



the bushland shire

creating a living environment

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 21 September, 2011
at 6.30pm**

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AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

Rev Ann Hogan From Hornsby Uniting Church will open 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 acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"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 the Minutes 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."

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 24 August, 2011 be confirmed; a copy having been distributed to all Councillors.

THAT the Minutes of the Workshop Council Meeting held on 31 August, 2011 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION

Page Number 1

Item 1 NOM11/11 LOCAL GOVERNMENT BOUNDARY ADJUSTMENT - EPPING

COUNCILLOR HUTCHENCE TO MOVE

THAT a report be presented to an upcoming Council meeting outlining the process and options available to amend the local government boundary in the suburb of Epping between Parramatta City and Hornsby Shire so as to achieve an outcome whereby the whole of the Epping town centre is wholly located within the one local government area.

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

Nil

CORPORATE AND COMMUNITY DIVISION**Page Number 2**

**Item 2 CC40/11 COUNCILLORS' EXPENSES AND FACILITIES POLICY -
2011 ANNUAL REVIEW**

RECOMMENDATION

THAT:

1. The amended Councillors' Expenses and Facility Policy, as attached to Report No. CC40/11, be adopted for the purpose of public exhibition.
2. If submissions are received during the public exhibition period, a further report be prepared for Council's consideration which addresses those submissions.
3. Should no submissions be received, the Policy as attached to Report No. CC40/11 be adopted and a copy of the amended Policy be forwarded to the Division of Local Government.

Page Number 8**Item 3 CC46/11 ELECTION OF DEPUTY MAYOR****RECOMMENDATION**

THAT:

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

Page Number 12**Item 4 CC47/11 COUNCILLOR REPRESENTATION ON COMMITTEES,
WORKING PARTIES AND OTHER RELEVANT GROUPS -
OCTOBER 2011 TO SEPTEMBER 2012****RECOMMENDATION**

THAT Council review the list of Committees, Working Parties and other relevant groups included in the attachment to Report No CC47/11 and determine Councillor representation as appropriate for the period to September 2012.

Page Number 14**Item 5 CC51/11 DELIVERY PROGRAM 2010-2014 INCLUDING
OPERATIONAL PLAN (BUDGET) 2010/11 - JUNE 2011 REVIEW****RECOMMENDATION**

THAT:

1. The contents of Executive Manager's Report No CC51/11 be received and noted.
2. The June 2011 Quarter Review of the Delivery Program for 2010-2014, including the Operational Plan (Budget) for 2010/11, be noted.

Page Number 17**Item 6 CC53/11 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2011 TO OCTOBER 2012****RECOMMENDATION**

THAT Council:

1. Adopt the Schedule of ordinary Council Meetings for the period October 2011 to October 2012 as set out in Attachment 1 of Executive Manager's Report No. CC53/11.
2. Adopt the Order of Business for the ordinary Council Meetings to be held in the period October 2011 to October 2012 as set out in Attachment 2 of Executive Manager's Report No. CC53/11.

Page Number 21**Item 7 CC54/11 2011/12 INVESTMENTS AND BORROWINGS - PERIOD ENDING JULY 2011****RECOMMENDATION**

THAT the contents of the Executive Manager's Report No. CC54/11 be received and noted.

Page Number 25**Item 8 CC55/11 DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS - COUNCILLORS AND DESIGNATED PERSONS****RECOMMENDATION**

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

Page Number 28**Item 9 CC56/11 2010/11 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS****RECOMMENDATION**

THAT:

1. The 2010/11 General Purpose and Special Purpose Financial Reports, distributed under separate cover, be received and noted and referred for audit.

2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2010/11 Financial Reports.
3. The 2010/11 Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Reports.
4. The General Manager be delegated authority to fix the date of the Ordinary Meeting at which the 2010/11 Financial Reports and Auditor’s Report are formally “presented to the public”.

Page Number 31**Item 10 CC58/11 OUTSTANDING COUNCIL RESOLUTIONS - PERIOD UNTIL 31 MAY 2011****RECOMMENDATION**

THAT the contents of Executive Manager’s Report No. CC58/11 be received and noted.

Page Number 33**Item 11 CC59/11 WESTLEIGH NURSERY AND PRESCHOOL CENTRE - REQUEST FOR EARLY MANAGEMENT TRANSITION****RECOMMENDATION**

THAT Council consider the options contained in Executive Manager’s Report No CC59/11 and determine its position on the proposed early management transition of Westleigh Nursery and Preschool to First Grammar Parramatta Pty Limited.

Page Number 38**Item 12 CC60/11 ROSELEA COMMUNITY CENTRE RENOVATION - PROJECT UPDATE****RECOMMENDATION**

THAT:

1. The contents of Executive Manager’s Report No CC60/11 be received and noted.
2. Council provide in principle support to fund any project cost overrun for the grant funded Roselea Community Centre Renovation/Extension Project noting that prior to determining the final scope of works, tenders will be called to ensure that the project budget is within the funded amount.

ENVIRONMENT DIVISION

Page Number 42

**Item 13 EN30/11 REQUEST TO REMOVE TREE AT 24A MYRA STREET,
WAHROONGA**

RECOMMENDATION

THAT Council refuse consent to remove one *Eucalyptus pilularis* (Blackbutt) located in the rear yard of 24A Myra Street Wahroonga.

Page Number 45

**Item 14 EN38/11 REQUEST TO REMOVE TREE AT 9 WISTERIA
CRESCENT CHERRYBROOK**

RECOMMENDATION

THAT Council refuse consent to remove one (1) *Syncarpia glomulifera* (Turpentine), two (2) *Angophora costata* (Smooth-barked Apple) located in the rear yard and one (1) *Eucalyptus resinifera* (Red Mahogany) located in the front yard, of 9 Wisteria Crescent Cherrybrook.

Page Number 49

**Item 15 EN39/11 REPORT ON FOOD INSPECTION PROGRAM FOR
2010-2011**

RECOMMENDATION

THAT the contents of Executive Manager's Report be received and noted.

Page Number 52

**Item 16 EN40/11 2011-2012 BUSHLAND AND BIODIVERSITY WORKS
PROJECTS**

RECOMMENDATION

THAT the Bushland and Biodiversity Works Projects 2011-12 shown in Attachment 1 be adopted.

Page Number 54**Item 17 EN41/11 TENDER T6/2011 - CLEANING CONTRACT, COUNCIL OFFICES AND BUILDINGS****RECOMMENDATION**

THAT Council accept the tender submitted by Northern Contract Cleaning Pty Ltd for Tender No. T6/2011: Cleaning of Council Offices and Buildings for the lump sum price as stated in the attached Confidential Attachment, the price to be made public on formal acceptance of the tender.

PLANNING DIVISION

Nil

WORKS DIVISION**Page Number 58****Item 18 WK54/11 STRATEGY FOR UNSEALED ROADS - IMPLEMENTATION PROGRAM PROGRESS REPORT AS AT 30 JUNE 2011****RECOMMENDATION**

THAT Council:

1. Note the progress of the Implementation Program for Sealing Unsealed Roads as at 30 June 2011.
2. Endorse the Prioritisation of Unsealed Road Projects presented in Appendix A and the Implementation Program for Sealing Unsealed Roads presented in Appendix B of Executive Manager's Report No. WK54/11.

Page Number 62**Item 19 WK56/11 PROPOSAL FOR CONSTRUCTION OF A PONTOON AND MOORING / BERTHING FACILITY AT DANGAR ISLAND PUBLIC WHARF****RECOMMENDATION**

THAT:

1. Council approve in principle the project concept and endorse the proposed course of action for the implementation of the project.
2. Subject to this approval, the BBP Grant of up to \$135,000 be accepted by Council if offered by NSW Maritime.

3. Subject to this approval, the project be identified for consideration as a phase up in the 2012/13 budget should Council be unsuccessful in its application for the BBP Grant.

Page Number 68**Item 20 WK57/11 "WELLUM BULLA" HORNSBY SHIRE COUNCIL
MATERIALS HANDLING FACILITY REPORT ON OPERATIONS AS
AT 30 JUNE 2011****RECOMMENDATION**

THAT the contents of Executive Manager's Report No. WK57/11 be received and noted.

Page Number 76**Item 21 WK58/11 BROOKLYN SHARED PATH FEASIBILITY STUDY -
OUTCOME OF CONSULTATION****RECOMMENDATION**

THAT:

Council adopt the final report for the Feasibility Study - Brooklyn Pathway Kangaroo Point to Parsley Bay for the purpose of development of detailed designs, costing and funding applications with external agencies.

SUPPLEMENTARY AGENDA**PUBLIC FORUM – NON AGENDA ITEMS****CONFIDENTIAL ITEMS****Item 23 EN42/11 PROPOSED PURCHASE OF OPEN SPACE LAND**

This report should be dealt with in confidential session, under Section 10A (2) (c) (d) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; AND 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.

Item 24 GM21/11 COUNCILS ONLINE CONTRACT

This report should be dealt with in confidential session, under Section 10A (2) (d) (g) 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; AND contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

MAYOR'S NOTES**Page Number 80****Item 22 MN9/11 MAYOR'S NOTES FROM 1 TO 31 AUGUST 2011****QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN****Page Number 83****Item 25 QWNHBG4/11 RECREATION FACILITIES WITHIN HORNSBY SHIRE****QUESTIONS WITHOUT NOTICE**

1 LOCAL GOVERNMENT BOUNDARY ADJUSTMENT - EPPING

COUNCILLOR HUTCHENCE TO MOVE

THAT a report be presented to an upcoming Council meeting outlining the process and options available to amend the local government boundary in the suburb of Epping between Parramatta City and Hornsby Shire so as to achieve an outcome whereby the whole of the Epping town centre is wholly located within the one local government area.

Attachments:

There are no attachments for this report.

File Reference: F2004/07096

Document Number: D01757694

2 COUNCILLORS' EXPENSES AND FACILITIES POLICY - 2011 ANNUAL REVIEW

EXECUTIVE SUMMARY

In accordance with Section 252 of the Local Government Act, Council is required to review its policy regarding the payment of expenses and provision of facilities to Councillors on an annual basis. Once such review is complete, the updated policy is required to be forwarded to the Division of Local Government (DLG).

A thorough review of Council's current Councillors' Expenses and Facilities Policy has been completed and the updated draft Policy is included in the attachment to this Report (see Colour Attachments Agenda), with proposed amendments shown in *track changes*. The review of the Policy has regard to the "Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW" issued by the DLG. A copy of the Guidelines is attached.

It is recommended that Council adopt the attached draft Policy for the purpose of public exhibition and then determine further action subject to whether any submissions are received.

PURPOSE/OBJECTIVE

The purpose of this Report is to comply with Section 252 of the Local Government Act; provide Council with the opportunity to consider the proposed amendments to its Councillors' Expenses and Facilities Policy; and seek Council's endorsement of the amended Policy for the purpose of public exhibition.

DISCUSSION

Council's last review of the Councillors' Expenses and Facilities Policy occurred in November 2010. Having regard to the provisions of Section 252 of the Local Government Act and Circular No. 09-36 and associated Guidelines issued by the DLG, the 2011 annual review of the Policy has now been completed. It is noted that Circular No. 09-36 requires councils to submit their expenses and facilities policies to the DLG by 30 November each year.

The 2011 annual review of the Policy has resulted in a number of recommended variations, each of which are shown in *track changes* in the attached draft Policy. The recommended variations take into account the requirements of the DLG Circular No. 09-36 and associated "Guidelines for the payment of expenses and provision of facilities for Mayors and Councillors in NSW" (DLG Guidelines). A comparative analysis of equivalent Policies of neighbouring councils and one other Metropolitan Council has also been undertaken. Consideration was also given to recent adverse publicity of a NSW council which was heavily criticised by the media and DLG for not having an adequate Councillor's Expenses and Facilities Policy. Notwithstanding there have been no historical problems or concerns raised about the use and application of this Policy at Hornsby Shire Council, it is considered appropriate to align the Policy as closely as possible with the requirements of the DLG.

The recommended variations to the Policy are summarised below. Some minor grammatical, formatting and cross-referencing changes have also been proposed throughout the document, however, these changes are not summarised below as they are self-explanatory.

1. Setting of Limits

In Section 1.6.6 of the DLG Guidelines the following comments are made in respect of the setting of limits on expenses and provision of facilities:

“The payment of expenses and the provision of equipment and facilities to councillors must not be open-ended. However, these guidelines do not specify particular monetary limits. Rather, councils must agree and set monetary limits to all expense provisions in their policy, where practicable and where appropriate, as well as standards for the provision of equipment and facilities provided to councillors. In doing so, councils need to consider what is a reasonable and acceptable level of provision.”

Having regard to the requirements of the DLG, the following limits are recommended to be included within the draft Policy. In recommending these limits, consideration has been given to limits set by other councils. It is also important to note that, within each expense category where a limit is being recommended, any existing rules regarding the criteria and process for approval of expenses remains unchanged. Furthermore, any existing rules for where a Councillor may need to seek approval for reimbursement over and above any set limit also remains unchanged.

Section 2 – PAYMENT OF EXPENSES – GENERAL

Clause (g) – Incidental Expenses

A daily limit of \$30 per Councillor is recommended for incidental out-of-pocket expenses whilst attending conferences, seminars or training courses (see Section 2.3.5 of the DLG Guidelines).

Section 3 – PAYMENT OF EXPENSES – SPECIFIC

Clause (e) (iii) - Training and Education

An annual limit of \$500 per Councillor is recommended for training and education. Council currently has a budget allocation of \$5,000 for Councillor training and education and this limit represents an equal distribution of this budget among Councillors. It is also recommended that if a Councillor does not elect to attend any conferences or seminars (refer to Clause (d) under the Section of the Policy) throughout any given year, he or she may apply to use the funds otherwise allocated to conferences and seminars for an increased level of training and education.

Clause (f) - Attendance at Dinners and Other Non-Council Functions

An annual limit of \$200 per Councillor and annual limit of \$400 for the Mayor is recommended for reimbursement of costs associated with attendance at dinners and other non-Council functions relevant to Council’s interests.

Clause (i) – Care and Other Related Expenses

Rather than set an actual monetary limit for this expense category it is recommended that the cost of care and other related expenses be limited in any given year to 10% of the Councillors annual fee. Several Councils adopt this approach because it allows the provision to increase over time at the same rate as the increase in the Councillors annual fee, which is generally in line with the CPI. The annual fee for a Councillor is currently set at \$21,170.

2. Clarification of Policy Purpose/Objectives

After giving consideration to the DLG Guidelines it was identified that the wording in several sections of the Policy could be clarified to strengthen the purpose/objectives of the Policy. These proposed changes to the Policy are outlined below:

Section 2 – PAYMENT OF EXPENSES – GENERAL

In Sections 1.6.4 and 2.2 of the DLG Guidelines the following comments are made in respect of private benefit:

Section 1.6.4:

“Councils are encouraged to include a statement in their councillor expenses and facilities policies clarifying that councillors should not obtain more than incidental private use of facilities.”

