



**ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 11 MARCH 2008 AT 7.00PM
LEVEL 3, COUNCIL CHAMBERS**

A G E N D A
**** ** ***

NOTE: For Full Details, See Council's Website –
www.kmc.nsw.gov.au under the link to business papers

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address
will be tape recorded.

DOCUMENTS CIRCULATED TO COUNCILLORS

CONFIRMATION OF MINUTES

Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 26 February 2008

Minutes numbered 32 to 57

MINUTES FROM THE MAYOR

PETITIONS

GENERAL BUSINESS

- i. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.*
- ii. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.*

GB.1 **NSW Department of Local Government Comparative Information** **2005 to 2006** **1**

.
File: S03849

To present to Council analysis of the "Comparative Information on NSW Local Government Councils 2005/2006", which was published by the NSW Department of Local Government on 21 January 2008.

Recommendation:

That Council receive and note the analysis of the "Comparative Information on NSW Local Government Councils 2005/2006".

GB.2 **Replacement of Bus Shelter at Illoura Avenue, Wahroonga with Adshel-type Bus Shelters** **5**

.
File: S03552

To seek Council approval to replace a vandalised bus shelter situated on Illoura Avenue, Wahroonga, with two single advertising bus shelters.

Recommendation:

That Council approves the replacement of the existing shelter, situated at Illoura Avenue, Wahroonga, with the installation of an Adshel type, twin 3 bay single advertising shelter.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NM.1 **Bushfire Management Policy** **9**

.
File: S05914

Notice of Motion from Councillor T Hall dated 26 February 2008.

On 8 May 2007, Council adopted its fifth amendment to its bushfire management policy. While this policy is focused on the fire management of Council bushland it does not

adequately recognise the role and importance of the community fire units (CFU's). The many hundred Ku-ring-gai residents involved in CFU's voluntarily place themselves at risk during wild fires supporting the many combat agencies that help protect their own homes and other assets through out our local government area. In 2005 the NSW Parliament amended the NSW Fire Brigades Act to legally protect these volunteers which is also not recognized in the Council's current policy.

I therefore move:

"The contribution by Community Fire Unit volunteers located in Ku-ring-gai local government area in managing wildfire, protecting their homes and our community and their role in disaster management be given greater recognition and support. For this, I would request a revision of the Council's Bushfire Management Policy (2007) adopted 8 May 2007, and that a draft be reported to Council by July 2008."

NM.2 Council-owned Property Assets Surplus to Needs

10

File: S02135

Notice of Motion from Councillor T Hall dated 26 February 2008.

I move:

"That to meet this Council's financial sustainability objectives, the General Manager be requested to bring back a report to Council identifying those council-owned property assets surplus to needs for possible disposal. These may include the assets identified in a previous council resolution in 1997/8 and parts of unmade roads readily available for subdivision into new residential lots for sale following rezoning action. Any investigation relating to the initial identification of such assets remain confidential to Council, pursuant to s.10A(2)(c) of the Local Government Act, 1993 as amended."

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 241 OF GENERAL REGULATIONS

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

CONFIDENTIAL BUSINESS TO BE DEALT WITH IN CLOSED MEETING - PRESS & PUBLIC EXCLUDED

**** ** ***

NSW DEPARTMENT OF LOCAL GOVERNMENT COMPARATIVE INFORMATION 2005 TO 2006

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To present to Council analysis of the "Comparative Information on NSW Local Government Councils 2005/2006", which was published by the NSW Department of Local Government on 21 January 2008.

BACKGROUND:

Council's 2007/2008 Operational Plan requires that a report be presented to Council which analyses the NSW Department of Local Government's Comparative Information for 2005/2006.

COMMENTS:

Each year the Department of Local Government releases the "Comparative Information on NSW Local Government Councils". The latest report released in 2008 is for the 2005/2006 financial year. The data is collected by an electronic survey of councils as well as from councils' Annual Financial Statements, NSW Grant's Commission Returns and Notional Rate Returns. Analysis of the following has been undertaken:

- Group 3 councils
- Neighbouring councils
- History of Ku-ring-gai 1995/96-2005/06

RECOMMENDATION:

That Council receive and note the analysis of the "Comparative Information on NSW Local Government Councils 2005/2006".

PURPOSE OF REPORT

To present to Council analysis of the "Comparative Information on NSW Local Government Councils 2005/2006", which was published by the NSW Department of Local Government on 21 January 2008.

BACKGROUND

The 2007-2011 Operational Plan requires that a report be presented to Council to analyse the NSW Department of Local Government Comparative Information for 2005/2006.

COMMENTS

Each year the Department of Local Government releases "The Comparative Information on NSW Local Government Councils". The latest report released in January 2008 is for the 2005/2006 financial year. The data is collected by an electronic survey of councils as well as from councils' Annual Financial Statements, NSW Grants Commission Returns and Notional Rate Returns.

At the request of Councillors, the 2004/2005 Comparative Information report presented to Council last year included comparative figures for Ku-ring-gai Council for the 2005/2006 financial year. These figures were obtained by using Council's confirmation of comparative data return submitted to the Department of Local Government. At the time of writing this report, the Department had not submitted the same confirmation of comparative data return for the 2006/2007 financial year, therefore we are unable to include those figures in this year's report.

Comparative information provided for Local Government enables a performance assessment to be carried out with other 'like' councils.

When comparing one Council with another it is important to be aware that the key performance indicators do not on their own give the full picture of a council's performance. The figures provided indicators only and conclusions should not be drawn without qualitative assessments being made.

The Australian Classification of Local Governments categorises councils according to their socio-economic characteristics and their capacity to deliver a range of services to the community.

- Initially, it is a system based on whether a Council is principally 'Urban' or 'Rural'.
- Urban councils are then subdivided on the basis of whether they are 'capital cities', 'metropolitan developed', 'regional town/city' or 'fringe'.
- The final classification step is division based on population size.

Ku-ring-gai falls into Group 3, which is:

Urban – Metropolitan Developed – Population 70,000 – 120,000

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3 March 2008

Analysis of the comparative information has been undertaken for the following:

Group 3 Councils

Group 3 consists of 13 other councils which are: Bankstown, Blacktown, Canterbury, Fairfield, Holroyd, Hurstville, Marrickville, Parramatta, Randwick, Rockdale, Ryde, Sutherland and Warringah.

Neighbouring Councils

Due to the vast spread and differences among councils in Group 3, another analysis has been undertaken comparing Ku-ring-gai to our neighbouring councils. These councils are: Hornsby, Pittwater, Ryde, Warringah, Willoughby, Lane Cove and North Sydney.

History of Ku-ring-gai

Finally, an analysis of the history of Ku-ring-gai's results between 1995/1996 and 2005/2006 has been included, to assess trends in the performance of Council over time.

CONSULTATION

The information contained in this report has been sourced from NSW Department of Local Government's "Comparative Information on NSW Local Government Councils 2005/2006" publication.

A copy of the entire publication from the Department of Local Government is available on the internet at:

http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Comparatives/Comparatives_2005-06.pdf

FINANCIAL CONSIDERATIONS

Not applicable.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

All departments of Council received a copy of the report from NSW Department of Local Government.

SUMMARY

Each year the Department of Local Government releases "The Comparative Information on New South Wales Local Government Councils". The latest report released in January 2008 is for the 2005/2006 financial year. The data is collected by an electronic survey of councils as well as from

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councils' Annual Financial Statements, NSW Grants commission Returns and Notional Rate Returns.

The 2007-2008 Operational Plan requires that a formal report be presented to Council to analyse the NSW Department of Local Government Comparative Information report for 2005/2006 by the end of the second quarter. This was not possible as the data was only published by the Department of Local Government in January 2008.

Analysis of the following has been undertaken:

- Group 3 councils
- Neighbouring councils
- History of Ku-ring-gai 1995/96-2005/2006

The report has been analysed and results are attached separately for Council's information.

RECOMMENDATION

That Council receive and note the analysis of the "Comparative Information on NSW Local Government Councils 2005/2006".

Edwin Athaide
Accounting Officer

Tino Caltabiano
Manager Finance

John Clark
Director Corporate

Attachments: **Analysis of NSW Department of Local Government Comparative Information 2005/2006 - Separate book (882187, 882188)**

NSW DEPARTMENT OF LOCAL GOVERNMENT



Ku-Ring-Gai Council

Comparative Information 2005/2006

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COMPARATIVE INFORMATION FOR NSW COUNCILS 2005/2006

Each year the Department of Local Government publishes the 'Comparative Information on New South Wales Local Government Councils'. The latest report released on 21 January 2008 is for the 2005/2006 financial year. The data is collected by an electronic survey of councils as well as from councils Annual Financial Statements, NSW Grants Commission Returns and Notional Rate Returns.

Comparative information on the performance of Local Government allows residents and ratepayers to make more informed assessments of the performance of their Council.

When comparing one council with another, it is important to be aware that the key performance indicators do not on their own give the full picture of a council's performance. The figures provide indicators only and conclusions should not be drawn without qualitative assessments being made.

The 'Australian Classification of Local Governments' categorises councils according to their socio-economic characteristics and their capacity to deliver a range of services to the community.

