



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 18 August, 2010
at 6.30pm**

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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Rev. Dick Udy of Dural Anglican Church, Dural 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 July, 2010 be confirmed; a copy having been distributed to all Councillors.

THAT the Minutes of the Workshop Council Meeting held on 28 July, 2010 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION

RESCISSION MOTIONS

MATTERS OF URGENCY

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

Note:

Persons wishing to address Council on matters which are on the Agenda are permitted to speak, prior to the item being discussed, and their names will be recorded in the Minutes in respect of that particular item.

*Persons wishing to address Council on **non agenda matters**, are permitted to speak after all items on the agenda in respect of which there is a speaker from the public have been finalised by Council. Their names will be recorded in the Minutes under the heading "Public Forum for Non Agenda Items".*

GENERAL BUSINESS

- *Items for which there is a Public Forum Speaker*
- *Public Forum for non agenda items*
- *Balance of General Business items*

GENERAL MANAGER'S DIVISION**Page Number 1**

Item 1 GM17/10 REVIEW OF INTERNAL AUDIT PLAN 2009/2010 (AS AT 30/06/10)

RECOMMENDATION

THAT:

1. The contents of General Manager's Report No. GM17/10 be received and noted.
2. A review of the Internal Audit Plan continues to be presented to Council on a half yearly basis.

CORPORATE AND COMMUNITY DIVISION**Page Number 4**

Item 2 CC39/10 REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE - REPORT ON SUBMISSIONS RECEIVED

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC39/10 be received and noted.
2. The proposed amendments to the Audio Recording of Council Meetings Policy (*shown in track changes*) be adopted, noting that the amendments are in line with Option 3 as detailed in Report No. CC39/10.
3. In line with 2. above, staff make the necessary administrative changes to Council practices to minimise privacy concerns associated with the release of audio recordings of Council Meetings to members of the public.
4. The attached amended draft Code of Meeting Practice, incorporating changes as recommended in Report No. CC24/10; and further changes recommended in Report No. CC39/10 (*shown in track changes*), be adopted.

Page Number 14

- Item 3 CC45/10 REVIEW OF COUNCIL'S IMPLEMENTATION OF THE REQUIREMENTS OF THE GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT; AND DOCUMENT ACCESS APPLICATIONS RECEIVED BY COUNCIL UNTIL 30 JUNE 2010.**

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC45/10 be received and noted.
2. The documents outlined in Attachment 2 of Executive Manager's Report No. CC45/10 remain exempt from release under Council's former Document Access Policy.
3. The draft Access to Information Policy attached to this Report be adopted to replace Council's Document Access Policy.

Page Number 25

- Item 4 CC46/10 COMMUNITY DONATIONS PROGRAMME - 2010/11**

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC46/10 be received and noted.
2. The organisations listed below (and further detailed in Attachment 3 to Report No. CC46/10) receive financial assistance from Council in 2010/11 in accordance with the Policy titled Council Cash and Non Cash Donations and Grants.

Organisation	Funded Amount
1st Cherrybrook Scouts	500.00
Art on Loftus	1,000.00
Berowra Senior Citizens Club	500.00
Brooklyn Public School - P&C Association	500.00
Cherrybrook Presbyterian Church	1,000.00
Chinese Family Group	1,000.00
Combined Probus Club of Cherrybrook inc.	500.00
Disabled Alternative Road Travel Service (DARTS)	1,000.00
Easy Care Gardening Inc	4,850.00

Easy Care Gardening Inc - (2)	400.00
Fairholme Quilters Inc.	1,368.00
Ferry Artists Gallery	1,600.00
Friends of the Richard Geeves Centre	500.00
Hornsby and District Totally and Permanently Disabled Veterans Social Welfare Club	500.00
Hornsby Area Residents for Reconciliation	1,400.00
Hornsby Community Church	1,000.00
Hornsby Ku-Ring-Gai Association Action for Mental Health	1,500.00
Hornsby Ku-ring-gai Police and Community Youth Club (with Hornsby Chinese Seniors Group)	1,000.00
Hornsby Legacy Widows Club	500.00
Hornsby Rockets Ten Pin Bowling Team	1,000.00
Hornsby South Before and After School Care	700.00
Hornsby Squealers - Spanish Playgroup	500.00
Hornsby Waitara Community Hub	3,446.50
Indian Seniors Group Hornsby	1,000.00
Korean Community Hornsby	400.00
Ku-ring-gai and Hornsby Volunteer Coordinators Forum	1,500.00
Multicultural Integration Community Support (MICS) Inc	700.00
Namaste India	1,000.00
Parkinson's NSW Hornsby Ku-ring-gai Support Group	1,000.00
Permaculture Sydney North (PSN) - Hornsby Local Group	2,000.00
Sa Rang Bang Korean Community	300.00
Springfest Steering Committee	450.00
St Peters Anglican Church Hornsby - ESL Group	2,000.00
Studio ARTES Northside Inc	2,650.00
Vishva Hindu Parishad of Australia Inc	1,300.00
Mayor's Youth Trust Fund	3,000.00
Emergency Relief Fund	5,000.00
Hornsby Art Gallery Fees	3,400.00

3. Any further requests for financial assistance received in the 2010/11 financial year from community groups/organisations that meet the criteria of Council Policy

POL00209 - Cash and Non Cash Donations and Grants, be referred to the Mayor, General Manager and Manager, Community Services Branch for consideration.

Page Number 31

Item 5 CC47/10 INVESTMENT AND BORROWING REPORT - PERIOD ENDING 30 JUNE 2010 (PRE-AUDIT)

RECOMMENDATION

THAT the contents of the Executive Manager's Report No CC 47/10 be received and noted.

ENVIRONMENT DIVISION

Page Number 35

Item 6 EN33/10 HORNSBY CREEK CATCHMENT URBAN SUSTAINABILITY PROGRAM - DRAFT STRATEGY

RECOMMENDATION

THAT:

1. Council note the issues that have been identified by survey in the Hornsby Creek Catchment and the emerging impacts on the quality of the catchment including water quality over recent years.
2. Endorse the initial actions identified in the attached Draft Hornsby Creek Catchment Urban Sustainability Program Strategy.

Page Number 40

Item 7 EN39/10 SYDNEY COASTAL COUNCILS GROUP INC. STRATEGIC PLAN - 2010-2014

RECOMMENDATION

THAT Council endorse the SCCG Final Draft Strategic Plan 2010-2014.

PLANNING DIVISION

Nil

WORKS DIVISION**Page Number 44****Item 8 WK49/10 COMPULSORY ACQUISITION OF CROWN LAND FOR PUBLIC ROAD - LOTS 1-4 DP1133368 CANOELANDS ROAD, CANOELANDS (FORMERLY GLENORIE)****RECOMMENDATION**

THAT:

1. Council approve application for the compulsory acquisition of Lots 1-4 DP 1133368 Canoelands Road, Canoelands.
2. Upon acquisition the land referred to in (1) be dedicated as Public Road.
3. Funding of the acquisition be authorised as set out in the report.
4. The General Manager be delegated with authority to negotiate detailed terms of agreement consistent with this report.
5. The General Manager be authorised to execute any document in relation to this matter deemed appropriate by Council's legal advisors.
6. If required by the absence of the General Manager or by legal statute, Council authorise the use of Council's Seal on any legal documents in relation to this matter deemed appropriate by Council's legal advisors, subject to review and authorisation by an Executive Manager of Council. The documents to include but not be limited to:
 - a. Application for Compulsory Acquisition
 - b. Notice of Road Dedication
 - c. Deed of Agreement and Deed of Release
 - d. Registration of Transfer or Request

Page Number 48**Item 9 WK50/10 WORKS PROGRESS REPORT - JUNE 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 57

Item 10 WK51/10 WORKS PROGRESS REPORT - JUNE 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 April 2010 to 30 June 2010.

Page Number 61

Item 11 WK52/10 WORKS PROGRESS REPORT - JULY 2010 - REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM ROUND 2 (RLCIP2)

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK52/10 be received and noted.

Page Number 63

Item 12 WK53/10 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM JUNE 2010 QUARTERLY REPORT

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK53/10 be received and noted.

Page Number 66

Item 13 WK55/10 TENDER T16/2010: PATCHING OF ROAD PAVEMENTS IN FULL DEPTH ASPHALT

RECOMMENDATION

THAT Council accept the tender of Bitupave Ltd trading as Boral Asphalt for all work under Tender No. T16/2010: Patching of Road Pavements in Full Depth Asphalt.

Page Number 70

Item 14 WK56/10 ACCESS DEED WITH TELSTRA CORPORATION LIMITED - MOBILE TELEPHONE FACILITY WITHIN NATURE STRIP COUNTY DRIVE CHERRYBROOK (ADJACENT TO 25 COUNTY DRIVE CHERRYBROOK)

RECOMMENDATION

THAT:

1. The Contents of Executive Managers Report No. WK56/10 be noted.
2. Council enter into an Access Deed with Telstra Corporation Limited in respect of a low impact telecommunication facility on the nature strip of County Drive Cherrybrook (adjacent to 25 County Drive Cherrybrook) on the following basis:
 - a. The Access Deed to commence from the date of installation/access to the site.
 - b. Payment of an initial site administration fee in the amount of \$3,300.00 per annum (inclusive of GST).
 - c. The site administration fee to be indexed annually by 5% per annum throughout the term of the Access Deed.
 - d. Telstra Corporation Limited to be responsible to repair and maintain the site and/or structures located on the land during the term of the access deed at no cost to Council. Council shall not be liable for any damage caused to the infrastructure located at the subject site.
 - e. Telstra Corporation Limited shall at the expiration of the term arrange for the removal of all structures placed upon the land at no cost to Council and shall yield up the land in a good and clean condition, fair wear and tear excepted.
 - f. Throughout the term of the Access Deed Telstra Corporation Limited to maintain an appropriate Public Liability insurance policy with Council's interests noted thereon for a minimum indemnity amount of \$20,000,000.00.
 - g. Telstra Corporation Limited to be responsible for the payment of all outgoings incurred in respect of the structures and the area of land occupied including but not limited to any rates assessed, electricity, gas, lighting etc.
 - h. Telstra Corporation Limited shall be responsible to carry out all works and bear all costs incurred in respect of the installation of the structure.
 - i. Telstra Corporation Limited shall bear a maximum of \$1,500 plus GST towards the costs incurred in the formalisation of the access deed.

Page Number 75**Item 15 WK57/10 ENGINEERING SERVICES - BUILDING CAPITAL WORKS PROGRAM 2009/2010 - JUNE 2010 QUARTERLY REPORT****RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK57/10 be received and noted.

Page Number 78

**Item 16 WK58/10 ENGINEERING SERVICES - BUILDING CAPITAL WORKS
PROGRAM 2010/2011**

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. WK58/10 be received.
2. Council adopt the program attached to this report.

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

1 REVIEW OF INTERNAL AUDIT PLAN 2009/2010 (AS AT 30/06/10)

EXECUTIVE SUMMARY

A six monthly report is presented to Council on the progress of the Internal Audit (IA) Plan. Report No. GM4/10 presented to Council's Ordinary Meeting on 17/02/2010 set out the progress details of the 2009/10 IA Plan as at December 2009.

Progress outlined in this Report as at June 2010 resulted in an 80% completion of the original audits and a completion rate of 87% of the other (IA) Plan items including two additional internal engagements.

PURPOSE/OBJECTIVE

To review the progress made within the 2009/10 Internal Audit Plan and provide details of the proposed reorganised 2010/11, 2011/12 and 2012/13 Plans.

DISCUSSION

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

An external quality assessment of the Internal Audit function was conducted in February 2010. This review process is recommended by the Institute of Internal Auditors and was performed in compliance with the attributes and performance standards set forth in the Institute of Internal Auditors "International Professional Practices Framework" (IPPF). A range of audit techniques was used, including interviews with senior management and documentation reviews.

As a result of the assessment process two main areas of non compliance were identified involving Standard 2120 "Risk Management" and Standard 2060 "Reporting".

Risk Management: The report recommended that the basis of the audit plan be changed from the current strong financial review focus to an approach that will improve the effectiveness of risk management, control and governance processes. It was recommended that a risk assessment be conducted by management and that the audit plan be based on the results of the risk assessment.

Reporting: The report recommended that the IA Plan reporting table separates internal audits from other works and activities conducted by the Internal Auditor.

Consequently the 2010/11 IA Plan has been modified based upon feedback from the Executive Managers on risk areas within their divisions and the attached table to comply with the recommendation.

Separate completion rates of 80% for the adopted audits and 87% for the other (IA) Plan items, including two additional internal engagements involving an internal investigation and the provision of information for the ICAC, have resulted as at June 2010.

As outlined in the previous report this completion rate of the adopted audits has been influenced by work carried forward from the previous year and additional items including preparation of expenditure audit certificates associated with grant capital works, internal investigations and assistance in responding to external audit recommendations.

BUDGET

There are no budget implications arising from this report.

POLICY

There are no policy implications arising from this report.

CONSULTATION

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

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

Mr Brian Thompson, Internal Auditor.

RECOMMENDATION

THAT:

1. The contents of General Manager's Report No. GM17/10 be received and noted.
2. A review of the Internal Audit Plan continues to be presented to Council on a half yearly basis.

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Modified 2010/11, 2011/12 and 2012/13 IA Plans.
2. 2009/10 IA Plan - Adopted audits, Other work and activities

File Reference: F2004/06186-02

Document Number: D01462971

2 REVIEW OF COUNCIL'S CODE OF MEETING PRACTICE - REPORT ON SUBMISSIONS RECEIVED

EXECUTIVE SUMMARY

At the Ordinary Meeting held on 19 May 2010, Council considered Report No. CC24/10 which outlined proposed amendments to its Code of Meeting Practice (the Code) and resolved that the amended Code be placed on public exhibition, with a further Report to be prepared for Council's consideration at the conclusion of the public exhibition period, providing details of any submissions received.

