further lease of the cottage building and surrounds with The Society.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with details of the proposal received following a public invitation for expressions of interest to lease the cottage building and surrounds located within the Galston Recreation Reserve; and to recommend that Council enter into a lease with the Dural and District Historical Society Inc.

DISCUSSION

At the 9 December 2009 Ordinary Meeting, Council, as Reserve Trust Manager, considered Report No CC105/09 and resolved that:

- 1. The contents of Executive Manager's Report Nos CC76/09 and CC105/09 be received and noted.*
- 2. Council invite expressions of interest from the Dural and District Historical Society, as well as any other interested commercial and community groups, in respect of a lease of the cottage located at Galston Recreation Reserve, Galston.*
- 3. As part of the expression of interest process, the Dural and District Historical Society and community groups be encouraged to make reference to the contents of Council's two related strategic documents i.e. the Community and Cultural Facilities Strategic Plan and the Code for the Lease Licence of Council's Land and Buildings to Community Groups. In this regard, an important component of the Strategic Plan is the goal of maximising utilisation of community facilities through making them available to multiple users for multiple purposes where possible.*

4. *At the conclusion of the expression of interest process, a report be prepared for consideration by the Community, Cultural and Recreation Facilities Task Force and subsequently by Council.*

A public invitation seeking expressions of interest to lease the cottage and surrounds was made to The Society and other interested community groups. The details are provided in the CONSULTATION section of this Report. It should be noted that, due to the open space zoning of the land and the current approved purpose applying to this section of the Galston Recreation Crown Reserve, commercial usage of the cottage building is not permissible.

At the closing date for receipt of proposals, only one submission had been received, this being from The Society (copy attached). A summary of The Society's offer in respect of its proposed lease of the property is included on page 11 of their submission and is repeated below for Council's information:

DDHS believes it qualifies as a Nominal rent (\$260.00 per annum exclusive of GST) subsidy category community group although it cannot fully meet the eligibility item to take responsibility for all capital and full maintenance of the facility. Given the Society's dependence on mutual funding it is proposed to offer to pay \$500.00 per annum rental.

In addition the Society is prepared to partner Council through work done in place of payment. Examples of such work might be a watching brief on the Galston Cenotaph, publication of research ongoing of the names engraved on the Cenotaph, preparation of design concepts and organisation of the construction for special seating and an area of inscribed pavers to record pioneering families and local events, and history research for properties that are heritage listed and subject to DA proposals, etc. As part of Council's upgrading of the Cenotaph surrounds the DDHS will contribute at least \$7000.00 and materials, towards the upgrading of the rear grounds of the Cottage to provide an addition to the facilities of the Galston Recreation Reserve that could, under conditions, be used by the public. The \$7000.00 was donated and early sandstone stock bricks purchased, for this purpose and the Society anticipates further public donations when the project is able to be announced. Local landscape architect Fiona Robbe and architect Rolf Chrystal, both of whom are known to Council, have been employed to draft plans for discussion with Council.

In light of only one proposal being received, it was agreed at the April 2010 meeting of the Community, Cultural and Recreation Facilities Task Force that the matter should be referred directly to Council as Reserve Trust Manager for consideration. Comments from relevant officers regarding the leasing proposal submitted by The Society are set out below for the information of Council.

The cottage building is situated on the Crown Reserve at Galston Recreation Reserve (412x Galston Road, Galston). As previously reported to Council, The Society has leased the cottage building and surrounds since 1995 under a lease agreement with Council as Reserve Trust Manager. The current rental is \$70 per annum, noting that the rental has been adjusted annually in accordance with the CPI.

The cottage building and surrounds have been used by The Society as a meeting hall for members of The Society and other community organisations; a facility for historical research by the public; an historical library and museum; and a kiosk and tearoom. In addition, The Society has allowed the Galston Computer Pals to use, on a regular basis, space within the building for training and meeting purposes. The charging of a peppercorn rental by Council

recognised the contribution that The Society made to the betterment of the building during the term of its lease agreement.

Whilst The Society's rental offer is substantially less than the amount recently assessed in accordance with Council's Code for the Lease/Licence of Council's Land and Buildings to Community Groups, Council officers consider that, in light of the limited response to the invitation to lease, Council's interests would not be adversely affected if the offer made by The Society was accepted. Comments concerning the financial implications in accepting the rental offer are contained within the BUDGET section of this Report.

It is noted within the leasing proposal that, while seeking a further ten year lease, The Society is only willing to maintain at their own expense the internal components of the building, with all other maintenance and repair responsibilities resting with Council. In line with the objectives of Council's Code for the Lease/Licence of Council Land and Buildings to Community Groups, the term of any lease of a "facility" shall have regard to the level of capital contribution made by a community group and Council. Taking into consideration the level of capital contribution proposed (during the further lease period) by The Society, Council officers consider that the term of any further lease with The Society should be limited to a maximum of five years. The granting of a further five year lease to The Society will also meet the provisions of Council's Lease/Licence of Council Land policy.

It is apparent from the lease proposal that The Society will continue to allow the Galston Computer Pals regular access to the cottage to conduct both training and monthly meetings. Such an arrangement is in keeping with the purpose and use of the property and assists in achieving optimum occupancy of Council managed premises.

Having regard to the comments provided above, it is recommended that a further lease in respect of the cottage building and surrounds located within the Galston Recreation Reserve be granted to the Dural and District Historical Society Inc. on the basis outlined in the RECOMMENDATION of this Report.

BUDGET

The granting of a further lease to The Society on the basis outlined in this Report will realise a slight increase in the level of income received by Council. The charging of such rental will also result in a corresponding reduction in the level of foregone rental provided to community groups across the Shire.

POLICY

This Report has been prepared having consideration to the Code for the Lease/Licence of Council Land and Buildings to Community Groups, the Community and Cultural Facilities Strategic Plan and Council's Lease/Licence of Council Land Policy.

CONSULTATION

A public invitation seeking expressions of interest to lease the cottage building and surrounds was placed in the Hills News, Northern District Times and Hornsby and Upper North Shore Advocate newspapers during the week commencing 2 March 2010, requesting the receipt of leasing proposals by 10.30am on Wednesday 24 March 2010. A copy of the expression of interest document was provided to representatives of the Dural and District Historical Society Inc on 5 March 2010. In accordance with point 4 of Council's resolution under Report No

CC105/09, the leasing proposal received from The Society was tabled for consideration at the April 2010 meeting of the Community, Cultural and Recreation Facilities Task Force.

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. If Council was to proceed with the recommendations proposed in this Report, contribution would be made to the following strategic themes:

- Society and Culture – enhance social and community well-being.
- Economy – vibrant local economy and sustainable resource use.
- Human Habitat - effective community infrastructure and services.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are Mrs Robyn Abicair - Manager Administration Services Branch and Mr Rod Drummond – Manager, Commercial Property. They may be contacted on 9847-6608 and 9847-6589 respectively.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No CC27/10 be received and noted.
2. Council, as Reserve Trust Manager, enter into a further five year lease with the Dural and District Historical Society Inc. in respect of the existing cottage and surrounds at Galston Recreation Reserve, 412x Galston Road Galston on the following basis:
 - a) Rental for the initial 12 months of tenure to be \$500 per annum (inclusive of GST).
 - b) Rental to be subject to annual review in accordance with the movement in the Consumer Price Index.
 - c) The lessee to be responsible for the payment of all costs associated with services provided to the property including but not limited to electricity, gas and water usage.
 - d) The lessee to maintain throughout the term of the lease a public liability insurance policy for an amount of not less than \$20 million for any one incident, with such policy noting Hornsby Shire Council as an interested party.
 - e) The cottage to only be used for the purpose as detailed in The Society's 17 March 2010 response to Tender No T7/2010.
 - f) The lessee to be responsible for the internal repairs, maintenance and decoration of the cottage only.
 - g) The lessee to acknowledge Council's support in the provision of the cottage in its annual reports and publications, any advertising and community events.
 - h) The lessee to be responsible to ensure the security of the cottage during the term of their occupation.

- i) The lessee to bear 50% of costs incurred in respect of the preparation of the necessary lease documentation.
3. The lease will be subject to consent by the Minister administering the Crown Lands Act.

ROD DRUMMOND
Manager - Commercial Property
Corporate and Community Division

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Lease Proposal Dural and District Historical Society

File Reference: F2004/08060
Document Number: D01392262

9 DECLARATIONS OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS - COUNCILLORS AND DESIGNATED PERSONS

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 21 April 2010 - Report No. CC19/10. Since that time, two additional Returns have been lodged with the General Manager and are now tabled as required by the Local Government Act.

Date Lodged	Councillor/Designated Person (Position)	Reason for Lodgement
29/03/2010	Property Officer	Resignation
30/04/2010	Traffic Ranger	New Employee

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: D01401235

10 DRAFT SUSTAINABLE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY FOR THE SHIRE OF HORNSBY 2010 - 2015

EXECUTIVE SUMMARY

The draft 2010 waste strategy titled “Sustainable Waste Avoidance and Resource Recovery Strategy for the Shire of Hornsby 2010 – 2015” is an update of the 2005 document. It provides an overview of achievements since 2005, current programs and new programs.