- Initially, it is a system based on whether a council is principally 'Urban' or 'Rural'.
- Urban councils are then subdivided on the basis of whether they are 'capital cities', 'metropolitan developed', 'regional town/city' or 'fringe'.
- The final classification step is division based on population size.

Ku-ring-gai falls into Group 3 which is:

Urban – Metropolitan Developed – Population 70,000-120,000.

Group 3 consists of 13 other councils which are:

Bankstown, Blacktown, Canterbury, Fairfield, Holroyd, Hurstville, Marrickville, Parramatta, Randwick, Rockdale, Ryde, Sutherland, and Warringah.

Graphs have been compiled comparing Ku-ring-gai with the other Group 3 councils for each of the key performance indicators included in the report.

Due to the variances in size and other characteristics among councils in Group 3, another set of graphs have been compiled in parallel to compare Ku-ring-gai to our neighbouring councils.

These councils are:

Hornsby, Pittwater, Ryde, Warringah, Willoughby, Lane Cove and North Sydney.

Below is a summary of the aims and objectives of each of the key performance indicators:

- ***Average Rate Per Assessment (Residential & Business)***

It is generally acknowledged that rate income is the main financial resource of councils. The objective of this indicator is to highlight the level of Council's rates. Several factors that affect this indicator include: rate pegging legislation, the mix of residential/business properties and land values within a council area.

- ***Outstanding Rates and Annual Charges***

The percentage of rates and annual charges unpaid at the end of an accounting year is a measure of a council's effectiveness in managing debt recovery.

- ***Sources of Income from Continuing Operations***

This indicator assesses the degree of dependence on alternative sources of revenue. Factors such as the level of investment activity of the council, the rate of new development within the council area, and the level of State/Federal funding have a large bearing on the council's level of alternative funding.

- ***Total Continuing Operations Income (per capita)***

Total continuing operations income per capita is an alternative method of analysing revenues received by councils. Many revenue streams are dependent upon the numbers of people living within the council boundaries, although factors such as rate-pegging, development activity as well as the extent of user pays services also influence revenues. As such, this is only a basic indicator of the council's ability to service the needs of its community.

- ***Dissection of Expenses from Continuing Operations***

The objective of this indicator is to assess the expenditure pattern of councils. Expenditure requirements of councils include: employee costs; materials and contracts; interest charges; depreciation; and other operating expenses. Council's expenditure patterns are influenced by many factors such as the socio-economic characteristics of the area, the rate of new development and the increase/decrease in population within the area.

- ***Total Expenses from Continuing Operations (per capita)***

This indicator measures the total expenses from continuing operations per head of population before excluding capital expenditure.

- ***Current Ratio (Unrestricted)***

The unrestricted current ratio assesses a council's liquidity and its ability to satisfy obligations as they fall due in the short-term, such as payment for goods and services supplied. A ratio of between 1:1 and 2:1 is considered satisfactory and indicates that a council has enough liquid assets to satisfy its short-term requirements. The higher the ratio, the greater the council's ability to meet short-term liabilities. The current ratio is included in the audited financial statements of Council.

- ***Debt Service Ratio***

The objective of this indicator is to assess the degree to which operating revenues are committed to the repayment of debt. Interest rate changes and loan terms effect this ratio. The use of loan funds for infrastructure improvements and other capital purposes is considered to be a prudent financial strategy allowing for contributions to the cost of the asset throughout its life by the community. Therefore, it is important to compare the ratio over a number of years in conjunction with other indicators such as the unrestricted current ratio. Generally, the ratio would be higher in growth areas. The debt service ratio is included in the audited financial statements of Council.

- ***Number of Equivalent Full Time Staff***

This information is based on the total number of full time or part time and casual staff on a council's payroll on the last payday of June. The number of staff at each council will vary according to factors such as organisation structure, council's budget and the type and extent of service delivery provided to the community.

- ***Library Expenses (per capita)***

This indicator measures the expenses from continuing operations spent on library services per person within the council area. It is affected by factors such as the size of the library, the number of people within the area, the hours of opening, and the demographic characteristics of the population.

- ***Circulation (per capita)***

This indicator measures unit circulation per head of population. This indicator can be affected by influences such as the type and location of the library, the level of service offered, the number of registered borrowers, the availability of technology and the characteristics of the population.

- ***Average Charge for Domestic Waste Management Services Per Residential Property***

The objective of this performance indicator is to highlight the relative level of a council's domestic waste management service charge for comparative purposes. This indicator is influenced by the cost of the service, whether or not a contractor is used, the size and frequency of the collection, as well as the distance from the disposal facility.

- ***Costs per service for Domestic Waste Collection***

This indicator assesses the efficiency of a council's domestic waste collection, including recyclables. The size of the garbage container, the frequency of collection, the type of recycling service provided, the use of contractors and the distance to the disposal facility are all factors that influence this indicator.

- ***Recyclables – Kilograms per capita per Annum***

This indicator is used to measure the effectiveness of a council's recycling service. Factors that affect this indicator are: the size of the recycling container, the frequency of collection, the percentage of residential properties receiving service, the level of promotion and education about the service, the use of contract versus day labour.

- ***Domestic Waste Kilograms per capita per Annum***

The purpose of this indicator is to measure the effectiveness of a council's efforts in domestic waste minimisation. This indicator can be affected by factors such as: the size of the garbage container and frequency of collection, the percentage of residential properties receiving service, and also the availability of a council tip.

- ***Number of Development Applications Determined***

This indicator is designed to measure the effectiveness of the local approvals system. The approval process should be undertaken in a manner which protects the rights of landowners, the community and the environment, and consequently is influenced by factors such as the nature and complexity of applications, the area growth rate, council DA policies and litigation delays.

- ***Mean Time in Calendar Days for Determining Development Applications***

This performance indicator is designed to measure the speed with which development applications (DAs) are determined. The less time taken to determine each DA, the more efficient the approval process is deemed to be. The mean time for DAs is inter-related with the KPI for "Number of DAs" above, and therefore is influenced by similar factors. It should be noted that this performance indicator does not take into account factors such as the complexity of DAs processed.

- ***Median Time in Calendar Days for Determining Development Applications***

This indicator measures the speed with which development applications (DAs) are determined. The process used to calculate this indicator is to rank the time it takes to determine each DA from the least to the most number of days and then select the middle one. If there is an even number of DAs, the median is the number half way between the two central scores. Some factors affecting this indicator are the nature and complexity of the DAs, the degree of public consultation, the number of planning and development staff, the growth in the area and amount of litigation.

- ***Legal Expenses to Total Planning & Development Costs***

This performance indicator highlights the level of disputation in the planning and development process. The Department of Local Government encourages the use of non-judicial forums to resolve disputes occurring between Council and other parties as a means of reducing the increasing cost of legal activities incurred by councils. Factors that can influence legal costs include the complexity of legislation, the level of scrutiny applied to inspections, the nature and complexity of the development as well as council's adoption of alternative dispute resolution policies.

- ***Environmental Management and Health Services (per capita)***

The sustainable management of natural resources, the protection of the environment and the maintenance of public health are key council responsibilities. This indicator is a key performance measure in calculating the amount spent on environmental management and health per head of population.

- ***Net Recreation and Leisure Expenses (per capita)***

Councils are encouraged to develop and implement strategies that will result in more people becoming physically active. This indicator measures the calculated net amount

spent on recreation and leisure services per head of population. This indicator can be affected by the size, type and number of facilities, the adoption of the user pays principle, the nature of section 94 contributions, the population mix and the available open space and natural resources.