Section 2.2:

“Consistent with the principles outlined in these guidelines, councillor expenses and facilities policies should include – statement disallowing, other than incidental, private benefit from expenses and facilities – unless the policy expressly allows this and there is a reasonable and clearly outlined mechanism for reimbursement of the private benefit gained.”

The current Policy already contains a statement regarding incidental private use of “facilities” in Section 4 – Provision of Equipment and Facilities – General, however, there is no such statement with respect to the various categories of “expenses”. For this reason it is considered appropriate to reinforce the principle that Councillors should receive no more than incidental private benefit of both “facilities” and “expenses”. A new Clause b) has been added to Section 2 of the Policy to reflect this amendment.

A second amendment to Section 2 of the Policy has been proposed with respect to the process for claiming of expenses. The current wording permits reimbursement of expenses only where receipts and tax invoices are presented in conjunction with the approved form. Whilst this is an ideal requirement, this wording does not provide flexibility for Councillors in situations where no receipts or tax invoices are available to support a claim for reimbursement. An example of when this situation would arise is where a Councillor may claim for car travel expenses on a per kilometre basis. In this situation, no receipts or tax invoices are available to submit for approval. The amended wording in Clause c) allows a Councillor to submit a signed declaration for expenses which do not have supporting documentation, but stipulates that approval of any such claim would be at the discretion of the General Manager.

Section 3 – PAYMENT OF EXPENSES – SPECIFIC

Clause (c) – Overseas Travel

In Section 2.3.3 of the DLG Guidelines it is stated that *“Councils should not allow the retrospective reimbursement of travel expenses unless prior authorisation of the travel has been obtained.”*

To clarify this requirement, an additional Point vi) has been added to this Clause.

Clause (e) – Training and Education

A new Point ii) has been added to this Clause to clarify that any requests by Councillors for attendance at training and education courses are to be made in writing to the General Manager and to provide a mechanism for the General Manager to refer the request to a Council meeting if there is doubt whether the proposed training or education course is directly related to the Councillor’s civic functions and responsibilities. This wording amendment reflects current practice.

Clause (f) - Attendance at Dinners and Other Non-Council Functions

In Section 2.3.10 of the DLG Guidelines it is stated that *“No payment should be made by a council for attendance by a councillor at any political fundraising event, for any donation to a political party or candidate’s electoral fund, or for some other private benefit.”*

This requirement from the Guidelines has been included in this Clause as an additional Point ii).

Clause (g) – Expenses for Spouses, Partners and other Accompanying Persons

In Section 2.3.12 of the DLG Guidelines it is recommended that councils include a statement with respect to the payment of expenses for spouses, partners and accompanying persons in limited circumstances. This requirement has been included as a new Clause which reflects the wording from the DLG Guidelines.

Clause (h) – Home Telephone/Facsimile Expenses

This Clause has been amended by separating home telephone/facsimile expenses with mobile phone expenses to better reflect the differences between the two types of service. Mobile phone expenses are now addressed in a new Clause (h).

The original Point i) of this Clause is recommended to be deleted as it related to the provision of the facility rather than the reimbursement of the expense. As the provision of the facility is already addressed in Section 4 of the Policy, this wording was considered superfluous.

Clause (i) – Mobile Phone Expenses

As indicated above, this Clause has been added to separate between fixed landline phone services and mobile phone services. There are no expenditure limits currently applied to mobile phone expenses because all mobile phones supplied to Councillors have been supplied on the basis that they are for the sole purpose of Council business and that any private call costs are to be paid for by the Councillors. This process is the same for employees who are supplied with Council phones. There is, however, a set line item budget allocation for

Councillor's mobile phone costs in total and expenditure against this allocation is monitored regularly by staff.

In the next review of this Policy in the lead up to the 2012 Local Government Election there is an opportunity to discuss with the current Council alternative methods for the provision of equipment and facilities to the new Councillors. This review could consider a more tailored provision of equipment, which reflects the individual requirements of each Councillor, rather than the global approach currently taken.

Section 5 – OTHER MATTERS

Clause (b) – Disputes

As the setting of limits on specific items created by this Policy has not been historically included in the Policy, provision has been made in this Clause for discussion/review of the limits set. A provision has also been made to give a Councillor the right to request that a dispute be determined directly by the Council, rather than by the General Manager.

Further Discussion

Section 253 of the Local Government Act requires that Council give public notice of its intention to amend a Policy for the payment of expenses or provision of facilities to Councillors, allowing 28 days for the lodgement of public submissions. The Guidelines issued by the DLG state that public notice must be given prior to the annual Policy adoption process, even if the proposed amendments are not substantial. As such, a public exhibition process in respect of the amended draft Policy is required to be undertaken. The exhibition process is proposed to commence on 27 September and conclude on 25 October 2011. If submissions are received during the public exhibition period, a further report will be prepared for Council's consideration.

BUDGET

An allocation exists within Council's adopted budget for the payment of Councillor expenses and facilities that fall within the provisions of the subject Policy.

POLICY

This Report proposes amendments to the Councillors' Expenses and Facility Policy. Should Council resolve to adopt the amended Policy for the purpose of public exhibition, the public exhibition process will be undertaken having regard to Council's Public and Community Input Policy.

CONSULTATION

The preparation of this Report has had regard to DLG Circular 09-36 of 7 October 2009 and the associated Guidelines. Consultation has taken place with relevant staff members.

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 responds to legislative requirements and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Governance & Customer Service – Robyn Abicair, and the Administration & Risk Manager – Scott Allen. They can be contacted on 9847 6608 and 9847 6609 respectively.

RECOMMENDATION

THAT:

1. The amended Councillors' Expenses and Facility Policy, as attached to Report No. CC40/11, be adopted for the purpose of public exhibition.
2. If submissions are received during the public exhibition period, a further report be prepared for Council's consideration which addresses those submissions.
3. Should no submissions be received, the Policy as attached to Report No. CC40/11 be adopted and a copy of the amended Policy be forwarded to the Division of Local Government.

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Draft Councillors' Expenses and Facilities Policy Included under separate cover
2. DLG Guidelines

File Reference: F2004/09552
Document Number: D01706697

3 ELECTION OF DEPUTY MAYOR

EXECUTIVE SUMMARY

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

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

Although Councillors no longer have the responsibility of electing the Mayor it is still necessary for Council to decide whether or not to elect a Deputy Mayor and, if so, to determine the period of the term to be served by the Deputy Mayor. Council's latest decision in this regard was the Ordinary Meeting held on 15 September 2010, when it considered Report No. CC50/10 and elected Councillor Michael Hutchence as Deputy Mayor for the period to September 2011.

PURPOSE/OBJECTIVE

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

DISCUSSION

The Role of Deputy Mayor

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

Period of Election of the Deputy Mayor

Under Section 231 of the Local Government Act, Councillors may elect a Deputy Mayor for the same period as the Mayoral term or for a shorter period. As Council's Mayor is popularly elected, the current Mayoral term is until the next Local Government elections are held in September 2012. Council may, therefore, determine that a Deputy Mayor be elected for the period until September 2012 or for some shorter period e.g.; 6 months.

Method of Election

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

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

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

Preferential ballot

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

Ordinary ballot

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

Open Voting

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

Other Issues

Choosing by Lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer, folded, so as to prevent the

names being seen, mixed and then drawn at random by the Returning Officer. The candidate whose name is on the drawn slip is chosen.

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

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

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Governance & Customer Service Branch - Robyn Abicair, and the Administration & Risk Manager – Scott Allen. They can be contacted on 9847 6608 and 9847 6609 respectively.

RECOMMENDATION

THAT:

1. Council determine if it wishes to elect a Deputy Mayor.
2. If a Deputy Mayor is to be elected, Council:
 - a) Determine the period for which the Deputy Mayor is to be elected;
 - b) Determine if the election of the Deputy Mayor is to be by preferential ballot,

- ordinary ballot or open voting; and
- c) Request the Returning Officer to conduct the election, using the election method determined in b) above.
3. If a Deputy Mayoral election is held, the ballot papers (if any) be destroyed following the declaration of the elections.

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Deputy Mayoral Election - Nomination Form

File Reference: F2004/07075
Document Number: D01723506

4 COUNCILLOR REPRESENTATION ON COMMITTEES, WORKING PARTIES AND OTHER RELEVANT GROUPS - OCTOBER 2011 TO SEPTEMBER 2012

EXECUTIVE SUMMARY

This Report provides details of current Committees, Working Parties and other relevant groups and seeks determination in respect of the continuation of each, and the appointment of Councillors to them where appropriate, for the period to September 2012.

PURPOSE/OBJECTIVE

The purpose of this Report is to enable Council to review its existing Committees, Working Parties and other relevant groups, determine the ongoing requirement for each, and appoint Councillor representatives where required, for the period September 2011 to September 2012.

DISCUSSION

The current list of Committees, Working Parties and other relevant groups has been updated by each Division and is included as an attachment to this Report. To assist Council to determine required Councillor representation for the 2011/12 period, the 2010/11 Councillor representatives on each Committee, Working Party and group are included in the column titled "Councillor Representation 2010/11" and a blank column has been left in respect of "Councillor Representation for 2011/12". Relevant comments about the operation of specific Committees, Working Parties and groups have been provided by Executive Managers as appropriate.

BUDGET

Any budgetary implications are included in the Comment column of the attachment to this Report.

POLICY

No Council policies are affected by this Report.

CONSULTATION

Consultation has occurred with the General Manager and Executive Managers in preparing the attached list of Committees, Working Parties and other relevant groups.

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Governance & Customer Service – Robyn Abicair, and Council’s Administration & Risk Manager – Scott Allen. They can be contacted on 9847 6608 and 9847 6609 respectively.

RECOMMENDATION

THAT Council review the list of Committees, Working Parties and other relevant groups included in the attachment to Report No CC47/11 and determine Councillor representation as appropriate for the period to September 2012.

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Councillor Representation on Committees 2011-2012

File Reference: F2004/07056
Document Number: D01723871

**5 DELIVERY PROGRAM 2010-2014 INCLUDING OPERATIONAL PLAN
(BUDGET) 2010/11 - JUNE 2011 REVIEW**

EXECUTIVE SUMMARY

Accountable organisations like Council review their budget and operational performance each quarter. In this regard, the June 2011 Quarter Review of the Delivery Program 2010 – 2014, including the Operational Plan (Budget) for 2010/11 is attached.

The 2010/11 Original Budget forecast a deficit at 30 June 2011 of \$802K. The September 2010 Quarter Budget Review resulted in positive budget changes totalling \$813K, whilst the December 2010 Review resulted in no budget changes. The March 2011 Quarter Budget Review resulted in negative changes of \$219K, thus amending the forecasted Budget result at year end to a deficit of \$207K. The June 2011 actual result is a surplus of \$28K. This liquidity result is satisfactory in maintaining Council's working funds balance and the unrestricted current ratio within existing acceptable levels.

Progress against the adopted Delivery Program 2010-2014 and the operational performance of the organisation has been in line with the service delivery standards adopted by Council. This is demonstrated in the document attached to this Report.

PURPOSE/OBJECTIVE

The purpose of this Report is to present for Council's consideration the June 2011 Quarter Review of the Delivery Program 2010 – 2014, including the Operational Plan (Budget) end of year position for 2010/11.

DISCUSSION

Operational comment

On 10 June 2010, Council adopted its 2010 – 2014 Delivery Program which sets out the manner in which Council intends to align its business goals with its intent of "*creating a living environment*". The Program is divided into the following five elements:

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

The attached document demonstrates satisfactory operational performance in the 2010/11 year.

Budget comment

The 2010/11 Original Budget forecast a deficit at 30 June 2011 of \$802K. The September 2010 Quarter Budget Review resulted in positive budget changes totalling \$813K, whilst the December 2010 Review resulted in no budget changes. The March 2011 Quarter Budget Review resulted in negative changes of \$219K, thus amending the forecasted Budget result at year end to a deficit of \$207K.

Based on inflows and outflows of funds, the actual result at 30 June 2011 is a surplus of \$28K. This liquidity result is satisfactory in maintaining Council's working funds balance and the unrestricted current ratio within existing acceptable levels.

It is noted that the review of Council's internal services resulted in changes to the provision and structure of some internal services. As a consequence, a number of staff redundancies occurred, with the financial cost to impact in the 2011/12 financial year. To provide for this cost and increased employee leave entitlements in the 2011/12 financial year, an amount of \$1 million has been transferred to the Employee Leave Entitlements Restricted Asset Reserve. A further \$100K has been allocated to the Administration Centre Restricted Asset to accommodate changes to the office layout within the administration building following the internal services review. Also, a recoupment of \$850K to the Proceeds from George Street Restricted Asset has been made to repay the drawing down on this Restricted Asset to fund costs which have been incurred in respect of the Hornsby Quarry.

The funding of the above Restricted Asset transfers has been possible due to reduced employee leave payments such as long service leave, maternity leave and annual leave during the 2010/11 financial year. Other contributing factors have been higher than expected interest from investment returns, general budget savings and the non-replacement of staff both before and during the internal services review process.

BUDGET

This Report provides the June 2011 Quarter Review of the 2010/11 Operational Plan (Budget).

POLICY

There are no specific policy implications associated with this Report.

CONSULTATION

All Divisions and appropriate staff have had input into the June 2011 Quarter Review process.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The officers responsible for preparation of this Report are Julie Williams - Manager, Strategy and Communications and Glen Magus - Manager, Financial Services. They can be contacted on 9847-6790 and 9847-6635 respectively.

RECOMMENDATION

THAT

1. The contents of Executive Manager's Report No CC51/11 be received and noted.
2. The June 2011 Quarter Review of the Delivery Program for 2010-2014, including the Operational Plan (Budget) for 2010/11, be noted.

GARY BENSLEY
Executive Manager
Corporate and Community Division

ROBERT BALL
General Manager
General Manager Division

Attachments:

1. Fourth Quarter Review

File Reference: F2009/00617
Document Number: D01736289

6 SCHEDULE OF COUNCIL MEETINGS AND ORDER OF BUSINESS TO APPLY AT THOSE MEETINGS - OCTOBER 2011 TO OCTOBER 2012

EXECUTIVE SUMMARY

In accordance with Clauses 5 and 15 of its Code of Meeting Practice, Council annually determines a schedule of ordinary meeting dates for the following year and the order of business to apply at those meetings. Such determinations generally occur in September each year at the same meeting when the Deputy Mayor is elected.

In relation to the above, a draft schedule of meeting dates for the period October 2011 to October 2012, and the proposed order of business to apply at those meetings have been prepared and are recommended for adoption by Council. It is proposed that the current meeting timetable be continued with Planning Meetings held on the first Wednesday of the month, Ordinary Meetings held on the third Wednesday of the month and Workshop Meetings held (as required) on the second and fourth Wednesdays of the month. A minor amendment is proposed to this timetable with the inclusion of the 'fifth' Wednesday of the month as an available date for Workshop Meetings. It is also recommended that the order of business to be conducted at meetings be amended so that, as far as possible, items can be numbered in sequential order in the minutes.

PURPOSE/OBJECTIVE

The purpose of this Report is to recommend a proposed schedule of ordinary meeting dates, and the order of business to apply at those meetings, for the period October 2011 to October 2012.