The programs in the Strategy have been formulated to enable Hornsby Shire Council progress with its endeavours to promote ongoing sustainable waste avoidance and resource recovery initiatives in domestic, Council and commercial sectors of the Shire. Council strategy also aligns with the Department of Environment and Climate Change and Water (DECCW) strategies and its primary target of achieving a 66% diversion of domestic waste to landfill by 2014.

Achievement of a 66% diversion of the Shire’s domestic waste from landfill by 2014 is a challenging task. The focus to date has been on education programs to achieve this target. However, Council will now be required to consider specific programs, such as the capture of additional recycling material through a weekly as opposed to a fortnightly pick up service, as well as seek access to an Alternative Waste Treatment (AWT) facility, to achieve such a target. The Waste Management Services branch is hopeful that either a new AWT facility will be established during the period of the Strategy or one of the established facilities will become more reliable in their capacity to produce acceptable outcomes.

While the costs of the above initiatives cannot be quantified at the moment, they are likely to be expensive and result in costs to residents greater than CPI adjustments.

PURPOSE/OBJECTIVE

This report provides an overview of the draft “Sustainable Waste Avoidance and Resource Recovery Strategy for the Shire of Hornsby 2010 – 2015” for Council to consider.

DISCUSSION

In 2005 Council developed and adopted a Sustainable Waste Avoidance and Resource Recovery Strategy for the Hornsby Shire. It was aimed at taking Council forward in waste management and resource recovery. The 2005 document provided specific information regarding trials and programs that enabled Council to make informed decisions for Shire residents about the most appropriate and easy to use waste services. Some of the programs introduced included:

- The commencement of additional services such as e-waste collections, mulch/chipping days, drum muster and a drop off facility for a specific type of material.
- The increase and expansion of education activities have increased and expanded to include Second Hand Saturday, additional and varied tours, sponsoring a recycled art

competition and providing clothing exchange events, all aimed at increasing awareness of the need to reduce waste or reuse items that might otherwise be sent to landfill.

- Adapting services to suit the unique requirements of new high density properties.

The major measurable outcomes to date include an average 53% waste diversion from landfill and more options for recycling and residual waste. In 2009, Council tendered for the domestic waste collection service and awarded the contract for seven years to Transpacific/Cleanaway following a successful seven year contract with Veolia Environmental Services. Council has maintained service costs to residents at less than the CPI and approximately around the average charge across the Sydney Metropolitan Area. This is a strong achievement, considering the distance of Hornsby Shire from any of the available disposal or processing facilities.

During the period 2005 to 2010 changes in the disposal and recycling industry have to some extent assisted Council in its waste management endeavours and direction. The main initiatives include:

- Council tendered its waste disposal service and now sends its residual waste to the Veolia Woodlawn Bioreactor landfill facility where advanced decomposition processes allows for gas capture which is utilised in the production of energy.
- Council also tendered for the processing of the recyclables collected. This enabled far more plastic products to be recycled. Council can now recycle almost all plastic containers.
- Three AWTs have been established that can sort and reprocess material found in the residual waste container (the red bin). At the present time these have limited access and it is envisaged that these facilities will improve in technology and become more common place and accessible.
- The DECCW increased the waste levy to encourage further reduction of waste to landfill.

The draft strategy provides details of each of these activities and where appropriate, future progression.

Overview of the draft strategy

The draft strategy has been developed to continue the programs already in place and to strive to enhance those programs where additional benefit can be obtained. An example is the recycling services provided to high rise residential properties. This is an area that is developing fast and will require considerable enhancements to ensure that the recycling systems deliver the expected outcomes.

Other areas of specific concern include the ability to divert up to 66% of our domestic waste from landfill by 2014. To date we are delivering programs aimed at that goal but will need to develop programs that ensure additional recycling material is captured, possibly weekly recycling and obtaining access to an AWT. This will require a tender during the life of this strategy for a facility to either be established or to gain access to one of the established facilities once greater reliability in their capacity to produce acceptable outcomes is achieved.

The establishment of a trial drop off centre for selected items such as e-waste, batteries and light globes has commenced, with a trial collection running for six months in 2010. Once completed, it is envisaged that the service will be continued. Council has purchased a property to be used as a drop-off centre, including administration for the waste services

function and an education facility. This property will be available for use at some point during the term of this strategy.

Another area of concern to be addressed includes audits of developments to ensure that all waste is disposed of in accordance with the waste plans submitted with development applications.

A revision of Council's commercial waste services is to be undertaken to ensure that services support the need for business to reduce waste and to encourage recycling. The provision of an advisory service will be high on the agenda for consideration.

The draft strategy does not identify specific solutions. It identifies broad areas that Council can investigate. While many possibilities are identified, it is expected that some will, after investigation prove impractical or too expensive to progress.

The following table is a summary of the major tasks to be addressed by the strategy:

COMPONENT	OUTCOME AREA	TARGET
Domestic Waste	Review recycling opportunities	<ul style="list-style-type: none"> • Aim at achieving 66% by 2014
	Green organics	<ul style="list-style-type: none"> • Investigate the benefits and cost of altering the collection to weekly rather than fortnightly 2011 • Trial in 2011 if feasibility supports • Maintain chipping days to at least one per month.
	Collection service	<ul style="list-style-type: none"> • Investigate the benefits and cost of altering the recycling collection to weekly rather than fortnightly 2010 • Trial in 2011 if feasibility supports • Call tenders 2017
	Disposal service	<ul style="list-style-type: none"> • Green waste contracts due for renewal 2010 • Recycling contracts due for renewal 2012 • Residual waste contracts due for renewal 2011
Commercial Waste	Waste collection	<ul style="list-style-type: none"> • Audits annually • Investigate enhancements 2010
	Recycling	<ul style="list-style-type: none"> • Investigate enhancements – Ongoing
Council Operations Waste	Public Places Recycling	<ul style="list-style-type: none"> • Develop a public place recycling strategy 2011 • Investigate waste and recycling containers for the Shire 2011
	Engineering waste and recycling	<ul style="list-style-type: none"> • Audit all engineering waste 2011

COMPONENT	OUTCOME AREA	TARGET
	Internal recycling	<ul style="list-style-type: none"> • Key performance indicators • Review performance indicators - 2011.
	Street sweeping	<ul style="list-style-type: none"> • Trial and examine options to compost and reuse street sweeping material
	Source alternative disposal for waste	<ul style="list-style-type: none"> • Ongoing
	Parks Green Waste Processing	<ul style="list-style-type: none"> • Reuse of tree loppings and other material.
	Green Purchasing	<ul style="list-style-type: none"> • Support the Green Purchasing Policy
Construction and Demolition Waste	Enforcement of the Waste Minimisation and Management DCP	<ul style="list-style-type: none"> • Undertake compliance to enforce DCP – subject to funding 2011 • Information to builders, on-going via Planning Division
Illegal Dumping	Investigate and implement anti dumping programs	<ul style="list-style-type: none"> • Anti Dumping Campaign on-going • Investigate surveillance cameras in strategic locations
Waste Education	Establishment of a waste education facility	<ul style="list-style-type: none"> • Establish a waste education/drop off facility incorporating a demonstration and administration area 2013
	Shire wide waste education program (including C and I, C and D and illegal dumping).	<ul style="list-style-type: none"> • Review the Waste Education Strategy - annually

While the strategy does not include every measure or opportunity available, it is directed at providing as many services as possible for a reasonable price. The draft strategy recognises many areas where Council can be involved. It is envisaged that by closely monitoring the waste industry, Council will continue to play a leading role in undertaking an effective new waste diversion measures between 2010 and 2015.

BUDGET

There are no immediate budget implications contained within this report. There are areas where budget provision currently does not exist, nor is the cost known at this stage of implementation. As programs are investigated, costs will become more apparent. If programs

are considered beneficial and funding is not provided for at that time, funding options will be investigated and reported to Council prior to implementation.

POLICY

This report is not affected by any Council policy.

CONSULTATION

The attached draft strategy has been developed by the Waste Management Team from accumulated knowledge, research and discussion within the industry and other councils, specifically those within the NSROC region.

TRIPLE BOTTOM LINE SUMMARY

A TBL assessment has been provided on pages 52-54 of the attached Strategy.

RESPONSIBLE OFFICER

The responsible officer is Mr Rob Holliday, Manager, Waste Management Services Branch, telephone 9847 4816, hours 8.30 am to 4.30 pm, Monday to Friday.

RECOMMENDATION

THAT:

1. The draft “Waste Avoidance and Resource Recovery Strategy for the Hornsby Shire 2010 – 2015” be placed on public exhibition for a period of four weeks.
2. A further report be provided to Council at the conclusion of the public exhibition period.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Draft Waste Avoidance and Resource Recovery Strategy for the Hornsby Shire 2010 - 2015

File Reference: F2004/08803
Document Number: D01372286

11 CATCHMENTS REMEDIATION RATE (CRR) EXPENDITURE PROGRESS REPORT 2009/2010

EXECUTIVE SUMMARY

The revenue received for the Catchments Remediation Rate (CRR) for 2009/10 was \$2,653k, with the balance of funds at period ending 31 December 2009 being \$1,839k. This was as a result of income generated, \$2,653k plus \$382k brought forward from 2008/2009, less expenditure of \$1,196k.