- ***Community Services Expenses (per capita)***

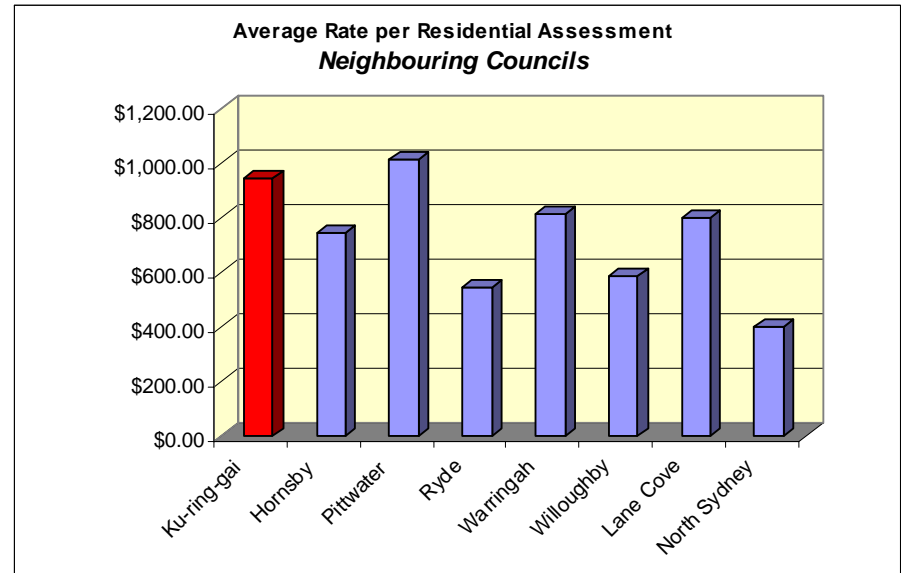
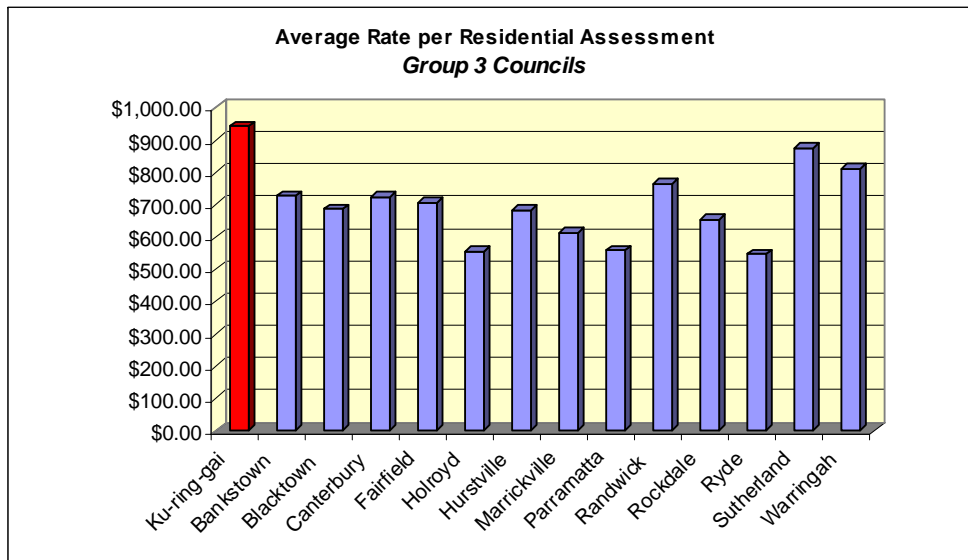
The purpose of this indicator is to measure the amount spent on community services per head of population. Factors such as number of community services staff required, population mix (age and ethnicity) and the socio-economic standing of the population influence the cost of community services within a council area. A copy of the entire publication from The Department of Local Government is available on the Internet at: http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Comparatives/Comparatives_2005-06.pdf

John Clark
Director Corporate

Average Rate per Residential Assessment

This indicator is calculated by:

$$\frac{\text{Total Residential Rates Revenue}}{\text{Number of Rateable Residential Properties}}$$



Ku-ring-gai has the highest average rate of \$942 per residential property when compared to Group 3 and second highest when compared to neighbouring Councils. This is due to the high land values in Ku-ring-gai, combined with the fact that Council has minimal business properties.

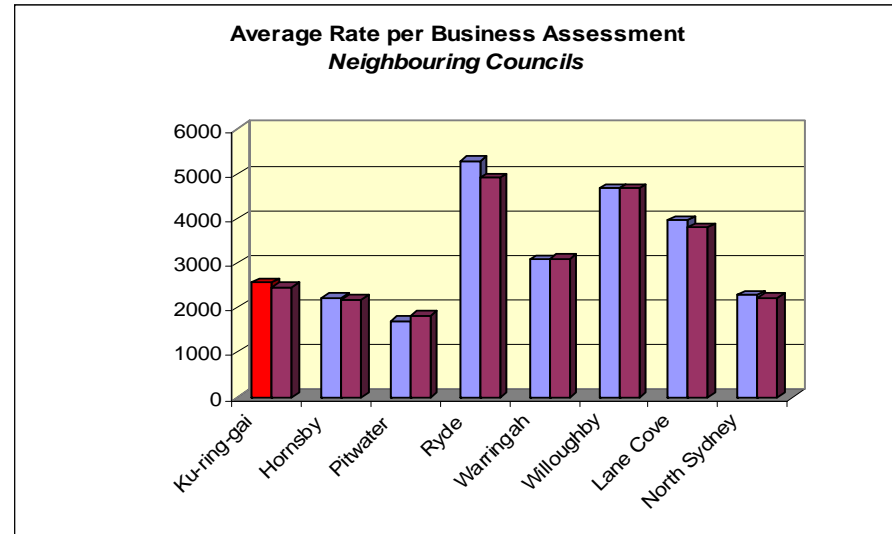
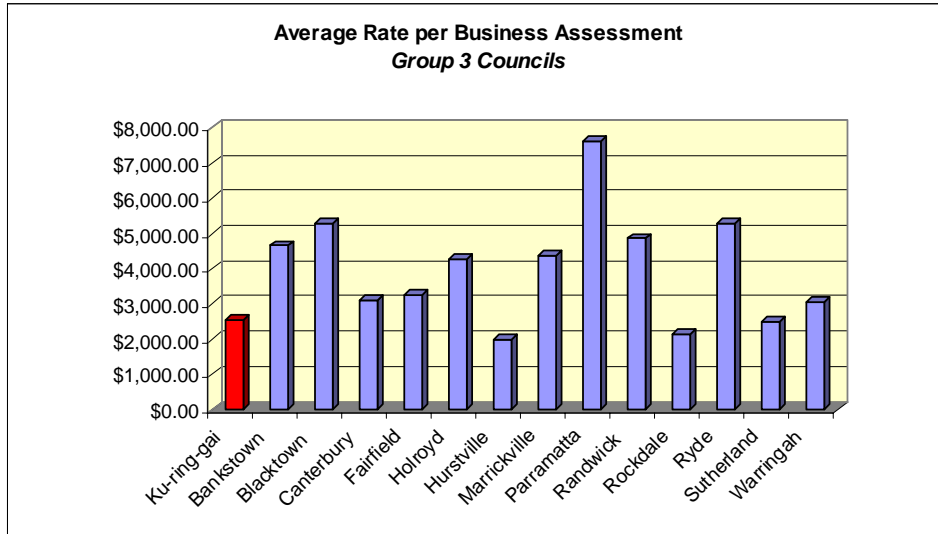
The average residential rate of the Group 3 Councils is \$715 per residential property, while the NSW average is \$666. This is an increase of 3.5% from the previous year 2004/2005. Neighbouring councils have an average of \$730 with Pittwater recording the highest rate of \$1,014 while North Sydney the lowest rate of \$399.

The highest average rate levied in 2005/2006 in NSW was \$1,085 (Hunters Hill) while the lowest rate was \$86 (Brewarrina).

Average Rate per Business Assessment

This indicator is calculated by:

$$\frac{\text{Total Business Rates Revenue}}{\text{Number of Rateable Business Properties}}$$



As there are no major commercial or industrial areas within the Council area, Ku-ring-gai has a low average business rate of \$2,559 per business assessment compared with other councils. The average business rate for Ku-ring-gai has increased 3.7% from the previous year 2004/2005.

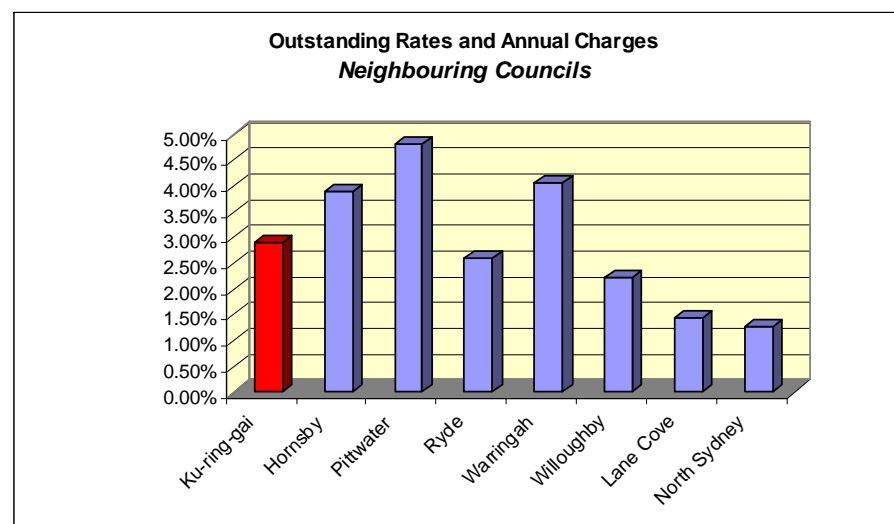
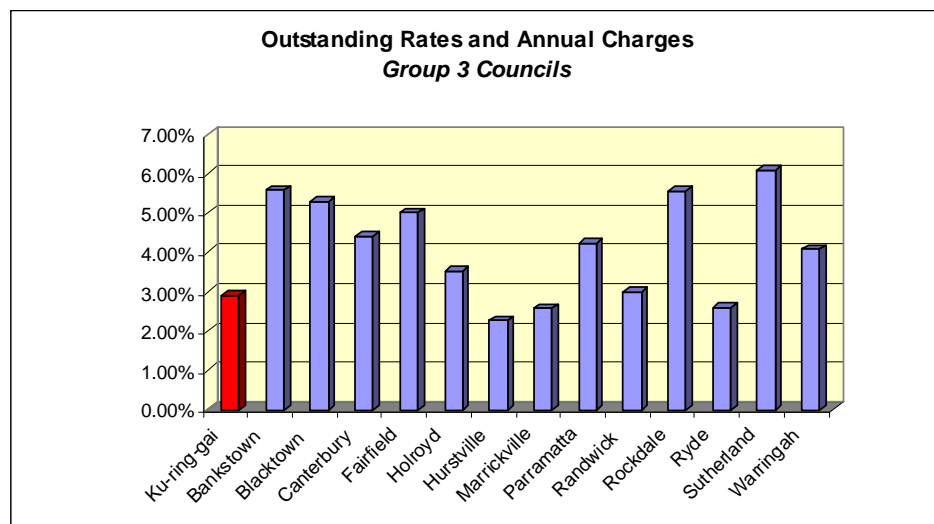
Council has minimal scope to increase business rate revenue, as there are no major commercial or industrial areas within the Local Government area.