A total of 17 submissions were received during the public exhibition period. All of the submissions objected to the proposed cessation of the audio recording of Council Meetings. No comments were provided in respect of any other proposed changes to the Code. Council officers have reviewed the submissions received and have provided three Options for consideration in respect to the future audio recording of Council Meetings.

It is recommended that Council proceed with Option 3. That Option proposes an amendment to the policy regarding the audio recording of Council Meetings to reflect a change in the purpose for which Council audio records its Meetings. Under this Option, Council would continue to audio record its meetings and publish all recordings of non confidential parts of the meetings to its website once the Minutes for the particular Meeting have been finalised.

It is also recommended that the attached amended draft Code of Meeting Practice, which incorporates changes as recommended in Report No. CC24/10 and further changes as recommended in this Report, be adopted.

PURPOSE/OBJECTIVE

The purpose of this Report is to respond to Council's resolution in respect of Report No. CC24/10 and comment on the submissions received in respect of Council's amended Code of Meeting Practice.

DISCUSSION

At the 19 May 2010 Ordinary Meeting, Council considered Report No. CC24/10 – Review of Council's Code of Meeting Practice, and resolved that:

- 1. The draft amended Code of Meeting Practice attached to Executive Manager's 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.*

In accordance with the 19 May 2010 resolution, notice of the amended Code was advertised on Council's website and in three local newspapers in the week commencing 7 June 2010.

Submissions were invited to be provided to Council by 23 July 2010. It is noted that the proposed amendments to the Code were in respect of the following:

- 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

At the time of writing this Report, a total of 17 submissions have been received. Each of the submissions objected to the cessation of the audio recording of Council Meetings as had been proposed in the amended Code. No concerns were raised in respect of any of the other proposed amendments to the Code. As such, the issue of the audio recording of Council Meetings is the only matter addressed in this Report. (N.B. Each of the 17 submissions are recorded in Council's electronic document management system and are available for viewing on request)

A summary of the main points raised in the submissions is provided below:

- the apparent low number of applications to access the recordings should not be seen as an indication of the importance of the recordings being accessible if so desired.
- the current process of accessing the recordings is time consuming, costly and unreliable, and this contributes to the low level of applications
- the audio recordings are the only record of public address at Council Meetings and this is particularly important as the public's comments are not recorded in Council's official Minutes
- the recordings should be retained as an historical record, for possible future reference, and for verification of public addresses to Council, particularly for those who were unable to attend the Council Meeting
- the recordings support the democratic process and contribute to transparency and accountability in the conduct of Council business
- discontinuing the recording of Council Meetings, and/or not having the recordings available to members of the public would affect the rights of the community to be fully aware of, and involved in, the transaction of business by Councillors
- the recordings are considered a valuable tool in encouraging involvement and awareness of a broader section of the community
- Council Meetings should be broadcast live via the web, or at least the recordings should be available from Council's web site once the Minutes have been finalised. Such treatment of the recordings would be in line with the spirit of the Government Information (Public Access) (GIPA) Act, which came into effect on 1 July 2010
- Members of the public who are interested in, but unable to attend, a Council Meeting could gain a fuller understanding of the decisions of Council by referring to public address and debate by Councillors, rather than just the record of decisions as contained in the formal Minutes
- the costs involved in the process and in the maintenance of relevant equipment are considered justified and well worthwhile. There are savings which could be made in other areas of Council's operations if necessary to offset the cost. The newer digital recordings are less expensive and more easily maintained than the old tape recordings

- as Council Meetings are public meetings, confidential or personal matters should not be discussed during the open part of the meeting
- it is necessary to record the meetings in order to ensure the accuracy of the Minutes
- if Council is reluctant to continue to record the meetings, opportunity should be provided for individuals to record the meetings themselves

To assist Council in its consideration of the above points, the section of Report No CC24/10 which related to the audio recording of Council Meetings is repeated below:

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.

Further to the information contained in Report No. CC24/10, the following points are provided as either comments or clarification in respect of some of the issues raised in the submissions received from the public:

- Council first considered the issue of audio recording of its meetings in 2002 when the practice was called in to question by PrivacyNSW. At the time, concerns were raised by PrivacyNSW that the recordings may contain, albeit unsolicited, personal comments regarding other people. This was of particular concern if the comments were made about third persons who were not present at the meeting. The advice of PrivacyNSW was that, if Council was to continue the practice of recording its meetings, it would be prudent to advise all present that this was being undertaken, and, just as importantly, the purpose for which the meetings were being recorded. Consequently, Council reviewed the then current process and determined that the main reason at that time for recording the meetings was to assist in the accuracy of the Minutes. This led to Council's current practice of the inclusion of a statement by the Mayor at the commencement of the meeting advising that the meetings were being recorded and why, as well as the placement of appropriate signage in the Council Chambers stating same.
- As part of the recent review of Council's Code of Meeting Practice, the reason for recording the meetings was re-evaluated. Research revealed that over the ensuing years the audio recordings of Council Meetings had rarely been utilised for the stated purpose of verifying accuracy of the Minutes of the meeting. The practice of recording the meetings was not, therefore, in accordance with Council's stated purpose for doing so. This then led to reasoning that if current use of the audio recordings was not required to confirm accuracy of the minutes, and this had previously been considered the main reason for doing so, it seemed the requirement to record the meetings no longer existed. Hence, the proposal in the amended Code to discontinue this practice.
- The number of times requests had been made to access the recordings was taken into consideration in Report No. CC24/10, and contributed to Council's officers'

summation that there was no significant demand, and therefore little requirement, to continue the process. The number of submissions received objecting to the cessation of the audio recording of Council Meetings is nearly triple the number of applications actually received, on average, per year, to access those recordings.

- Magnetic tapes are no longer used in the recording of Council Meetings. There is, however, a small number of references to “tape” recordings within the Code. This is an oversight, and the final version of the Code will include the amendment, where appropriate, of reference to “tape” being replaced by “audio”.
- The issue of cost is two-fold. Firstly, there is the cost of the technology and equipment and secondly, the resourcing costs of processing applications.
- With regard to maintaining equipment, Council has upgraded the equipment several times over the last few years. In order to keep the equipment as reliable and up to date as possible without being cost prohibitive, the upgrades have been undertaken in stages. This causes inherent problems with new equipment being added to old. Whilst best efforts have been expended to ensure smooth integration, some ad hoc issues remain. Although the equipment has been operating at a reasonably reliable level during the Council Meetings of late, unexplained one-off issues are often experienced during set up and testing of the equipment prior to commencement of the Meetings. Once again, this is a strain on resources often requiring the involvement of several groups of people (i.e. Information Systems Branch staff, Administration Services Branch staff, electricians, etc) in order to resolve the issue in time for the meeting. In addition, as those who request copies of the audio recordings may have encountered, despite the appearance of operating successfully, it seems the equipment sometimes fails without notice. This is evidenced when a copy of the recording is attempted to be provided in response to a request but is unable to be produced. This is of great concern to Council staff, and has sometimes resulted in questions from members of the public regarding Council’s openness and accountability.
- With regard to resourcing, 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 party whose personal information is included on the audio recording. This is a very time consuming practice requiring a considerable investment of Council resources. Such a detailed process has been considered necessary because of concerns raised by PrivacyNSW (refer Report No. CC95/02) that the recordings could inadvertently include personal information about people who may, or may not, be present at the meeting, and privacy issues could arise when providing a copy of the recording to a third party.
- In respect of a member of public making their own recording of a Council Meeting, reference is made to Clause 273 of the Local Government (General) Regulation 2005, which states:

273 Tape recording of meeting of council or committee prohibited without permission

- (1) *A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or committee.*
- (2) *A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for using or having used a tape recorder in contravention of this clause.*
- (3) *If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.*
- (4) *In this clause, **tape recorder** includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.*

The above regulation is appropriately reflected in Council's Code of Meeting Practice.

Options for Consideration

Having regard to the number of submissions received and the apparent high level of interest in this matter, Council staff believe that there are three options for Council's consideration. Those options are to:

- maintain the status quo
- cease the recording of Council Meetings (as recommended in Report No. CC24/10)
- amend Council's Policy regarding the recording of Council Meetings to reflect a change in the stated purpose for which the meetings are being recorded. This change in purpose would reflect the sentiments in the submissions received that the meetings should be recorded in order to provide a record of public comment at Council Meetings, to provide easy accessibility by members of the public to the business dealings of Council, to support the democratic process, and to ensure openness and accountability by Council.

Option 1 – Maintain the Status Quo

This Option would see no changes to Council's practice of recording the Meetings and the recordings being made available to members of the public via an application process. There would seem to be little benefit in this Option as it does not address the issues of the investment of time by Council officers or concerns regarding the purpose of recording the Meetings. Although this Option maintains public access to the Council recordings, it does not enhance the process or respond to concerns raised by the community in terms of cost or ease of obtaining such access.

Option 2 - Cease Recording of Council Meetings

This Option is in line with the recommendation of Report No. CC24/10 i.e. it would satisfy the intent of removing administrative tasks which were time consuming and potentially costly to maintain, in relation to a service which was seldom utilised and did not appear to be highly valued by the community. However, in light of the submissions received, this Option would appear to be contrary to the wishes of the community. Although the number of submissions received is small in relation to the total population, the views expressed are nevertheless consistent and expressed in strong terms.

Option 3 – Amend Council’s Policy on Audio Recording

This Option proposes that Council amend its policy to reflect a change in the purpose for which it records Council Meetings. That amended purpose would relate to the audio recording being undertaken to provide a record of public comment at Council Meetings, enabling greater accessibility to the recordings, and promoting Council’s commitment to openness and accountability. Under this Option, Council would continue to audio record its meetings and make the non-confidential parts of those recordings available to the public on Council’s website, once the Minutes are finalised.

Recommended Course of Action

Council staff believe that Option 3 addresses most of the concerns raised in the submissions by providing for the continuation of the audio recording of Council Meetings, as well as enabling greater accessibility by members of the public to those recordings. It also addresses the issues encountered by Council staff in streamlining the administrative process of ensuring availability to the public of the recordings.

Under this Option, it is proposed that in releasing the audio recordings to the website, Council officers would no longer spend time reviewing them prior to release. Although this may be seen to be contrary to previous advice from PrivacyNSW, Council officers believe that there is an ability to make some changes to current processes such that the concerns previously raised can be alleviated. In this regard, several steps will need to be undertaken to ensure that privacy issues are minimised. These are:

- Council’s Policy – Audio Recording of Council Meetings will be amended to reflect that the purpose for recording Council Meetings is to:
 - provide a record of public comment at Council Meetings
 - support the democratic process
 - broaden knowledge and participation in community affairs
 - demonstrate Council’s commitment to openness and accountability.

(N.B. A draft Policy incorporating this and other necessary changes is included as Attachment 1 to this Report)

The changes to the Policy satisfy the concerns of Council officers that when they release copies of the recordings to members of the public, such release is for a purpose that was stated when the recordings were being made. The amendments also reflect the issues raised by members of the public that public forum comments at Council Meetings are valuable and should be preserved and that availability of the audio recordings of Council Meetings assists in the openness and transparency of the conduct of Council business. Further it works side by side with the new GIPA legislation in increasing availability by the public to Council information

- The statement made at the commencement of each Council Meeting by the Chairperson will need to be revised to reflect the reviewed Policy, and also draw attention to the fact that recordings will be available via the internet. The statement should be amended to read (changes shown in **bold**):

"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings will be made available on Council's website once they have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms."

- Signage currently displayed at Council Meetings will need to be amended to reflect the above statement. It is also appropriate that the signage is placed in additional locations, and be more prominently displayed.
- The statement on Public Forum speaker registration forms will need to be amended to reflect the new Policy.
- At the location of the recordings on Council's website, a disclaimer notice will need to be placed which makes the following statements:
 1. That all speakers at Council's Meeting have been advised that the audio recordings will be available via the internet, and that they were all asked to keep their comments relevant to the issue at hand and to refrain from making personal comments or criticisms.
 2. That Council makes every effort to ensure the audio recording equipment is in good working order at all times, and it is intended that the full Council Meeting (barring confidential items) is included on the recording, but that ad hoc malfunctions with the equipment do occur from time to time. As such Council cannot guarantee that the Meeting is recorded in its entirety. The statement should also note that where Council is aware that the equipment has malfunctioned and parts of the Meeting are missing, advice will be provided.

The above changes, particularly inclusion of reference to the internet and proposed more prominent signage, ensure that every opportunity has been taken to inform speakers and attendees at Council Meetings of the broad accessibility of the audio recordings and of their responsibility not to include personal information in their comments. It is felt that these measures demonstrate that Council has taken all reasonable steps to protect the privacy of all individuals, including third parties. It is believed such actions will satisfy Council's requirements under the Privacy and Personal Information Protection Act in the event that concerns regarding privacy are raised.

It is noted that the upgrade and enhancement of computer software used by Council has enabled accessibility of the audio recordings in a format that, until recently, was not available. Recent technical advancements have provided the ability to store the audio recordings in a particular file format as a document within Council's electronic document records management system. Once stored in the records management system, the record is able to be published to the website. Such publication is now a relatively simple and straightforward process.

As Option 3 is recommended by staff, relevant changes have been made to Section 66(1) (a) and (b) of Council's Code of Meeting Practice to incorporate the inclusion of the Option as it relates to the audio recording of Council Meetings. In addition, any remaining references in the Code to "tape" are proposed to be amended, where appropriate, to refer to "audio". The

attached amended draft Code incorporates the other changes to the Code as proposed in Report No. CC24/10 and shows the further proposed amendments as detailed in this Report in *track changes*.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

Recommended changes to Council's Audio Recording of Council Meetings Policy are attached to this Report.