At the Catchments Remediation Rate Expenditure Review Panel (the Panel) meeting held on 15 April 2010 the Panel noted that it had sighted and discussed the financial details of the CRR expenditure as of 31 December 2009 and considered all reports acceptable and reasonable. A cost summary of expenditure for the first half of the 2009/2010 financial year and the CRR Expenditure Review Panel's report are provided in the attachments.

The Panel made a number of comments and observations (refer to Attachment 4). In particular, the recent focus on the potential for increased development reinforced the need for maintaining the Catchments Remediation Program to address the associated pressures on the Shire's waterways. Discussion took place in relation to the current focus of the program which aims to capture and treat nutrients through the use of large end-of-pipe bioretention systems as well as integrating at-source treatment within the streetscape.

It was also noted that there needs to be recognition of the multiple benefits offered by CRR projects. Specific reference was made to the value of water stored in CRR sites as a potential back up fire fighting supply during emergencies.

PURPOSE/OBJECTIVE

The purpose of this progress report is to document the expenditure of CRR funds by Council from 1 July 2009 to 31 December 2009. The report also includes the findings of the external Expenditure Review Panel, as well as the subsequent progress on the assessment, investigation and completion of catchment remediation projects across the Shire.

DISCUSSION

Capital Remediation Projects

Approximately 50% of the 2009/2010 CRR budget has been allocated for capital works projects across the Shire. These works included bioretention systems, stormwater harvesting and reuse schemes, creek stabilisation/remediation and gross pollutant traps.

As of 31 December 2009, \$440k had been spent on capital works with four major projects completed or near completion. These included:

- Construction of one large bioretention systems in Mount Kuring-gai and two at Hornsby Heights

- Retrofit of a sediment basin into a bioretention system in Berowra

In addition:

- Three projects from previous years had minor residual expenditure
- A large bioretention system in Epping was under construction
- Four projects on the 2009/2010 and 2010/2011 works schedule had survey and design work carried out

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

Non-capital Associated Expenditure

A component of the CRR budget for 2009/2010 supports various Environment Division operations which contribute to fulfilling obligations to improve water quality Shire-wide. Attachment 3 shows the specific expenditure breakdown for:

- Pro-active maintenance of all stormwater improvement assets
- Street sweeping
- Community project support, e.g. Streamwatch and various committees
- Implementation of a Geographic Information System (GIS)
- Emergency response to spills
- Water quality research and monitoring
- Riparian restoration works
- Salaries, wages, overheads and associated administrative costs for project management

CRR Expenditure Review Panel Report

On 15 April 2009, the CRR Expenditure Review Panel met to discuss the expenditure for the first half of the 2009/2010 financial year. It was decided by the Panel members in attendance that even without a quorum the meeting should proceed and that the absent members should be afforded the opportunity to comment on the financial reports and any matters or actions arising out of the meeting. Minutes of the meeting were distributed to all Panel members, with the following comments and observations being returned:

- The Panel noted that it had sighted and discussed the financial details of the CRR expenditure and considered all reports presented by council officers as acceptable and accountable.
- Due to the potential for further intensive development within the Shire and the resulting pressure on waterways, the members recognised the increasing need for CRR improvements to maintain water quality. As a result Panel members agreed to review its charter so as to remain relevant into the future and that the full suite of benefits associated with CRR works be properly explained to Council, ratepayers and other stakeholders.
- The value of water stored in CRR sites as a back up fire fighting supply during emergencies was discussed. It was proposed that the RFS should be informed as to the location and water storage capacity of CRR devices and that this should be promoted as a further potential benefit of the CRR Program.

BUDGET

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

POLICY

There are no policy implications.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

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

ROBERT STEPHENS

Executive Manager

Environment Division

Attachments:

1. Balance of CRR Funds
2. CRR Non-capital Expenditure
3. CRR Total Expenditure Summary
4. CRR Expenditure Panel Report

File Reference: F2005/00829-02

Document Number: D01393073

12 FINAL BUSH FIRE RISK MANAGEMENT PLAN FOR HORNSBY/ KU-RING-GAI

EXECUTIVE SUMMARY

The draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan (the 'Risk Management Plan') was endorsed by Council for public exhibition at the Ordinary Meeting of 9 September 2009. Three submissions were received during the exhibition of the Risk Management Plan. The Plan was finalised with only one minor amendment, and approved by the NSW Bush Fire Coordinating Committee and the Hornsby Ku-ring-gai Bush Fire Risk Management Committee under the Section 52 of the Rural Fires Act 1997.

This report seeks to obtain Council's endorsement of the final Hornsby Ku-ring-gai Bush Fire Risk Management Plan 2010.

PURPOSE/OBJECTIVE

The purpose of this report is to advise Council of the results of the public exhibition and changes made to the final Risk Management Plan as part of the exhibition and approval process.

DISCUSSION

At the Ordinary Meeting of 9 September 2009 Council considered Executive Manager Environment's Report EN35/09 and resolved that Council endorse the draft Risk Management Plan for public exhibition. The draft Risk Management Plan was endorsed by the Hornsby Ku-ring-gai Bush Fire Management Committee on 11 November 2009 and formally placed on public exhibition for 42 days. It was available on the websites of both Hornsby and Ku-ring-gai Councils and the Hornsby/ Ku-ring-gai Bush Fire Management Committee's website <http://www.hkbfmc.org.au>. Hard copies were available in Council Chambers and libraries.

Three submissions were received during the public exhibition process. Two submissions requested that hazard reduction be undertaken behind their properties; and one related to building more dams and not planting trees.

The NSW Rural Fire Service reviewed the submissions and the Risk Management Plan and made one small change. Within the asset and treatment tables of the plan there was a minor alteration to the description of actions relating to cultural sites. The plan was approved by the NSW Bush Fire Coordinating Committee on 4 March 2010 and reported to the Hornsby Ku-ring-gai Bush Fire Management Committee Meeting of 31 March 2010.

BUDGET

There are no budgetary costs to endorse the Hornsby Ku-ring-gai Bush Fire Risk Management Plan. There will most likely be costs associated with implementing the adopted Risk Plan. The necessary works and programs arising from the approved Plan will be provided to Council at the appropriate time for its consideration.

POLICY

The policy implications of endorsing the Hornsby Ku-ring-gai Bush Fire Risk Management Plan are consistent with Council's legislative requirements to effectively manage bushfire risks within the Hornsby Shire.

CONSULTATION

The Risk Management Plan was prepared with input primarily from:

- The NSW Rural Fire Service
- Hornsby Council
- Ku-ring-gai Council
- National Parks and Wildlife Service (part of the Department of Environment, Climate Change and Water)
- Land and Property Management Authority (former Department of Lands)
- NSW Fire Brigades
- NSW Police
- NSW Ambulance Service
- Energy Australia
- Nature Conservation Council

The pre-exhibition draft was widely promulgated to the community through nine community information barbeques held throughout the two local government areas. Over 400 people attended and more than 100 submissions were made at the barbeques, which informed the development of the draft Plan. It is considered that the incorporation of the expressed community concerns into the draft Hornsby Ku-ring-gai Bush Fire Risk Management Plan may be one of the reasons for the low number of formal submissions made to the exhibited draft Plan.

TRIPLE BOTTOM LINE SUMMARY

A full Triple Bottom Line summary for the Hornsby / Ku-ring-gai Bush Fire Risk Management Plan was prepared by the Executive Manager Environment in his Report EN35/09 to the Ordinary Meeting of Council of 9 September 2009.

RESPONSIBLE OFFICER

Diane Campbell, Manager of Bushland and Biodiversity is the officer responsible for this report. She is available on 9847 6903, Monday to Friday, 8:30 am – 5pm.

RECOMMENDATION

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

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Hornsby Ku-ring-gai Bush Fire Risk Management Plan

File Reference: F2004/06591

Document Number: D01397388

13 SERVICE LEVEL AGREEMENT WITH THE RURAL FIRE SERVICE

EXECUTIVE SUMMARY

Hornsby Council has had a Service Level Agreement with the NSW Rural Fire Service since 2001, which is now being updated and requires Council endorsement. In addition to this, the new Agreement covers two Rural Fire Districts, namely Hornsby and Ku-ring-gai, which have been combined into a Zone and are covered by a zoning agreement. The major changes to the agreement are to remove the responsibility for Berowra Valley Regional Park bush fire management from Council, to establish a zoning agreement between the two Councils to formalise current arrangements, and to streamline and standardise the documentation.

PURPOSE/OBJECTIVE

The purpose of this report is to outline the changes to the Service Level Agreement (SLA) with the Rural Fire Service from the original SLA and seek Council's endorsement.

DISCUSSION

At the meeting of 12 September 2001 Council resolved to enter into the Hornsby District Service Level Agreement with the Rural Fire Service. This agreement expired on 30 June 2004, and has been extended since that time.