DISCUSSION

Meeting Dates

Section 2(1) of Council's Code of Meeting Practice currently states as follows in respect of ordinary meetings:

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

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

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

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

It is proposed to make a minor amendment to the above wording in Council's Code of Meeting Practice in respect of Workshop Meetings to include the "fifth" Wednesday of each month (where such exists) as an available date for Workshop Meetings. The amended wording is proposed as follows:

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

In accordance with the above definition, a schedule of recommended ordinary meeting dates for the period from October 2011 to October 2012 has now been drafted and is included as Attachment 1 to this Report. It is noted that the NSW Local Government Association Conference will be held from 23 - 26 October 2011. The date of 26 October has been included in the Schedule of Meeting Dates as a potential Workshop Meeting and, if Council were to consider holding a meeting on this date, it should bear in mind that this is the closing day of the Conference and those attending the Conference may have difficulty travelling back from Nowra in time to attend the meeting.

The 2012 Local Government Elections are scheduled to be held on 8 September 2012 and as such Council will be in "caretaker" period from the date of the close of rolls (40 days before the election day). In DLG Circular No. 08-37, the DLG advises that routine business should proceed as usual during the caretaker period, however councils should exercise due caution in making major policy decisions that would bind an incoming council such as determining controversial or significant development applications, new or potentially controversial permanent appointments of General Managers, and entering major contracts and undertakings.

Although certain matters will not be able to be considered by Council during the caretaker period, the normal schedule of meetings is proposed to continue throughout this period, up to and including the Planning Meeting on 5 September 2012. The Schedule of Meetings has also been extended beyond the date of the 2012 Local Government Elections on 8 September to include available additional dates in September and October 2012. This will allow flexibility in setting the first meeting of the newly-elected Council having regard to when the Declaration of the Poll is made.

Order of Business

It is proposed to amend the Order of Business to improve sequential numbering of items in the Minutes of Meetings. At present, Mayoral Minutes and Matters of Urgency appear early on in the Order of Business prior to General Business items, however, because these items generally arise at the time of the meeting (rather than being pre-published in the Business Papers), they are assigned an item number only when the Minutes are produced. This results in the numbering of items as they appear in the Minutes being out of chronological sequence with the General Business items. For example, if a Mayoral Minute or Matter of Urgency arises at a meeting it will be assigned the next available item number following the General Business items (such as Item No. 26). When this occurs, the Minutes of the Meeting commence with this 'out-of-sequence' item number which can be confusing for residents to interpret.

To overcome this issue, it is proposed to move Mayoral Minutes and Matters of Urgency towards the end of the Order of Business so that they appear with Supplementary Agenda

items and Questions Without Notice, as these items are also assigned numbers subsequent to General Business items. Similarly, it is also proposed to move Notices of Motion to be grouped with these items because the deadline for Notices of Motion to be submitted by Councillors is after the normal closing date for the published Agenda. As such, Notices of Motion will also be assigned item numbers subsequent to General Business items.

Confidential Items and Questions of Which Notice has been Given (QWNHBG) are proposed to be listed above Supplementary Agenda items in the Order of Business because these are pre-published in the Business Papers and have item numbers already assigned before a meeting commences.

These proposed changes in the Order of Business will not preclude Council from dealing with Mayoral Minutes, Matters of Urgency and Notices of Motion at the beginning of a meeting if so desired, as the order in which items are dealt with is determined by the Mayor at the Meeting and can be in any order deemed appropriate. This proposed change simply results in the Minutes of Meetings being ordered in a sequential manner with the headings for Mayoral Minutes, Matters of Urgency and Notices of Motion being shown towards the end of the Minutes rather than at the beginning. The proposed Order of Business is set out in Attachment 2 and is recommended to apply for the period October 2011 to October 2012.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

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

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Manager, Governance and Customer Service - Robyn Abicair and the Administration and Risk Manager – Scott Allen, who can be contacted on 9847 6608 and 9847 6609 respectively.

RECOMMENDATION

THAT Council:

1. Adopt the Schedule of ordinary Council Meetings for the period October 2011 to October 2012 as set out in Attachment 1 of Executive Manager's Report No. CC53/11.
2. Adopt the Order of Business for the ordinary Council Meetings to be held in the period October 2011 to October 2012 as set out in Attachment 2 of Executive Manager's Report No. CC53/11.

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Schedule of Council Meetings - October 2011-October 2012
2. Order of Business at Council Meetings - October 2011-October 2012

File Reference: F2004/07032
Document Number: D01738692

7 2011/12 INVESTMENTS AND BORROWINGS - PERIOD ENDING JULY 2011

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 month ending July 2011 was \$124,000 compared to the budgeted income for the month of \$128,000. Of the investment income earned, 38% relates to externally restricted funds (such as those collected under Section 94 of the Environmental Planning and Assessment Act), 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 of Surplus Funds Policy (which was last reviewed by Council at its 20 April 2011 Ordinary Meeting).

DISCUSSION

Council's Investment Performance – July 2011

- The At-Call and Term Deposits achieved an annualised return of 5.91% for the month compared to the benchmark of 4.75%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market annualised return of -26.94% for the month compared to the benchmark of -29.54%. 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 7.07% for the month compared to the benchmark of 5.04%.
- The Capital Guaranteed Notes achieved an annualised return of 0% for the month compared to the benchmark of 5.04%. No interest will be accrued for the remaining life of the securities.

For total investments, the annualised return for July 2011 was 4.05% compared to the benchmark of 3.52%.

Economic Commentary

Statement by Glenn Stevens, Governor: Monetary Policy Decision – Media Release 2 August 2011

At its meeting today, the Board decided to leave the cash rate unchanged at 4.75 per cent.

The global economy is continuing its expansion, but the pace of growth slowed in the June quarter. The supply-chain disruptions from the Japanese earthquake and the dampening effects of high commodity prices on income and spending in major countries both contributed to the slowing. It is still not clear how persistent this slower growth will be. The supply-chain disruptions are now gradually abating and commodity prices have softened of late, though they generally remain high. In China most indications suggest only a mild slowdown so far.

The central scenario for the world economy over the next couple of years envisaged by most forecasters remains one of growth below the pace of 2010, but at or above long-term averages. Downside risks have increased, however, as concerns have grown over the outlook for the public finances of both Europe and the United States.

Australia's terms of trade are now at very high levels and national income has been growing strongly. Investment in the resources sector is picking up very strongly and some related service sectors are enjoying better than average conditions. But in other sectors, cautious behaviour by households and the high level of the exchange rate are having a noticeable dampening effect. The impetus from earlier Australian Government spending programs is now also abating, as had been intended.

The resumption of coal production continues, but a full recovery of flood-affected production now looks unlikely before early next year. Precautionary behaviour by households also looks likely to keep some areas of demand weaker in the near term than earlier expected. Overall, growth in real GDP through 2011 is now likely to be at about trend. Over the medium term, overall growth is still likely to be at trend or higher, unless the world economy deteriorates noticeably.

Growth in employment has moderated and the unemployment rate has been little changed, near 5 per cent, for some time now. Reports of skills shortages remain confined, at this point, to the resources and related sectors. After the significant decline in 2009, growth in wages has returned to rates seen prior to the downturn, though productivity growth remains weak.

Year-ended CPI inflation has been high, affected by the extreme weather events earlier in the year. As these effects reverse over the next couple of quarters, CPI inflation should decline. But measures that give a better indication of the trend in inflation have begun to rise over the past six months, after declining for the previous two years. While they have, to date, remained consistent with the 2–3 per cent target on a year-ended basis, the Board remains concerned about the medium-term outlook for inflation.

It is appropriate under such circumstances for monetary policy to exert a degree of restraint. Most financial indicators suggest that it has been doing so, as a result of the Board's decisions last year. Credit growth has declined over recent months and is very subdued by historical standards, even with evidence of greater willingness to lend. Most asset prices, including housing prices, have also softened over recent months. The exchange rate is high. Each of these variables is affected by other factors as well, but together they point to financial conditions being tighter than normal.

At today's meeting, the Board considered whether the recent information warranted further policy tightening. On balance, the Board judged that it was prudent to maintain the current setting of monetary policy, particularly in view of the acute sense of uncertainty in global financial markets over recent weeks. In future meetings, the Board will continue to assess carefully the evolving outlook for growth and inflation.

Borrowings

In respect of borrowings, the weighted average interest rate payable on loans taken out from 2002 to 2011, based on the principal balances outstanding, is 6.90%. The Borrowings Schedule as at 31 July 2011 is attached for Council's information.

BUDGET

Total investment income for the month ending July 2011 was \$124,000. The budgeted income for the month was \$128,000. Approximately 38% of the investment income 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 of Surplus Funds Policy.

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.

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. CC54/11 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. HSC Investment Portfolio as at 31 July 2011
2. HSC Borrowings Schedule as at 31 July 2011

File Reference: F2004/06987

Document Number: D01745071

8 DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS - COUNCILLORS AND DESIGNATED PERSONS

EXECUTIVE SUMMARY

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

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

PURPOSE/OBJECTIVE

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

DISCUSSION

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

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

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

- require all Councillors and Designated Persons who hold that position at 30 June in any year to submit Returns to the General Manager by 30 September in that year (i.e. they are lodged under S449(3)). These Returns are tabled at the October Ordinary Meeting of Council in that year;

- require newly elected Councillors or newly appointed Designated Persons to lodge Returns to the General Manager within three months of their election/appointment (i.e. they are lodged under S449(1). These Returns are tabled at the next available Ordinary Meeting of Council; and
- require those Councillors or Designated Persons who are leaving Council (because of retirement, resignation, etc) to lodge Returns to the General Manager by their last day with Council. These Returns are tabled at the next available Ordinary Meeting of Council.

Returns lodged in accordance with Section 449(1) and/or 449(5) of the Local Government Act and Council's Procedures

Council last considered the tabling of Disclosure of Pecuniary Interests and Other Matters Returns at the Ordinary Meeting held on 24 August 2011 (see Report No. CC44/11). Since that time, one additional Return has been lodged with the General Manager and is now tabled as required by the Local Government Act.

Date Lodged	Councillor/Designated Person (Position)	Reason for Lodgement
11/08/2011	Community Development Officer	Leaving Council

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

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

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2011/00976

Document Number: D01745310

9 2010/11 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS

EXECUTIVE SUMMARY

Council's General Purpose and Special Purpose Financial Reports for the year ended 30 June 2011 (the Financial Reports) have been completed and are ready to be referred for audit. Report No CC56/11 recommends such referral. Following receipt of the Auditor's Reports, it is anticipated that the Financial Reports and Auditor's Reports will be "presented to the public" at the 19 October 2011 Ordinary Meeting in accordance with legislative requirements.

PURPOSE/OBJECTIVE

The purpose of this Report is to recommend that:

- Council's 2010/11 Financial Reports be received and noted and referred for audit.
- On receipt of the Auditor's Report, the 2010/11 Financial Reports and Auditor's Report be authorised for issue to the public.
- Council delegate authority to the General Manager to fix the date of the Meeting at which the 2010/11 Financial Reports and Auditor's Report will be "presented to the public".

DISCUSSION

In accordance with the requirements of the Local Government Act, Council must prepare and have audited its Financial Reports within four months after the end of a financial year. The Financial Reports for 2010/11, which have recently been completed and are included under separate cover, are ready to be referred for audit.

Council is required to give notice as to the Meeting at which the Financial Reports (including the Auditor's Reports) will be "presented to the public". The proposed date for this Meeting will be set as soon as possible after the Auditor's Reports have been received. In this regard, it is anticipated that the Reports will be "presented to the public" at the 19 October 2011 Ordinary Meeting. Council's external auditor, Denis Banicevic of PricewaterhouseCoopers, is expected to be available to make a presentation on the Reports at that Ordinary Meeting. Following presentation of the Reports to the public, any person may make a submission concerning the Reports within a period of seven days after the Ordinary Meeting.

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

BUDGET

There are no implications on the 2011/12 Budget.

POLICY

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

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT

1. The 2010/11 General Purpose and Special Purpose Financial Reports, distributed under separate cover, be received and noted and referred for audit.
2. The Mayor and Deputy Mayor be authorised to sign the Statutory Statements in connection with the 2010/11 Financial Reports.
3. The 2010/11 Financial Reports be authorised for “presentation to the public” on receipt of the Auditor’s Reports.
4. The General Manager be delegated authority to fix the date of the Ordinary Meeting at which the 2010/11 Financial Reports and Auditor’s Report are formally “presented to the public”.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2011/00522

Document Number: D01746415

10 OUTSTANDING COUNCIL RESOLUTIONS - PERIOD UNTIL 31 MAY 2011

EXECUTIVE SUMMARY

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

PURPOSE/OBJECTIVE

The purpose of this Report is to provide details in respect of resolutions adopted by Council up until the end of May 2011 which have not been substantially implemented.

DISCUSSION

In accordance with the Council Resolutions Policy, each Division has carried out a review of any resolutions adopted by Council up until the end of May 2011 which have not been substantially implemented. This has resulted in the attached spreadsheet being prepared which shows a list of outstanding resolutions per Division. Details are provided about the:

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

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

BUDGET

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

POLICY

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

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Administration & Risk Manager – Scott Allen who can be contacted on 9847 6609.

RECOMMENDATION

THAT the contents of Executive Manager's Report No. CC58/11 be received and noted.

ROBYN ABICAIR
Manager - Governance & Customer Service
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Outstanding Council Resolutions as at 31 May 2011

File Reference: F2005/00112
Document Number: D01748107

11 WESTLEIGH NURSERY AND PRESCHOOL CENTRE - REQUEST FOR EARLY MANAGEMENT TRANSITION

EXECUTIVE SUMMARY

At the 23 March 2011 Workshop Meeting, Council considered Executive Manager's Report No. CC13/11 and resolved in part that Council call for expressions of interest for the operation of a long day care centre or preschool centre at the former Westleigh Nursery and Preschool site from 1 January 2012. Council also committed to continuing to operate the Westleigh Nursery and Preschool until Christmas Eve 2011.

The tender to operate the child care centre at 10 Eucalyptus Drive, Westleigh was run and subsequently awarded to First Grammar Parramatta Pty Ltd at the 22 July 2011 Ordinary Meeting. At a meeting with representatives of First Grammar Parramatta Pty Ltd held on 9 August 2011, First Grammar articulated a preference to work towards an early management transition of Westleigh Nursery and Preschool – indicating a preference for early October 2011.

Council officers subsequently consulted with service users and 56% of the families that responded to Council's enquiries supported an early management transition (22 votes), 38% were against an early management transition (15 votes) and 5% expressed no opinion (2 votes). Four families with children enrolled at the centre didn't respond to requests for feedback. This constitutes a 90% response rate to the survey.

This Report recommends that, in light of the feedback received from service users, Council consider the request from First Grammar Parramatta Pty Ltd to commence operations at 10 Eucalyptus Drive, Westleigh in early October 2011 rather than January 2012.

PURPOSE/OBJECTIVE

The purpose of this Report is for Council to consider a request from First Grammar Parramatta Pty Ltd for an early management transition of the Westleigh Nursery and Preschool.