CONSULTATION

The preparation of this Report has involved a public consultation process where the amended Code was advertised on Council's website and in three local newspapers, and consideration was given to submissions received as a result of such consultation. In addition, in preparing this Report, Council officers have had regard to previous comments from PrivacyNSW and the provisions of the Privacy and Personal Information Protection Act and the Government Information (public Access) Act.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Executive Manager, Corporate and Community Division – Gary Bensley, and the Manager, Administration Services Branch – Robyn Abicair. They can be contacted on 9847 6605 and 9847 6608 respectively.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC39/10 be received and noted.
2. The proposed amendments to the Audio Recording of Council Meetings Policy (*shown in track changes*) be adopted, noting that the amendments are in line with Option 3 as detailed in Report No. CC39/10.
3. In line with 2. above, staff make the necessary administrative changes to Council practices to minimise privacy concerns associated with the release of audio recordings of Council Meetings to members of the public.
4. The attached amended draft Code of Meeting Practice, incorporating changes as

recommended in Report No. CC24/10; and further changes recommended in Report No. CC39/10 (*shown in track changes*), be adopted.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Policy - Audio Recording of Council Meetings
2. Code of Meeting Practice

File Reference: F2006/00032
Document Number: D01425382

3 REVIEW OF COUNCIL'S IMPLEMENTATION OF THE REQUIREMENTS OF THE GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT; AND DOCUMENT ACCESS APPLICATIONS RECEIVED BY COUNCIL UNTIL 30 JUNE 2010.

EXECUTIVE SUMMARY

At the 9 December 2009 Ordinary Meeting, Council considered Report No. CC104/09 which dealt with the impending implementation of new legislation to replace the Freedom of Information (FOI) Act and Section 12 of the Local Government Act (LGA). The Government Information (Public Access) (GIPA) Act subsequently came into effect on 1 July 2010 and has impacted on the provision of access to Council information to members of the public.

With the commencement of the new legislation, Section 12 of the LGA and the FOI Act have been repealed. Public access to information held by Council is now governed by the requirements of the GIPA Act, which in turn has affected some Council procedures and services, such as its Document Access policy. As a result of some of the changes imposed by the GIPA Act, this will be the final Report to Council which provides details of applications to access Council information.

This Report, as well as including the usual information in respect of Document Access Applications, also gives an update and status report on the implementation of the GIPA Act and its impact on any other Council functions and procedures. It recommends the adoption of a new Access to Information Policy (to replace Council's Document Access Policy) to reflect the requirements of the GIPA Act.

PURPOSE/OBJECTIVE

The purpose of this Report is twofold. Firstly, it is to provide Council with the opportunity to review restrictions that have been placed on access to information under Council's Document Access Policy during the period 15 May – 30 June 2010 and to make the reasons for those restrictions publicly available. Secondly, it responds to the resolution in respect of Report No CC104/09 by providing more detailed information and an update on the status and impact of implementation of the GIPA Act on Council's services and procedures.

DISCUSSION

Document Access Applications to 30 June 2010

Council's Document Access Policy facilitates access by members of the public to documents held by Council. The Policy was originally developed having regard to Section 12 of the Local Government Act which, until it was repealed on 1 July 2010, required that Council consider restrictions placed on access to information, and the reasons for such restrictions, within three months of the original request. This Report allows such consideration by Council of document access applications received up until 30 June 2010 and recommends that the relevant documents as outlined in Attachment 2 to this Report remain exempt from release under Council's Document Access Policy.

All the Document Access applications received up until 30 June 2010 have now been processed and finalised and the relevant details are included in this Report. As a consequence, this will be the final Report providing information regarding Document Access applications made under Section 12 of the Local Government Act.

Details of the new process which has been put in place in respect of requests for access to Council information are provided later in this Report. Immediately following, however, is the usual reporting information which applies to those applications made under Section 12 of the Local Government, prior to the commencement of GIPA on 1 July 2010.

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

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

Applications Received 15 May – 30 June 2010

There were 178 applications processed under Council's Document Access Policy in the period 15 May – 30 June 2010. The time taken to process these 178 applications was 385 hours. The processing time service goal for Document Access Applications was targeted as being less than the time allowed for a determination of an application under the FOI Act (which was 21 calendar days). The average processing time for applications received in the period to 30 June 2010 was 18 calendar days.

Restricted Access

Following receipt of applications made under the Document Access Policy, files were reviewed by Council's Information Access Officers in the Administration Services Branch, to determine if any documents fell within any of the exceptions outlined in Paragraphs 3(a) - 3(k) of the Policy and if access should be restricted. Of the 178 applications processed in the period, three applications resulted in restricted access to Council files. In total, three

documents from those restricted access applications fell within the provisions of paragraphs 3(a) - 3(k) of the Document Access Policy.

Review of Access

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

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

Contrary to the Public Interest (PI) - 0 documents

Personnel Matters (PS) – 0 documents

Personal Hardship (PH) – 0 documents

Trade Secrets (TS) – 0 documents

Prejudice the Maintenance of the Law (PL) – 0 documents

Security of Council (SC) – 0 documents

Breach of an Act (BA) - 2 documents

Plans and Specifications (RP) - 0 documents

Commercial Privilege (CP) - 0 documents

Commercial Advantage (CA) – 0 documents

Legal Professional Privilege (PR) - 1 document

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

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

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

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

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

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

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

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

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

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

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

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

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

Some applications could be dealt with directly by the General Manager in accordance with **Section 12A of the Local Government Act - Restriction of Access to Information** mentioned at the beginning of this section of the Report. In these instances, the applications would be registered under Council's Document Access Policy and responded to personally by the General Manager. No documents were dealt with directly by the General Manager during the period to 30 June 2010.

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

FOI Applications to 30 June 2010

During this reporting period, two new FOI applications were received and five FOI applications were determined. In addition, work was carried out on one previous application and one External FOI Review.

The total time spent by Council staff on processing FOI applications during this reporting period was approximately 37 hours. Details of the allocation of this time are included in the

table below. It should be noted that of the total 37 hours, 8.75 hours was spent processing applications submitted by one applicant.

Description	Number of hours expended
Processing of FOI application/s	34.5 hours
Processing of Internal Reviews	0 hours
Processing of External Reviews	2.5 hours

It is noted that one External Review application is still under consideration by the Administrative Decisions Tribunal.

PPIPA applications to 30 June 2010

No applications were received under PPIPA during the reporting period.

GIPA Act

At its 9 December 2009 Ordinary Meeting, Council considered Report No. CC104/09 – Government Information (Public Access) Act – Impact on Council Procedures, and requested that further information be provided to Council following the implementation of the Act. At the time of consideration of that Report, it was anticipated that the GIPA Act would be implemented in early 2010, potentially around March. However, due to delays in recruitment of an Information Commissioner and other administrative issues, the GIPA Act did not come into effect until 1 July 2010.

Overview of the GIPA Act

The new GIPA Act applies to State and local government agencies and covers the provision of information held by those agencies to members of the public. It essentially replaces the FOI Act and Section 12 of the LGA. Even though Section 12 of the LGA has been repealed, the GIPA Regulation which applies to NSW local government is almost a complete replication of Section 12 of the LGA.

The GIPA Act carries a presumption in favour of disclosure of government information and has a focus on proactive release of such information, particularly via council websites. This new direction has many implications for Hornsby, including the requirement for greater use, update, and review of its website and the associated technical considerations. It should be noted that the Act has shifted emphasis from that of *documents*, as was the case under FOI, to *information*.

Under the GIPA Act there is a right of access to certain information held by Council unless there is an overriding public against release. There are four main ways in which Council is required to provide access to information. They are:

1. Mandatory Proactive Release
2. Authorised Proactive Release
3. Informal Release
4. Formal Access Applications

Mandatory Proactive Release

Council must publish mandatory proactive release, or open access, information on its website unless there is an overriding public interest against disclosure, or to do so would impose an unreasonable additional cost on Council. The Act provides an extensive list of specific open access information and includes the following:

- Information about the Council (e.g. annual reports, financial reports, various registers)
- Council's Plans and Policies
- Information about Development Applications
- Approvals, Orders and Other Documents
- A Publication Guide with information about the Council's structure and functions, and listing the type of information that is publicly available;
- A Disclosure Log of formal access applications where in Council's opinion the information released may be of interest to other members of the public
- A Register of Contracts worth more than \$150,000 that Council has with private sector bodies
- A record of open access information that Council does not make publicly available on the basis of an overriding public interest against disclosure

The public is entitled to inspect this information either on Council's website or at Council's offices during ordinary office hours, or at any other place as determined by Council. Any current and the most recent previous versions of this information may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

Authorised Proactive Release

In addition, Council is expected to make as much other information as possible publicly available in an appropriate manner, including on its websites. The information is to be available free of charge or at the lowest reasonable cost. Such other information includes frequently requested information or information of public interest that has been released as a result of other requests.

Informal Release

Access to information which is not available as Mandatory Release or Authorised Proactive Release information may be provided through Informal Release. In this regard, an application should be made to Council by submitting an Informal Access to Information application form. Under the GIPA Act, it is not necessary for an application form to be used in relation to informal requests for access to information. At Hornsby, however, it has been determined that the use of an application form is beneficial in order to maintain records for reporting and historical purposes, as well as to monitor the demand and response time for this service. This process essentially replaces Council's Document Access Application procedure.

In this regard, Council's previously existing Document Access Policy has been amended to reflect the requirements of the GIPA Act and has been re-titled Access to Information Policy. The existence of a Policy in respect of informal applications is not required under GIPA. It is considered, however, that a Policy outlining Council's objectives and processes in managing requests for access to Council information would be beneficial to both Council staff and members of the public. The proposed new Policy (copy attached) in effect summarises the

GIPA Act, and will aid the community in understanding their rights to accessing Council information.

The GIPA Act does not require decisions made in respect of providing access to information to be reviewed by the Council as it was under Section 12 of the LGA. It is the intention of the GIPA Act that in most cases, access will be granted to requested information, taking into account public interest considerations. In certain circumstances, it may be appropriate for the applicant to lodge a formal application to access information where rights of review to external bodies exist.

Formal Access Applications

Notwithstanding the lodgement of an informal application, a formal access application may be submitted where the information sought:

- is of a sensitive nature that requires careful weighing of the considerations in favour of and against disclosure, or
- contains personal or confidential information about a third party that requires consultation, or
- would involve an unreasonable amount of time and resources to produce.

In respect of Formal Access Applications, a right of review of a decision exists through an internal review by Council, or an external review by either the Office of the Information Commissioner (OIC) or the Administrative Decisions Tribunal.

Actions to Date

As mentioned in Report No. CC104/09, the Manager, Administration Services Branch and the Executive Manager, Corporate and Community Division have been active members of the Local Government Managers' Association Governance Network Special Interest Group. That Group formed the GIPA Working Party in the lead up to commencement of the Act and it has been chaired by the Manager, Administration Services who has maintained a close liaison with staff of the OIC. The OIC's approach has been interactive and they have responded well to questions and concerns raised in respect of the implementation of GIPA. The OIC's website has been regularly updated and expanded, with frequent updates and circulars being issued to State and local government agencies.

The Manager, Administration Services Branch and relevant Council officers have worked together to prepare appropriate forms, procedures, documents and templates to assist in compliance with the GIPA Act. These forms and procedures have been in use since commencement of the Act on 1 July 2010. A dedicated page on Council's website has been created – Access to Information - providing relevant information for the public.

A requirement under the GIPA Act is that Council must publish a Publication Guide describing the functions of the Council, how members of the public can participate in the decision making functions of the Council, the types of information held by Council and how it can be accessed. Council submitted its draft Publication Guide to the OIC and has been advised that it is of an excellent standard and will be used by the OIC as an example of good practice for other councils.

In order that all relevant staff were appropriately informed of the new Act and their responsibilities in respect of compliance with the new legislation, two levels of staff training were conducted. The first was an introductory session which was delivered to Executive Managers, Branch Managers and other appropriate staff whilst the second was a more detailed session specifically focussing on those areas of Council mostly impacted by the implementation of GIPA. This second level of training was attended by the Executive Manager, Corporate and Community Division and representatives from the Planning Customer Services Branch, the Procurement Section, the Information Systems Branch and the Administration Services Branch. Liaison, discussion and advice has been provided on an ongoing basis through the Manager, Administration Services to these specific areas of Council.

One of the main requirements of the GIPA Act is for Council to provide access to a specific list of open access documents as prescribed in the Act, preferably via its website (refer to the section above titled Mandatory Proactive Release). To this end the Administration Coordinator is in the process of preparing a list, in consultation with relevant staff across the organisation, which includes details of the open access information required, and a link to the relevant document/information on Council's website. This list will shortly be published on the Access to Information webpage mentioned above, with the intent of providing "one click" access for members of the public to a substantial amount of information held by Council.

In addition, a significant amount of time has been invested by the Manager of the Procurement Section in developing guidelines and procedures in respect of contracts entered into by Council. The requirements of the Act in this regard are quite prescriptive, and great care has been taken to ensure compliance with the Act at all levels, with appropriate advice being provided to all relevant staff.

Effect on Processes

Council previously had in place well established procedures, processes and guidelines in respect of providing access to information. This has made the transition to GIPA, in an administrative sense, reasonably smooth. It is envisaged that, in terms of the majority of requests received for information, there will no significant change in the way they are handled, particularly in respect of informal access applications. With amendments to existing documentation, and a re-write of the appropriate Policy as mentioned previously, Council's Access to Information Team feel well prepared to manage the requirements of the new legislation.

Because the new Act has only been in operation for several weeks, Council has not yet experienced a formal application progressing through the full process of internal and/or external review. As such, comment on the final outcome and result of such an exercise is unable to be provided through experience. Nevertheless, with a more detailed understanding of the provisions of the Act, some points for consideration are provided for Council's information.

One area of uncertainty is the focus of the new Act on access to *information*, rather than *documents*. It is felt that this may provide opportunity for requests to be made in much broader terms, resulting in wider searches, and consequently greater time, needing to be invested in processing applications which are not expressly specific. Nevertheless, the GIPA Act does retain the same requirement as existed under the FOI Act for applicants to provide enough relevant information such that the requested information can be identified. It remains to be seen in practice what impact this may have on the processing of such applications.