Council at the Ordinary Meeting of 14 December 2005 subsequently considered the Executive Manager Environment's Report 60/05 seeking adoption of a new Service Level Agreement. This second Service Level Agreement was never formally adopted for various historical reasons, including an issue of indemnity raised by the Local Government and Shires Associations (LGSA), which has since been resolved.

The substantive changes for Council from the 2001 SLA to the subsequent draft SLA however, are still relevant and have been incorporated into the new SLA.

These include:

- The Agreement now covers two rural fire districts, namely Hornsby and Ku-ring-gai, which have been combined into a zone and covered by a zoning agreement.
- The new Agreement removes Council's former responsibility for fire management in relation to Berowra Valley Regional Park.
- The Agreement has been updated to reflect subsequent amendments to the *Rural Fires Act* and improvements to the Agreement.

Zoning Agreement

The new Service Level Agreement is underpinned by an Agreement for Hornsby and Ku-ring-gai Councils to enter into a Zone Agreement for the two Rural Fire Districts. This

provides the basis for Council to enter into an Agreement with the RFS for the Hornsby Ku-ring-gai Rural Fire Zone, covering the combined Rural Fire Districts of Hornsby and Ku-ring-gai. It more accurately reflects the reality of how the rural fire functions are coordinated and managed on a day to day basis through the existing structure of the Hornsby Ku-ring-gai Bush Fire Management Committee and the Hornsby Ku-ring-gai Bush Fire Risk Management Plan. The 'Background' part of the Agreement recognises that the Hornsby and Ku-ring-gai areas are already operating as a zone and the agreement formalises current operating arrangements. Although technically recognized as a 'zone', its name would be the 'Hornsby/Ku-ring-gai Rural Fire District', in keeping with what the volunteers and community already know.

The Zoning Agreement between the two Councils also provides a platform for resolving a more equitable distribution of costs between the two Councils. The 'Finance and Accounting' part of the Agreement in Section 14 identifies cost sharing to better reflect the division of service delivery across the two Local Government Areas. This will facilitate the two Councils developing an agreement to split costs relating to the RFS for the Fire Control Centre operating costs, Brigade operating costs and capital equipment. In relation to the costs for RFS staff it reflects a more equitable distribution of costs to each Council than currently exists which will benefit Hornsby Council.

Berowra Valley Regional Park

The new Agreement reflects the situation that Council is not responsible for fire management in Berowra Valley Regional Park (BVRP), which although gazetted on 27 March 1998 was clarified with Council's adoption of the Memorandum of Understanding with National Parks and Wildlife Service on 9 June 2004, the BVRP Plan of Management in 2005 and the BVRP Fire Management Strategy in 2006.

Updated Agreement

The additional changes to the new Agreement update it following amendments to the *Rural Fires Act*. One of the major changes to the Act that occurred after the original 2001 SLA, was the inclusion of Section 12A of the *Rural Fires Act* which provided a simple procedure for councils to transfer responsibilities to the Commissioner. Prior to the introduction of Section 12A transfer of functions were under a council's power to delegate under the *Local Government Act*.

The more recent additional changes are to streamline the SLA and provide a uniform arrangement between Local Government Authorities (LGAs) and the Rural Fire Service (RFS) Districts across NSW and have been prepared from the template supplied by RFS and agreed to in-principle by the LGSA. The major changes include the following:

- Section 4 titled 'Commissioner to Exercise Councils Functions and Manage the Zone' is new and significantly changes the SLA.
 - This section outlines functions that the RFS Commissioner will exercise on behalf of council within the body of the SLA rather than it being identified in attached schedules, simplifying its structure and providing state-wide uniformity.
 - The impact to Hornsby Council is that the formation and disbandment of Rural Fire Brigades is a matter for the Commissioner to determine rather than the Council. The intent of this is to allow the RFS to manage resources in line with resource capability and service delivery requirements.

- The previous SLA outlined that the Commissioner would not change the staff structure or resource levels in the area without the agreement of Council. This has been removed to reflect the reality of RFS managing its own resources to ensure best service delivery to the community.
- ‘District Equipment’ (now Section 5) has been altered to remove reference to equipment listed in an attached schedule, as it simplifies the SLA. It outlines that the Commissioner will ensure equipment is listed on a register that will be maintained in accordance with RFS Service Standards that comply with the Rural Fires Act.
- Section 6 ‘Land and Buildings’ amendments reflect that the new Fire Control Centre has already been constructed.
- Section 8 ‘Finance’ has been amended to remove statements relating to time to prepare an estimate bid for the Rural Fire Fighting Fund (RFFF) and a statement warranting that the council contribution will accurately reflect the services provided within the Zone, as these are covered elsewhere. Further modifications to this section commit the Commissioner to ensuring Council is consulted regarding their capacity to contribute to the Rural Fire Fighting Fund and allocation of resources. There is also a new requirement for the RFS to provide Council with a ten year capital works projection.
- Section 10, Insurance and Related Covenants. This section has removed the need for the council to attach its insurance scheme documentation. The same requirements for insurance still exist but the attached schedule is no longer required.
- The last notable change is the attached schedules, most of which have already been mentioned. Previously there have been six schedules, there are now only three as outlined here:
 - Schedule 1, Council Premises Occupied by the RFS
 - Schedule 2, Council Services Provided to the RFS
 - Schedule 3, Hornsby/Ku-ring-gai District RFS Business Plan

In conclusion, the SLA reflects a statewide standard that simplifies and allows councils and the RFS locally to agree on services. The local arrangements to schedule 2 or 3 contain no disadvantages and reflect the current working arrangements occurring to ensure the best service delivery to the community and the volunteers.

BUDGET

There are no additional budget implications.

POLICY

There are no policy implications.

CONSULTATION

Consultation has been held with staff of Ku-ring-gai and Hornsby Councils including staff from Works Division, Finance, Information Technology and Bushland and Biodiversity.

TRIPLE BOTTOM LINE SUMMARY

As this is a report dealing with management arrangements between organisations there is no requirement for a Triple Bottom Line summary.

RESPONSIBLE OFFICER

The officer responsible for the management of the Service Level Agreement is Diane Campbell, Manager of the Bushland and Biodiversity Team, who is available on 9847 6903 from Monday to Friday, 8:30 am to 4:30pm.

RECOMMENDATION

THAT:

1. Council endorse the new Rural Fire District Service Level Agreement for Hornsby Ku-ring-gai and the Hornsby/ Ku-ring-gai District Rural Fire Service Zoning Agreement.
2. The General Manager be given delegated authority to sign the Rural Fire District Service Level Agreement for Hornsby Ku-ring-gai and the Hornsby/ Ku-ring-gai District Rural Fire Service Zoning Agreement.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Draft Rural Fire District Service Agreement
2. Draft Zoning Agreement

File Reference: F2004/06305
Document Number: D01397809

14 2010/14 4-YEAR ROLLING WORKS IMPROVEMENT PROGRAMS

EXECUTIVE SUMMARY

The 2010/14 4-Year Rolling Works Improvement Programs are presented for Council's consideration and adoption.

Amounts of \$2,500,000 and \$116,000 have been allocated for Local Road Improvements and Footpath Improvements, respectively in the draft 2010/11 Budget. The \$2,500,000 allocation comprises annual funding of \$2,150,000 (General Funds \$1,733,000, Extended 3x3 funding of \$117,000, R2R3 funding of \$300,000) and RTA 2010/11 REPAIR Program Funding of \$350,000. In addition, an amount of \$25,000 has also been allocated towards the Rural Road Management Plan - Implementation of Long Term Recommendations. The REPAIR Program Funding is \$175,000 for Berowra Waters Road Alignment Improvement - Retaining Wall Construction at the sharp curve located 1.35km uphill from the Ferry and \$175,000 for Bay Road, Berowra Waters/Berrilee - Pavement Widening and Shoulder Construction from Dusthole Bay Park Entrance for 1.4km SW. The RTA funding is subject to the adoption of the State Budget for 2010/11.

The funding allocation for Local Road Improvements takes into consideration the following:

- The implementation of the long term recommendations of the Management Plan for Rural Roads, and the Sealing of Unsealed Roads.
- Funding requirements for the completion of the C-Ward Oxford Street project in the 2010/11 Improvement Program.
- Council's 50 per cent funding contribution for the RTA REPAIR Program.

The funding allocation is in accordance with Council's Policy, "Road Improvement Projects - Funding Allocation". Details of the funding allocation are given in Table 1 and the recommended funding is summarised in this section.

A 4-year rolling works improvement programs have been developed to tie in with the Delivery Program which comes into effect in 2012.

The projects recommended for inclusion in the next 2010/14 4-Year Rolling Works Improvement Programs are presented at Appendix A for the Local Road Improvement Programs and Appendix B for the Footpath Improvement Programs. A Summary of the Program Values is presented at Appendix C.