DISCUSSION

At the 23 March 2011 Workshop Meeting, Council considered Executive Manager's Report No. CC13/11 - Westleigh Nursery and Preschool - 10 Eucalyptus Drive, Westleigh - Considerations in Respect of Closure of Child Care Service and Subsequent Sale of the Property - and resolved that:

- 1. The contents of Executive Manager's Report No. CC13/11 be received and noted.*
- 2. Council call for expressions of interest for the operation of a long day care centre or preschool centre at the former Westleigh Nursery and Preschool site from 1 January 2012.*

3. *Following receipt of the expressions of interest referred to in point 2. above, a report be prepared for Council's consideration detailing the outcomes of the process.*
4. *Council cease its operation of the Westleigh Nursery and Preschool on Christmas Eve 2011.*

Following the tender process referred to in Point 2 above, at the 22 July 2011 Ordinary Meeting, Council considered Executive Manager's Report No. CC38/11 – Tender T7/2011 – Lease of Child Care Centre Site – 10 Eucalyptus Drive, Westleigh – and resolved that:

1. *Council accept the tender submitted by First Grammar Parramatta Pty Limited (ACN 149 114 303) as trustee for First Grammar Parramatta Trust (ABN 73 771 658 123) for the lease of the property at 10 Eucalyptus Drive, Westleigh.*
2. *The price of the final preferred tender be made public upon formal acceptance of the tender.*
3. *Funds received from the rental be used to manage and maintain the property at 10 Eucalyptus Drive, Westleigh in the first instance, with any funds remaining being used for the maintenance of Council's other community building assets.*
4. *The forthcoming review of the Council Buildings – Use by Kindergartens Policy consider whether it may be appropriate to seek open tenders, upon the expiry of the current leases, in respect of the 11 Council buildings currently leased by child care operators.*
5. *The Manager, Community Services advise users of the Westleigh Child Care Centre of Council's acceptance of the tender.*

At a meeting held on 9 August 2011 with representatives of First Grammar Parramatta Pty Ltd, First Grammar indicated a preference to work towards an early management transition of Westleigh Nursery and Preschool – noting that Council had previously resolved to continue the operation of Westleigh Nursery and Preschool until Christmas Eve 2011. It is the understanding of Council officers that First Grammar expressed this preference due to the later part of the year being a critical time to manage enrolments for the forthcoming calendar year and, therefore, the financial success of the service in that year.

As Council has indicated a commitment to ensuring the ongoing availability of a child care service in Westleigh, Council officers advised Councillors via an internal briefing memo of an intent to consult with service users about the request from First Grammar to facilitate a management transition prior to Christmas Eve 2011. The dynamic established in respect of this service user consultation was that, if the majority of clients supported an early management transition, then a report would be drafted for Council's consideration advising Councillors of the same and seeking Council's consideration of First Grammar's proposal.

To facilitate informed decision making by the service users regarding the mooted early management transition, Council held an information evening in partnership with First Grammar at the Westleigh Nursery and Preschool on Wednesday 24 August 2011. The event was advertised in the local media as well as directly to service users via written correspondence.

The Centre has 43 families that have children enrolled. 16 parents attended the information evening. 15 of those in attendance have children that are currently enrolled at the Centre.

During the evening, staff from First Grammar gave an overview of the service that they intend to deliver. A question and answer session ensued and parents were given until the close of business on Friday 26 August to lodge their vote for or against an early management transition. As at 6pm on Friday 26 August 2011, 22 clients had lodged their vote – 12 in favour of an early transition and 10 against. This constituted a 51% response rate from those families with children enrolled at the centre.

In order to improve the response rate, Council officers telephoned families that had not taken up the opportunity to vote on the early management transition. An additional 17 responses were received due to the telephone follow up and, overall, a 90% response rate achieved. Two families did not express a preference either way and only four families did not respond to either written or telephone consultation.

The final voting total was 22 families in favour, 15 families against and 2 families indifferent to an early management transition. Couched in percentage terms, 56% of those families that responded to the survey supported an early management transition (22 votes), 38% were against an early management transition (15 votes) and 5% expressed no opinion (2 votes). Given this result, it is recommended that Council consider supporting an early management transition of Westleigh Nursery and Preschool to First Grammar Parramatta Pty Ltd.

Transition Timeframes

Paperwork notifying the relevant State and Federal Government Departments regarding Council's intention to cease operating Westleigh Nursery and Preschool at 10 Eucalyptus Drive, Westleigh has been lodged. Based on the advice of the relevant State and Federal Government Departments, Council staff estimate that, if all goes well, a management transition on 4 October 2011 would be possible. Leasing arrangements have been arranged such that this may take place contingent upon Council's approval of the same. As such, it is possible that, after the October long weekend 2011, the Westleigh Nursery and Preschool (the Council managed service) could cease to operate and First Grammar Westleigh would replace it.

With respect to supporting an early management transition, staff recommend the following conditions be required of First Grammar:

- Daily fees remain unchanged until at least Christmas 2011.
- The "service type" does not change from that offered by Council i.e. the hours of operation and the inclusions.
- A suitable mechanism is employed to ensure the above.

Discussions with First Grammar held on Friday 2 September 2011 have confirmed that these conditions are acceptable to them.

These conditions are recommended because clients enrolled in a Council provided service for the 2011 calendar year with the assurance provided by a Council resolution that Council would continue to operate the service through until Christmas Eve 2011. Whilst Council does not have a legal obligation to continue to directly provide a child care service at Westleigh, it does have a legal requirement under its funding agreement with the Federal Government to assist clients to seek alternate care arrangements in the event that it is closing the service. Technically, in this case, the service is not closing, it is simply changing licensees. However, it is considered that Council has a moral obligation to ensure that clients are not adversely affected financially by the early management transition given that there is a

current resolution to operate the Westleigh Nursery and Preschool Centre through until to Christmas Eve 2011.

Suggested Resolutions

In light of the results of the consultation with clients of Westleigh Nursery and Preschool described above, the following options (with recommendations) are offered for Council's consideration.

Option 1 – Christmas Eve Management Transition as per Executive Manager's Report No. CC13/11

THAT:

1. The contents of Executive Manager's Report No. CC59/11 be received and noted.
2. Council continue to operate the Westleigh Nursery and Preschool until Christmas Eve 2011.

Option 2 – Early Management Transition to First Grammar in October 2011

THAT:

1. The contents of Executive Manager's Report No. CC59/11 be received and noted.
2. Council note the voting feedback provided by service users of Westleigh Nursery and Preschool regarding an early management transition to First Grammar Parramatta Pty Ltd.
3. On the basis of the service user feedback where a majority of service users were in favour of an early management transition, staff work towards affecting the early management transition of Westleigh Nursery and Preschool as soon as possible in October 2011 conditional upon First Grammar Parramatta Pty Ltd agreeing not to alter the daily fees or the service type until at least Christmas Eve 2011.
4. Councillors be advised when the management transition has been completed.

BUDGET

Executive Manager's Report No. CC13/11 advised Council that the Westleigh Nursery and Preschool was forecast to run at a loss of approximately \$17,000 per month given falling utilisation/revenue and fixed costs. An early management transition around 3 October 2011 is estimated to save rate payers approximately \$50,000 as compared to Council operating the service through to the end of December. Additionally, if First Grammar commences operations in Westleigh in early October, Council would commence receiving rent from the lease of property from this time. This will realise approximately \$25,000 in rent for the three month period between October and December. This equates to a \$75,000 financial turn around for Council in the event that an early management transition is supported.

POLICY

There are no policy implications associated with this Report.

CONSULTATION

Consultation has taken place with service users at Westleigh Nursery and Preschool via a parent information evening and follow up telephone calls designed to elicit a vote on the proposed early management transition.

TRIPLE BOTTOM LINE SUMMARY

This Report considers and prioritises the social impact on families that may arise if an early management transition of Westleigh Nursery and Preschool is implemented. To mitigate this impact, a voting system has been implemented such that the majority of families will receive their preferred outcome in terms of a management transition date.

This Report also considers the financial impacts of both an early and the forecast management transition. The financial impacts are considered secondary in this instance as Council has previously resolved to absorb the forecast losses associated with operation of Westleigh Nursery and Preschool until Christmas 2011.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Mr David Johnston, Manager - Community Services Branch, who may be contacted on 9847 6800.

RECOMMENDATION

THAT Council consider the options contained in Executive Manager's Report No CC59/11 and determine its position on the proposed early management transition of Westleigh Nursery and Preschool to First Grammar Parramatta Pty Limited.

DAVID JOHNSTON
Manager - Community Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2011/00668
Document Number: D01748567

12 ROSELEA COMMUNITY CENTRE RENOVATION - PROJECT UPDATE

EXECUTIVE SUMMARY

This Report provides Council with an update on the design of the grant funded renovations and extensions to the Roselea Community Centre, prior to lodging the Development Application.

Attached to the Report are concept drawings for the work to be undertaken at the Centre. The project involves the demolition of the small hall and rooms to the north of the main hall and the reconstruction/reconfiguring of these spaces. The work also involves the construction of a deck to the east overlooking the sporting fields. The designs have had significant time spent on them in order to meet project budgets and have been costed by a Quantity Surveyor to ensure that the likely result from the project construction tender is within the scope of the grant funding promised by the Federal Government. With respect to the attached designs, Council is asked to receive and note them and to endorse the project proceeding.

Further to the above, in discussion with the Federal Government, a "risk factor" that has been identified with respect to Council's grant application is that there are no provisions in place to accommodate a project cost overrun should one occur. At the time of writing, Council officers cannot nominate a definitive source of capital project funding to cover a project cost overrun if it is required.

Given the current uncertainty about the opportunities to fund a possible cost overrun, it is recommended that Council provide in principle support to cover cost overruns in the knowledge that: construction tenders will be called prior to the project commencing and Council will have a clearer idea of likely costs prior to commencing the project proper; there is an appropriate construction contingency already built into the budget; any cost overrun would be covered within the Community Services Branch budget in the first instance; and any cost overrun would be covered within the Corporate and Community Division budget before impacting upon other organisational priorities.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide Council with an update on the design of the grant funded renovations and extensions of the Roselea Community Centre, prior to lodging the Development Application, and to seek Council's in principle commitment to provide additional funding to the project in the event that it is required.

DISCUSSION

During the lead up to the 2010 Federal Election, the then Member for Bennelong, Maxine McKew MP, made an election promise to fund renovations and extensions to the Roselea Community Centre to the value of \$1.6 million contingent upon the Labor Government being returned to power. Following the finalisation of the election result which saw Federal Labor returned to power, the Mayor wrote to the Prime Minister (refer to D01518646) and indicated Council's willingness to work with the Federal Government to deliver the project promised during the election campaign.

Following the election, the Federal Government considered how the funding for the various election promises would be administered and subsequently required that a funding application be submitted. This process was designed to ensure that there was sufficient governance and accountability around the distribution of large sums of money by the Federal Government.

Council officers subsequently developed and submitted an application for the Roselea Community Centre Renovation and Extension Project. Council's application noted that it was impossible to provide a firm project cost until such time as tenders had been called for the construction work. Until this time, Council was reliant upon the estimates of a Quantity Surveyor for project costs. Since receiving Council's application, advice has been received from the Department of Regional Australia, Regional Development and Local Government (the Department) that the final funding agreement will only be approved by the Minister once a final construction tender result for the project has been received. It is understood that this is a matter of process only and the Government still intends to honour election funding commitments.

Given the above, it was recommended by the Department that Council proceed with the Development Application process for the work and then call tenders for the construction of the project before a final funding agreement is issued. Whilst this process requires some degree of risk for Council in committing expenditure to a project prior to a funding agreement being in place, the up front expenditure to progress to tender stage is relatively minor and can be retrospectively attributed to grant funds. Progressing the project to a point whereby final costs are known post construction tender will allow Council and the Federal Government to understand if the project is value for money and within the scope of the funding that has been offered.

Attached to this Report are concept drawings for the work to be undertaken at Roselea Community Centre. The project involves the demolition of the small hall and rooms to the north of the main hall and the reconstruction/reconfiguring of these spaces. The work also involves the construction of a deck to the east overlooking the sporting fields. The designs have been developed in consultation with the Section 377 Management Committee at Roselea Community Centre and Council's General Manager. They are intended to improve the functioning of the foyer space (which is currently a conglomeration of previous extensions over three different levels) and to support the functioning of the Multicultural Food Fairs that the centre hosts. The designs have had significant time spent on them in order to meet project budgets and have been costed by a Quantity Surveyor to ensure that the likely result from the project construction tender is within the scope of the grant funding promised by the Federal Government. With respect to the attached designs, Council is asked to receive and note the designs and to endorse the project proceeding.

Further to the above, in discussion with the Department, a "risk factor" that has been identified with respect to Council's grant application is that, apart from providing an appropriate construction contingency in the submitted budget, there are no provisions in place to accommodate a project cost overrun should one occur. This risk is considered to be small by the Department in their assessment of Council's grant application. However, Council could choose to remove this risk factor by resolving, in principle, to funding any project cost overrun.

At the time of writing, Council officers cannot nominate a definitive source of capital project funding for a project cost overrun if it is required. Given that uncertainty, it is recommended that Council provide in principle support to cover cost overruns in the knowledge that:

- construction tenders will be called prior to the project commencing and Council will have a clearer idea of likely costs prior to commencing the project proper;
- there is an appropriate construction contingency already built into the budget;
- any cost overrun would be covered within the Community Services Branch budget in the first instance; and
- any cost overrun would be covered within the Corporate and Community Division budget before impacting upon other organisational priorities.

Should Council wish to receive further and ongoing updates on this project, the matter can be scheduled for discussion at an informal briefing session.

BUDGET

At this time, there are no budget implications associated with this Report.

POLICY

There are no policy implications associated with the recommendations of this Report.

CONSULTATION

Council has consulted with the Federal Department of Regional Australia, Regional Development and Local Government in the production of this Report.

TRIPLE BOTTOM LINE SUMMARY

As this Report seeks only to provide Councillors with a project update and to seek in principle support for funding a possible project cost overrun to aid in the project funding submission, a Triple Bottom Line Summary is not required.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is Mr David Johnston - Manager Community Services who may be contacted on 9847-6800.

RECOMMENDATION

THAT

1. The contents of Executive Manager's Report No CC60/11 be received and noted.
2. Council provide in principle support to fund any project cost overrun for the grant funded Roselea Community Centre Renovation/Extension Project noting that prior to determining the final scope of works, tenders will be called to ensure that the project budget is within the funded amount.

DAVID JOHNSTON
Manager - Community Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. Roselea - Ground Floor Plan
2. Roselea - Lower Floor Plan
3. Roselea - Elevations

File Reference: F2011/00633
Document Number: D01748804

13 REQUEST TO REMOVE TREE AT 24A MYRA STREET, WAHROONGA

EXECUTIVE SUMMARY

This report recommends that Council refuse the application for consent to remove one *Eucalyptus pilularis* (Blackbutt) located at the rear of the property at 24A Myra Street Wahroonga. The applicant has appealed previous decisions by the Parks and Landscape Team to refuse consent and has requested that the matter be referred to an Ordinary Meeting of Council.