The NSW Councils average was \$3,619. The highest average business rate levied was \$8,460 (Sydney) and the lowest \$108 (Brewarrina). Councils received approximately \$636 million from business rates which represents 18% of total rates and annual charges revenue (excluding mining rates) and 11% of total ordinary revenue. For Ku-ring-gai approximately 4.7% of total rates and annual charges comes from the Business Rate.

Outstanding Rates and Annual Charges

This indicator is calculated by:

$$\frac{\text{Outstanding Rates and Annual Charges}}{\text{Annual Revenue from Rates and annual Charges}}$$



The percentage of rates, charges and fees that are unpaid at the end of a financial year is a measure of how well a council is managing debt recovery.

Ku-ring-gai has a strong commitment to maintaining the lowest possible rates, charges and fees outstanding. This has resulted in a ratio of 2.91% for Ku-ring-gai for outstanding rates, charges and fees. The Group 3 Council average was 4.41% and neighbouring council average was 2.90%. Within neighbouring councils North Sydney had the lowest ratio of 1.28% while Pittwater had the highest at 4.82%.

The average for NSW councils is 5.1%. In previous years this indicator included fees. As items such as RTA payments distort this indicator, fees have been removed for 2005/06. The lowest percentage achieved by a NSW council was 1.1% (Burwood) and the highest was 18.5% (Wentworth).

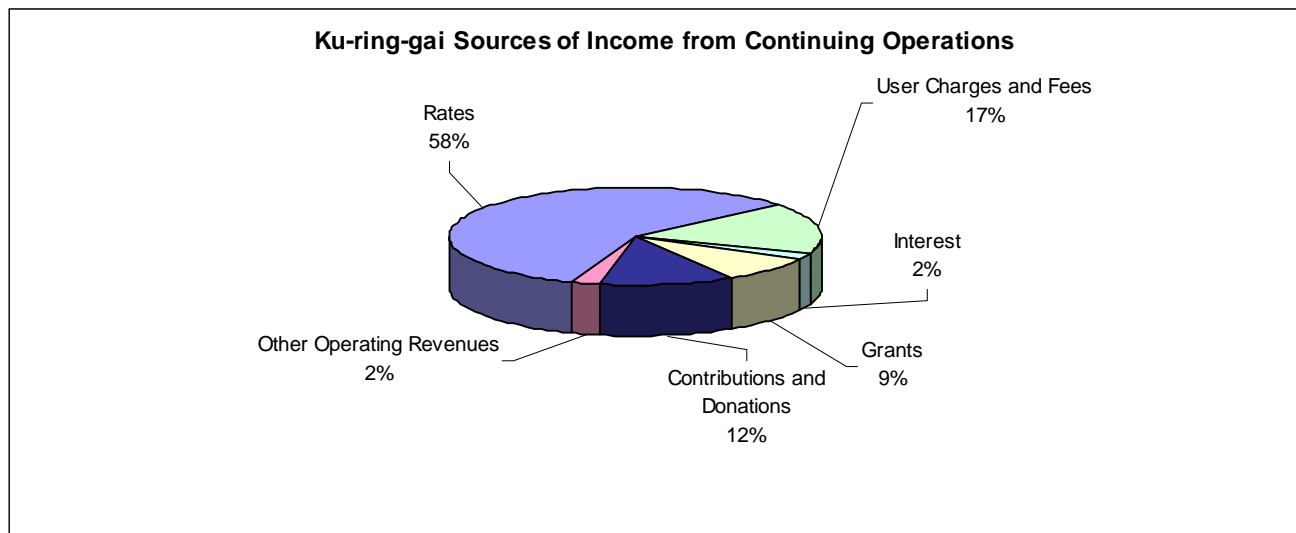
Factors influencing this indicator are: the council's rating policy, level of reliance on other revenue sources, the level of cash reserves, cash management and timing of cash flows, credit management policies, socioeconomic characteristics of the area, the physical size of the council and environmental factors.

Sources of Income from Continuing Operations

This indicator is calculated by:

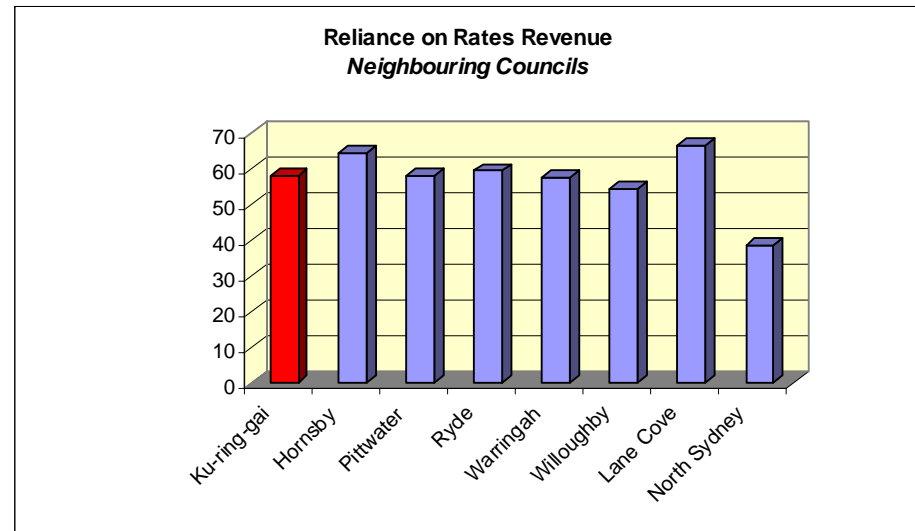
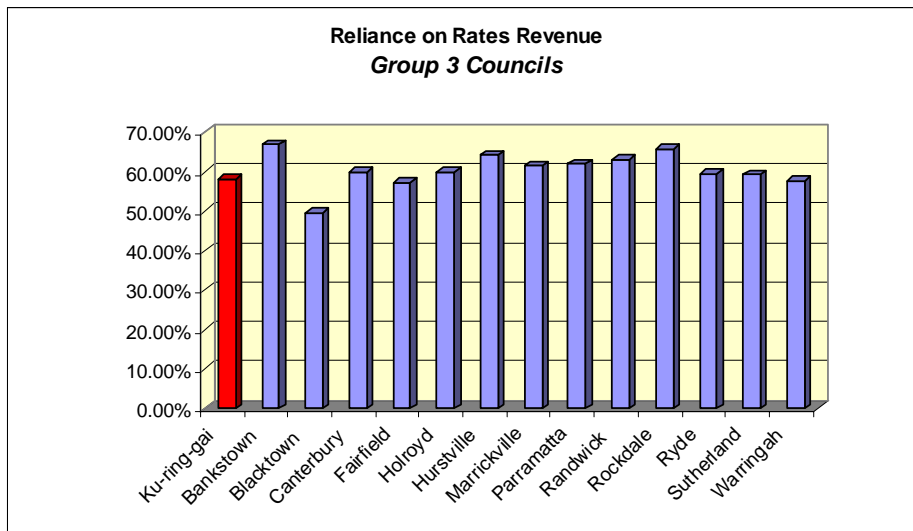
$$\frac{\text{"Y"}}{\text{Total Revenue}}$$

“Y” is the source of revenue eg rates and annual charges, user charges and fees, interest, grants (including capital), contributions and donations (including capital) and other operating revenues.



Rates and annual charges revenue is generally the most important source of revenue for councils, followed by grant revenue. These sources of revenue are relatively stable from year to year and allow councils to plan and use sound financial budgeting methods to achieve their objectives. This indicator assesses the degree of dependence on alternative sources of revenue, both ordinary activities and capital. It shows the different sources of revenue as a percentage of total revenue.