An area of significant change is that under the new GIPA legislation there is no provision for the amendment of records. From 1 July 2010, any application to amend Council records can only be made under PPIPA, and an application must be lodged in accordance with the requirements of that Act. This reinforces the provision that a person may apply for the amendment of Council's records only if the record contains information concerning the person's personal affairs. This is seen as a positive change and may reduce the number of applications made under GIPA. Council had previously received numerous such applications under FOI, with such applications requiring considerable investment of time in their assessment and determination, and which often progressed to internal and external review. It is not yet clear, however, whether an assessment of such applications under PPIPA will be more easily dealt with, as there still remains a reference to the broad term of "personal affairs" in that Act, with no definition of such term being provided.

Another new provision within the Act includes the ability of the Administrative Decisions Tribunal (ADT) to issue a restraint order in respect of people submitting unmeritorious applications. Such orders direct that a person is not permitted to make further access applications without first obtaining the approval of the ADT. Certain criteria applies for an application to be considered as lacking in merit and such an assessment would need to be considered on a case by case basis. The relevant criteria is fairly prescriptive and it will not be known whether this provision will be beneficial to Council until the section of the Act is applied and tested.

It is considered the changes in the review process for GIPA applications may also be of assistance to Council in streamlining the processing of those applications for which an internal review is requested. Under GIPA, there is no requirement for the application to go through an internal review process (i.e. by Council) before an external review by either the OIC or the ADT is requested. Such an arrangement will bring to attention of those external bodies as quickly as possible any applications where complications may arise, hopefully resulting in increased efficiencies in the overall process.

As previously mentioned, this is the final report which will be provided in respect of Document Access applications under Section 12 of the LGA. Some reporting requirements are still necessary for formal applications under GIPA, with such information to be included in Council's annual report. In addition, it is considered that the recording of some less detailed information in respect of informal applications will be useful in terms of Council's ongoing review of service provisions to the community. These statistics will be maintained by Council officers and may be used to prepare comparative data and one off reports as required.

Because of the repeal of the FOI Act and Section 12 of the LGA as of 1 July 2010, the position title of Council's previously known Freedom of Information Officer has been changed to be Senior Access to Information Officer. In addition, delegations associated with relevant personnel that referred to the making of determinations in respect of Section 12 and FOI applications have also been amended accordingly.

The transition from FOI and Section 12 of the LGA to GIPA at Hornsby has been aided by the prolonged introduction of the Act and the ongoing association of several staff officers with the OIC and the previously mentioned GIPA Working Party. There is still a significant amount of work to be done to ensure full compliance with the GIPA Act which will involve commitment of time by staff within a number of different areas of Council. However, it is considered that good progress has been made to date and that Council is well positioned to ensure steady advancement in respect of the ongoing requirements of the GIPA Act.

BUDGET

The section of the LGA under which the Document Access Applications were processed provided that Council must allow inspection of documents at no charge and provide copies either free of charge or on payment of reasonable copying fees. To obtain an accurate representation of impact on resources, this Report includes graphical representation depicting the total number of applications, the number of restricted applications, the number of restricted documents, the number of file parts and electronic documents reviewed, and the number of staff hours involved in processing the applications during the reporting period. This graph is included as Attachment 3. These figures do not include any FOI or PPIPA applications.

In addition to the 385 hours invested in processing the 178 Document Access applications, and the 37 hours spent handling FOI applications and reviews, extra time was also spent carrying out various ad-hoc functions in relation to Document Access, FOI and Privacy matters e.g. photocopying documents, explaining information access issues and providing service to Council customers (both in person and over the telephone), and coordinating Pecuniary Interest Declaration returns for designated staff and Councillors. The time utilised on these activities was approximately 197 hours.

It should be noted that the intent of the GIPA Act and its focus on proactive release and easy accessibility of information held by Council is to reduce the number of formal access applications that are required to be submitted. If this is the case, Council may experience a decrease in income from fees associated with the lodgement and processing of such applications. However, as the overall income from this area is minimal, any reduction will have little impact on Council's overall budget position.

It should also be noted that, despite many representations from local councils when a review of the FOI Act was being undertaken and the GIPA Act was being drafted, the application fee for lodgement of a Formal Access Application under GIPA remains the same as it was under FOI; that is, a \$30 application fee and a \$30 per hour processing fee. These fees have not been increased since the implementation of the FOI Act in 1989.

POLICY

This Report deals with the requirements of Council's Document Access Policy up until 30 June 2010.

Should Council adopt the recommendations with in this Report, a new policy – Access to Information – will replace Council's Document Access Policy. A copy of the draft new Policy is included as Attachment 1.

CONSULTATION

There has been consultation with various Council staff in the determinations made in respect of the applications submitted under Council's Document Access Policy, the FOI Act and PPIPA. The Report also has regard to various consultations between the OIC, members of the LGMA Governance Network GIPA Working Party, and Council staff, in respect of the GIPA Act and its 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 officers responsible for preparation of this Report are Council's Manager, Administration Services Branch – Robyn Abicair, telephone 9847 6608; Senior Access to Information Officer - Stephen Waller, telephone 9847 6749; and the Administration Coordinator – Natalie Cook, telephone 9847 6011.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC45/10 be received and noted.
2. The documents outlined in Attachment 2 of Executive Manager's Report No. CC45/10 remain exempt from release under Council's former Document Access Policy.
3. The draft Access to Information Policy attached to this Report be adopted to replace Council's Document Access Policy.

ROBYN ABICAIR
Manager - Administration Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Document Access Policy
2. Schedule of Documents 15 May 2010 - 21 July 2010
3. Processing Volume for Document Access Applications
4. Access to Information Policy

File Reference: F2004/07298
Document Number: D01453740

4 COMMUNITY DONATIONS PROGRAMME - 2010/11

EXECUTIVE SUMMARY

Each year, Council calls for applications for financial assistance under the Donations Programme from community groups or organisations based in the Hornsby Shire, or groups who provide assistance and support to residents of the Shire.

In respect to the 2010/11 Community Donations Programme, applications were received from 66 community groups together with three internal applications relating to previous resolutions of Council. Compared to the 2009/10 Donations Programme, there is no substantial change to the number of applications received and a 5% increase in the amount of funding requested.

Community Services Branch staff with expertise in the relevant policy areas assessed the applications for financial assistance in accordance with Council's Cash and Non Cash Donations and Grants Policy. Staff recommendations for funding were subsequently submitted for consideration by the Councillor Donations Committee at its meeting held on 28 July 2010.

The Donations Committee has now finalised its consideration of the applications and has requested that recommendations be submitted for Council's approval.

PURPOSE/OBJECTIVE

The purpose of this Report is for Council to determine funding allocations to community groups under the 2010/11 Donations Programme.

DISCUSSION

Each year, Council calls for applications for financial assistance under its Donations Programme from community groups or organisations based in the Hornsby Shire, or groups who provide assistance and support to residents of the Shire. In this regard, Council's 2010/11 Budget includes an allocation of \$65,000 to distribute to the community through the Programme.

Groups in the Community Services Branch Donations Programme Data Base were invited to apply for funding. In addition to this, advertisements were placed in the Hornsby Advocate, the Northern District Times and the Hills Shire Times informing organisations of the commencement of the funding programme and inviting applications. Advertising with respect to the 2010/11 Programme commenced in early March 2010 and applications closed on 31 May 2010. In addition, four community workshops were conducted in March and May 2010 to allow prospective applicants to find out more about the Donations Programme and to seek advice on their applications.

Applications seeking a total of \$218,883.30 were received from 66 community groups. In addition, internal applications were received in relation to an allocation to the Mayor's Youth Trust Fund (\$3,000); to fund the strata levies (\$3,400) of the Council property leased by the

Hornsby Arts Society as approved by Council when it considered Report No. CC55/05; and in relation to Council's resolution with respect to Report No. CC91/05 to establish an Emergency Relief Fund (\$5,000). As such, the total amount of funding requested with respect to the 2010/11 Community Donations Programme totals \$230,283.30.

All groups who applied for financial assistance under the Donations Programme were required to indicate how they would acknowledge Council's support should their application be successful. As a consequence, each community group who receives financial assistance from Council will be notified of the requirement to recognise Council's support via the method outlined in their application and in line with Council's Corporate Identity Guidelines.

The Donations Programme is aligned to the Social Plan 2010-14 and, in an attempt to ensure that Council funds a range of groups and services under the Programme, applications are categorised into the following groupings:

- Support Healthy, Active Communities
- Create a Sense of Belonging
- Meet Our Diverse Community Needs

Community Services Branch staff with expertise in the relevant policy areas assessed the applications for financial assistance in accordance with the Policy titled Council Cash and Non Cash Donations and Grants (see Attachment 1).

The funding recommendations made by Council officers were considered by the Donations Committee at its meeting held on 28 July 2010. Following its consideration, the Donations Committee proposed an allocation of \$51,964.50 to 38 community groups and organisations (see Minutes of Meeting No. 1/10 - Donations Committee included as Attachment 2). The proposed allocations are now submitted for Council's approval. Attachment 3 provides a Funding Summary Table which shows the breakdown of allocations to each community group or organisation.

It should be noted that the proposed allocation of funding through the Donations Programme includes \$3,000 to the Mayor's Youth Trust Fund to be distributed to young people who live, study and recreate in the Hornsby Shire as per the Policy associated with this Fund.

Additionally, \$3,400 has been allocated to cover Strata Levies for the Hornsby Art Gallery as per Council's resolution at the August 2005 Ordinary Meeting with respect to Report No. CC55/05.

\$5,000 has again been included in the 2010/11 Donations Programme budget as a consequence of a Council decision to establish an Emergency Relief Fund for international and domestic humanitarian aid projects (see resolution in respect of Report No. CC91/05).

In 2006, Council resolved in respect of Report No. CC24/06, that:

As part of its consideration of the annual donations program, Council be provided with relevant information regarding:

- a) foregone rental for community groups' use of Council buildings.*
- b) subsidies to sporting groups in respect of their use of sports grounds.*
- c) any other financial assistance provided by Council to community groups.*

The following table provides a response to that resolution:

Source of Subsidy	Value of Subsidies 2009/2010
Community Centres and Halls - Foregone Rental	\$27,649.00*
Community Centres - Premium for Casual Hirers Policy	\$8,000
Subsidy of Council owned facilities used by preschools	\$618,360.15
Subsidy of Council owned facilities used by non-profit societies	
Subsidy of Council owned facilities used by Scouts and Guides	
Subsidy of Council owned facilities used by clubs	
Subsidies miscellaneous use of Council owned facilities	
Sporting ground subsidies	\$1,997,746.80*
Total	\$2,651,755.95

*Estimated values only based on CPI increases (3%).

BUDGET

An amount of \$65,000 is allocated in the 2010/11 Donations Programme budget. The amount recommended for funding is \$51,964.50 through Council's Donations Programme, leaving \$13,035.50 for distribution in the second round of funding that will be administered in December 2010. It is noted that community groups/organisations recommended for funding in the first round will receive cheques at the first available opportunity after this Report is considered.

POLICY

The 2010/11 Donations Programme has been conducted in accordance with the Policy titled Donations and Grants – Council Cash and Non Cash (POL00209).

CONSULTATION

Internal

Manager, Community Development – Lisa Cahill
 Coordinator, Community Development – Sharon Mizzi
 Coordinator, Community Development – Jayne Boardman
 Coordinator, Community and Cultural Facilities - Samantha Colbert
 Community Development Officer - Malcolm Wallace
 Community Development Officer - Jian Zhao
 Community Development Officer - Sue Downing
 Community Development Officer – Kim Harris
 Community Development Officer (acting) – Alifia Charania
 Community Programme Officer (acting) – Dennis Mageropoulos

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 the Donations Programme is an enactment of an adopted funding policy, no TBL assessment is required of this report.

RESPONSIBLE OFFICER

The responsible officer is Mr David Johnston – Manager, Community Services Branch, who can be contacted on telephone 9847 6800. For further information, please contact Ms Lisa Cahill – Manager, Community Development on 9847 6779.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. CC46/10 be received and noted.
2. The organisations listed below (and further detailed in Attachment 3 to Report No. CC46/10) receive financial assistance from Council in 2010/11 in accordance with the Policy titled Council Cash and Non Cash Donations and Grants.

Organisation	Funded Amount
1st Cherrybrook Scouts	500.00
Art on Loftus	1,000.00
Berowra Senior Citizens Club	500.00
Brooklyn Public School - P&C Association	500.00
Cherrybrook Presbyterian Church	1,000.00
Chinese Family Group	1,000.00
Combined Probus Club of Cherrybrook inc.	500.00
Disabled Alternative Road Travel Service (DARTS)	1,000.00
Easy Care Gardening Inc	4,850.00
Easy Care Gardening Inc - (2)	400.00
Fairholme Quilters Inc.	1,368.00
Ferry Artists Gallery	1,600.00
Friends of the Richard Geeves Centre	500.00
Hornsby and District Totally and Permanently Disabled Veterans Social Welfare Club	500.00
Hornsby Area Residents for Reconciliation	1,400.00

Hornsby Community Church	1,000.00
Hornsby Ku-Ring-Gai Association Action for Mental Health	1,500.00
Hornsby Ku-ring-gai Police and Community Youth Club (with Hornsby Chinese Seniors Group)	1,000.00
Hornsby Legacy Widows Club	500.00
Hornsby Rockets Ten Pin Bowling Team	1,000.00
Hornsby South Before and After School Care	700.00
Hornsby Squealers - Spanish Playgroup	500.00
Hornsby Waitara Community Hub	3,446.50
Indian Seniors Group Hornsby	1,000.00
Korean Community Hornsby	400.00
Ku-ring-gai and Hornsby Volunteer Coordinators Forum	1,500.00
Multicultural Integration Community Support (MICS) Inc	700.00
Namaste India	1,000.00
Parkinson's NSW Hornsby Ku-ring-gai Support Group	1,000.00
Permaculture Sydney North (PSN) - Hornsby Local Group	2,000.00
Sa Rang Bang Korean Community	300.00
Springfest Steering Committee	450.00
St Peters Anglican Church Hornsby - ESL Group	2,000.00
Studio ARTES Northside Inc	2,650.00
Vishva Hindu Parishad of Australia Inc	1,300.00
Mayor's Youth Trust Fund	3,000.00
Emergency Relief Fund	5,000.00
Hornsby Art Gallery Fees	3,400.00

3. Any further requests for financial assistance received in the 2010/11 financial year from community groups/organisations that meet the criteria of Council Policy POL00209 - Cash and Non Cash Donations and Grants, be referred to the Mayor, General Manager and Manager, Community Services Branch for consideration.