Summary of Recommended Funding for 2010/11

Programs	A Ward	B Ward	C Ward	Rural	Total
Local Road Improvement - Proposed Allocation	\$ 800,000	\$400,000	\$ 910,000	\$390,000	\$2,500,000
Rural Road Management Plan - Proposed Allocation	\$ 0	\$ 0	\$ 0	\$ 25,000	\$ 25,000
Footpath Improvement - Proposed Allocation	\$ 34,000	\$ 34,000	\$ 34,000	\$ 14,000	\$ 116,000

OBJECTIVE

The objectives of the rolling works improvement programs are to improve and provide civil infrastructure such as roads and footpaths in a safe, serviceable, efficient and effective manner and to ensure that the facilities meet the needs of the community. Such infrastructure shall be provided and improved in accordance with programs adopted by Council.

This report recommends the 2010/14 4-Year Rolling Works Improvement Programs for Local Roads and Footpaths for Council's consideration and adoption.

BACKGROUND

Amounts of \$2,500,000 and \$116,000 have been allocated for Local Road Improvements and Footpath Improvements, respectively in the draft 2010/11 Budget. In addition, an amount of \$25,000 has also been allocated towards the Rural Road Management Plan - Implementation of Long Term Recommendations. The \$2,500,000 allocation comprises annual funding of \$2,150,000 (General Funds \$1,733,000, Extended 3x3 funding of \$117,000, R2R3 funding of \$300,000) and RTA 2010/11 REPAIR Program Funding of \$350,000.

Four-year rolling works improvement programs have been developed to tie in with the preparation of the Delivery Program which comes into effect in 2012.

Council should now consider and adopt the projects recommended for the 2010/11 Improvement Program which is presented as the first part of the 2010/14 4-Year Rolling Works Improvement Programs for Local Roads and Footpaths. Funding for the 2010/11 programs have been allocated in the draft 2010/11 Budget to be considered and adopted by Council in June 2010. Funding for the 2011/12, 2012/13 and 2013/14 programs will be subject to adoption by Council at the appropriate time in May 2011, May 2012 and June 2013 respectively.

It is to be noted that it is essential to determine a list of future projects for the 4-year rolling programs. This will ensure that there is adequate time for undertaking pre-construction activities (including community consultation) in the year prior to that earmarked for construction.

ALLOCATION OF FUNDING

The funding allocation for Local Road Improvements in the draft 2010/11 Budget is \$2,500,000. This funding allocation does not include funding for the implementation of the long term recommendations for the Rural Road Management Plan but includes part funding for the Sealing of Unsealed Roads. The funding allocation for Footpath Improvements in the draft 2010/11 Budget is \$116,000.

Management Plan for Rural Roads

Council has previously concurred with the suggestion that the implementation of medium and long term recommendations for the Rural Road Management Plan be funded from the Rural component of the Local Road Improvement Programs.

An amount of \$25,000 has been separately allocated in the draft 2010/11 Budget for implementation of the long term recommendations. It is considered that this amount should be added to the annual Local Road Improvement Program allocation of \$2,150,000 for funding distribution towards projects throughout the Shire. The total amount available for distribution among the three Wards and the Rural area for improvement projects is hence \$2,175,000 (\$2,150,000 + \$25,000).

Sealing of Unsealed Roads

Council in considering Executive Manager's Report No. WK65/04 - *Strategy for Unsealed Rural Roads* at its Ordinary Meeting held on 8 December 2004 resolved to adopt the Unsealed Road Strategy and the Implementation Program presented in that report. Council also resolved that funding for the implementation program be allocated from the Unsealed Road Maintenance Program and the Rural component of the Local Road Improvement Programs.

As recommended in Report No. WK65/04, amounts of \$300,000 from the Unsealed Road Maintenance Program and \$200,000 from the Rural component of the Local Road Improvement Program have been allocated for the sealing of unsealed roads in 2010/11.

Recommended Funding Allocation

The recommended funding allocations for 2010/11 are presented in Table 1. The recommended allocations are in accordance with Council's Policy, "Road Improvement Projects - Funding Allocation".

The recommended allocations takes into consideration funding to be made for implementing the long term recommendations (Year 7 of 10) from the Rural Road Management Plan (RRMP) and the Unsealed Roads Sealing Program (Year 6 of 10) .

For the 2011/12, 2012/13 and 2013/14 rolling programs, funding allocations of \$2,150,000 per year have been assumed for Local Roads and \$116,000 for Footpaths. The recommended allocation and funding for the Local Road Improvement Programs for 2011/12, 2012/13 and 2013/14 are presented in Table 2. The proposed allocation and funding take cognisance of the need to complete the Oxford Street Project in 2010/11. The Oxford Street Project, with an estimated cost of \$2.2 million is currently in progress with construction scheduled for completion in 2010/11.

2010/14 ROLLING WORKS IMPROVEMENT PROGRAMS

The priority listing of projects in the current 2009/13 4-Year Rolling Works Improvement Programs and requests from Councillors and ratepayers during 2009/10 have been taken into consideration when formulating the next Rolling Programs. To tie in with the Delivery Program which comes into effect in 2012, 4-year rolling works improvement programs have been developed. The projects recommended for inclusion in the next 2010/14 4-Year Rolling Works Improvement Programs are presented at:

- Appendix A: Local Road Improvement Programs
- Appendix B: Footpath Improvement Programs

A Summary of the Program Values is presented at Appendix C.

In recommending projects for inclusion in future programs, reference is made to the priority list for each Ward. A number of projects with total costs closest to the allocated funding for each ward are then recommended for inclusion in a program. Where practicable, projects are split into two stages to enable the project to be undertaken over two successive years within the funding allocation.

The Oxford Street project has been recommended for inclusion in the Local Road Improvement Program for C Ward for 2008/09 and 2009/10 to be constructed in two stages due to funding requirements. The proposed scheduling of this project to commence in 2008/09 was to comply with Council's resolution for "Construction not to proceed until the State Transit Authority system is finalised and operating". Due to the existence of utility services very close to the road surface and design changes to the streetscape, the completion of this project needs to be extended to 2010/11 with an updated project allocation, of \$910,000.

Council should now consider and adopt the next 4-year rolling works improvement programs so that pre-construction activities for the projects recommended for the 2011/12, 2012/13 and 2013/14 programs can be undertaken in "good" time to ensure the timely completion of programs within approved project budgets.

Table 1 - Recommended Funding Allocation - 2010/11 Works Improvement

Programs	A Ward	B Ward	C Ward	Rural	Total
Local Road Improvement 2010/11					
- Basic allocation (3:3:3:1)	\$652,000	\$652,000	\$652,000	\$219,000	\$2,175,000
- Adjustment for Unsealed Roads	- \$ 2,000	- \$ 2,000	- \$ 2,000	+\$ 6,000	\$ 0
- Adjustment for funding C Ward Oxford St project in 2009/10	- \$ 25,000	- \$250,000	+\$260,000	+\$ 15,000	\$ 0
- Less Allocation to RRMP	\$ 0	\$ 0	\$ 0	- \$ 25,000	- \$ 25,000
- Recommended Allocation for 2010/11	\$625,000	\$400,000	\$910,000	\$215,000	\$2,150,000
- RTA REPAIR funding - 2010/11	\$175,000	\$ 0	\$ 0	\$175,000	\$ 350,000
- Funding after adding RTA Funds	\$800,000	\$400,000	\$910,000	\$390,000	\$2,500,000
Rural Road Management Plan					
- Rural Component Funding for RRMP Long Term Recs	\$ 0	\$ 0	\$ 0	\$ 25,000	\$ 25,000
- Proposed Allocation	\$ 0	\$ 0	\$ 0	\$ 25,000	\$ 25,000
Footpath Improvement					
- Proposed Allocation	\$ 34,000	\$ 34,000	\$ 34,000	\$ 14,000	\$ 116,000

BUDGET

The adoption of the 2010/14 4-Year Rolling Works Improvement Programs is subject to the adoption of Council's 2010/11 Budget. Its adoption would also indicate the level of funding that needs to be considered for future local road and footpath improvement programs in the 2011/12, 2012/13 and 2013/14 budgets. The funding allocations for 2011/12, 2012/13 and 2013/14 are however subject to adoption by Council in conjunction with future budget considerations.

POLICY

This report complies with Council's Policy reference POL00119, "Road Improvement Projects - Funding Allocation".

CONSULTATION

Officers from the Assets, Design & Construction, and Traffic & Road Safety Branches of the Works Division were consulted in the preparation of this report.