Reliance on Rates Revenue



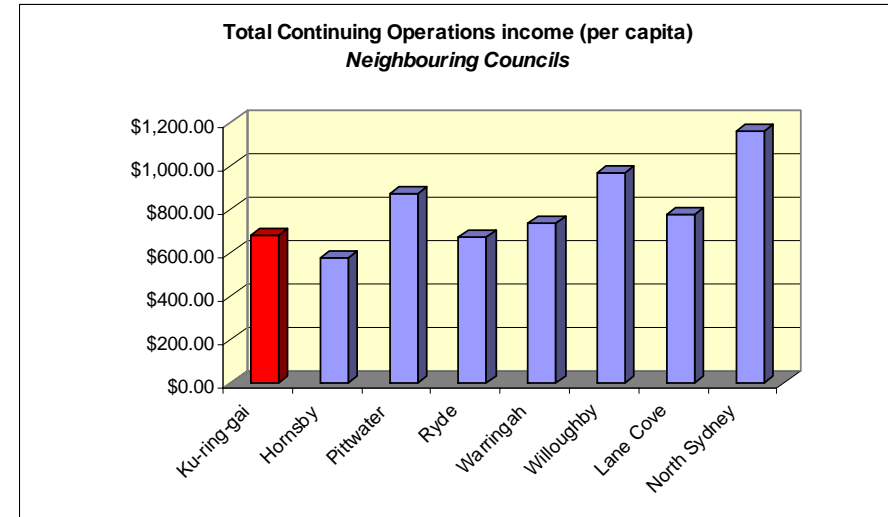
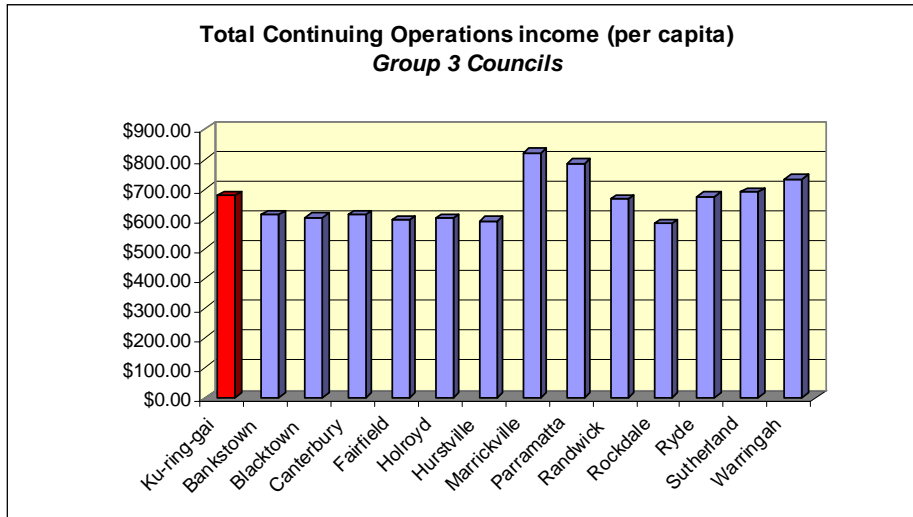
The above graphs show the reliance on rates revenue at each Group 3 Council and at each neighbouring Council. Ku-ring-gai has the third lowest reliance at 58.2% when compared to Group 3 Councils and the fourth lowest reliance when compared to neighbouring Councils.

Ku-ring-gai traditionally has a significant reliance on rates revenue. The NSW councils average was 48%. The highest reliance on rates revenue was at Hunters Hill Council (72.50%) and the lowest at Central Darling Council (10.30%). Factors that may have led to changes in rates and annual charges, apart from the approved 3.5% general rate increase, include special variations, supplementary valuations, additional rateable properties and increases in unpegged rates and charges such as water, sewerage and domestic waste management, and any changes to the level of other revenue sources received.

Total Continuing Operations Income (per capita)

This indicator is calculated by:

$$\frac{\text{Total Continuing Operations Income Before Capital Receipts}}{\text{Estimated Resident Population Within Council Boundaries}}$$



This indicator measures the total revenue (before capital) per head of population. It shows the revenue available to service the needs of the community. It does not include water and sewerage rates.

Ku-ring-gai's revenue of \$678 per capita, is over the Group 3 council average of \$656 and under the NSW average of \$876. When compared with neighbouring councils Ku-ring-gai had the third lowest revenue per capita. Pittwater and Willoughby Councils receive significant revenue from Section 94 Contributions, while Warringah and North Sydney Councils receive considerable revenue from user charges and fees in comparison to Ku-ring-gai.

Of all NSW councils, Conorgo Council reported the highest revenue per capita at \$3,813. The lowest figure reported was \$520 (Baulkham Hills).

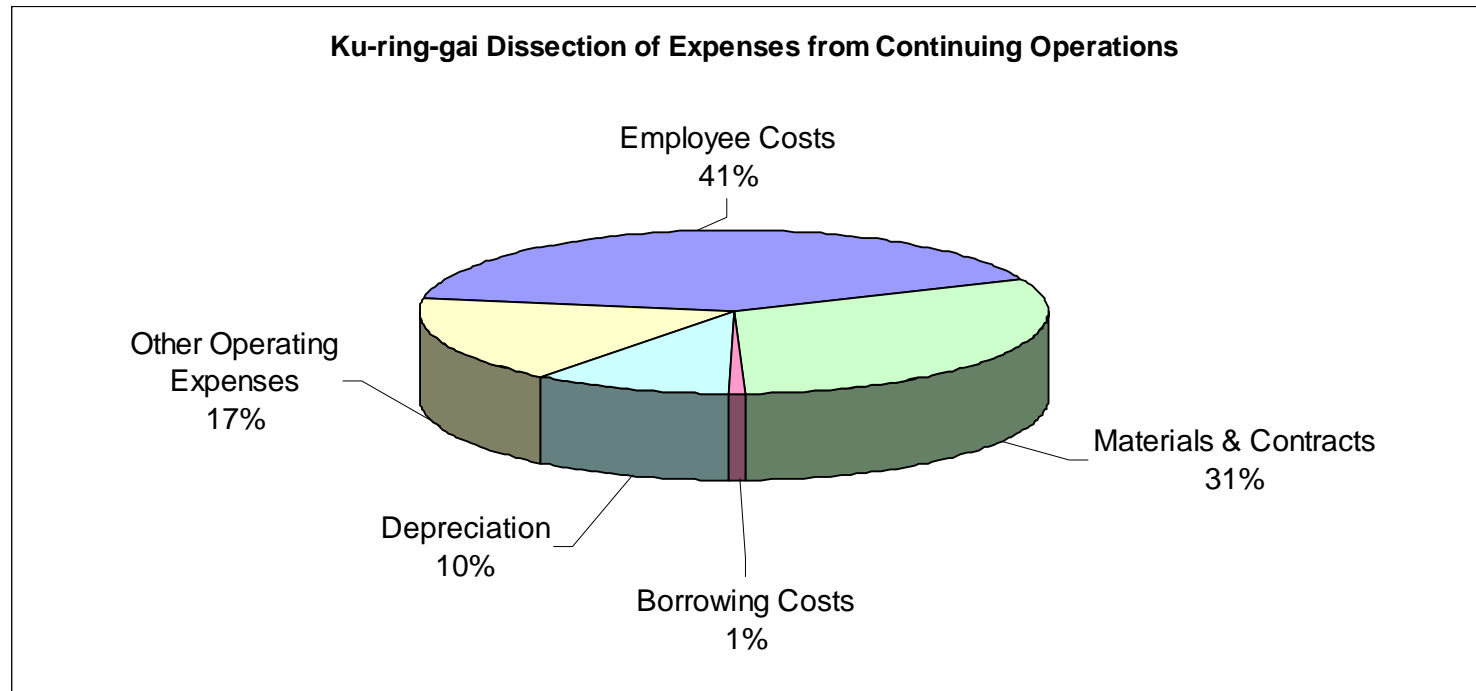
Factors that can influence this indicator are the level of council's investment activity, the relative level of Federal/State funding, the socioeconomic characteristics of the area, the level of new development and the demographic characteristics of the population.

Dissection of Expenses from Continuing Operations

This indicator is calculated by:

$$\frac{\text{"E"}}{\text{Total Ordinary Expenditure}}$$

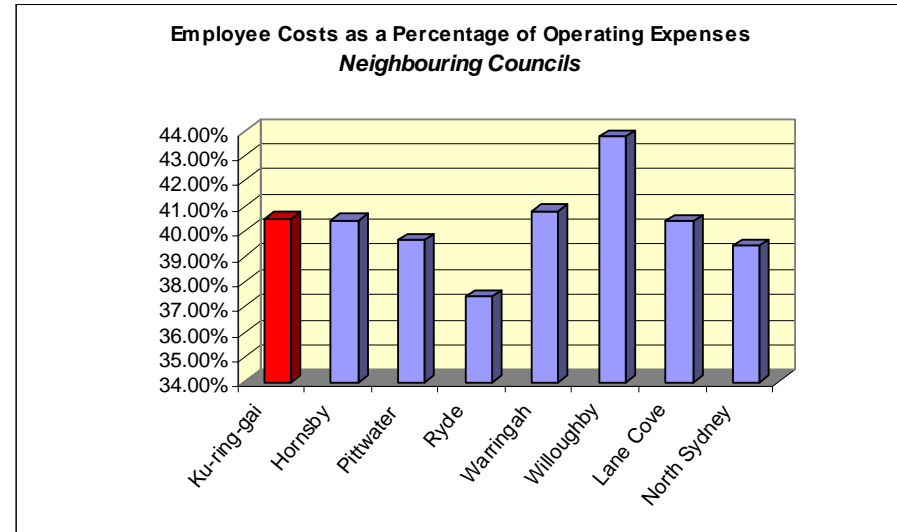
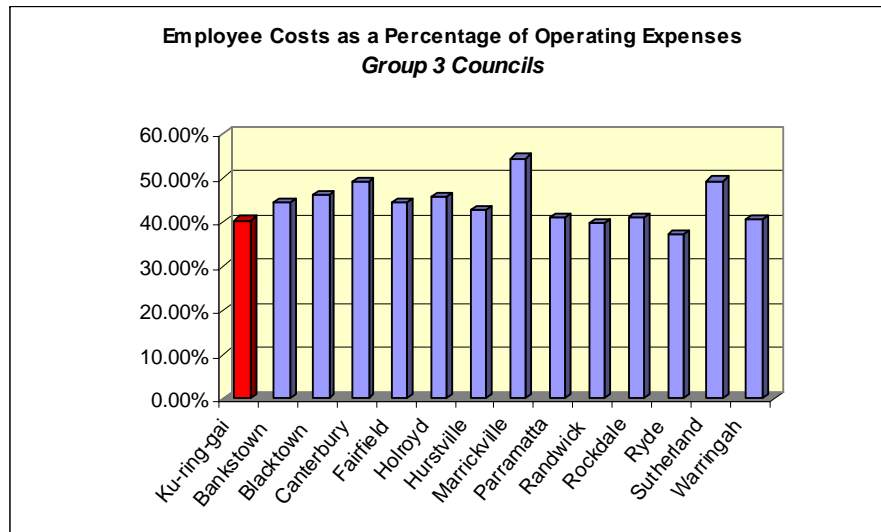
"E" is the type of expense eg employee costs, materials and contracts, borrowing costs, depreciation, impairment or other expenses.