PURPOSE/OBJECTIVE

The owner of the property seeks Council approval to remove one *Eucalyptus pilularis* (Blackbutt).

DISCUSSION

The property known as 24 Myra Street Wahroonga was initially included in a development application (DA/1563/2004) for development as seniors living. In handing down his decision in the Land & Environment Court, Commissioner Hoffman listed the subject tree as significant and placed a minimum setback of 6 metres on the tree for any development.

A subsequent application was lodged (DA/1166/2007) on the property to subdivide the block and construct two (2) dwellings. The subject tree was again assessed as significant by Council's Tree Management Team and a six (6) metre setback was placed on the tree. The new dwelling was built in compliance with this six (6) metre setback.

The applicants purchased the property in November 2010 and have lived there since.

Council's Tree Management Coordinator Mr Dennis Hoyer inspected the Blackbutt tree after a request from Mr Bonshahi (no application was submitted). Mr Bonshahi was advised by letter on 8 April 2011 that the tree was worthy of preservation and permission would not be granted for the removal of the tree. The applicant was offered the opportunity to have the matter heard at an Ordinary Meeting of Council at this time. Mr Bonshahi's correspondence with Council implies that his major concerns are with constant branch loss and living in constant fear of fatal injury occurring.

Mr Bonshahi was advised that a *Tree Application Form* needed to be submitted for the tree preservation order review process to proceed. Mr Bonshahi submitted an application on 14 July 2011. Council did waive the fee for this application due to the length of time this matter has taken. An inspection was undertaken by Council's Tree Management Officer, Doug Foster, who denied approval to remove the tree on 26 July 2011 (TA/719/2011). The applicants cited the fact that several small dead branches had fallen. There is evidence of several small (<40mm diameter) dead branches at the base of the tree, this is considered a natural process. There is no evidence of major limb failure.

Small branch failure history and concerns about further branch failure are not considered to be compelling reasons to allow the removal of this tree. Council's Tree Management Plan 3.3 states, in part, that "approval will generally **not** be given for tree pruning or removal where; there are unsubstantiated fears about tree health and condition, including the natural

development of minor deadwood throughout the canopy of a tree or concerns relating to the natural growth habit of the tree in terms of height.”

No supporting evidence, such as an arborist report, has been provided by the applicant that may justify the removal of the Blackbutt.

The canopy of the subject Blackbutt contributes to the general treescape of the locality when viewed from Myra Street and as such contributes to the aesthetic value and public amenity of the area. The tree is considered to be part of a significant group of trees in the location.

Council officers have assessed the Blackbutt to be of good health and worthy of preservation. In Council’s assessment there is currently insufficient evidence to justify removal. However, should the tree cause damage, for example as a result of a storm, Council could be liable, especially if this occurred in the near future following refusal of consent.

This is always the situation which must be considered when assessing trees. Council’s guidelines allow a tree to be removed in the case of safety concerns if there are signs that the tree is diseased, dying or dangerous. None of these signs were evident at the time of the inspections.

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

Tree details

Species:	<i>Eucalyptus pilularis</i>
Common Name:	Blackbutt
Height:	20 metres
Age Class:	Mature

BUDGET

There are no budgetary implications arising from this decision.

POLICY

There are no policy implications arising from this decision.

CONSULTATION

There is no requirement for consultation in this matter.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT Council refuse consent to remove one *Eucalyptus pilularis* (Blackbutt) located in the rear yard of 24A Myra Street Wahroonga.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. 24A Myra St Wahroonga TA 719 Image 85 Included under separate cover
2. 24A Myra St Wahroonga TA 719 Image 09 Included under separate cover
3. 24A Myra St Wahroonga TA 719 Image 10 Included under separate cover

File Reference: TA/719/2011

Document Number: D01720141

14 REQUEST TO REMOVE TREE AT 9 WISTERIA CRESCENT CHERRYBROOK

EXECUTIVE SUMMARY

This report recommends that Council refuse the application for consent to remove one (1) individually significant *Eucalyptus resinifera* (Red Mahogany) located at the front of the property, one (1) *Syncarpia glomulifera* (Turpentine) and two (2) *Angophora costata* (Smooth-barked Apple) located at the rear of the property at 9 Wisteria Crescent Cherrybrook. The trees are within a mapped endangered ecological community (EEC), Sydney Turpentine Ironbark Forest (STIF). The applicant has appealed the previous decisions to refuse consent by the Parks and Landscape Team and has requested that the matter be referred to an Ordinary Meeting of Council.

PURPOSE/OBJECTIVE

The owner of the property seeks Council approval to remove one (1) *Eucalyptus resinifera* (Red Mahogany) located at the front of the property, one (1) *Syncarpia glomulifera* (Turpentine) and two (2) *Angophora costata* (Smooth-barked Apple) located at the rear of the property.

DISCUSSION

The property known as 9 Wisteria Crescent Cherrybrook was purchased by the applicants May Yoon Cheong and Wee Thong Lee on the 23 August 2010. There is no record of a tree application being made to Council by the previous owners of the property.

A Tree Application was subsequently lodged with Council on the 26 October 2010 (TA/1087/2010) to remove eight (8) trees from the property. The application was assessed by Councils' former Tree Management Officer Gideon Walker and consent was granted to remove Tree 3, a *Eucalyptus spp.* (Gum Tree). At the time of the application insufficient evidence was provided to Council to enable permission to be granted under the Tree Preservation Order (TPO) to remove the remaining seven (7) trees.

Another separate Tree Application TA/182/2011 was lodged on the 21 February 2011 to remove four (4) trees (trees 1, 2, 4 and 5 from the previous application) from the property.

The same Council officer inspected the four (4) trees in February 2011 and the same applicants were notified in early March 2011 that insufficient evidence had been provided to Council to enable permission to be granted under the TPO to remove the remaining four (4) trees and that the trees were worthy of preservation and permission would not be granted for the removal of the trees.

A request from the applicants for a second inspection, TA/182/2011/A was made in July 2011. A different Tree Management Officer, Robert Woodward re-inspected the four (4) trees.

At the time of the second inspection there appeared to have been one (1) old live limb loss from Tree 5. It was the opinion of the assessing officer at the time of inspection that the live limb loss was a direct result of the previous removal of Tree 3 located between Tree 5 and the dwelling. The trees would have had touching, interlocking canopies and the result of the

removal of the buffer tree (between the trees and the dwelling) modified the dynamics of Tree 5 causing the limb failure. All other limb failure had been that of dead wood. There was no other evidence at the time of inspection indicating any other live limb loss and there has been no live limb loss since this application. There are no obvious outward/visible signs which would indicate failure within the trees or tree instability within the group.

There is no evidence of any tree maintenance being carried out in the trees and the loss of deadwood from the canopies is a natural process.

Consent will generally not be given to remove a tree where:

- A tree is shedding leaves, fruit, bark or deadwood as this is considered a natural process
- A tree is causing minor damage to property e.g. Driveways
- The objective is to improve a view
- There are unsubstantiated fears about large trees
- A tree is causing blockage to pipes
- A tree is causing minor shading.

The applicant provided personal reasons for consideration in the assessment.

The neighbour at 11 Wisteria Crescent signed a letter that was presented with the application citing ‘the trees pose a danger that is waiting to happen’.

No other supporting evidence, such as an arborist report, has been provided by the applicant to justify the removal of the trees located within the property.

The primary rationale given in the application is that the trees pose a significant threat to the safety of people and property in the event of adverse weather conditions

The second application was denied.

The applicant wrote to Council requesting to have the matter heard at an Ordinary Meeting of Council.

The canopy of this significant group of trees contributes to the general tree canopy of the area when viewed from Wisteria Crescent and as such contributes to the aesthetic value and public amenity of the area. The trees are mapped and listed as part of an endangered ecological community and as such are also protected by both State and Federal legislation. All four (4) trees are remnant, locally indigenous trees.

Council’s Bushland and Biodiversity Team has considered the proposed application and is in agreement with Council's Tree Management Team’s recommendations that the subject trees do not pose an imminent threat to life and property. The trees are considered to be worthy of retention for the following ecological reasons:

1. The rear of the site is mapped as Sydney Turpentine Ironbark Forest which is listed as an endangered ecological community listed under *the Threatened Species Conservation Act 1995*.

2. No external Assessment of Significance ('seven part test') in accordance with s.5A of the *Environmental Planning and Assessment Act 1979* prepared by a qualified and experienced ecologist has been provided with the application.
3. The subject trees have inter-canopy connectivity which allows the corridor movement of native arboreal fauna. They also provide important food and roosting resources amongst a highly urbanised landscape. The trees form part of a partially isolated group of trees. It is considered the removal of the subject trees will have a significant impact upon the local population of Sydney Turpentine Ironbark Forest and other threatened species previously recorded in the locality.
4. The trees buffer the core of the forest's functions and their removal would result in the declines of other remnant native trees
5. The proposal is inconsistent with the *Hornsby Shire Council Biodiversity Conservation Strategy 2006* which has an objective to achieve net improvement of existing indigenous vegetation. The proposal will result in the net loss and degradation of high conservation bushland as a result of approving the application.
6. The clearing of native vegetation is a Key Threatening Process listed under Schedule 3 of the *Threatened Species Conservation Act 1995* and is recognised by the NSW Scientific Committee as a major factor contributing to loss of biological diversity. The proposal will further and unnecessarily exacerbate this process.

The application is not supported by the Bushland and Biodiversity Team. However, should Council approve the application a separate application for a s.95 certificate will also be required from the the NSW Office of Environment and Heritage that administers the NSW *Threatened Species Conservation Act 1995*.

Council officers have assessed the four (4) remnant trees to be of good health and worthy of preservation. It is the officer's opinion that there is currently insufficient evidence to justify removal. However, should the tree cause damage, for example as a result of a storm, Council could be liable, especially if this occurred in the near future following refusal of consent.

This is always the situation which must be considered when assessing trees. Council's guidelines allow a tree to be removed in the case of safety concerns if there are signs that the tree is diseased, dying or dangerous. None of these signs were evident.

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

Tree details

Tree 1	Species - <i>Eucalyptus resinifera</i> Height – 18m	Common Name – Red Mahogany Age - Mature
Tree 2	Species – <i>Syncarpia glomulifera</i> Height – 21m	Common Name – Turpentine Age - Mature
Tree 4	Species – <i>Angophora costata</i> Height – 19m	Common Name – Smooth-barked Apple Age - Mature
Tree 5	Species - <i>Angophora costata</i>	Common Name – Smooth-barked Apple

Height – 18m

Age - Mature

BUDGET

There are no budgetary implications arising from this decision.

POLICY

There are no policy implications arising from this decision.

CONSULTATION

There is no requirement for consultation in this matter.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

The responsible officer is Robert Woodward, Tree Management Coordinator, Parks and Landscape, telephone 9847 6991, between 8am and 4pm, Monday to Friday.

RECOMMENDATION

THAT Council refuse consent to remove one (1) *Syncarpia glomulifera* (Turpentine), two (2) *Angophora costata* (Smooth-barked Apple) located in the rear yard and one (1) *Eucalyptus resinifera* (Red Mahogany) located in the front yard, of 9 Wisteria Crescent Cherrybrook.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

- | | |
|--|-------------------------------|
| 1. Aerial photograph showing location of property and trees | Included under separate cover |
| 2. Eucalyptus resinifera - 9 Wisteria Crescent Cherrybrook | Included under separate cover |
| 3. Syncarpia glomulifera and Angophora costata - 9 Wisteria Crescent Cherrybrook | Included under separate cover |

File Reference: TA/182/2011
Document Number: D01744286

15 REPORT ON FOOD INSPECTION PROGRAM FOR 2010-2011

EXECUTIVE SUMMARY

Under the Food Regulation Partnership, all NSW councils are required to inspect at least 80% of high and medium risk category food businesses and provide an annual report on activities to the NSW Food Authority.

Council has submitted its 2010/11 report to the NSW Food Authority, with inspections conducted on approximately 92% of high and medium risk food businesses.

About 53% of high and medium risk food businesses inspected were found to be satisfactory at first inspection. Reinspections of unsatisfactory premises were conducted by Council's Health Officers to ensure that critical food handling issues were resolved.

PURPOSE/OBJECTIVE

To provide information about and results of Hornsby Shire Council's Food Business Inspection Program for the 2010/2011 financial year.

DISCUSSION

Under the NSW Food Regulation partnership (an agreement with the NSW Food Authority) Council as a Category B Enforcement Agency has committed to inspect at least 80% of high and medium risk food businesses within the Shire and provide an annual report on the results.

There are 375 'high risk' and 115 'medium risk' businesses located within the Shire. During 2010/11 Council's Health Officers conducted primary inspections on approximately 92% of these businesses.

Inspection Results

The results of Council's 2010/11 inspection program are listed in Table 1 below.

Inspection Results	2010/2011
Number of primary inspections conducted	450
Number of businesses found to be satisfactory	241 (53.5%)
Number of businesses found to be unsatisfactory	209 (46.5%)
Number of reinspections completed	193
Number that pass at first reinspection	155
Number that pass at second reinspection	14

A satisfactory result is recorded where minor issues of non-compliance might be identified, but no reinspection or other intervention is warranted. An unsatisfactory result is recorded where critical food handling practices are identified and one or more reinspections or interventions are required to be undertaken until a satisfactory result is achieved.

Enforcement Actions

Council's Health Officers adopt a graduated enforcement approach to assist businesses in achieving compliance with the Food Standards Code as follows:

- Warning letters are used where non-compliances (critical and non-critical) are identified. The letter outlines the non-compliance and provides the business with a list of actions and required timeframe to ensure compliance.
- Improvement Notices are used where a critical food handling risk has been identified and a range of remedial actions are required to be completed within a short period of time. Improvement Notices are legally binding on the business and impose penalties for non-compliance. Improvement Notices also incur an administrative fee of \$330. A total of 18 Improvement Notices were issued during 2011/12.
- Penalty Infringement Notices (on-the-spot fines) are issued for breaches of food safety standards, often as a consequence of a previously identified non-compliance. A total of 4 Penalty Infringement Notices were issued during 2011/12.
- Prohibition Notices are issued when an immediate risk to public health of food borne illness has been identified. The Notice prohibits the business from trading, or using a particular area of the premises or piece of equipment until a satisfactory inspection result has been recorded and a certificate of clearance to trade has been issued. One Prohibition Notice was issued during 2011/12.

BUDGET

There are no immediate budget implications arising from this report.

POLICY

There are no policy implications arising from this Report.

CONSULTATION

Consultation regarding the NSW Food Regulation Partnership is ongoing with the NSW Food Authority and other councils through attendance at the Northern Sydney Regional Food Group and the State Food Group Council Meetings.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report be received and noted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2004/08373-04
Document Number: D01750996

16 2011-2012 BUSHLAND AND BIODIVERSITY WORKS PROJECTS

EXECUTIVE SUMMARY

This report outlines the Bushland and Biodiversity Team Works Projects for 2011-12. The projects identified in this report are derived from Council's exhibited Community Plan 201102020 as well as the Hornsby Mountain Bike Track project identified in the successful submission to the Independent Pricing and Regulatory Tribunal (IPART) for a special rate variation and a number of grants recently received.