**Table 2 - Recommended Future Funding Allocations
- 2011/12, 2012/13 and 2013/14 Local Road Improvement Programs**

Programs	A Ward	B Ward	C Ward	Rural	Total
Local Road Improvement 2011/12 and 2012/13					
- Basic allocation (3:3:3:1)	\$652,000	\$652,000	\$652,000	\$219,000	\$2,175,000
- Adjustment for Unsealed Roads	-\$ 2,000	-\$ 2,000	-\$ 2,000	+\$ 6,000	\$ 0
- Less Allocation to RRMP	\$ 0	\$ 0	\$ 0	-\$ 25,000	-\$ 25,000
- Recommended Allocation for 2011/12 and 2012/13	\$650,000	\$650,000	\$650,000	\$200,000	\$2,150,000
Rural Road Management Plan					
- Rural Component Funding for RRMP Long Term Recs				\$ 25,000	\$ 25,000
- Proposed Allocation				\$ 25,000	\$ 25,000
Footpath Improvement					
- Proposed Allocation	\$ 34,000	\$ 34,000	\$ 34,000	\$ 14,000	\$ 116,000
Local Road Improvement 2013/14					
- Basic allocation (3:3:3:1)	\$652,000	\$652,000	\$652,000	\$219,000	\$2,175,000
- Adjustment for Unsealed Roads	-\$ 2,000	-\$ 2,000	-\$ 2,000	+\$ 6,000	\$ 0
- Adjustment for C Ward projects	+\$ 30,000	-\$160,000	+\$130,000	+\$ 0	\$ 0
- Less Allocation to RRMP	\$ 0	\$ 0	\$ 0	-\$ 25,000	-\$ 25,000
- Recommended Allocation for 2013/14	\$680,000	\$490,000	\$780,000	\$200,000	\$2,150,000
Rural Road Management Plan					
- Rural Component Funding for RRMP Long Term Recs				\$ 25,000	\$ 25,000
- Proposed Allocation				\$ 25,000	\$ 25,000
Footpath Improvement					
- Proposed Allocation	\$ 34,000	\$ 34,000	\$ 34,000	\$ 14,000	\$ 110,000

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.

The TBL assessment summary for the 2010/14 4-Year Rolling Works Improvement Programs presented is as follows:

Working with our community

This report and the Proposed 2010/14 4-Year Rolling Works Improvement Programmes that are being presented to Council for adoption are readily accessible and understandable to the community. The programmes presented promote social equity by undertaking local road and footpath improvement projects throughout the Shire on a priority basis.

Conserving our natural environment

The road and footpath improvement activities in the various programmes facilitate the recovery of materials such as profiled materials during road surfacing work and the use of existing materials for road base stabilisation where required. Recycled crushed concrete footpath slabs are used for some drainage and road sub-base construction works.

Contributing to community developments through sustainable facilities and services

The proposed local road and footpath improvement projects will have positive effects on the safety of the public environment, as well as the development of a healthy, equitable and active community.

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

The local road and footpath improvements proposed will give special consideration to heritage values of the natural and built environment such as retention of trees wherever possible and practicable. The well-being of the area's current and future population will also be promoted by providing new footpaths and improving local roads with the view to improving user safety and mitigating or minimising drainage problems.

Supporting our diverse economy

Providing new and improving existing Council assets will have a positive effect on economic development in people wanting to live and work in the Shire.

Maintaining sound corporate and financial management

The proposed local road and footpath improvements will ensure that asset life-cycle costs are minimised and assets are able to function as planned during their life cycle. The proposed new footpaths and local road improvements will increase the value of Council's assets.

Other Sustainability Considerations

Potential negative impacts from the local road and footpath construction activities have been identified in the Review of Environmental Factors for such activities and appropriate measures will be undertaken to avoid or minimise such impacts.

RESPONSIBLE OFFICER

The responsible officer is the Manager, Assets Branch, Mr Chon-Sin Chua, telephone number 9847 6677.

RECOMMENDATION

THAT:

1. Council adopt the 2010/14 4-Year Rolling Local Road and Footpath Improvement Programs presented at Appendix A and Appendix B respectively in Executive Manager's Report No. WK32/10 subject to the adoption of the Council's 2010/11 Budget.

2. An amount of \$25,000 is allocated in the 2010/11 Budget for the Local Road Improvement Program Rural Component to implement the Rural Road Management Plan Long Term Recommendations, Year 7 of 10.
3. An amount of \$200,000 is allocated in the 2010/11 Budget for the Local Road Improvement Program Rural Component for the Sealing Unsealed Roads Implementation Program, Year 6 of 10.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Appendix A – 2010/14 4-Year Rolling Local Road Improvement Programs
2. Appendix B – 2010/14 4-Year Rolling Footpath Improvement Programs
3. Appendix C – Summary of Program Values for 2010/14 Rolling Works Improvement Programs

File Reference: F2004/05959-02
Document Number: D01387128

15 WORKS PROGRESS REPORT - MARCH 2010 QUARTER - ASSETS BRANCH

EXECUTIVE SUMMARY

This Assets Branch Works Progress Report for the March 2010 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 third quarter of the 2009/10 Service Plan ending 31 March 2010. 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 \$9,200. The average maintenance cost per km at the end of the March quarter is \$3,040. Maintenance has been scheduled for the June quarter on an as need basis and is expected to be lower than budgeted due to the sealing of unsealed rural roads program.

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 \$2,800. The average maintenance cost per km at the end of the March quarter is \$2,200. More maintenance was undertaken during this quarter due to the February 2010 storms which had average recurrence intervals of between 50 – 100 years.

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. More minor upgrading works were undertaken during this quarter as a result of damage sustained during the February 2010 storms.

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 March quarter, repairs to footpaths totalled 421 sq. metres. At the end of the March quarter, the repairs to footpath totalled 1,638 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 March quarter is \$2,160. 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 6 at the end of the March quarter.

Footpath Reconstruction comprises programmed reconstruction by contract for segments of various types of footpaths ranging from concrete slabs to asphalt, brick, tile and heritage slabs. The Service Level for this program is 2.0km of footpath reconstruction. During the March quarter, 2 sections of footpaths totalling 0.17km were reconstructed. At the end of the March quarter, 16 sections of footpath totalling 2.09km have been reconstructed and this program is now completed. In addition to the adopted Footpath Reconstruction Program, a committed footpath project on Norwood Avenue, which was to be funded by the RLCIP2 Program but disallowed by the Department of Infrastructure, was undertaken during the March quarter.

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

Roadside Furniture

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

Street Name and Traffic Signs routine maintenance comprises programmed installation of new advisory and directional signs, and on demand repair/replacement of street name and traffic signs. During the March quarter, 245 signs were maintained and 40 new signs were erected. At the end of the March quarter, 904 signs were maintained and 143 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 March quarter: 108 guide posts and 179 metres of safety fences were maintained, and no new safety fences or guide posts were erected. At the end of the March quarter: 503 guide posts and 1,656 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 March 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 March quarter. Tightening of through rods for the pontoons at Berowra Waters West, Kangaroo Point, McKell Park and Parsley Bay East and West were undertaken in March 2010.

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. Repair of 4 piles and replacement of 10 sections of decking were undertaken at Brooklyn Baths in January 2010.

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 \$7,500 per year. The average maintenance cost per km at the end of the March quarter is \$4,870. This figure does not include the cost of works that have been completed during the March quarter but as yet unpaid.

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 March quarter, shown within brackets, was 84 roads totalling 150,418 m2 and was as follows:

- * Asphaltic Concrete resurfacing 54 roads - 83,560 m2 (26 roads - 64,762 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 March quarter, shown within brackets, was 24 roads totalling 9,214 m2 and was as follows:

- * Heavy Patching with AC 49 roads - 2,930 m2 (24 roads - 9,214 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 March quarter, 1,013 potholes were repaired in 203 roads and consumed approximately 50.8 tonnes of AC. At the end of the March quarter, 2,322 potholes were repaired in 403 roads and consumed approximately 126.5 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 March quarter, 2,733 square metres of restorations were carried out on 100 roads and 26 service adjustments were made on 4 roads. At the end of the March quarter, 2,733 square metres of restorations were carried out on 100 roads and 30 service adjustments were made on 7 roads.

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

STORMWATER MANAGEMENT

Stormwater management major activities include:

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

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

Progress of programmed activities for Stormwater Management is generally in accordance with the adopted programme given in Gantt Chart D. Minor drainage improvement/upgrading works was in progress with the upgrading works for the Lonsdale Avenue project being undertaken in March 2010. 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. Engagement of 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 was made in January 2010. The extended study commenced in early January and is scheduled for completion by May/June 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. Running of the optimisation model on the PMS in conjunction with the preparation of the 2010/11 Pavement Works Maintenance Program was undertaken in March 2010.

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 March quarter.

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

Footpath Management System (FMS)

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

- * Collection of footpath condition data for the whole network.

- * Ongoing development of graphical access to FMS data.
- * Formulation of the Annual Footpath Maintenance and Reconstruction Programs.

The collection of footpath condition and inventory data by a contractor was undertaken during 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. WK34/10 be received and the progress of the 2009/10 Assets Branch Programmes for the March 2010 quarter be noted

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Gantt Chart A - 2009/10 Northern District Works Maintenance Programme as at 31 March 2010

2. Gantt Chart B - 2009/10 Southern District Works Maintenance Programme as at 31 March 2010
3. Gantt Chart C - 2009/10 Pavement Works Maintenance Programme as at 31 March 2010
4. Gantt Chart D - 2009/10 Stormwater Management Programme as at 31 March 2010
5. Gantt Chart E - 2009/10 Asset Management Systems Implementation Programme as at 31 March 2010

File Reference: F2004/05959-02

Document Number: D01387236

16 HORNSBY SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE - APPOINTMENT OF COMMUNITY REPRESENTATIVES

EXECUTIVE SUMMARY

The Hornsby Shire Floodplain Risk Management Committee (FRMC) will have 10 members comprising two Councillors, three Council officers, three local community representatives and one officer each from the State Government and the State Emergency Services (SES).