This indicator assesses the expenditure patterns of councils. A council's possible expenditure needs to include employee costs, materials and contracts, borrowing costs, depreciation and other expenses.

It should be noted that when comparing operating expense dissections at Ku-ring-gai the average was 44.41% for employee costs and 23.88% for materials and contracts in the Group 3 councils. The neighbouring council average for employee costs was 41%, and materials & contracts average was 31%.

Employee Costs as a Percentage of Operating Expenses



The above graphs show employee costs as a percentage of total operating expenses at each of the Group 3 and neighbouring councils.

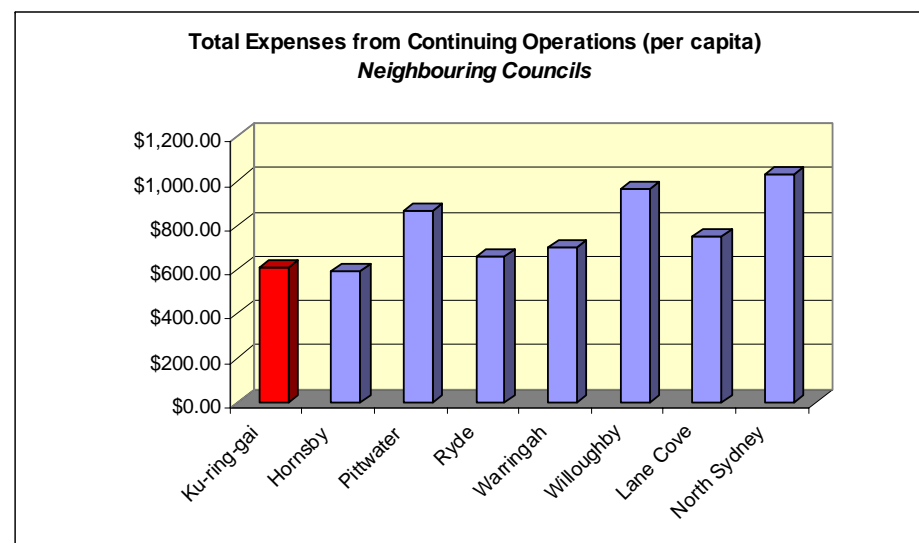
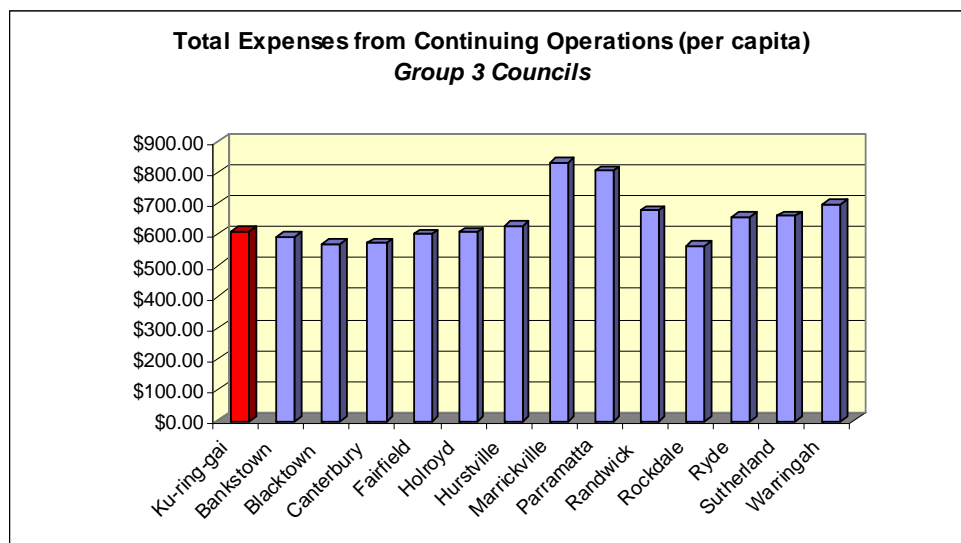
Of the Group 3 Councils Marrickville Council has the highest percentage at 54.57% while Ryde has the lowest at 37.40%. Willoughby recorded the highest percentage at 43.74% in the neighbouring Councils group. Ku-ring-gai's percentage came in at 40.48%.

The NSW councils average for employee costs was 39.50%, with the highest percentage at Gilgandra Council (57.28%) and the lowest at Deniliquin Council (21.28%).

Total Expenses from Continuing Operations (per capita)

This indicator is calculated by:

$$\frac{\text{Total Expenses from Continuing Operations}}{\text{Estimated Resident Population Within Council Boundaries}}$$



This indicator measures the total expenses per head of population excluding capital expenditure. Ku-ring-gai's average expenses totalled \$610 per capita, which is below the Group 3 Councils average of \$640 and the neighbouring councils' average of \$770. Ku-ring-gai had the lowest increase in expenditure for councils in Group 3 and was second to Lane Cove Council in neighbouring councils. No council in either group decreased their expenditure in 2005/2006.

Within the neighbouring Councils Hornsby incurred the lowest expenses of \$590 while North Sydney had the highest level of expenses of \$1,028 per capita.

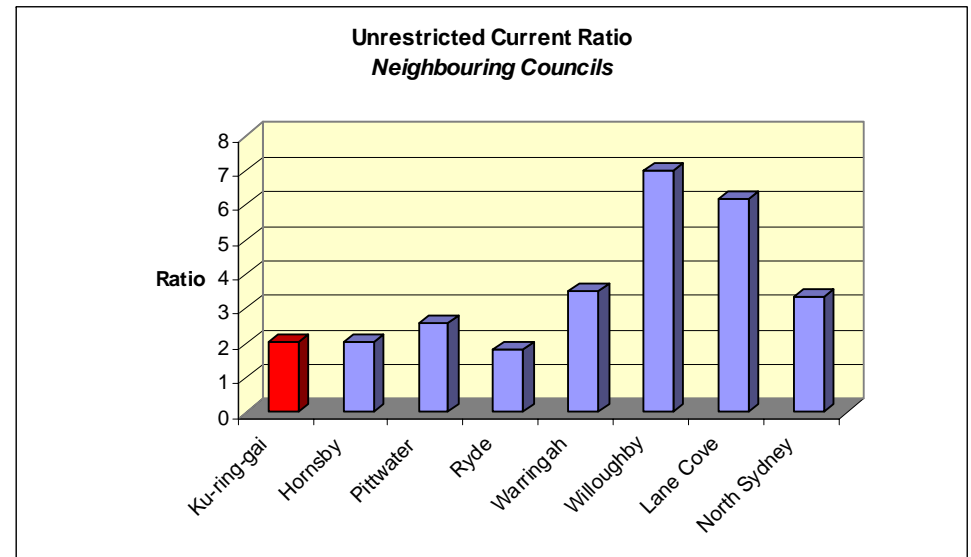
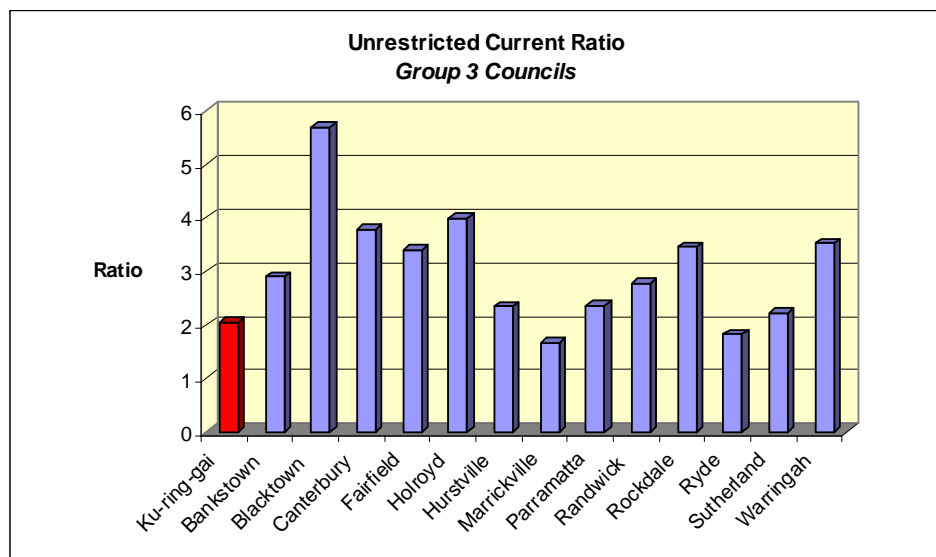
Ku-ring-gai's total operating expenses per capita are under the NSW median of \$1,115 per capita. Of all NSW Councils, Baulkham Hills reported the lowest per capita expense at \$493, and Central Darling reported the highest per capita expense at \$4,036.