DAVID JOHNSTON
 Manager - Community Services
 Corporate and Community Division

GARY BENSLEY
 Executive Manager
 Corporate and Community Division

Attachments:

1. Donations and Grants Policy - POL00209
2. Donations Committee Minutes - 28/7/10
3. Summary Table 2010/2011

File Reference: F2010/00047

Document Number: D01454640

5 INVESTMENT AND BORROWING REPORT - PERIOD ENDING 30 JUNE 2010 (PRE-AUDIT)

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 schedules 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 year ending June 2010 was \$1,711,000 compared to the 2009/10 budgeted income of \$1,147,000. Of the year to date investment income earned, 43% relates to externally restricted funds such as Section 94, and is required to be allocated to those funds.

PURPOSE/OBJECTIVE

The purpose of this Report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act; and details as required by Clause 212(1) of the Local Government (General) Regulation 2005 and Council's Investment Policy and Strategy (which was reviewed by Council at its 8 April 2009 Ordinary Meeting).

DISCUSSION

Council's Investment Performance - June 2010

- The At-Call and Term Deposits achieved an annualised return of 5.57% for the month compared to the benchmark of 4.5%; and a financial year return of 4.79% compared to the benchmark of 3.68%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of -23.09% for the month compared to the benchmark of -20.03%; and a financial year return of 11.22% compared to the benchmark of 10.29%. 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 4.91%; and a financial year return of 5.98% compared to the benchmark of 3.89%. The market value of this investment as at 30 June 2010 (pre-audit) was \$1.92 million.
- Direct investments in CDO's achieved an annualised return of 6.35% for the month compared to the benchmark of 4.91%; and a financial year return of 4.72% compared to the benchmark of 3.89%. The market value of these investments as at 30 June 2010 (pre-audit) was \$2.38 million.

- The Capital Guaranteed Notes achieved an annualised return of 0.36% for the month compared to the benchmark of 4.91%; and a financial year return of 0.29% compared to the benchmark of 3.89%. 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 30 June 2010 (pre-audit) was \$4.19 million.
- For total investments, the annualised return for the month is 3.72% compared to the benchmark of 3.76%; and the financial year returns after fees is 4.09% compared to the benchmark of 3.94%.

Extract from the Minutes of the Monetary Policy Meeting of the Reserve Bank Board - 6 July 2010

Considerations for Monetary Policy

The global economy had continued to expand at around trend pace in recent months, although the pattern of growth was uneven among regions and developments in financial markets over the past month had highlighted some important risks. There had been further focus on the European fiscal situation and banking sector problems. While the measures being taken there should help the prospects for sustainable growth over the longer term, prospects for European growth going into 2011 were weaker. The US economy had shown moderate growth in the first half of 2010, but members noted that recent labour market outcomes had been disappointing.

Members saw some moderation in Asian growth as desirable, given concerns about possible overheating in those economies, but there was likely to be some uncertainty in the near term about the extent of the slowing. For Australia, a critical medium-term question was the extent to which economies in Asia could continue to grow strongly in the face of what could be an extended period of subdued conditions in the major North Atlantic economies. Overall, members considered that the most likely outcome was for growth in Australia's major trading partners to be around trend over the next couple of years.

The domestic economy had been growing at a solid rate over the past year, including a sizeable contribution from fiscal spending. The economy was now entering a period in which private demand was expected to strengthen due to a pick-up in business investment flowing from the high level of the terms of trade. This was expected to offset the scaling back in public demand that would be taking place. There were tentative signs that this 'hand over' from public to private demand may be starting to occur, though this would warrant careful monitoring.

As at the June meeting, members judged that the decisions at earlier meetings to increase the cash rate, which had resulted in interest rates paid by borrowers returning to around average levels, afforded flexibility to maintain steady settings in the face of increased international uncertainty.

Members noted that the coming month would see important announcements about the health of the European banking sector, which had the potential to have a significant impact on financial markets and global confidence. There would also be an updated reading on domestic prices. This was expected to show further moderation in the year-ended underlying rate, although underlying inflation was likely to remain in the top half of the target range over the period ahead. Headline inflation was expected to rise, owing to the effects of some tax increases, with the year-ended increase in the CPI rising above 3 per cent. The important

question for the Board at its next meeting would be whether the new information materially changed the medium-term outlook for inflation.

Pending this information, the Board judged it appropriate to hold the cash rate unchanged.

Borrowings

In respect of borrowings, the weighted average interest rate payable on loans taken out from 2000 to 2010, based on the principal balances outstanding, is 6.81%. The Borrowings Schedule as at 30 June 2010 is attached for Council's information.

BUDGET

Total investment income for the year ending June 2010 was \$1,711,000. The budgeted income for the year was \$1,147,000. Of the investment income, approximately 43% relates to external restrictions (Section 94) and is, therefore, restricted.

POLICY

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

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

Council's Investment Strategy does recognise, however, the desirability of "ethical" or "socially responsible" investments and has invested in such products in the last year. These are referenced in the Investment Portfolio in Attachment 1. Council will continue to review new products, subject to funds availability and asset allocation and credit quality parameters contained in the Strategy.

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of the Executive Manager's Report No CC 47/10 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. HSC Investment Portfolio as at 30 Jun 2010
2. HSC Borrowings Schedule as at 30 Jun 2010

File Reference: F2004/06987
Document Number: D01456527

6 HORNSBY CREEK CATCHMENT URBAN SUSTAINABILITY PROGRAM - DRAFT STRATEGY

EXECUTIVE SUMMARY

At its Ordinary Meeting of 30 June 2010, Council considered Report No. EN19/09 and accepted a tender from Urbis Pty Ltd for the provision of consultant services to facilitate the "Hornsby Creek Catchment Urban Sustainability Program".

The Hornsby Creek Catchment Urban Sustainability Program ("HCCUSP") has been funded by the NSW Environmental Trust, with Urbis Pty Ltd engaged to undertake the strategic update of the current Hornsby Creek Catchment Environmental Management Strategy (2005 – 2010) and the facilitation of the HCCUSP until completion of a Final Project Report in early 2011.

The Hornsby Creek Catchment ("HCC") is located upstream of Bobbin Head, within the Cowan Creek Catchment. HCC is an intensively used urban catchment that is undergoing significant change and continues to be identified as one of the most degraded catchments, particularly in terms of water quality, within Hornsby Shire. The intensity and diversity of land use, increasing development density, and population growth are all putting the catchment and its resources under increasing pressure.

Concerns about the environment within the catchment were reinforced in recent community surveys undertaken as part of the HCCUSP. It was observed that what locals liked most about the area was the environment and that they generally believed the area was becoming overdeveloped with the result being an increase in rubbish and pollution and a lack of parks and green open space.

The consequence of these pressures, now and into the future, will result in the environmental quality of the catchment getting worse and could potentially even harm downstream tourist and recreation destinations. In light of these concerns the need for a more coordinated approach to catchment management within the HCC has been identified. The HCCUSP has been developed by Council with the aim of improving the environmental, social and economic quality of the HCC. The HCC Strategy, and its associated action plan, will be the means by which this is undertaken.

The attached draft HCC Strategy includes an action plan that is heavily focused on activities proposed for the 2010/2011 financial year. These immediate actions focus on behavioural change and social marketing and facilitating partner involvement. The final HCC Strategy, for 2011-2015, will be delivered in mid 2011 and will include a broader range of actions to be developed on the basis of further research and consultation with stakeholders. It is envisaged that these will include further capital works projects to improve water quality and manage stormwater flows, industry and community education, enforcement of and compliance with environmental legislation, and the implementation of more rigorous planning controls. All of which provide the means to protect and improve the environment.

The fundamental purpose of the HCC strategy is to ensure these actions are coordinated and thus bring about real change. Working with the local community, and forging new

partnerships, is considered vital in the delivery of coordinated on-ground action towards sustainability. This will enable a more holistic approach to achieving sustainable outcomes at the local, regional and global scales.

PURPOSE/OBJECTIVE

The purpose of this report is to recommend the adoption of the draft HCCUSP Strategy and to invite Councillors to review the draft Strategy and provide comment prior to 8 September 2010.

DISCUSSION

Council's Sustainable Total Water Cycle Management Strategy (2005) acknowledges that the increase of development, density and population within the Shire will put increasing pressure on water consumption needs, on waterways to absorb nutrient flows and produce greater waste water demands. It also identified a need to focus on the Hornsby Creek Catchment ("HCC") and provided the impetus for HSC to seek partners to prepare a revised approach to catchment management in the HCC.

This led to the preparation of a grant funding application to the NSW Environmental Trust and the subsequent preparation of a Business Plan, Scoping Report and draft HCC Strategy as part of the Hornsby Creek Catchment Urban Sustainability Program ("HCCUSP").

Council has been monitoring water quality and contaminant levels within the HCC for more than 15 years, and waterway remediation projects and activities designed to reduce stormwater pollution have been funded by the Catchments Remediation Rate. Since 1994, Council has also been undertaking significant catchment management and monitoring works along with associated community engagement and education programs.

Current management actions within HCC, such as the construction of gross pollutant traps to remove litter, have localised benefits. Other actions such as industry and community education, enforcement of and compliance with environmental legislation, and implementing planning controls all provide the means by which we can protect or improve the environment. However, there needs to be a much more coordinated and concerted effort to bring about real change.

Working with the local community, and forging new partnerships, is considered vital in the delivery of coordinated on-ground action towards sustainability. This will enable a more holistic approach to achieving sustainable outcomes at the local, regional and global scales.

For this reason, the HCCUSP is based on a triple bottom line (TBL) approach taking careful reference to all aspects of the catchment's sustainability. This approach recognises the critical role that the community will play in the ongoing management of the catchment and in its future protection. Basically, it recognises the inseparable nature of the social and environmental aspects of effective catchment management.

While focused on the local water quality and catchment issues, the HCCUSP is also focused on connecting and coordinating with other sustainability programs being undertaken by other sections of Council, the business community and the residents and workers operating within the catchment. It seeks to address broader sustainability issues for industries, businesses, residents and visitors.

The draft HCC Strategy document has been completed by the consultant (Urbis Pty Ltd) and returned to Council for comment. This draft Strategy develops HCCUSP and the consultancy actions and provides a project framework to ensure effective delivery of desired outcomes. An outcomes hierarchy has also been developed to set the approach and evaluation framework for the HCCUSP.

A recently completed stakeholder engagement and analysis process, results of which are contained within the Strategy document, have helped develop a clear set of goals that reflect community values. The review and update of the HCC Strategy provides Council with the opportunity to more effectively target and achieve these goals. The HCC Strategy also has the scope to provide direction in how to better use the resources available to Council and how to pursue innovative ways to improve the many issues facing the catchment.

The HCCUSP proposed outcomes have been identified as:

- Improved environmental, social and economic quality of the Hornsby Creek Catchment through a focus on pollution source control and behaviour change
- Strengthened partnerships within Council and the local community to resolve the many issues facing the catchment
- Implementation of an education and engagement strategy, which includes relevant council, community, business and industry stakeholders in the catchment
- Integration of the Hornsby Creek Catchment more broadly with the sustainability initiatives of Council

The HCC Strategy objectives have been identified as:

- Facilitate and engage the community and businesses in undertaking preventative action to improve the local environment
- Set the context and the framework to enable the Council, community and key partners to structure activities effectively
- Facilitate improved coordination of Council activities to achieve a positive outcome for the local environment and local community
- Prioritise actions in relation to environmental and stakeholder priorities and ability to influence
- Provide a timeframe and responsibilities for appropriate actions to be implemented

Based on the findings of community surveys and stakeholder and catchment analysis, the following HCCUSP actions have been developed to effectively target the catchment needs and the residential and business interests:

- Social marketing and behaviour change activities, including:
 - developing HCC branding
 - designing an interactive website with community input
 - developing a communications strategy
 - installing educational signage in strata and retail precincts
 - organising a program launch and activities
 - organising a community catchment day
- Stakeholder partnership activities, including:
 - HCCUSP steering committee

- business and industry precinct activities
- retail precinct meetings
- hospital precinct meetings
- coordination of Body Corporate and Strata Management companies
- community workshops
- developing internal council partnerships

Further detail on the community surveys and proposed HCCUSP activities is contained within the draft HCC Strategy document.

The draft Strategy also lists a number of activities requiring further consideration and development prior to the final Strategy review in mid 2011. These issues were raised during council workshops, organised as part of the HCCUSP, and provide further opportunities for potential Council action.

- Review Development Control Plans (DCPs)
- DA enforcement with greater community involvement in monitoring
- Review street sweeping program to improve current practices
- Clarifying responsibility boundaries between Hornsby Westfield and Council
- Road engineering and catchments opportunities
- Consider role and value of a place manager in coordinating outcomes
- Review opportunities to extend sustainable business programs

BUDGET

There are no budgetary implications for this strategy for the 2010/2011 financial year. The project is grant funded over three years by the NSW Environmental Trust to the sum of \$250,000.

The final strategy delivered in early 2011 will have actions for Council that will require consideration against budget criteria for the 2011/2012 financial year and onwards.

POLICY

There are no policy implications associated with this report. This report addresses the goals and actions in the Sustainable Total Water Cycle Management Strategy and the Hornsby 2020 Framework for a Sustainable Future and sets a strategic direction for sustainable catchment management.