The program identifies start and completion dates for each project as well as funding sources.

PURPOSE/OBJECTIVE

The purpose of the report is to provide information as to the timing of the various projects being undertaken by the Bushland and Biodiversity Team.

DISCUSSION

The Bushland and Biodiversity Works Projects contain bushland improvement and restoration works on Council's Bushland Reserves. The projects fall into five major categories: Bushland Restoration, Bushfire Management, Tracks and Trails, Green Offsets and Noxious Weeds.

A significant component of the \$1.5m program is grant funded, with Council General Funds being mainly expended on Bushland Restoration (\$40,000) and Bushfire Management (\$160,000). Grant, sponsorship and offset funds contribute \$1,002,881 to the program.

Significant projects identified in the program include:

- Bushland contract restoration and improvements in 62 Bushland Reserves throughout the Shire
- Restoration of One Tree Reach Wetland, Laughtondale
- Habitat connectivity grant with rural and urban landowners throughout the Shire
- Wisemans Ferry Cemetery restoration
- Bar Island woodland and saltmarsh restoration
- Bushfire management of 55 Asset Protection Zones and Works Access Lines throughout the Shire
- Fire Trail works and upgrades throughout the Shire
- Hornsby Mountain Bike Track
- Hornsby Heritage Steps
- Upper Pyes Creek Walking Track, Cherrybrook
- Pioneer Track upgrade, Epping
- 6 Green Offset projects throughout the Shire
- Noxious Weed projects throughout the Shire

BUDGET

The program is in accordance with the Annual Operating Plan for 2011/2012.

POLICY

There are no policy implications arising from this report.

CONSULTATION

Community groups were consulted about the various projects.

TRIPLE BOTTOM LINE SUMMARY

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

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the Bushland and Biodiversity Works Projects 2011-12 shown in Attachment 1 be adopted.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Bushland Works Program 2011/12

File Reference: F2004/06718
Document Number: D01753449

17 TENDER T6/2011 - CLEANING CONTRACT, COUNCIL OFFICES AND BUILDINGS

EXECUTIVE SUMMARY

Council conducts business from a large number of diverse buildings located across the Shire. Cleaning services are provided to many of these buildings under contract. The type of buildings covered can be generalised into offices, libraries, community centres, leisure and learning, and early child care centres. Others are cleaned under separate arrangements.

The provision of a large cleaning contract for these buildings provides considerable efficiencies with regard to reliability and cost. The cleaning services contract was put to tender in May 2011, due to the expiry of the current contract.

The tender was conducted in accordance with the Local Government Act 1993 (LGA). The tender process has now been complete. Attachment 1 is a confidential summary of the tender findings and a recommended course of action.

The results of the evaluation indicate the tender from Northern Contract Cleaning Pty Ltd would be the most advantageous to Council, having regard for all of the evaluation criteria stated in the attached confidential tender assessment.

PURPOSE/OBJECTIVE

This report provides a recommendation for the acceptance of tender T6/2011: Cleaning of Council Offices and Buildings.

DISCUSSION

The current cleaning contract with Northern Contract Cleaning Pty Ltd is valued at approximately \$310,000 to \$320,000 per annum (excludes extras and materials). The 2011/2012 budget has been prepared taking into consideration the outcomes of the tender assessment.

The Tender

The tender required the cleaning of the following twenty nine (29) offices and buildings for a period of two (2) years with an option to extend for a further two (2), one (1) year periods.

The offices and buildings covered by the tender are:

- Administration Building (4 levels)
- Council Chambers (2 levels)
- Water Catchments (Level 2)
- Hornsby Early Child Care Centre
- Berowra Early Child Care Centre
- Carlingford Early Child Care Centre
- Pennant Hills Branch Library
- Hornsby Library
- Epping Branch Library

- Galston Library
- Berowra Branch Library and Community Centre
- Asquith Community Centre
- Hornsby Heights Community Centre
- Mount Colah Community Centre
- Epping Leisure and learning Centre
- Pennant Hills Leisure and Learning Centre
- Asquith Leisure and Learning Centre
- Willow Park – Leisure and Learning Centre & Beatrice Taylor Halls
- West Epping Leisure and Learning Centre
- Willow Park - Wallarobba Homestead Building
- Hornsby - CWA Rooms
- Traffic Branch
- Community Services Youth Centre
- Hawkins Hall
- Waste Management Centre
- Fire Control Centre (Berowra Toll gates)
- Bushland Management Centre
- Community Services Administration (George Street, Hornsby)
- Thornleigh Depot

The following criteria were used for the evaluation of the tender:

- Price
- Performance history
- Skills demonstrated
- Sustainability/Environmental
- OH&S
- Financial capacity

Summary of tenders submitted

A total of twenty three (23) tenders were received, four (4) of the tenders were considered to be non-conforming for various reasons. The remaining nineteen (19) conforming tenders are listed in order of prices submitted (highest to lowest):

- AQWA Pty Ltd
- James Li Cleaning Services
- IPS Cleaning Australia Pty Ltd
- Immediate Response
- Cityview Cleaning Services Pty Ltd
- Solo Cleaning and Maintenance
- Star property Maintenance NSW Pty Ltd
- Cama Corp Pty Ltd
- AM Retail Services Pty Ltd
- BG Corporate Services
- Ross Mitchell and Associates
- Storm International Pty Ltd
- Academy Services Pty Ltd
- AMC Commercial Cleaning (NSW) Pty Ltd
- Halfhide Pty Ltd

- Northern Contract Cleaning Pty Ltd
- The Sparkle Team
- United Cleaning Enterprises
- Statewide Quality Services

Non-conforming tenders were received from:

- | | |
|--------------------------|---------------------------------------|
| • TJS Cleaning Services | Late submission |
| • Neat and Glow | Expression of interest only submitted |
| • Douglas Wright Pty Ltd | Submitted unrelated tender in error |
| • ADZ Cleaning Services | Unsigned tender form. |

The attached confidential assessment document (Attachment 1) provides the lump sum price of each tender (excluding non-conforming tenders) and the evaluation.

BUDGET

There are no budget implications associated with this report. The 2011/2012 budget has adequately anticipated the costs involved in awarding this tender.

POLICY

This tender process has been undertaken in accordance with Council Policy POL00264 – Tenders.

CONSULTATION

The tender process has been undertaken without external consultation. Legal advice on the tender document was provided by Council's solicitors, Marsdens Law Group.

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.

In this instance the cleaning contract falls into the following strategic theme categories:

Contributing to community development through sustainable facilities and services

The cleaning contract endeavours to ensure that where ever possible the most environmentally responsible chemicals and equipment are utilised.

Supporting our diverse economy

The cleaning contract wherever possible draws employment from local residents. This is not always possible but it is recognised that local employees can respond to emergency or additional requests far quicker than those living outside the Shire boundaries.

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT Council accept the tender submitted by Northern Contract Cleaning Pty Ltd for Tender No. T6/2011: Cleaning of Council Offices and Buildings for the lump sum price as stated in the attached Confidential Attachment, the price to be made public on formal acceptance of the tender.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. EN 41 Confidential Attachment Tender T6 2011 Cleaning Contract Council Offices and Buildings - *This attachment should be dealt with in confidential session, under Section 10A (2) (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

File Reference: F2010/00486
Document Number: D01755921

18 STRATEGY FOR UNSEALED ROADS - IMPLEMENTATION PROGRAM PROGRESS REPORT AS AT 30 JUNE 2011

EXECUTIVE SUMMARY

The Implementation Program for Sealing Unsealed Roads was formulated in 2005 and construction commenced in the 2005/06 financial year in February 2006. The original implementation program was over a period of 9 years at an estimated total cost of \$4.3 million. Prior to this program, Council maintained 31 unsealed roads totalling approximately 43km in the rural area.

A review of the program after the first two years resulted in a revised Implementation Program being prepared in 2008. This program is currently being implemented and allowed for the roads to be sealed over a period of 13 years at an estimated total cost of \$6.4 million.

A review undertaken in August 2011 as at 30 June 2011 has indicated that the Implementation Program should now be revised to a period of 16 years with an estimated total cost of \$7.3 million. The prioritisation of the Unsealed Road Projects as at 30 June 2011 is presented at Appendix A and the Implementation Program is shown on the Gantt Chart presented at Appendix B.

The progress of the Implementation Program as at 30 June 2011 was 14 roads have been sealed at a total cost of \$2.83 million. There are still 17 unsealed roads to be sealed at an estimated total cost of \$4.41 million.

Council should note the progress of the program as at 30 June 2011. The prioritisation of the unsealed road projects presented at Appendix A and the implementation program presented at Appendix B is recommended for Council's endorsement.

PURPOSE/OBJECTIVE

This report provides information to Council on the progress of the Implementation Program for Sealing Unsealed Road as at 30 June 2011.

At its Ordinary Meeting on 8 May 2002, Council in considering Executive Manager's Report No. WK35/02 - Sealing of Rural Roads, resolved to adopt the Unsealed Roads Strategy Sealing Formulation Programme presented in that report.

Council at its Ordinary Meeting on 8 December 2004 adopted Executive Manager Works Report No. WK65/04 for the Unsealed Road Strategy and an Implementation Program to seal the remaining unsealed rural roads within the Shire.

Prior to this program, Council maintained 31 unsealed roads totalling approximately 43km in the rural area. These roads are all in A Ward. This strategy was implemented starting with "Planning for Year 1 Works" in the 2004/05 financial year in January 2005. The construction of "Year 1 Works" was then commenced in the 2005/06 financial year in February 2006.

This was necessary as the major upgrading program required some detailed pre-engineering such as pavement, safety and environmental investigations, as well as preparation of engineering plans where considered appropriate. The Council staff resource was the main consideration when formulating the implementation program.

The original implementation program was over a period of 9 years at an estimated total cost of \$4.3 million.

DISCUSSION

During the first two years of the program, it became evident that the estimated upgrading cost was too low and the upgrading standard adopted was higher than originally envisaged. A review of both factors was then undertaken between staff of the Assets and the Design and Construction branches.

A revised Implementation Program was then prepared in 2008 and is currently being implemented. This program allowed for the roads to be sealed over a period of 13 years at an estimated total cost of \$6.4 million.

A review undertaken in August 2011 as at 30 June 2011 has indicated that the Implementation Program should now be revised to a period of 16 years with an estimated total cost of \$7.3 million. The Prioritisation of the Unsealed Road Projects as at 30 June 2011 is presented at Appendix A and the Implementation Program is shown on the Gantt Chart presented at Appendix B.

The progress of the Implementation Program as at 30 June 2011 was 14 roads have been sealed at a total cost of \$2.83 million. There are still 17 unsealed roads to be sealed at an estimated total cost of \$4.41 million (see Appendix A).

In reviewing the project prioritisation, the priorities of The Hills Shire for the upgrading of Old Telegraph Road was taken into consideration. Old Telegraph Road at Maroota forms the boundary between The Hills Shire and Hornsby Shire and currently maintenance costs are shared.

The funding for the Sealing of the Unsealed Roads Program is \$500,000 per year; \$300,000 from Unsealed Road Maintenance and \$200,000 from the Rural Component of the Local Road Improvement Program. This funding strategy is as per Executive Manager's Report No. WK65/04.

On completion of the sealing program, the \$300,000 from Unsealed Road Maintenance should be transferred to Pavement Maintenance to assist in maintaining the 43km of additional sealed road provided by this strategy. The \$200,000 can revert back to the Local Road Improvement Program for Rural Roads to implement Improvement Option construction of segments of the rural network that are considered to require improvement to provide an adequate long term standard.

BUDGET

The successful completion of the Implementation Program for the Sealing of Unsealed Roads will be dependant on the continuation of the current funding level of \$500,000 per year for this program until 2020/21. This funding level has been allowed for in Council's 2011-2015 Delivery Program. This Program includes a 10-year Local Road Improvement Program from 2011/12 to 2020/21 under Capital Works funded by the Rate Increase.

POLICY

The sealing of unsealed roads in the rural areas of the Shire is in accordance with Council's Management Plan for Rural Roads which was adopted by Council in March 1998.

CONSULTATION

The proposed changes to the Prioritisation of Unsealed Road Projects have been discussed with the respective programme managers within the Works Division.

TRIPLE BOTTOM LINE SUMMARY

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

The TBL assessment summary for the Implementation Program for Sealing Unsealed Roads presented in this report is as follows:

Working with our community

This report on the Implementation Program for Sealing Unsealed Roads being presented to Council for endorsement is readily accessible and understandable to the community. The program presented promotes social equity by undertaking the sealing of unsealed roads in the rural areas of the Shire on a priority basis.

Conserving our natural environment

The unsealed road sealing activities use existing materials for road base stabilisation where required. Recycled crushed concrete footpath slabs are used for some drainage and road sub-base construction works.

Contributing to community developments through sustainable facilities and services

The sealing of unsealed roads in the rural areas of the Shire will have positive effects on the safety of the public environment, as well as the development of a healthy, equitable and active community.

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

The sealing of unsealed roads will give special consideration to heritage values of the natural and built environment such as retention of trees wherever possible and practicable. The well-being of the area's current and future population will also be promoted by providing a dust-free sealed road with the view to improving user safety and eliminating dust problems from unsealed roads.

Supporting our diverse economy

Sealing unsealed roads and improving existing Council assets will have a positive effect on economic development in people wanting to live and work in the rural areas of the Shire.

Maintaining sound corporate and financial management

The sealing of unsealed roads will ensure that asset life-cycle costs are minimised and assets are able to function as planned during their life cycle. The sealing of unsealed roads will increase the value of Council's assets.

Other Sustainability Considerations

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

RESPONSIBLE OFFICER

The responsible officer is the Asset Engineer, Mr Alan Boyd, telephone number 9847 6672.

RECOMMENDATION

THAT Council:

1. Note the progress of the Implementation Program for Sealing Unsealed Roads as at 30 June 2011.
2. Endorse the Prioritisation of Unsealed Road Projects presented in Appendix A and the Implementation Program for Sealing Unsealed Roads presented in Appendix B of Executive Manager's Report No. WK54/11.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Appendix A - Prioritisation of Unsealed Road Projects as at 30 June 2011
2. Appendix B - Implementation Programme for Sealing Unsealed Roads as at 30 June 2011

File Reference: F2004/08596
Document Number: D01745715

19 PROPOSAL FOR CONSTRUCTION OF A PONTOON AND MOORING / BERTHING FACILITY AT DANGAR ISLAND PUBLIC WHARF

EXECUTIVE SUMMARY

The proposal to upgrade the public wharf at Dangar Island dates back to 2004. At that time, Council first applied to the NSW Maritime Authority for a Better Boating Program (BBP) Grant to assist in constructing a commuter pontoon with provision for some casual boat moorings. While this application was unsuccessful, Council recognised the need to provide improved access for people with disabilities and casual mooring capacity, and re-applied in 2005, 2006 and 2010 with various modifications of the initial proposal. These proposals unfortunately were not successful.