Factors that can influence this indicator are: socioeconomic characteristics of area, the rate of new development, the demographic characteristics of the area and the level of population increase or decrease.

Unrestricted Current Ratio

This indicator is calculated by:

$$\frac{\text{Current Assets less Current External Restrictions}}{\text{Current Liabilities less Current Specific Purpose Liabilities}}$$



The Unrestricted Current Ratio is a key financial performance indicator as it assesses the level of liquidity and the ability to satisfy obligations as they fall due in the short term. Ku-ring-gai's ratio of 2.05 has increased by 0.38 on the previous year 2004/2005. A ratio of 1.5 to 2.0 is considered satisfactory.

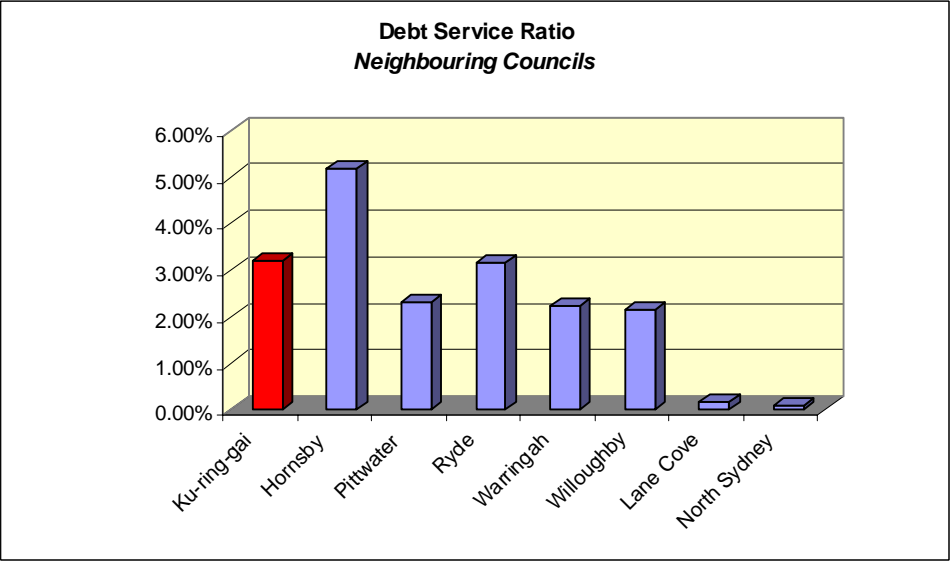
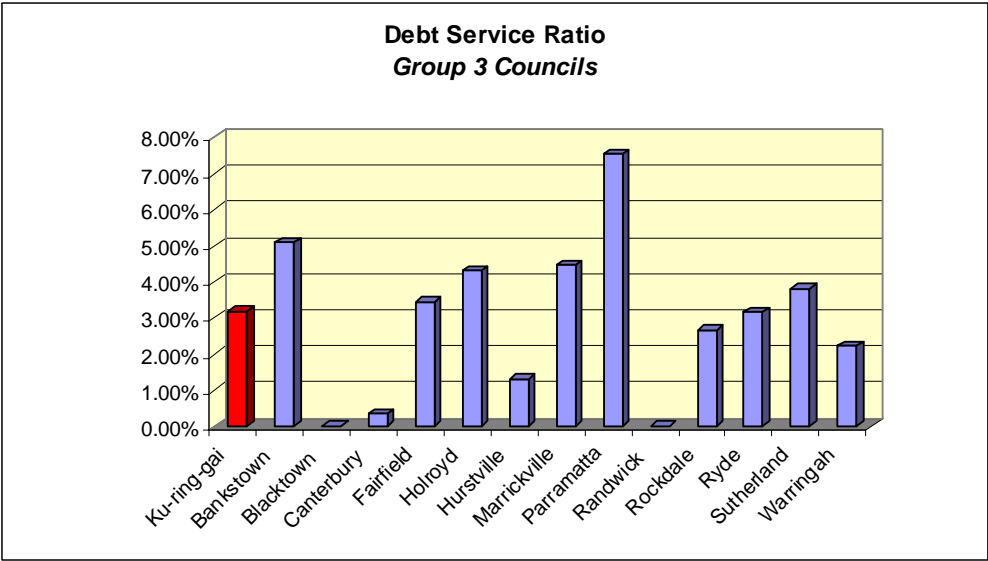
Of the Group 3 councils, Blacktown has the highest ratio of 5.69 while Marrickville has the lowest of 1.67. The highest ratio within the neighbouring councils was 7.01 (Willoughby) while the lowest was 1.82 (Ryde).

The unrestricted current ratios in NSW ranged from a low 0.65 (Port Stephens) to a high 11.95 (Conargo). The majority of NSW Councils had an average current ratio between 2 and 3.

Unrestricted current assets are those where there is no form of restriction imposed by regulations or some other externally imposed requirement. Restricted current assets have restrictions on their use for example developer contributions, grants and RTA contributions.

Debt Service Ratio

This indicator is expressed as a percentage and is calculated by:
$$\frac{\text{Net Debt Service Costs}}{\text{Income From Continuing Operations}}$$



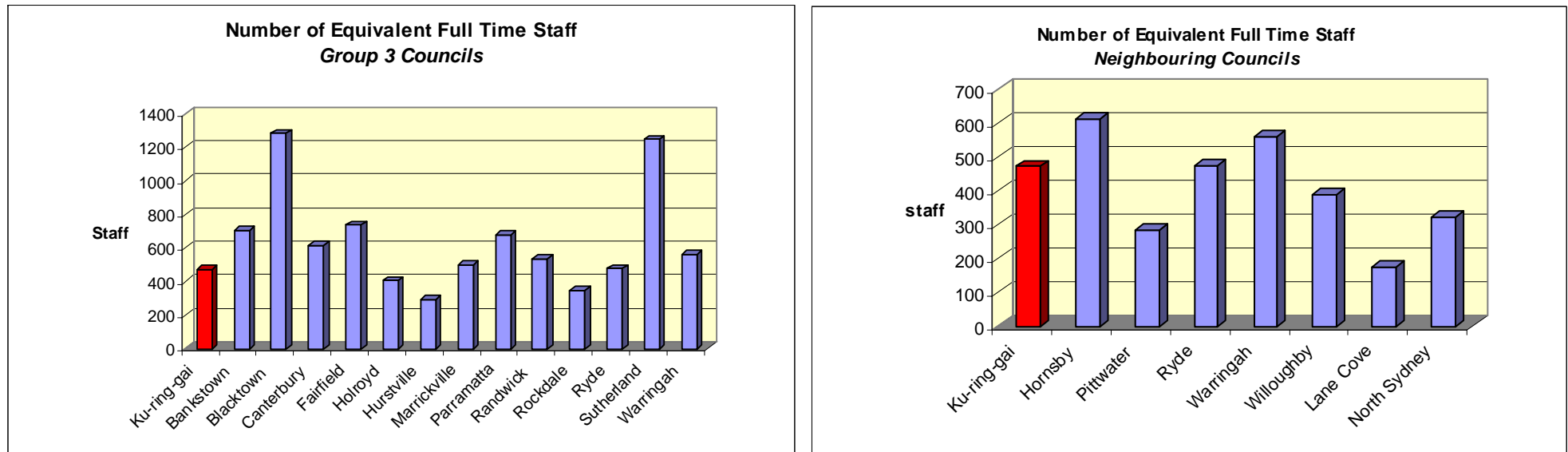
This indicator assesses the degree to which revenues from ordinary activities are committed to the repayment of debt. Ku-ring-gai’s debt service ratio of 3.19% in 2005/2006 demonstrates a significant improvement over the previous year when 4.40% was recorded.

Within the Group 3 councils, Blacktown and Randwick Councils are debt free which has the effect of lowering the average debt service ratio to 2.99%. When comparing to neighbouring Councils, Ku-ring-gai’s debt service ratio was second to Hornsby, while North Sydney had the lowest ratio at 0.09%.

NSW Urban councils average debt service ratio was 4.40%. The highest ratio recorded in NSW was 14.96% (Mid Western Regional). There are seventeen NSW councils that are debt free. Factors affecting this indicator are the rate of new development, debt policy, interest rate movements and loan terms, capital investment strategies and capital contribution policies, the level of cash reserves and the state of infrastructure and life stage of assets.