CONSULTATION

This strategy is the outcome of a variety of consultations held in the first half of 2010 with relevant Council staff, community representatives and members of the Hornsby Creek Catchment community. The strategy was developed by consultants (Urbis Pty Ltd) following completion of a preliminary scoping report (copies of the scoping report are available upon request).

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 a triple bottom line assessment was undertaken as part of Report No. EN19/09 and accepted by Council in June 2009, and the purpose of this report is to adopt the subsequent draft strategy, no further assessment is required at this time.

RESPONSIBLE OFFICER

The responsible officer is Mr David Bolton, Catchment Education Officer, Water Catchments, telephone 9847-6998.

RECOMMENDATION

THAT:

1. Council note the issues that have been identified by survey in the Hornsby Creek Catchment and the emerging impacts on the quality of the catchment including water quality over recent years.
2. Endorse the initial actions identified in the attached Draft Hornsby Creek Catchment Urban Sustainability Program Strategy.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Hornsby Creek Catchment Urban Sustainability Program - Draft Strategy

File Reference: F2004/10050
Document Number: D01432694

7 SYDNEY COASTAL COUNCILS GROUP INC. STRATEGIC PLAN - 2010-2014

EXECUTIVE SUMMARY

The Sydney Coastal Councils Group Inc (“SCCG”) has developed a new Strategic Plan 2010-2014 to document and highlight the SCCG’s focus for the next four years. It represents the sixth business plan of the SCCG since its inception in 1989. This strategic plan sets the strategic direction of the SCCG and provides SCCG members and external stakeholders with information regarding SCCG background, structure, overarching Sydney regional coastal management guidelines, principles and strategies.

The Final Draft SCCG Strategic Plan (“the Plan”) has been formalised after an extended development period and input from the SCCG Strategic Plan Directional Committee which consisted of councillors and senior staff, delegates of SCCG’s Full Group; and SCCG’s Technical Committee.

The SCCG is now formally seeking consideration and endorsement of the Strategic Plan 2010-2014 by member councils. Once endorsed, the Plan will be tabled at the SCCG Annual General Meeting on 11 September for adoption.

PURPOSE/OBJECTIVE

The purpose of this report is to seek Council’s consideration and endorsement of the attached SCCG Strategic Plan 2010 – 2014.

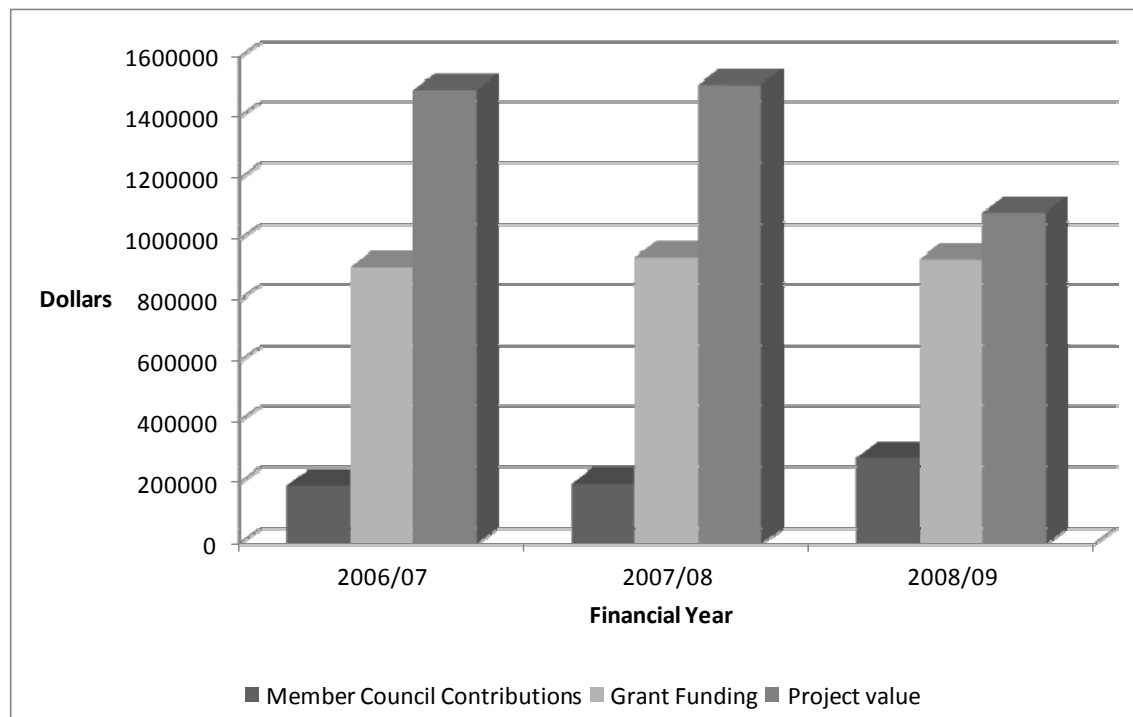
DISCUSSION

The Sydney Coastal Councils Group Inc is a voluntary Regional Organisation of Councils (“ROC”) established under the provisions of sections 355, 357 and 358 of the *Local Government Act, 1993*. Member councils of the SCCG include Hornsby Shire, City of Botany Bay, Leichardt, Manly, North Sydney, Randwick, Woollahra, Waverley, Rockdale, Sutherland, Pittwater, Willoughby, Warringah, City of Sydney and Mosman. The organisational structure of the SCCG consists of a Full Group, Executive Committee, Advisory/Directional committees, a Technical Committee, and working groups. Councillor McMurdo is currently the chair of the Full Group and Dr Ross McPherson, Manager Water Catchments, is a member of the SCCG Technical Committee.

The Sydney Coastal Councils Group continues to provide member councils with a wide range of services, such as meeting coordination, project delivery and advocacy. The attached fact sheet highlights the activities of the SCCG in recent years in relation to project delivery and advocacy. The SCCG executive and secretariat are conscious of the limited financial resources of member councils and endeavour to provide extremely good value for money in the services and products provided by the group.

SCCG membership fees are significantly cheaper than other ROCs of a similar size. Further, the success of the group in securing external funding for projects has meant that in recent years member councils have received projects, products and services of a greater value than their membership fees. The table below demonstrates the amount of money the SCCG has

secured from grant funded and external sources for the delivery of projects compared to membership fees.



SCCG Consultation on Strategic Plan

The Sydney Coastal Councils Group Strategic Plan has been under review for the last 18 months. Through representation on the Sydney Coastal Councils Group, Executive Committee, Strategic Plan Directional Committee, Technical Committee and Full Group, Hornsby Shire Council provided input in the review of the old Plan and preparation of the new Plan on a number of occasions, including:

Strategic Plan Directional Committee:

The committee met twice (in June 2009 and June 2010) to review the old Plan and provide feedback on the Plan's structure, content and implementation. At both of these meetings Councillor Wendy McMurdo and Dr Ross McPherson represented Hornsby Shire Council.

SCCG Full Group:

At the 2009 Sydney Coastal Councils Group Annual General Meeting the delegates work shopped the wording and order of priority of the Plan's Outcome statements. Councillor Wendy McMurdo represented Hornsby Council at this meeting.

SCCG Technical Committee:

At the August 2009 Technical Committee meeting delegates provided extensive feedback on the plan's areas of focus and activity. Ross McPherson represented Hornsby Council at this meeting.

The new Sydney Coastal Councils Group Strategic Plan aims to focus and direct SCCG activities for the period 2010 – 2014. A final draft is now attached for comment and consideration prior to being tabled at the SCCG AGM (11 September 2010) for adoption.

The purpose of this Strategic Plan is to guide integrated coastal zone management (ICZM) in the coastal and estuarine environments of Sydney. The Strategic Plan incorporates the

principles of Ecologically Sustainable Development (ESD) and guiding principles in order to provide member councils with direction and an action plan to apply in all their coastal management activities, within the context of a changing climate.

The guiding principles include:

- Protection of the environment and cultural values
- Integrated planning and decision making
- Sustainable use of natural coastal resources and
- Appropriate and meaningful public participation.

The SCCG Strategic Plan is reviewed annually.

In recent years the SCCG has applied for and secured \$2,226,920 in funding to undertake projects with a number of partners to the value of \$3,264,955. SCCG and all working groups facilitated by the SCCG will continue to look for funding opportunities that enhance the work of the group and assist member councils.

The group presently has two applications for funding awaiting approval. The combined value of these projects, including in kind contributions, is \$786,300. A summary of the major projects delivered and the funding programs from which funding was sourced can be found below.

Project Title	Funding program
Systems approach to regional climate change adaptation strategies in metropolises” – SCCG- CSIRO partnership	Australian Government Department of Climate Change- National Climate Change Adaptation Program
Scoping study for the extraction of sand reserves from the ‘Sydney Shelf Sand Body’ for development protection and augmentation of beach systems under immediate threat from coastal storm activity	Natural Disaster Mitigation Program
Mapping and responding to coastal inundation	Natural Disaster Mitigation Program
Quantifying the value of Sydney beaches in order to assess cost / benefit of necessary coastal protection / abatement measures as a result of enhanced climate change impacts	Community Action Grants Program
Education empowerment of landslide risk management to regulators and practitioners	Natural Disaster Mitigation Program
Groundwater education project	NSW Environmental Trust – Education Program
Summer activities program and coastal connection strategy	SMCMA Coastal Community Engagement Grants

BUDGET

There are no budget implications associated with this report.

POLICY

There are no policy implications associated with this report.

CONSULTATION

The SCCG Final Draft Strategic Plan 2010-2014 has been developed after extensive consultation with Member councils and external stakeholders.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Dr Ross McPherson, Manager, Water Catchments. He can be contacted on 9847 6708 during business hours.

RECOMMENDATION

THAT Council endorse the SCCG Final Draft Strategic Plan 2010-2014.

ROBERT STEPHENS

Executive Manager

Environment Division

Attachments:

1. Final Draft – Sydney Coastal Councils Group Inc Strategic Plan 2010 – 2014.
2. Sydney Coastal Councils Fact Sheet.

File Reference: F2008/00125

Document Number: D01452215

**8 COMPULSORY ACQUISITION OF CROWN LAND FOR PUBLIC ROAD -
LOTS 1-4 DP1133368 CANOELANDS ROAD, CANOELANDS (FORMERLY
GLENORIE)**

EXECUTIVE SUMMARY

At its meeting on 24/11/1999 Council resolved "That Council commence action under the Land Acquisition (Just Terms Compensation) Act to acquire those parts of vacant crown land adjacent to Lot 78 DP 599996 and Lot 2 DP 581211 upon which parts of Canoelands Road, Glenorie encroach".

The matter became the subject of protracted communications with the crown lands office over the most equitable solution to the issue of compensation and to the extent of land concerned. It is understood that lengthy periods occurred where files were misplaced and action was interrupted within the crown lands office. Ultimately, by 2009 council was in a position to make application to the Department of Local Government for approval of the compulsory acquisition. However, Council's application was rejected by the department on the grounds that the decision of Council, upon which the application relied, was too old and a fresh resolution would be necessary.

In effect, the same circumstances now apply to the issue of council acquiring this land. The crown land is partly occupied by Council road which will not be relocated to clear the encroachment. The rest of the crown land would potentially be left isolated between road and private land and consequently the crown lands office, now Land and Property Management Authority (LPMA) requires that Council acquire the entire parcels but at the same cost (partly adjusted for CPI increases) being a total of \$13,750, as assessed for the land originally required,

PURPOSE/OBJECTIVE

The purpose of this report is to obtain confirmation of Council's earlier decision expanding authorisation of compulsory acquisition action for the entire crown parcels.

PREVIOUS REPORTS

CC30/99 and CC106/99.

DISCUSSION

Essentially, this acquisition will return former road status to the land concerned. Its reversion to crown ownership in 1974 resulted from the closing of road thought to no longer be necessary at that time.

The constructed road was not relocated and therefore currently encroaches on this crown land. There is no plan to relocate the road. The encroachment should be cured to resolve any issue about responsibility, control, access and risk.

The description used for the Crown land relates to a Plan of Acquisition, DP 1133368 (copy attached). That plan nominates four parcels within the two sections of crown land to distinguish the areas critical to curing the road encroachment as Lots 1 & 3 and the balance of the crown land as Lots 2 & 4.

LPMA has confirmed its desire for all of the crown parcels involving Lots 1-4 to be absorbed into the road reserve. It has conceded compensation to be limited to that which was assessed only for the encroachment land in 2003, being \$12,237.00 together with some CPI adjustment for part of the intervening period.

Upon acquisition the land will be dedicated as Public Road and therefore land classification does not apply.

BUDGET

There is a current allowance of \$11,851 originally identified for this acquisition in a restricted asset account. The CPI adjusted balance of compensation together with processing costs will amount to approximately \$3,000 extra. This amount will be applied from Land Acquisition RA.

POLICY

There are no policy matters in relation to the subject of this report.

CONSULTATION

This report has been prepared in consultation with Council's Manager Property Development, Mr Peter Thompson; Finance Co-ordinator Works Division, Ms Jo Parnell; Manager Assets Branch, Mr Chon-Sin Chua and Executive Manager Works Division, Mr Maxwell Woodward.

TRIPLE BOTTOM LINE SUMMARY

1. Working with our Community

Not applicable

2. Conserving our Natural Environment

There is no physical change to the road resulting from the rectification of boundaries.

3. Contributing to Community Development through Suitable Facilities and Services

Not applicable

4. Fulfilling our Community's Vision in Planning for the Future of the Shire

A current road asset is preserved.

5. Supporting our diverse economy

This matter is not considered to directly benefit the local economy.

6. Maintaining sound Corporate and Financial Management

Regularising road boundaries protects council assets and recognises risk management issues.

7. Other Sustainable Considerations

Not applicable

RESPONSIBLE OFFICER

This report has been prepared by Property Officer, Allan Selway. Additional information can be obtained prior to the Ordinary meeting on 9847 6669.