Council has resolved that Councillors Wendy McMurdo and Andrew Martin be the two Councillor representatives on the FRMC and with Councillor McMurdo as the Chairperson of the Committee.

Council, as part of the work required for the preparation of the new comprehensive LEP and the development of the Floodplain Risk Management Plan (FRMP), has undertaken a Broadscale Overland Flow Study to identify properties potentially affected by overland flow in the urban areas of the Shire. The FRMC should now be established with the appointment of the three local community representatives to oversee the development of Council's FRMP.

This report recommends the appointment of Mr Chris Taylor, Mr Colin Morrison and Ms Vanessa D'Emanuele as the three local community representatives of the Hornsby Shire FRMC. This report also recommends that Mr Brian Pearson be appointed as the reserve local community representative in the event that any of the recommended applicants decline to accept their appointment as local community representative or resigns from the FRMC at some future stage.

PURPOSE/OBJECTIVE

This report contains a recommendation to Council to appoint the three local community representatives to the Hornsby Shire Floodplain Risk Management Committee (FRMC).

DISCUSSION

Council at its Ordinary Meeting held on 23 November 2005, when considering Executive Manager's Report No. WK64/05 resolved inter alia, to establish a Floodplain Risk Management Committee of 10 members comprising two (2) Councillors, three (3) Council officers, three (3) Local Community representatives and one (1) officer each from the State Government and the SES. Council at its Ordinary Meeting held on 9 September 2009, when considering Executive Manager's Report No. CC71/09 also resolved that Councillors Wendy McMurdo and Andrew Martin be the two Councillor representatives on the FRMC and with Councillor McMurdo as the Chairperson of the Committee.

Council, as part of the work required for the preparation of the new comprehensive LEP and the development of the Floodplain Risk Management Plan (FRMP), has undertaken a Broadscale Overland Flow Study (using Consultants) to identify properties potentially affected by overland flow in the urban areas of the Shire. Council has also received a grant of \$19,000 from the Department of Environment, Climate Change and Water (DECCW) to extend the broadscale study to a level suitable for the FRMP. A further grant of up to

\$10,000 has also been offered by the DECCW to assist with the cost of developing Council's FRMP.

Due to funding constraints and the need for this Committee at that time, the establishment of the FRMC had been deferred. It is considered that this Committee should now be established to oversee the development of Council's FRMP. In this regard, an advertisement seeking expressions of interest for the three local community representatives was placed in the Northern District Times, Hornsby Advocate and Hill Shire Times from Tuesday, 29 September to Thursday, 15 October 2009. The closing date for submissions was 4.00pm Tuesday, 20 October 2009.

The advertisement seeking Expressions of Interest (EOI) noted that three local community representatives were to be selected for the FRMC with one community representative from each of the three Wards in the Shire. The Selection Criteria for membership to the FRMC were:

- Knowledge of/ability to identify and communicate aspects of community interest and concerns about flooding issues,
- Relevant community participation experience and/or qualifications in environmental matters, town planning and/or engineering would also be desirable.

The following core skills were considered desirable in assessing the suitability of the applicants.

- Requires some understanding of Floodplain Risk Management techniques (FRM).
- Requires ability to understand and interpret the interests and concerns of the community with particular emphasis on safety.
- Requires ability to report accurate facts, on merit, relevance, sound environmental grounds and on positive community benefit basis.
- Requires knowledge of the impacts of section 149 Notices on property values and insurance premiums.
- Requires understanding of community participation and the impacts of decisions on environmental, town planning, engineering, financial and safety grounds.

Six applications were received for the three local community representatives to be selected for the FRMC. Three applicants were from the A Ward, and two applicants were from the B Ward of which one lives just outside the C Ward boundary. One applicant was not a resident of the Shire and, as applications from residents had been received, this application was not further considered. During this process, it was necessary to either phone an applicant for more information or to carry out internal reference checks to satisfy whether an applicant holds the required set of core skills.

A spreadsheet containing **confidential** information regarding the assessment of the applications is forwarded to Councillors under separate cover.

All applicants hold suitable qualifications however, the preferred applicants are recommended because of their particular qualifications, experience or community consultation experience that would complement the operations of the FRMC. The following applicants are recommended for appointment as local community representatives of the FRMC:

- Mr Chris Taylor (A Ward) is an Accredited Economist and Accountant with technical qualifications, relevant experience and community consultation skills.

- Mr Colin Morrison (B Ward) is a Civil Engineer with technical qualifications, relevant experience and community consultation skills.
- Ms Vanessa D'Emanuele (C Ward) is a Town Planner holding environmental planning, relevant experience and community consultation skills.

It is also recommended that Mr Brian Pearson of A Ward be appointed as a reserve for the FRMC in the event that any of the applicants recommended for appointment decline to accept their appointment as local community representative or resigns from the Committee as some stage in the future.

BUDGET

An allocation has been made in the draft 2010/11 budget for the establishment and operation of the FRMC.

POLICY

There is no policy implications associated with this report.

CONSULTATION

There has been consultation between the relevant officers of the Works and Environment Divisions.

TRIPLE BOTTOM LINE SUMMARY

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

It is considered that a TBL assessment is not required for this report as no work is proposed.

RESPONSIBLE OFFICER

The responsible officer is Mr Michael Bickford, Investigations Engineer, telephone number 9847 6825.

RECOMMENDATION

THAT Council:

1. Appoint Mr Chris Taylor, Mr Colin Morrison and Ms Vanessa D'Emanuele as local community representatives of the Hornsby Shire Floodplain Risk Management Committee.
2. Appoint Mr Brian Pearson of A Ward as a Reserve for the Hornsby Shire Floodplain Risk Management Committee in the event that any of the applicants recommended for appointment decline to accept their appointment as local community representative or resigns from the Committee as some stage in the future.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Floodplain Risk Management Committee Application Assessment - *This attachment should be dealt with in confidential session, under Section 10A (2) (a) of the Local Government Act, 1993. This report contains personnel matters concerning particular individuals (other than councillors).*

File Reference: F2006/00094
Document Number: D01392830

17 WORKS PROGRESS REPORT - MARCH QUARTER 2010 - DESIGN AND CONSTRUCTION BRANCH

EXECUTIVE SUMMARY

This is a report on the progress of works which are carried out by the Design and Construction Branch of the Works Division for the third 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

Footpath construction along the southern side of Norwood Avenue Carlingford between North Rocks Road and Orchard Road has been included in the Footpath Improvements Program. Initially funding was sought from the Federal Government Regional and Local Community Infrastructure Program (RLCIP), however, Council's proposal was not acceptable. This project is now funded by Asset Branch maintenance funds (\$30K).

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 2010/2011 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.

Hornsby Quarry – The pumping of water out of the quarry pit is underway. Council's Water Catchments Team is regularly monitoring the water quality to ensure compliance with EPA regulations. A one in a hundred year storm event occurred on the 12 February 2010 causing considerable damage to the access roads into the quarry with some scouring up to 2 metres deep. The restoration of the roadway, barriers, fencing, and fuel line cost approximately \$40,000 and was necessary to ensure access to the pumping equipment and the water body for continued monitoring.

County Drive – This project has been delayed and has been the subject of report WK22/10 at the March Ordinary Meeting where it was resolved that a trial of an amended proposal should proceed. Plans have now been revised for submission to the Local Traffic Committee. Community consultation is now proceeding.

Tenders / Contracts

Tenders called during the March quarter were:

1. Electrical Services
2. Supply and Delivery of Road Materials
3. Supply and Delivery of Concrete

Current contracts include:

1. Material Testing of Site Investigation
2. Concreting Form and Finish
3. Supply of Delivery of Precast Concrete Drainage Products
4. Design and Construction Epping Water Harvesting
5. Construction of Water Supply to Crosslands Reserve
6. Minor Asphalt Works
7. Stabilisation of Road Pavements
8. Supply and Delivery of Precast Concrete Drainage Products
9. Plumbing Services
10. Construction and Reconstruction of Vehicular Crossings and Footpaths
11. Sprayed Bituminous Surfacing
12. Patching of Road Pavements with Full Depth Asphalt
13. Supply and Lay Asphaltic Concrete
14. Pavement Marking (NSROC)
15. Grass Cutting of Roadsides
16. Greenway Park Community Centre Upgrade and Construction of Childcare Centre
17. Cherrybrook Community Childcare Facility – Consultant to Finalise Plans and Documentation
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
20. Design and Construction Epping Water Harvesting Schemes

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 44 Authorised Contractors, including two new contractors authorised during the quarter.

During the March quarter 59 plans and specifications were issued and 1 crossing was constructed by Council's contractors.

BUDGET

Oxford Street – Stage 2 has now commenced and is estimated to cost approximately \$2.2 million, and includes a contingency of \$0.2 million. It was previously reported (Report WK43/09) that the estimated cost was in the order of \$1.7 million for stage 2 however the following factors have resulted in additional costs:

- Increasing construction and material costs since previously estimated
- A reduction in the extent of works undertaken in stage 1 due to poor subgrade conditions and public utility issues.
- Increase in service relocation costs
- Increase in night work proposed to minimise impact on businesses

The funding of these additional estimated costs is proposed from savings on other Local Road projects (Woonona Ave \$69K, McCallums Rd \$55K, Preconstruction \$70K, Berowra Waters Rd \$87K), some additional grant funding (R2R \$92K, RLCIP2 \$67K), and a proposed increase in the allocation for Oxford Street in the 2010/2011 Local Road Program.