NSW Maritime advised Council after its unsuccessful 2010 application that the proposal would better fit within the BBP funding guidelines if a berthing/mooring facility of a type recently proposed to them by the Dangar Island League were incorporated.

Council's Works Division has since consulted with the Dangar Island League and has now developed a combined proposal that should comply with the BBP Guidelines. The estimated cost for this proposal is \$570,000. The public component (wharf extension and pontoon) costing \$270,000 is proposed to be funded by Council/NSW Maritime on a 50/50 basis while the Dangar Island residents via a Co-op would fund the \$300,000 for the private berthing/mooring portion of the project.

Subject to Council approval in principle for the project concept and endorsement of the Proposed Course of Action for the project implementation, Council through the Works Division has applied to NSW Maritime for a BBP Grant for the proposal in accordance with the proposed funding.

PURPOSE/OBJECTIVE

This report provides information to Council about the proposed pontoon and mooring/berthing facility at the Dangar Island Public Wharf. The pontoon is part of Council's proposal to provide access for people with disabilities at this public wharf and the mooring/berthing facility is a proposal from the Dangar Island League to provide berthing facility to interested members of the community as a privately operated facility.

The report also seeks Council's approval in principle for the proposal and endorsement of the Proposed Course of Action for the implementation of the project.

BACKGROUND

This project in various forms has been proposed by Council's Works Division since 2004. A brief summary of the development of this project since that time is as follows:

Need for a Facility Improvement

While the existing jetty and wharf provide an adequate level of service and are in good structural condition, the following limitations exist:

- Steps are used for access to ferries and other water craft. Council's Access Committee has identified the elimination of these as a priority to improve access for people with disabilities. This need was a prime driver for Council's 2004, 2005, 2006 and 2010 BBP applications.
- The wharf requires the use of a long gang plank. This requirement is due to the increased separation of the space between the ferry and the access stairs as a result of the installation of fender piles required to protect the wharf structure from impact of larger commuter ferries. The impact from these craft has in the past caused significant damage to the wharf, however the fender protection has had the consequence of increasing access problems for some commuters.
- There is virtually no short term mooring available for island residents and visitors at the public wharf.
- There is no long term resident mooring/berthing facility on the island for a large number of residents who have no suitable waterfront access.

Council's previous Proposals

In 2004, 2005, 2006 and 2010, various configurations and variations of the public wharf upgrading were submitted to NSW Maritime seeking grant funding. NSW Maritime offers annual grants for financial assistance towards the provision of waterway infrastructure on NSW waterways. This is normally on a 50% basis with Council. Currently, this program is known as the Better Boating Programme (BBP).

The proposals in these applications were essentially to provide for the need identified by Council's Access Committee to provide for access for people with disabilities and also for short term mooring facilities for Dangar Island residents and visitors. While NSW Maritime was supportive of this type of upgrading, it indicated that a greater boating community benefit was required to enable the project to fully comply with the BBP funding guidelines. Although Council's 2010 application was unsuccessful, NSW Maritime indicated that if the Council's pontoon proposal could be combined with a mooring/berthing component such as that recently proposed to them by the Dangar Island League, the BBP funding guidelines would be more closely matched. NSW Maritime also suggested to Council that it may wish to consider the submission of an application for the combined facility.

Development of Current Proposal

Council were approached by the Dangar Island League in June 2011 with a proposal to combine Council's proposed pontoon with a mooring/berthing facility. The League had prepared sketch plans and some preliminary estimates for the proposed combined facility. They also indicated that they had canvassed and obtained a commitment from enough island residents to fund the berthing/mooring part of combined facility.

On this basis, Council's Works Division advised that it was prepared to consider the combined proposal but the League would have to refine certain aspects of its proposal and provide solid evidence of a commitment to be able to fund the mooring/berthing pontoon of the facility. The current proposed facility is a result of these refinements.

DISCUSSION**Details of Current Proposal**

To meet all the above identified needs and the BBP Grant guidelines, a viable combined facility is required. Council's Works Division, in consultation with the Dangar Island League, has developed a concept sketch for this combined facility. The project location and concept sketch are presented in Appendix A.

The Dangar Island League has been very active in canvassing support for the project among island residents. The letter from the League is presented in Appendix B. This letter summarises these efforts and confirms both the level of support among residents for the facility and a commitment from them to fully fund and run a proposed Dangar Island Berthing Co-op (DIBC).

A public meeting was held on Dangar Island by the League on 31 July 2011 to gain agreement for the combined Council/Dangar Island League facility. This meeting indicated that financial commitment to the proposal was still strong. The outcome of this meeting and draft rules for the DIBC operation are presented at Appendix C.

Council's Works Division staff and the Dangar Island League representatives met on 2 August 2011 to discuss the results of the 31 July meeting. A Course of Action to advance the proposal was agreed to during the meeting.

Current Status of the Proposal

Following the 2 August 2011 meeting, Council through the Works Division submitted an Application to NSW Maritime for a BBP Grant for the public component of the proposal. This application is now with the NSW Maritime for its consideration. A copy of Council's application is on file. The outcome of grant applications is usually announced in January of the following year and in this case would be in January 2012.

The estimated costs for the proposal are:

• Feasibility and Preliminary Design	\$ 10,000
• Design and Tendering	\$ 90,000
• Construction of Council Components	\$160,000
• Construction of Berthing/Mooring Facility	\$300,000
• Project Management	<u>\$ 10,000</u>
• Total	<u>\$570,000</u>

The funding for the proposal is:

• BBP Grant	\$135,000
• Council Funds	\$135,000
• Dangar Island Residents	<u>\$300,000</u>
• Total	<u>\$570,000</u>

It is intended that Council's Works Division staff will manage the project.

PROPOSED COURSE OF ACTION

Subject to Council's approval in principle for this proposal, the Works Division proposes to undertake some necessary preliminary activities as a prelude to the detailed design and construction of the facility in 2012. These actions will not commit Council to any significant expenditure other than staff time but are important to have the project ready to proceed in January 2012, should Council be successful in obtaining the BBP Grant.

1. Extension to Council's Permissive Occupancy at Dangar Island Wharf.

Arrangements to extend Council's current Permissive Occupancy (PO) for the Dangar Island Public Wharf is necessary, as the new facility will occupy more area than the existing wharf.

2. Development of a Joint Operational Agreement

The development of an Agreement with the Dangar Island League for the Joint Operation of the Facility will be necessary. This agreement will formally define the rights and responsibilities of each party as well as operational matters such as maintenance funding and expenditure over the life of the facility. Legal advice in formulating this agreement will be necessary.

3. Preparation of Design Brief

A brief for the design of the facility will be prepared by Council's Works Division. Quotations to prepare the feasibility and preliminary design, followed by detailed design and associated documentation for the facility will then be sought from selected specialist consultants. The acceptance of quotation and formal engagement of the consultant would only occur after the outcome of Council's BBP Grant Application is known.

4. Review of Environmental Factors (REF)

Council's Planning Division has advised that the NSW Department of Planning Infrastructure SEPP Clause 48 permits the construction of facilities such as those proposed without a Development Application. An REF is, however, required and Council's Works Division will undertake to prepare the REF with a view to having it completed by January 2012.

5. Resident Funding for Facility

In consultation with the Dangar Island League, Council through the Works Division will confirm the funding arrangements for the project and formal documentation to ensure the funds is available to make progress payment once the construction phase is commenced will be prepared.

BUDGET

The current estimated cost for the project is \$570,000. This has been broken down into component costs and funding sources as set out above.

This project was included in the Delivery Programme, under the Foreshore Facilities Upgrading Program for 2012/2013, as part of Council's successful Rate Increase application to IPART. An extract of this section of the Delivery Programme is presented at Appendix D. This project's inclusion assumed that BBP Grant funding would be available. Should this not eventuate, Council would need to consider funding for this component from its own sources. This additional expenditure could be considered as a phase up in the 2012/13 budget, should it be required and Council decides to proceed with the proposal.

POLICY

The upgrading of the Dangar Island Public Wharf to allow easier access for people with disabilities will conform to the requirements of the Disability Discrimination Act.

CONSULTATION

This project has been developed in consultation with the Dangar Island League, NSW Maritime and staffs from Council's Works and Planning Divisions.

TRIPLE BOTTOM LINE (TBL) SUMMARY

The TBL summary for this proposal is as follows:

- **Working with Our Community**

There is a high level of support for this project from local residents, the boating community as well as NSW Maritime. There is an identified need for additional temporary and permanent mooring capacity and improved access, particularly for people with disabilities, to ferry facilities. The Dangar Island League considers that this project is warranted and overdue.

- **Conserving Our Natural Environment**

The proposal will reduce congestion at the public wharf and reduce waiting times for boat and other marine craft. This will mean less idle time for visitors and therefore help to reduce fuel usage and emissions generally. The reduction in running times will enhance the amenity of the island foreshore.

- **Contributing to Community Development through Suitable Facilities and Services**

The proposal will improve conditions for the boating community by reducing both congestion and the risk of boat accidents. It will also help improve boating safety by providing an improved public environment. The pontoon in particular will greatly enhance access for all users of the ferry and boating services.

- **Fulfilling our Community's Vision in Planning for the Future of the Shire**

The proposal will provide a necessary enhancement to the existing environment and is in keeping with the size and scale of similar pontoons and facilities that operate elsewhere in the Hawkesbury River. The facility will result in improved access to boating activities considered to be a major outdoor activity by a significant section of the community.

- **Supporting Our Diverse Economy**

The proposal will have a positive effect on economic development of the surrounding area and add to local employment prospects.

- **Maintaining Sound Corporate and Financial Management**

Once constructed, the facility will require ongoing maintenance. While this facility increases the number of Council's maintainable foreshore assets, it will be partly offset by a reduction maintenance required for the public wharf due to the much reduced use this will be subject to. All maintenance for the DIBC portion of the facility will be fully funded by the Co-op.

The proposal will extend the life of the public wharf asset, increase the service potential of the foreshore facilities and help retain the underlying value of the assets. The proposal will not impact on the proposed Council budget for 2012/13 unless BBP funding is not available.

- **Other Sustainable Considerations**

The facility is not intended to attract significant additional boating traffic to Dangar Island. The facility is primarily intended to address current demands; not future growth.

RESPONSIBLE OFFICER

The responsible officer is the Asset Engineer, Mr Alan Boyd, telephone number 9847 6672.

RECOMMENDATION

THAT:

1. Council approve in principle the project concept and endorse the proposed course of action for the implementation of the project.
2. Subject to this approval, the BBP Grant of up to \$135,000 be accepted by Council if offered by NSW Maritime.
3. Subject to this approval, the project be identified for consideration as a phase up in the 2012/13 budget should Council be unsuccessful in its application for the BBP Grant.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Appendix A - Project Location and Concept Sketch for Pontoon and Facility Proposal
2. Appendix B - Dangar Island League Letter
3. Appendix C - Dangar Island League Public Meeting Minutes held on 31 July 2011
4. Appendix D - Extract of Delivery Program for Foreshore Facilities Upgrading Program

File Reference: F2008/00131
Document Number: D01748526

20 "WELLUM BULLA" HORNSBY SHIRE COUNCIL MATERIALS HANDLING FACILITY REPORT ON OPERATIONS AS AT 30 JUNE 2011

EXECUTIVE SUMMARY

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

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

This report provides Councillors with information relating to the operation of the facility as at 30 June 2011.

PURPOSE/OBJECTIVE

The purpose of this report is to advise the Council of the operation of the "Wellum Bulla" Hornsby Shire Council Materials Handling Facility as at 30 June 2011.

DISCUSSION

1. Purpose of the Facility

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

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

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

2. Development Consent

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

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

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

3. Management of the Facility

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

Site Supervisor

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

Site Manager (Engineering Resources Coordinator)

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

Facility Manager (Manager Engineering Services)

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

4. Protection of Natural Waters and Site Drainage

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

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

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

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

5. Weed Management

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

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

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

6. Monitoring Committee

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

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

Report No. WK47/10 was presented to Council for consideration at its Ordinary Meeting of 21 July 2010 regarding Meeting No. 2/10 of the Committee.

Report No. WK87/10 was presented to Council for consideration at its Ordinary Meeting of 14 October 2010 regarding Meeting No. 3/10 of the Committee.

Report No. WK12/11 was presented to Council for consideration at its Ordinary Meeting of 16 March 2011 regarding Meeting No. 1/11 of the Committee.

7. Operation of the Facility

- *Tonnages*

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

The tonnages through the facility for 2010/2011 to date are as follows:

STOCKPILES AND THROUGHPUT AS AT 30 JUNE 2011

Material	Stockpiles 30/06/10	Input	Site Processing of mixed waste	Output	Stockpiles 30/06/11
Unprocessed Mixed Material	0	4286		0	0
Processed Material suitable for re-use	207		2028	1145	1090
Processed Material for landfill disposal	520		820	290	1050
Concrete for recycling	352		1438	554	1236
New material	98	128		136	90
TOTAL	1177	4414		2125	3466

The throughput for 2010/2011 was 4414 tonnes comprising 128 tonnes of new material purchased, 4286 tonnes of mixed waste received from excavated material from road and drainage works. This excavated material was primarily generated from the road assets branch carrying out maintenance works. The facility also provided a stockpiling service of 150 tonnes of road maintenance material.

The road construction branch also generated approximately 5000 tonnes of excavated material for 2010/2011. The excavated material generated by the road construction branch was transported direct to recyclers or landfill for economical purposes as the work sites enabled material to be sorted on site and transported in 7 tonne and 14 tonne trucks.

- Key Performance Indicators

Key Performance Indicator	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06
Waste Material processed (tonnes)	4286	3647	4674	3712	5263	8388
Percentage of waste material diverted from landfill ¹	81	83	89	86	87	85
Processing Cost (\$/tonne) ²	52.04	67.05	57.00	85.52	49.08	32.26
Material suitable for re-use (tonnes)	1145	1169	3030	2639	2908	4099
Material suitable for recycling (tonnes)	1438	1867	1115	1860	1686	3053
No. complaints received	0	0	0	0	0	0
Controllable non-conformances regarding air and water quality requirements	0	0	0	0	0	0
NSW Waste and Environment Levy	\$70.30	\$58.80	\$46.70	\$38.60	\$30.40	\$22.70

Where:

1. Percentage of waste material diverted from landfill =

$$\frac{(\text{Input Mixed Material}) - (\text{Processed Material to Landfill} + \text{Stockpile 30/6/2011} - \text{Stockpile 30/6/2010})}{(\text{Input Mixed Material})}$$

i.e. $(4286) - (290 + 1050 - 520) / 4286 = 81\%$

2. Processing Cost =

$$\frac{\text{Total Expenditure} - \text{Purchase of Material}}{\text{Input} - \text{New Material}}$$

i.e. $(\$242,671 - \$19,636) / (4414 - 128) = \$52.04 / \text{tonne}$

- Financial status

The facility is budgeted to operate at a zero net cost enabling material from Council works to be disposed in the most cost effective manner. Savings to Council are reflected in the cost of projects and maintenance works programmes. Surpluses or deficits are distributed to or funded from the branches utilising the facility.