RECOMMENDATION

THAT:

1. Council approve application for the compulsory acquisition of Lots 1-4 DP 1133368 Canoelands Road, Canoelands.
2. Upon acquisition the land referred to in (1) be dedicated as Public Road.
3. Funding of the acquisition be authorised as set out in the report.
4. The General Manager be delegated with authority to negotiate detailed terms of agreement consistent with this report.
5. The General Manager be authorised to execute any document in relation to this matter deemed appropriate by Council's legal advisors.
6. If required by the absence of the General Manager or by legal statute, Council authorise the use of Council's Seal on any legal documents in relation to this matter deemed appropriate by Council's legal advisors, subject to review and authorisation by an Executive Manager of Council. The documents to include but not be limited to-
 - a. Application for Compulsory Acquisition
 - b. Notice of Road Dedication
 - c. Deed of Agreement and Deed of Release
 - d. Registration of Transfer or Request

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Locality Map - Canoelands Road - Crown land
2. DP 1133368

File Reference: F2010/00308

Document Number: D01449726

9 WORKS PROGRESS REPORT - JUNE 2010 QUARTER - ASSETS BRANCH

EXECUTIVE SUMMARY

This Assets Branch Works Progress Report for the June 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 completion status of the various programs is presented in the Gantt charts attached to the report. The completion 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 Programs 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 fourth and final quarter of the 2009/10 Service Plan ending 30 June 2010. A summary of the works carried out for the whole year as well as corresponding information for the previous year (2008/09) 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 re-sheeting 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 actual performance for 2009/10 was \$7,260 (*2008/09 was \$11,650*). The service level, stated as the number of complaints per 100km of unsealed roads, of <20 (less than 20) was 19 for 2009/10 (*17 for 2008/09*). Much less maintenance than budgeted was undertaken 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 actual performance for 2009/10 was \$3,020 (2008/09 was \$3,010). More maintenance than budgeted was undertaken 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 re-sheeting of segments of footpaths with asphaltic concrete to eliminate minor trip edges or concrete grinding to address moderate trip edges. The 413km footpath network is inspected at least once a year by Council crews or a contractor. During the June quarter, repairs to footpaths totalled 411 sq. metres. The total area of footpath repairs for 2009/10 was 2,049 sq metres (2008/09 was 1,377 sq metres).

The KPI for footpath maintenance, stated as the average maintenance cost per km per year, is \$2,400. The performance for 2009/10 was \$2,800 (2008/09 was \$2,450). The Service Level stated as the number of reported trip and fall incidents on footpaths per 100km of <30 (less than 20) per year was 11 for 2009/10 (10 for 2008/09). More maintenance than budgeted was undertaken in response to residents' requests.

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. No work was undertaken during the June quarter as this program was completed at the end of the March quarter. Sixteen (16) sections totalling 2.09km were reconstructed for 2008/09 (16 sections totalling 1.87km for 2008/09). 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 June quarter, 448 signs were maintained and 111 new signs were erected. The total for 2009/10 was 1,352 signs maintained and 254 new signs erected (2008/09 was 901 signs maintained and 67 new signs 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 June quarter: 109 guide posts and 5,257 metres of safety fences were maintained, and no new safety fences or guide posts were erected. The total for 2009/10 was 612 guide posts and 6,913 metres of safety fences maintained, and no new safety fences and no new guide posts erected (2008/09 was 255 guide posts and 1,215 metres of safety fences maintained, and 167 metres of new safety fences and 100 new guide posts 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 June 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 June quarter.

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 Car Park 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%). The performance for 2009/10 was 82.5% / 1.4% (2008/09 was 80.7% / 0.4%). These percentages have remained relatively constant due to the Roads to Recovery and RTA REPAIR Program Funding as well as Council's Sealing of Unsealed Roads Program.
- * The KPI for sealed roads, stated as the average maintenance cost per km, is \$8,000 per year. The performance for 2009/10 was \$8,000 (2008/09 was \$8,410). This performance was achieved with the additional funding from the Federal and State Governments.

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 performance for 2009/10, shown within brackets, was 98 roads totalling 184,688 m² (2008/09 was 104 roads totalling 198,187m²) and was as follows:

- * Asphaltic Concrete resurfacing 54 roads - 83,560 m² (34 roads - 84,840 m²)
- * Flush Seal resurfacing 21 roads - 59,220 m² (6 roads - 14,192 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 performance for 2009/10, shown within brackets, was 31 roads totalling 10,580 m² (2008/09 was 41 roads totalling 15,928m²) and was as follows:

- * Heavy Patching with AC 49 roads - 2,930 m² (31 roads - 10,580 m²)
- * Pavement Stab. with Cement 7 roads - 14,530 m² (0 roads - 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 June quarter, 878 potholes were repaired in 339 roads and consumed approximately 31.0 tonnes of AC. The total pothole repairs for 2009/10 were 3,200 potholes repaired on 543 roads and consumed approximately 157.5 tonnes of asphaltic concrete (2008/09 were 2,388 potholes repaired on 483 roads and 154.9 tonnes of asphaltic concrete).

Road Restorations, Hydrants and Car Park Maintenance

This activity comprises programmed restoration of road openings by public utility authorities and plumbers in asphaltic concrete, rising of hydrants, and carpark maintenance involving some pavement and pothole repair by Council crew, line marking and resurfacing by contractors. During the June quarter, 34 square metres of restorations were carried out on two roads and 19 service adjustments were made on five roads. The total restorations carried out for 2009/10 was 102 roads totalling 2,767 m² and 45 services adjustments on nine roads (2008/09 260 roads totalling 3,560 m² and 19 services adjustments on 7 roads).

The activities above relate to the Strategic Themes, *Contributing to community development through sustainable facilities* 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. The minor drainage improvement/upgrading works for the Lonsdale Avenue project was completed in April 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 Maps 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. The inaugural Floodplain Risk Management Committee meeting was held on 16 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. Road Fair Value determination was undertaken in June 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. Checking of drainage data for asset valuation was in progress during the March quarter and Fair Value determination for drainage assets was completed in June 2010.

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 Maintenance Programme as at 30 June 2010
2. Gantt Chart B - 2009/10 Southern District Works Maintenance Programme as at 30 June 2010
3. Gantt Chart C - 2009/10 Pavement Works Maintenance Programme as at 30 June 2010
4. Gantt Chart D - 2009/10 Stormwater Management Programme as at 30 June 2010
5. Gantt Chart E - 2009/10 Asset Management Systems Implementation Programme as at 30 June 2010

File Reference: F2004/05959-02

Document Number: D01450006

10 WORKS PROGRESS REPORT - JUNE 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 April 2010 to 30 June 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 x Traffic Officer, 1 x Road Safety Officer, 9 x Rangers, 1 x Ranger Coordinator, 1 x Branch Secretary, 1 x Administration Assistant and 1 x Manager. The areas of responsibility within the Branch are; Traffic and Transport *Planning*, Traffic *Engineering*, Traffic and Road Safety *Education* and Traffic and Car Parking *Enforcement*. The core activities undertaken within these areas of responsibility are:-

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

Management and Administration

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

Traffic Management

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

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

During the period under review seven 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.

Major Traffic and Transport Planning projects undertaken during June 2010 quarter are outlined below:

- Updating of Hornsby CBD and Shire traffic models (on-going)
- Maintain database for traffic and transport planning
- Hornsby Shire Housing Strategy
- Development of Hornsby Town Centre Car Parking Management Strategy
- Review and assessment of Hornsby Shire Road Hierarchy
- Review and implementation of Hornsby Shire Integrated Land Use & Transport Strategy (on-going)
- Review and assessment of access options for Hornsby Quarry site and Hornsby Aquatic Centre
- M2 Upgrade Environmental Assessment submission
- Epping Town Centre Study

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

Car Parking Management

In addition to patrolling on street parking restrictions Traffic Rangers are contracted to patrol private parking areas used by the public. Discussions are on going with owners of a small private car park regarding patrols. Staff are also considering requests to patrol private roads subject to minimum criteria being met. 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:-

- * *176 (225) patrols of schools to enforce parking regulations.*

- * 3,231 (3,266) *infringement notices were issued.*
- * 6 (2) *matters were defended in Hornsby Local Court.*

(--) denotes activities from April to June 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.

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 has been deleted from the establishment in order to meet corporate budget targets, however Branch 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
- Public consultation and development of Brooklyn Shared Path Report
- Application for funding support for Bike Week 2010.

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 ten 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 April 2010 to 30 June 2010.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Traffic and Road Safety Branch Activities

File Reference: F2005/00001
Document Number: D01456744

11 WORKS PROGRESS REPORT - JULY 2010 - REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM ROUND 2 (RLCIP2)

EXECUTIVE SUMMARY

This is a report on the progress of works to be undertaken by Council under the Federal Government's **Second Round** of the Regional and Local Community Infrastructure Program (RLCIP2), a component of the Government's tapering economic stimulus measures. Council has been allocated \$360,000 under Round 2 for works which must be completed by 31 December 2010. These funds have been received by Council.

PURPOSE/OBJECTIVE

The purpose of this report is to advise Council of progress of Round 2 projects as at 30 June 2010.

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

DISCUSSION

The Australian Government initiated a number of economic stimulus measures with the aim of minimising the negative impacts of the global recession on the national economy. Council was allocated \$833,000 under Round 1 of the RLCIP program for local projects which could be completed by 30 September 2009. These projects were completed as required and the grant subsequently acquitted by the Department.

The Government has established two further rounds of the program, each offering an allocation of \$360,000 to Council. RLCIP2 was established to fund projects to be undertaken by 31 December 2010 and RLCIP3 for projects to be completed by 31 December 2011. This report relates only to RLCIP2.

The attached Table records the progress of the RLCIP2 projects as at 30 June 2010.

Subsequent progress on these projects will be reported to Council after September 30.

RLCIP3 projects will be reported separately at the appropriate time.

BUDGET

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

POLICY

There are no policy implications.

CONSULTATION

Consultation has been maintained with the following:

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK52/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. RLCIP(2) Project Status - June 30 2010

File Reference: F2008/00661-02
Document Number: D01457144

12 WORKS BUILDING SERVICES - GRAFFITI AND VANDALISM JUNE 2010 QUARTERLY REPORT

EXECUTIVE SUMMARY

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

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

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

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

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

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

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

Rapid removal discourages graffiti vandalism because:

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

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

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

<i>TYPE</i>	<i>COST</i> <i>July 2009 – June 2010</i>
Graffiti	\$94,279
Vandalism	\$79,346
	<hr/>
TOTAL	\$173,625

BUDGET

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

POLICY

There are no policy implications associated with this report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK53/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2004/00728
Document Number: D01459703

13 TENDER T16/2010: PATCHING OF ROAD PAVEMENTS IN FULL DEPTH ASPHALT

EXECUTIVE SUMMARY

The proposed contract for Patching of Road Pavements in Full Depth Asphalt is required to service the needs of Council's Works Division in carrying out road and carpark maintenance work.

Council does not have the specialist personnel and equipment required for this work and therefore open tenders have recently been called in accordance with the Local Government Act. The proposed contract will be for 12 months duration with an option to extend the contract for a further 12 months period. Bitupave Ltd trading as Boral Asphalt have been recommended for acceptance of this tender.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of Tender No. T16/2010: Patching of Road Pavements in Full Depth Asphalt.

DISCUSSION

The Tender No. T16/2010 is a Schedule of Rates tender. A summary of tenders, together with full evaluation details are on folder F2010/00316. Excepting this report, the summary and details of the tenders received are to be treated as confidential in accordance with the Local Government Act.

Twelve (12) tenders were received for Tender No. T16/2010 from the following companies:

- Bitupave Ltd trading as Boral Asphalt
- Borthwick and Pengilly Asphalts Pty Ltd
- D & M Excavation and Asphalting Pty Ltd
- J & E Excavations and Plant Hire Pty Ltd
- J & G Excavations and Asphalting (NSW) Pty Ltd
- Kizan Pty Ltd trading as A & J Paving
- Northshore Paving Co Pty Ltd
- Ozpave (Aust) Pty Ltd
- Roadworx Surfacing Pty Ltd
- Tropic Asphalts Pty Ltd
- Sharpe Bros Pty Ltd
- Stateline Asphalt Pty Ltd

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

- Cost of works
- Past performance and experience in similar types of works
- Plant and equipment resources

- Labour and sub-contract resources
- Material supply sources
- Traffic control systems
- Quality assurance systems
- Occupational health and safety systems
- Sustainability

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

The results of the evaluation indicate that the most advantageous tender is from Bitupave Ltd trading as Boral Asphalts Pty Ltd.

The total estimated cost of work under this contract is in the order of \$350,000 per annum. The ranking of all tenderers in accordance with cost criterion, is as follows (from lowest to highest).

1. Bitupave Ltd trading as Boral Asphalt
2. J & G Excavations and Asphaltting (NSW) Pty Ltd
3. Kizan Pty Ltd trading as A & J Paving
4. Borthwick and Pengilly Asphalts Pty Ltd
5. Roadworx Surfacing Pty Ltd
6. Stateline Asphalt Pty Ltd
7. Tropic Asphalt Pty Ltd
8. D & M Excavation and Asphaltting Pty Ltd
9. Ozpave (Aust) Pty Ltd
10. Sharpe Bros Pty Ltd
11. J & E Excavations and Plant Hire Pty Ltd
12. Northshore Paving Co Pty Ltd

Full details of the tender evaluation are on folder F2010/00316.

BUDGET

There are no budgetary implications.

POLICY

There are no policy implications.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

Working with our Community

The community was informed of the tender through advertising in the Sydney Morning Herald and the Advocate newspapers.

Conserving our natural environment

The patching of road pavements with asphalt permits the use of some recycled material in the asphalt mix design. The materials excavated are recycled where possible. Patching of roads minimises the need to use significant quantities of quarried materials for road reconstruction.

The processes on site are controlled by sediment and erosion minimisation measures. Further, controls are clearly specified in the contract against environmentally sensitive areas such as noise, smoke and dust.