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. WK37/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Gantt Charts

File Reference: F2004/05959-02
Document Number: D01393600

18 HORNSBY CBD DRAINAGE PROJECT - CURRENT STATUS

EXECUTIVE SUMMARY

Capacity problems in the Hornsby CBD drainage system for Burdett Street to Albert Street have been apparent for many years.

Council has used consultants to study this drainage system and determine a solution. The most recent study in 2004 recommended major upgrading of the system in 2 stages (see map attached). Stage 1 is from Hunter Street to Albert Street via a deep tunnel and then on to Water Street with augmentation of the existing pipe. Stage 2 is from Hunter Lane to Linda Street and then on to Hunter Street with augmentation of the existing pipe. Part of Stage 2 has been completed in conjunction with the property redevelopment in George Street.

The current estimated costs for the Hornsby CBD Drainage work are:

Stage 1: Hunter St – Albert St – Water St	\$5,300,000
Stage 2: Hunter Ln – Linda St – Hunter St	<u>\$2,200,000</u>
Total	<u>\$7,500,000</u>

Currently, there are funds of \$2,277,244 held in the Hornsby CBD Drainage Internal Restricted Asset Account. The draft budget for 2010/11 includes a further allocation of \$360,000. At current funding levels, it is not possible for the project to proceed.

Consultants have been engaged to review the impacts of the recent heavy rains in February 2010 and identify any other possible lower cost alternatives to the proposal described above.

The report recommends that Council notes the current status of the Hornsby CBD Drainage Project. A further report will be submitted to Council, on completion of the current study on possible lower cost alternatives, with regard to the strategy for funding the works required.

PURPOSE/OBJECTIVE

This report provides information on the current status of the Hornsby CBD Drainage Project under Council's Stormwater Improvement Program.

BACKGROUND

Capacity problems have been apparent for many years in the stormwater drainage system from Burdett Street to Albert Street. This system traverses from Burdett Street via Hunter Lane, Linda Street, Hunter Street, Albert Lane, and Albert Street to Water Street. In relatively minor storms (say annually), properties at the low points in Hunter Street, Albert Lane and Albert Street are affected by overland flows. This can include habitable and non-habitable areas of properties, depending on the intensity of the storm.

Council engaged consultants in 1988 to study the CBD drainage systems to determine applicable s94 development contributions. Various shortcomings already existing in the drainage systems were recognised and it was also noted that s94 contributions could only

provide a portion of the funding needed to rectify these shortcomings. Contributions have been collected from developers, and s94 funds available for upgrading the CBD stormwater drainage system as at 31 December 2005 was \$255,000.

In 1998, Council adopted the Stormwater Catchment Management Plan (SCMP) for the Hornsby Creek Catchment. This Plan recommended various works to be undertaken.

Council then engaged consultants in 2001/02 to undertake the detailed analysis of this drainage system and prepare options to address the deficiencies. The conclusions from this analysis are that most sections of the system need extensive upgrading. Due to the extent and cost of the works that will be required, it was decided that the project needs to be staged.

The detailed investigation of suitable methods for constructing the works and the determination of the most suitable staging for undertaking the works continued in 2003/04. This culminated with a cost estimate of \$4,000,000, at that time, with recommended stages as follows:

Stage 1 – Hunter Street to Albert Street to Water Street will involve considerably deep tunnelling works using specialist contractors for the section from Hunter Street to Albert Street. The section from Albert Street to Water Street will require the amplification of the existing pipeline at a great depth. Tunnelling is considered necessary in order to minimise the disturbance to existing roads, structures, services and landscaping. To achieve good economy in the cost of these works and practicality in tunnel construction, it will also be necessary to carry out the whole of Stage 1 as one project.

Stage 2 – Burdett Street to Linda Street to Hunter Street will require the amplification of the existing pipeline from Hunter Lane to Hunter Street and the construction of a new pipeline from Burdett Street to Hunter Lane. Part of the Stage 2 works from Burdett Street to Hunter Lane should be undertaken in conjunction with the redevelopment of properties fronting George Street. This included works associated with the sale and development of the former Burdett Street depot site. Some of the works required will be at developer's cost. Provision should however be made for works that need to be undertaken by Council. The staging of some of the works may also need to be brought forward to coordinate with the proposed developments.

The sale and development of the former Burdett Street depot site in late 2004, required bringing forward some of the Stage 2 works. This involved the relocation of drainage lines from both George Street and Burdett Street to Hunter Lane. This work was completed in April 2005 at a cost to Council of \$430,000.

In June 2005, part of a driveway slab for a unit block at 73-75 Albert Street, Hornsby subsided badly. This driveway is located over the top of the trunk drainage line and inspection showed that the subsidence was due to the washing out of material from under the slab by a leaking joint in the culvert. Council's offer to share the costs of the repair of the slab was accepted by the Body Corporate.

As part of the Stage 1 works, reconstruction of this driveway slab at a lower level in order to improve the overland flowpath had been identified. It was then decided to bring this work forward and to undertake the work in conjunction with the driveway slab repair work. The cost for this improvement work was \$50,000 and was carried out in February/March 2006

CURRENT STATUS AT 30 APRIL 2010

The estimated cost of the construction stages for the Hornsby CBD Drainage project has been updated and is tabulated below:

Project	Project Description	Cost Estimate
Stage 1	Hunter Street to Albert Street to Water Street	\$5,300,000
Stage 2	Hunter Lane to Linda Street to Hunter Street	\$2,200,000
Total for Stages 1 & 2		\$7,500,000

The Hornsby CBD Drainage Internal Restricted Asset Account currently has \$2,277,244 which included an allocation of \$330,000 in the 2009/10 budget. The Draft Budget for 2010/11 includes a further allocation of \$360,000. At current funding levels, it is not possible for this project to proceed.

The Design and Construction Branch has recently engaged a consultant to review the design prepared in 2003/04, to determine if the heavy rains in February 2010 were equal to a 1 in 100 year ARI storm and identify any other lower cost alternatives to the piping upgrades previously proposed. These could include improvements to the overland flowpaths, large detention storages and flood proofing of buildings, or other innovative solutions.

This review is anticipated to be completed in July 2010. On completion of this study, a further report will be submitted to Council on the strategy for funding the work required.

BUDGET

There are no budget implications at this time.

POLICY

There is no policy implications associated with this report.

CONSULTATION

There has been consultation between the relevant officers of Works Division.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line assessment is not required for this report.

RESPONSIBLE OFFICER

The responsible officer is Mr Michael Bickford, Investigations Engineer, telephone number 9847 6825.

RECOMMENDATION

THAT:

1. Council note the current status of the Hornsby CBD Drainage Project.

2. A further report is submitted to Council with regard to the strategy for funding the works required on completion of the current study on possible lower cost alternatives.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Hornsby CBD Drainage Project - Construction Stages

File Reference: F2004/05959-02
Document Number: D01396213

19 WORKS PROGRESS REPORT - MARCH 2010 QUARTERLY - TRAFFIC AND ROAD SAFETY BRANCH

EXECUTIVE SUMMARY

This report provides Council with information on the works and activities undertaken by the Traffic and Road Safety Branch for the period 1 January 2010 to 31 March 2010. 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, 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 10 items were referred to the Local Traffic Committee for a recommendation as shown in Attachment 1. Throughout all of the above projects the community was consulted and where possible amendments made to suit the community's needs or requests.

Traffic and Transport Planning

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

Current major projects include:

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

- * Updating of Hornsby CBD and Shire traffic models (on-going)
- * Hornsby Shire Housing Strategy
- * Review the Hornsby Shire Road Hierarchy Plan
- * Development of Hornsby Town Centre Car Parking Management Strategy brief following confirmation of RTA matching grant
- * Review and assessment of intersection operation and network impacts of Duffy Avenue and The Esplanade intersection
- * Review and implementation of Hornsby Shire Integrated Land Use & Transport Strategy (on-going)

Since June this 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 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. 1279 parking spaces in 14 car parking areas within the Shire are currently patrolled as shown in Attachment 1.

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

- * *192 (207) patrols of schools to enforce parking regulations.*
- * *2,914 (2,838) infringement notices were issued.*

* 6 (6) matters were defended in Hornsby Local Court.

(--) denotes activities from January to March 2009.

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 were 2 Traffic Ranger vacancies in this period.

Road Safety Education

The Road Safety Officer commenced maternity leave starting end January 2010. The RTA on Council's behalf has requested expressions of interest to fill the temporary vacancy without success. Council is currently advertising for a temporary replacement.

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.
- Invite tenders for Brooklyn Shared Cycleway study.

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 4 development applications as shown in Attachment 1.

BUDGET

There are no budget implications intended in this report.

POLICY

There are no policy implications.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT Council endorse the activities undertaken by the Traffic and Road Safety Branch for the period 1 January 2010 to 31 March 2010.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Traffic Report

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