The facility operated at a deficit of \$31,452 for the 2010/2011 period (Attachment A). This deficit was funded by savings in the Engineering Services Branch.

To alleviate the future deficit in the operating cost of the facility, the facility staff of two will be reduced to a single person operation. It is expected that the reduction of staff will have an acceptable impact upon the customer service provided by the facility but will result in savings of \$35,000.

There have been significant increases in tipping fees at the recyclers and landfills from 1 July 2006. The Department of Environment and Conservation (Environment Protection Authority) advised in November 2005 that the Government would introduce the City and Country Environment Restoration Program, which involves seven major environmental initiatives totalling over \$400 million. The Program is funded by the Waste and Environment Levy which replaced the current Waste Levy in 2006.

The NSW Waste and Environment Levy increased from \$70.30 per tonne from 1 July 2010 to \$82.20 per tonne from 1 July 2011.

The gate charges at the facility are calculated on the anticipated tonnage of excavated materials received and the cost of the operation of the facility. An economic analysis comparing facility gate charges versus the cost of transport and disposal of excavated material direct to recyclers and landfills by the road asset branch confirms that it is in Council's financial interest to continue operation of the facility (Attachment B). Based on the 2010/11 Waste and Environment Levy of \$70.30 per tonne, the cost to dispose of material excavated from Council's works directly to landfill and recyclers without processing at the Materials Handling Facility would have resulted in net additional costs to Council of \$127,556.

BUDGET

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

POLICY

There are no policy implications for Council.

CONSULTATION

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

TRIPLE BOTTOM LINE SUMMARY

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

Working with our community

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

Conserving our natural environment

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

Contributing to community development through sustainable facilities and services

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

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

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

Maintaining sound corporate financial management

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

Other sustainability considerations

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

RESPONSIBLE OFFICER

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

RECOMMENDATION

THAT the contents of Executive Manager's Report No. WK57/11 be received and noted.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Attachment A - Income and Expenditure as at 30/06/2011
2. Attachment B - Cost Comparison - Method of Disposal

File Reference: F2004/09261-02
Document Number: D01752254

21 BROOKLYN SHARED PATH FEASIBILITY STUDY - OUTCOME OF CONSULTATION

EXECUTIVE SUMMARY

This report summarises the outcome of public consultation for the Brooklyn Shared Path Feasibility Study and recommends adoption of the study and development of detailed designs to stage the construction of the shared path between Kangaroo Point and Parsley Bay in Brooklyn.

PURPOSE/OBJECTIVE

The purpose of this report is to seek Council adoption of the Brooklyn Shared Pathway feasibility study for the purpose of development of detailed designs and funding applications with external agencies. A copy of the study is included in this report as Attachment 1.

DISCUSSION

Council at its meeting of 20 October 2010 considered report WK66/10 BROOKLYN SHARED PATHWAY - FEASIBILITY STUDY and resolved:

Council adopt the final report for the Feasibility Study - Brooklyn Pathway Kangaroo Point to Parsley Bay for the purpose of public consultation and a further report be prepared when the results of the public consultation are known.

A copy of WK66/10 is included in this report as Attachment 2.

Interested Brooklyn residents attended a workshop on the 29 April 2010. Council's Manager Bushland and Biodiversity, Landscape Architect, Design Team Leader and Senior Maintenance Engineer were consulted during preparation of this report.

Consultation for the proposal was undertaken in May 2011. Letters to interested residents and letters to regulatory authorities were sent. The proposal was advertised in local media and Council's website for 14 days. Seven submissions were received, five supporting the proposal, three not supporting the proposal. The submissions are summarised under with T&RS Branch comments in italics.

1. Resident's comment – As a resident of Brooklyn living along Brooklyn Road I am delighted to see such a clever and thoughtful solution to walking along our main road in safety.

Response – Comment noted

2. Resident's comment – I am of the opinion that this facility will be of benefit not only to the residents of Brooklyn, but to the many visitors (particularly cyclists), who will be enticed in from the Pacific Hwy.

Response – Comment noted

3. Resident's comment – The proposed pathway will interfere with the running and safety of Dolphin Boatshed Marina commercial property.

Response – The shared path will be designed in accordance with RTA guidelines to ensure safe interaction between all classes of road users. Detailed design issues will be addressed in consultation with residents and referred to the Local Traffic Committee for recommendation.

4. Resident's comment – To cut mangroves down will impair my privacy.

Response – The report was prepared in consultation with Council's Bushland and Biodiversity Management Team who supports the proposal. Detailed design issues will be addressed in consultation with residents.

5. Resident's comment – Will there be a barrier/bollards in place for pedestrian protection?

Response – Detailed design issues will be addressed in consultation with residents and the appropriate level of traffic management will be determined in consultation with the RTA and Police.

6. Resident's comment – No provision has been made for pedestrians, concerned with speeding cars along Brooklyn Road.

Response – The proposal is a shared pedestrian / cycle path that facilitates both user groups. Physical separation will be provided between cars and other users. Speeding issues will be referred to NSW Police when identified.

Further process:

If this report is adopted by Council, the next steps will involve –

* Applying for state and federal grants as they become available to implement the shared path in stages, based on Council's ability to provide matching funds where required.

* Referral of each stage to Local Traffic Committee for a recommendation prior to construction.

Conclusion – The consultation indicates general support for the project. The issues raised in the objections are not significant and will be addressed in detailed design and referred to the Local Traffic Committee for recommendation.

BUDGET

Construction of Stage 1a is estimated at \$140,000. The RTA has offered 50/50 funds for this stage of the project requiring \$70,000 funds from Council's Traffic Facilities budget.

POLICY

No other policy issues are attached to this report.

CONSULTATION

Consultation for the proposal was undertaken in May 2011. Letters to interested residents and letters to regulatory authorities were sent. The proposal was advertised in local media and Council's website for 14 days.

TRIPLE BOTTOM LINE SUMMARY

Working with our community

This report and the proposals contained herein are readily accessible and understandable to the community. This report was prepared in response to concerns expressed by the community.

Conserving our natural environment

The proposed shared pedestrian cycleway will encourage more walking and cycling around Brooklyn by residents and visitors.

Contributing to community developments through sustainable facilities and services

The proposed shared pedestrian cycleway will have a positive effect on the safety of the public environment, as well as the development of a healthy, equitable and active community.

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

The proposed shared pedestrian cycleway will encourage more walking and cycling by Brooklyn residents and visitors. The sections through sensitive wetlands will encourage low impact tourism.

Supporting our diverse economy

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

Maintaining sound corporate and financial management

The proposed road and footpath improvements will be undertaken in a manner to ensure that asset life-cycle costs are minimised and assets are able to function as planned during their life cycle. Council will share the cost of providing the facility with other agencies, but will need to provide funding all for the maintenance and the eventual renewal of these assets.

Other Sustainability Considerations

Potential negative impacts of footpath construction activities will be identified in Reviews of Environmental Factors for such activities and appropriate measures will be undertaken to avoid or minimise such impacts.

RESPONSIBLE OFFICER

This report was prepared by Council's Senior Traffic Engineer, Mr Radek Zarzycki, telephone 9847 6684.

RECOMMENDATION

THAT

Council adopt the final report for the Feasibility Study - Brooklyn Pathway Kangaroo Point to Parsley Bay for the purpose of development of detailed designs, costing and funding applications with external agencies.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. WK66/10 Previous Report
2. Brooklyn Shared Path Feasibility Study

File Reference: F2004/09762
Document Number: D01755602

22 MAYOR'S NOTES FROM 1 TO 31 AUGUST 2011

Saturday 30 July 2011 - The Mayor attended the North Epping Rangers Charity Day and Official Opening of the newly improved Ground at North Epping Oval.

Saturday 30 July 2011 - The Mayor attended the Galston Rural Fire Brigade 70th Anniversary Dinner at Galston Community Centre.

Tuesday 2 August 2011 - The Mayor attended the Northcott Disability Services DisabiliTEA Morning Tea.

Tuesday 2 August 2011 - The Deputy Mayor, on behalf of the Mayor, attended the Sunshine Community Access Program DisabiliTEA Morning Tea

Wednesday 3 August 2011 - The Mayor attended the Glenorie Public School BER Recognition and Open Day Ceremony at Glenorie Public School.

Thursday 4 August 2011 - The Mayor attended the Opening of the BER Project Building at Waitara Public School.

Thursday 4 August 2011 - The Mayor attended the Sydney International Squash Challenge at Thornleigh Squash Centre.

Friday 5 August 2011 - The Mayor attend the Hornsby Shire Council Annual Knit-in at Hornsby Library.

Saturday 6 August 2011 - The Mayor and Councillor Chopra attended the Oakhill College 4th Annual Gala Day.

Sunday 7 August 2011 - The Mayor and Mayoress attended the Epping RSL Golden Kangaroos Concert at The Epping Club.

Thursday 11 August - The Mayor and Councillors Chopra and Browne attended the Association for Children with a Disability NSW Casual Cocktail Event.

Friday 12 August 2011 - The Mayor and Councillors Chopra and Browne attended the Hornsby Area Residents for Reconciliation (HARR) Book Launch at Council Chambers.

Saturday 13 August 2011 - The Mayor attended the Muogamarra Rural Fire Brigade's 60th Anniversary Celebration at Berowra RSL Club.

Sunday 14 August 2011 - The Mayor and Councillor Smart attended the Berowra Woodchop at Berowra.

Sunday 14 August 2011 - The Mayor attend the Galston Uniting Church Council - Service of Celebration and Closure of the Galston District Eisteddfod.

Sunday 14 August 2011 - The Mayor attended the Awesomerock Church Family Fun Day and Fundraising Event at the Hornsby RSL War Memorial Hall.

Monday 15 August 2011 - The Mayor attended the Arden Anglican School, Year 7 Visual Arts Exhibition 2011.

Friday 19 August 2011 - The Mayor attended a Network Meeting with the High Commissioner for Sri Lanka.

Saturday 20 August 2011 - The Mayor attended the 2nd/17th Battalion, The Royal New South Wales Regiment Officers Dining In to commemorate the 70th Anniversary of the Battalion's battle honour.

Saturday 20 August 2011 - The Deputy Mayor, on behalf of the Mayor, attended the Australian Asian Association of Bennelong (AAAB) 2011 Annual Dinner at the Ryde Eastwood Leagues Club.

Sunday 21 August 2011 - The Mayor and Councillors Chopra and Browne attended the Lisgar Gardens Gala Day.

Sunday 21 August 2011 - The Mayor attended the Berowra & Brooklyn RSL Sub Branch Victory in the Pacific and the Vietnam Veterans Day Service at the Memorial Park, Berowra.

Sunday 21 August 2011 - The Mayor attended the Oakhill College Family Picnic Day.

Sunday 21 August 2011 - The Mayor attended the Indian Seniors Group Indian Independence Day Celebration at the Epping Leisure and Learning Centre.

Sunday 21 August 2011 - The Mayor attended the meeting between His Excellency the High Commissioner for Sri Lanka in Australia and Sri Lankan Expatriates living in Sydney held at the Cherrybrook Community Centre.

Monday 22 August 2011 - The Mayor and Councillor Browne hosted 3 Citizenship Ceremonies in the Council Chambers.

Monday 22 August 2011 - The Mayoress, on behalf of the Mayor, attended and judged the Arcadia Public School Annual Cupcake Stall.

Tuesday 23 August 2011 - The Mayor attended the Ku-ring-gai Chase Catholic Parish Social Justice Group Meeting at Asquith.

Friday 26 August 2011 - the Mayor attended the Official Opening of Inala's new facilities for Dulkara at Inala School, Cherrybrook.

Friday 26 August 2011 - The Mayor attended the Loreto Normanhurst Girls High School Year 12 Visual Arts and Design and Technology Exhibition 2011.

Saturday 27 August 2011 - The Mayor attended the Ku-ring-gai & District Soccer Association Inc Junior Gala Day at Montview Oval.

Sunday 28 August 2011 - The Mayor attended the Ku-ring-gai & District Soccer Association Inc Girls Gala Day at Montview Oval.

Tuesday 30 August 2011 - The Mayor, Deputy Mayor and Councillor Browne attended the Epping Property Owners Group "Vision for Epping" Evening Meeting with the Public at The Epping Club.

Wednesday 31 August 2011 - The Mayor and Mayoress attended the Official Opening of the Mark Donaldson VC House Aged Care Facility at Rowland Village, Galston.

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

File Reference: F2004/07053

Document Number: D01755875

25 RECREATION FACILITIES WITHIN HORNSBY SHIRE

ASKED BY COUNCILLOR BERMAN

TO THE EXECUTIVE MANAGER, ENVIRONMENT DIVISION:

Could the relevant officer please provide a comprehensive report on measures Council is putting in place to provide recreation for our residents?

Further could this report contrast Hornsby Council's expenditure with what neighbouring councils are doing?

Answer:

Council provides a comprehensive range of recreation opportunities for residents including the following:

- 1,900 hectares of bushland
- 45 sportsground complexes
- 184 parks
- 5 dog off leash areas and 2 shared dog off leash areas
- 78 tennis courts
- 2 aquatic centres
- 23 community centres/meeting rooms
- 1 youth centre
- 5 leisure and learning centres (+50)
- 1 central and 4 branch libraries
- 1 exhibition space
- 1 rural sports facility
- 5 skate parks
- 7 km of dedicated shared off road cycle paths

Projects that are currently in planning or to be delivered soon include:

- Hornsby Aquatic Centre redevelopment,
- a new sportsground at John Purchase Public School/Cherrybrook High School (expected to open February 2012) that will increase the range of sportsgrounds made available by Council for community use,
- an extension to the Thornleigh Indoor Sports Centre, the 5.5 km cross country mountain bike trail in Old Man's Valley,
- pump tracks (bmx facilities) in Hornsby Heights and Wisemans Ferry,
- new floodlighting and player facilities at Greenway Park Cherrybrook that will allow night baseball and high level training facilities leading to more capacity at the ground, and

- a new amenities building at Hayes Oval to provide for the large numbers of softball and football players from around Hornsby Shire that are based there.

An extra \$1.8 million per year following the successful Independent Pricing and Regulatory Tribunal application will be spent for the next 10 years on asset upgrades in parks and reserves including James Park in Hornsby which will be upgraded in 2012/13 with a circuit path around the park, additional park furniture, fitness facilities and improved landscaping as well as upgraded lighting for the Pennant Hills Park Netball Complex.

Investigations will commence shortly into additional parkland facilities in Old Mans Valley in accordance with the open space masterplan adopted for Old Mans Valley by Council in 2010.

Some direct service recreation activities are undertaken by Council through the Community Services Team as well as other programs such as the bushwalking program.

Community events are conducted several times a year such as the Bushland Shire Festival, Christmas Spectacular and One World Festival.

The *Sustainable Water Based Recreation Facilities Plan* outlines a number of principles and guidelines for the provision of current and future facilities for water based recreation.

The Department of Local Government Comparative Information Report for 2008/09 net recreation and leisure expenses per capita for 2008/09 (latest figures that are available) indicates the following:

- Hornsby 74.98
- Hills 66.83
- Ku-ring-gai 53.23
- Ryde 96.51

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