Contributing to community development through sustainable facilities and services

Rehabilitation of road pavement will have a positive effect on the amenity of the area and provides comfort and safety for the travelling public. Pavement management systems are used to evaluate the existing roads network and a patching program is prepared annually. This is a systematic approach to rehabilitation of Council's roads to make them a sustainable facility.

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

The rehabilitation of the road pavement will have a positive effect on conserving and enhancing Council's road pavement assets, so that residents and the general public have a good road network to support their transport needs.

Supporting our diverse economy

Maintenance of a sustainable road network is essential in supporting the diverse economy of the Shire.

Maintaining sound corporate financial management

Patching of road pavements is a requirement for Council's pavement management system. Cost effective rehabilitation enhances the value of Council's road pavement asset and helps guard against the expensive cost of total reconstruction.

Other sustainability considerations

The company's management policy Quality Assurance, OHS and Environmental Management Systems were taken in to consideration in the evaluation of tenders received.

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT Council accept the tender of Bitupave Ltd trading as Boral Asphalt for all work under Tender No. T16/2010: Patching of Road Pavements in Full Depth Asphalt.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Refer to Confidential Attachment to Report No. WK55/10, located in the Confidential Section of Business Paper Confidential Memo WD D&C49/10 (circulated separately to Councillors). - *This attachment should be dealt with in confidential session, under Section 10A (2) (d) of the Local Government Act, 1993. This report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

File Reference: F2010/00316
Document Number: D01463590

14 ACCESS DEED WITH TELSTRA CORPORATION LIMITED - MOBILE TELEPHONE FACILITY WITHIN NATURE STRIP COUNTY DRIVE CHERRYBROOK (ADJACENT TO 25 COUNTY DRIVE CHERRYBROOK)

EXECUTIVE SUMMARY

In June 2009 Telstra Corporation Limited served a notice on council as land owner, exercising its powers in accordance with Schedule 3 of the Telecommunications Act 1997 to enter upon County Road Cherrybrook for the purpose of installing equipment to operate a low impact mobile telephone facility as part of their telecommunication network.

Following negotiations advice has now been received from the Australian Government Solicitor confirming that their client, Telstra Corporation Limited, is willing to compensate council in respect of the installation by entering into an access deed arrangement as detailed within the DISCUSSION section of this Report.

This Report provides comments from officers regarding the proposal and also seeks Council's endorsement to enter into an access deed arrangement with Telstra Corporation Limited.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with details of the terms of the proposed access deed arrangement and to recommend that Council enter into an access deed with Telstra Corporation Limited on the basis outlined in the recommendation of the Report.

DISCUSSION

On the 5 June 2009 Telstra Corporation Limited served upon council a Notice under Clause 17, Schedule 3 of the Telecommunications Act 1997 and Clause 4.27 of the Telecommunication Code of Practice 1997 that it intended to enter land forming part of County Road Cherrybrook (adjacent to 25 County Drive Cherrybrook) to install a micro cell facility on the nature strip as a low impact facility associated with their mobile telephone network on or after 25 June 2009. Plans relating to the location of the installation are included as an attachment to this Report. It should be noted that the facility has been installed during the second half of 2009.

Legislative considerations in respect of Low Impact Telecommunication Facility Installations

As advised in previous reports, the installation of telecommunication facilities by telecommunication companies (carriers) is governed primarily by the provisions of the Commonwealth Telecommunications Acts 1997 (the Act) and the Telecommunications Code of Practice 1997. The Telecommunications (low impact facilities) Determination 1997 lists the types of facilities defined as "low-impact".

Under Clause 6 of Schedule 3 of the Act a carrier is authorised, for the purposes connected with the supply of carriage service, to enter on and occupy land for the purposes of installing and operating a low-impact facility. It should be noted that a carrier authorised under the Act to enter land and install a low-impact facility is immune from some State and Territory laws, including town planning and environmental laws.

Where a carrier proposes to exercise the powers authorised under Clause 6 above, the carrier must give written notice to the owner of the land and any occupier, of its intention to enter on the land for the purpose of installing and operating a low-impact facility. The notice shall be issued in accordance with the provisions of Clause 17 of Schedule 3 of the Act and the requirements set out in the Telecommunications Code of Practice and must be given at least ten business days before the carrier begins to engage in any installation activity. The notice must also contain a statement to the effect that if a person suffers financial loss or damage in relation to the property because of anything done by the carrier, compensation may be payable under Clause 42 of Schedule 3 of the Act.

This clause stipulates that where a person suffers financial loss or damage because of anything done by a carrier in relation to any property owned or where a person has an interest, the person shall be paid by that carrier such reasonable amount of compensation as is agreed between them or, failing agreement, as is determined by a court of competent jurisdiction.

While the provisions of the Telecommunication Code of practice enable an owner or occupier to object to the installation of a low impact facility on their land, the objection must be made in writing to the carrier at least five days before the installation date set out in the notice. The reasons for an objection must relate to at least one of the following reasons:

- The use of the land for the installation
- The location of the low impact facility on the land
- The dates when the carrier proposes to start the installation, engage in it or stop the installation on the land
- The likely effect of the installation on the land
- The carriers proposal to minimise detriment and inconvenience and to do as little damage as practicable to the land

If the objection cannot be resolved within the prescribed period, the objector can require the carrier to refer the matter to the Telecommunications Industry Ombudsman.

The provisions of the Roads Act 1993, also creates difficulties in formalising the tenure of low impact telecommunication facilities on land owned by a Road Authority. To overcome these difficulties, advice has been previously sought from Council's solicitor who has indicated that it is not unusual for councils to enter into an access deed arrangement to formalise the commercial relationship with telecommunication carriers in respect of telecommunication facilities on roads.

Objection and Compensation- Telstra Corporation Limited County Drive Cherrybrook

With Council's Assets Branch Manager indicating no objection to the installation of the proposed structure on the nature strip no objection was raised with Telstra Corporation Limited in respect of the Land Access Notice.

In response to a request by council for the payment of compensation advice from Telstra's property consultant, UGL Limited, confirming that their client was willing to offer compensation for the use of council land in accordance with the telecommunications Act 1997 by entering into an access deed arrangement generally as follows:

1. Access Deed to commence from the date of installation/access to the site
2. Payment of an initial fee of \$1,870.00 per annum inclusive of GST
3. The fee to be indexed annually by 3% or CPI whichever is the greater
4. Telstra Corporation Limited entering into a separate agreement with Energy Australia in respect of access to Pole 11719.
5. Telstra Corporation Limited to be responsible for the payment of legal costs incurred in this matter up to a maximum of \$1,000.

Following protracted negotiations advice has now been received that Telstra Corporation Limited is prepared to compensate council by entering into an Access Deed arrangement on more favourable to terms to Council as follows:

Point 2: Site fee

Telstra Corporation Ltd is willing to pay an increased annual fee of \$3,300.00 per annum inclusive of GST

Point 3 Review of Fee

Telstra Corporation Limited is willing accept an annual fee index of 5%

Point 5 Payment of Legal Costs

Telstra Corporation Limited is willing to pay a maximum of \$1,500.00 towards Council's legal costs.

It should be noted that revised compensation terms outlined above are in keeping with the terms and conditions of other access deed arrangements that have been negotiated with Telstra Corporation Limited for other telecommunication installations located on Council land and the proposed fee is within an acceptable range currently being obtained for similar installations in other Sydney Metropolitan areas.

As detailed above, the Commonwealth Telecommunication Act 1997 empowers licensed carriers with authority to enter upon land and install and operate low impact telecommunication facilities. The recourse available to any owner or occupier is limited to the lodgement of an objection in line with the grounds outlined within the Telecommunications Code of Conduct 1997 and/or the payment of reasonable compensation through direct negotiations with a carrier or legal action in accordance with the provisions of Clause 42 of the Act. It should be noted that generally a carrier will attempt to negotiate a suitable commercial arrangement in respect of access to and occupation of an owners land.

However, once a carrier has exercised its statutory powers it is quite evident that the position of an owner in arriving at an acceptable level of compensation is compromised. Whilst an

owner has the opportunity to seek relief for compensation by way of legal action, this option as previously reported, possesses a certain element of risk.

Taking into consideration the comments provided above council officers are of the opinion that council's interests in this matter would not be unduly compromised if an access deed was granted to Telstra Corporation Limited on the basis outlined in the recommendation of this report.

BUDGET

In granting Telstra Corporation Limited an access deed on the basis outlined in the recommendation of this report will provide council with an additional annual income of at least \$3,000.

POLICY

There are no policy implications associated with this report.

CONSULTATION

There has been consultation in the preparation of this report with representatives of UGL Limited and the Australian Government Solicitor.

TRIPLE BOTTOM LINE SUMMARY

A Triple Bottom Line summary is not required for this report.

RESPONSIBLE OFFICER

The officer responsible for drafting this report is the Manager, Commercial Property, Mr Rod Drummond who can be contacted on 9847 6589. Questions can be directed to the Executive Manager, Works Division on 9847 6665.

RECOMMENDATION

THAT:

1. The Contents of Executive Managers Report No. WK56/10 be noted.
2. Council enter into an Access Deed with Telstra Corporation Limited in respect of a low impact telecommunication facility on the nature strip of County Drive Cherrybrook (adjacent to 25 County Drive Cherrybrook) on the following basis:
 - a. The Access Deed to commence from the date of installation/access to the site.
 - b. Payment of an initial site administration fee in the amount of \$3,300.00 per annum (inclusive of GST).
 - c. The site administration fee to be indexed annually by 5% per annum throughout the term of the Access Deed.
 - d. Telstra Corporation Limited to be responsible to repair and maintain the site

and/or structures located on the land during the term of the access deed at no cost to Council. Council shall not be liable for any damage caused to the infrastructure located at the subject site.

- e. Telstra Corporation Limited shall at the expiration of the term arrange for the removal of all structures placed upon the land at no cost to Council and shall yield up the land in a good and clean condition, fair wear and tear excepted.
- f. Throughout the term of the Access Deed Telstra Corporation Limited to maintain an appropriate Public Liability insurance policy with Council's interests noted thereon for a minimum indemnity amount of \$20,000,000.00.
- g. Telstra Corporation Limited to be responsible for the payment of all outgoings incurred in respect of the structures and the area of land occupied including but not limited to any rates assessed, electricity, gas, lighting etc.
- h. Telstra Corporation Limited shall be responsible to carry out all works and bear all costs incurred in respect of the installation of the structure.
- i. Telstra Corporation Limited shall bear a maximum of \$1,500 plus GST towards the costs incurred in the formalisation of the access deed.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Plans of Low Impact Telecommunication Facility County Drive Cherrybrook

File Reference: F2004/06654
Document Number: D01463596

15 ENGINEERING SERVICES - BUILDING CAPITAL WORKS PROGRAM 2009/2010 - JUNE 2010 QUARTERLY REPORT

EXECUTIVE SUMMARY

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

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

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

Building Capital renewals, upgrades, improvements and new works are also provided under Responsibility Centre 5431. Upgrades typically include new kitchens, air conditioning, curtains, carpeting. Improvement works include the provision of such items as pergolas, sun shades, disable access. New works include the provision of new buildings and major building extensions.

A reform of the method of delivery of services provided by the Building Services team has resulted in the progressive outsourcing of works to contractors, under the control of Building Services supervisory staff. The reform has been affected over a period of time following natural attrition of day labour staff, and has provided cost savings of over 10% in 2009/10.

The attached Gantt Chart displays the completed projects included in the 2009/2010 Building Works program during the period 1 July 2009 to 30 June 2010.

The projects in the General Buildings program were completed with the exception of the installation of gutter guard to selected buildings (allocated budget \$10,000). Additional savings of \$41,000 were achieved by competitive rates through outsourcing of the works to

contractors under the supervision of Council staff. The savings were returned to General Working Funds.

The projects in the Community Centres program were completed with the exception of the replacement of carpet at Galston Library (allocated budget \$5,000). Additional savings of \$28,000 were achieved by competitive rates through outsourcing of the works to contractors under the supervision of Council staff.

The projects in the Aquatic Centres program were completed with the exception of the repainting of the swimming pool at Galston Aquatic Centre (allocated budget \$22,000). Additional savings of \$2,000 were achieved by competitive rates through outsourcing of the works to contractors under the supervision of Council staff.

The projects in the Regional and Local Community Infrastructure Program were completed in accordance with the program at the estimated cost.

BUDGET

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

POLICY

There are no policy implications.

CONSULTATION

Consultation has been carried out with the following:

- David Johnston – Manager, Community Services
- Samantha Colbert – Community Centre and Hall Co-ordinator
- Scott Hewitt – Aquatic and Recreation Facilities Manager
- Cheryl Etheridge – Manager, Library Services
- Dana Spence – Co-ordinator, Parks Assets

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK57/10 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

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

File Reference: F2004/05958
Document Number: D01464457

16 ENGINEERING SERVICES - BUILDING CAPITAL WORKS PROGRAM 2010/2011

EXECUTIVE SUMMARY

Council's Delivery Program 2010/2014 provides the proposed Building Capital Works for 2010/2011. This report provides Council with additional information and a program for the projects for the period 1 July 2010 to 30 June 2011.

PURPOSE/OBJECTIVE

This report presents the 2010/2011 Engineering Services – Building Capital Works Program to be undertaken by the Building Services Team of the Engineering Services Branch for Council's adoption.

DISCUSSION

The Engineering Services Branch is responsible for the asset management of Council's Public Buildings. As part of this asset management role, it undertakes various building capital works as presented on the attached Gantt Chart.

BUDGET

The budgetary considerations of this report are shown in Council's budget for 2010/2011. The total amount of the program is \$455,000.

POLICY

There are no policy implications.

CONSULTATION

Consultation has been carried out with the following:

- David Johnston – Manager, Community Services
- Samantha Colbert – Community Centre and Hall Co-ordinator

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No. WK58/10 be received.
2. Council adopt the program attached to this report.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Engineering Services - Building Capital Works for 2010/2011 Report

File Reference: F2004/05958
Document Number: D01464504