Council's 20 year financial model includes proposals to reduce Council's borrowing costs and indebtedness. These initiatives will result in a reduction of this ratio in the coming years.

Number of Equivalent Full Time Staff



This indicator shows the number of equivalent full time staff (including casuals) on each council's payroll on the last payday of the financial year.

Ku-ring-gai's equivalent full time staff totalled 471, which is below the Group 3 council average of 631. The highest number of staff employed of the Group 3 Councils was Blacktown who employed 1,282, while Hurstville employs the least at 292.

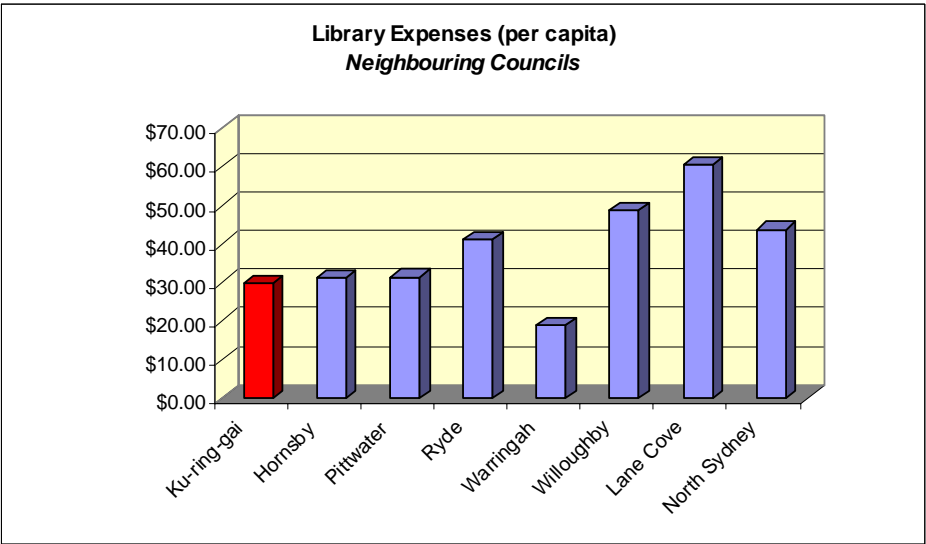
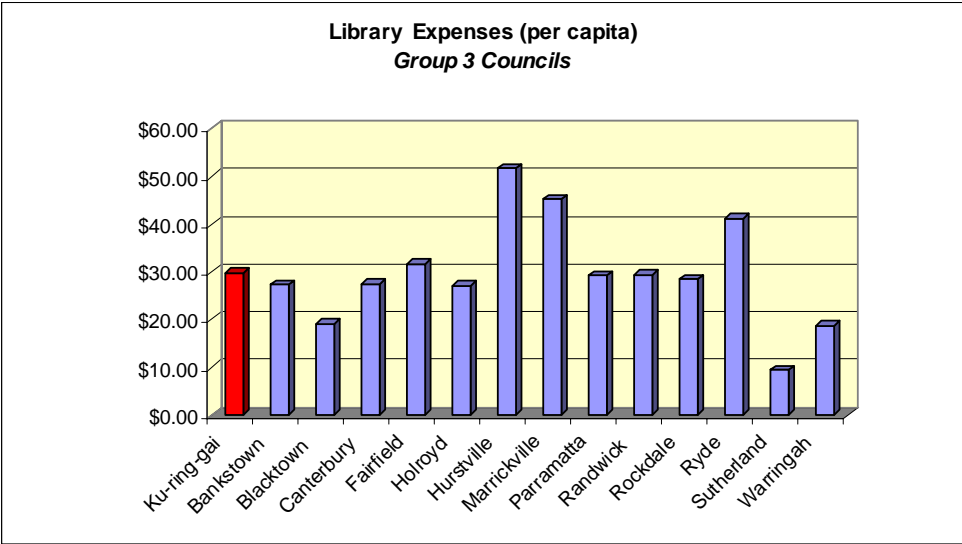
When compared with neighbouring Councils, Ku-ring-gai has the fourth highest (behind Ryde, Warringah and Hornsby) number of equivalent full time staff. Lane Cove employed 174 staff, which was the lowest number employed by a neighbouring council while Hornsby employed the highest at 613 staff.

The lowest number of staff employed by a NSW council is 31 (Urana) while the highest is 1,447 (Sydney). The number of staff is affected by factors such as: organisation structure, the level of outsourcing, council budgets and the type and extent of service delivery provided to the community.

Library Expenses (per capita)

This indicator is calculated by:

$$\frac{\text{Total Library Expenses}}{\text{Estimated Resident Population Within Council Boundaries}}$$



This indicator measures the expenses from ordinary activities spent on library services per head of population. Ku-ring-gai’s average of \$29.84 per capita is slightly higher than the Group 3 councils average of \$26.81, and well below the neighbouring council average of \$38.24

The NSW average library expense per capita was \$30.00. The lowest amount recorded by a NSW Council was \$9 (Sutherland), while the highest was \$86 (Carrathool).

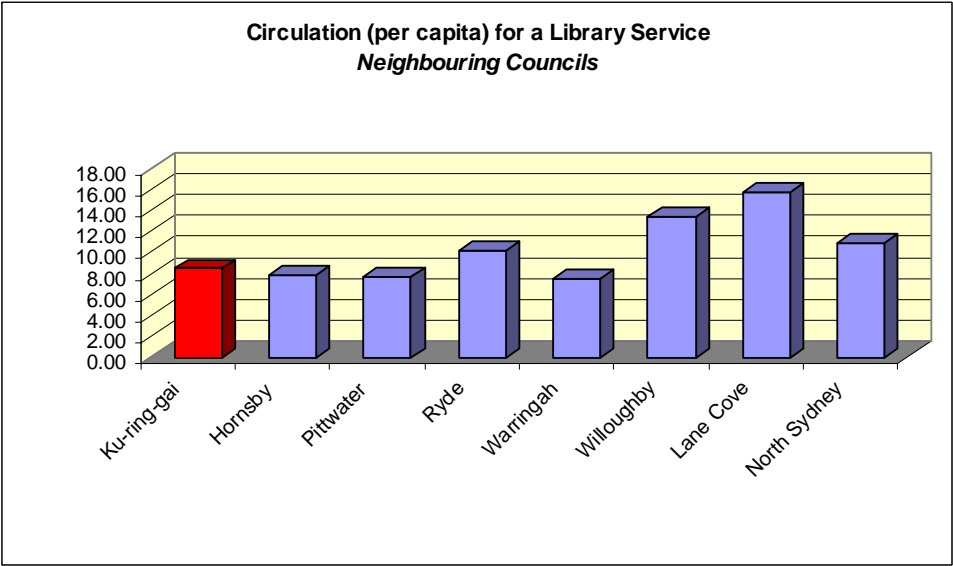
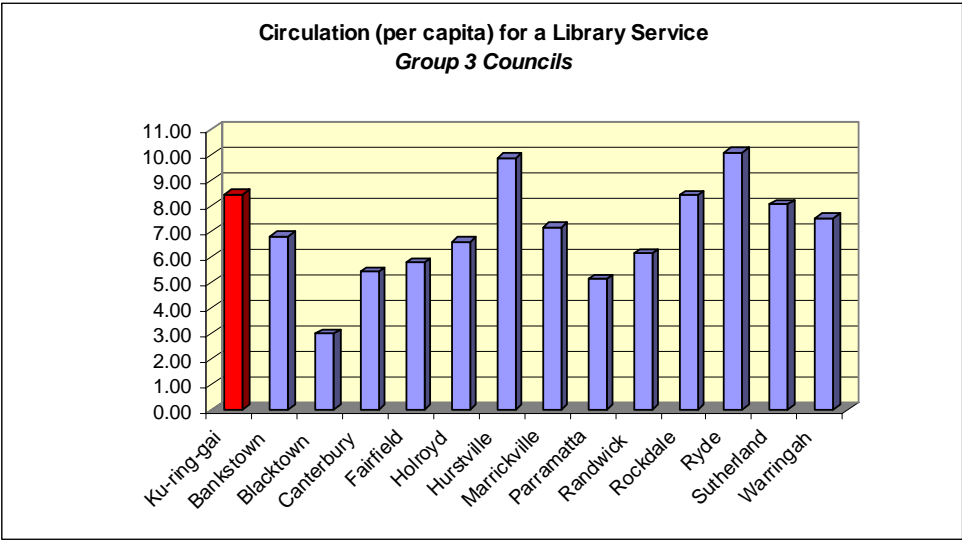
Factors that can influence these results are size and type of library service, library opening hours, level of services offered and the proportion of non-resident borrowers and visitors.

Circulation (per capita) for a Library Service

This formula used for this indicator is:

Number of Circulations recorded for Library Services

Estimated Resident Population Within Council Boundaries



This indicator measures unit circulation per head of population for a library service. Ku-ring-gai’s circulation of 8.46 per resident is above the Group 3 council average of 6.55, but is below the neighbouring council average of 10.20.

It should be noted that this indicator understates the use of library resources as many visitors to libraries do not borrow material but obtain information from reference collections including e-resources, photocopies, reading of magazines & newspapers, and collections such as family history and local studies.

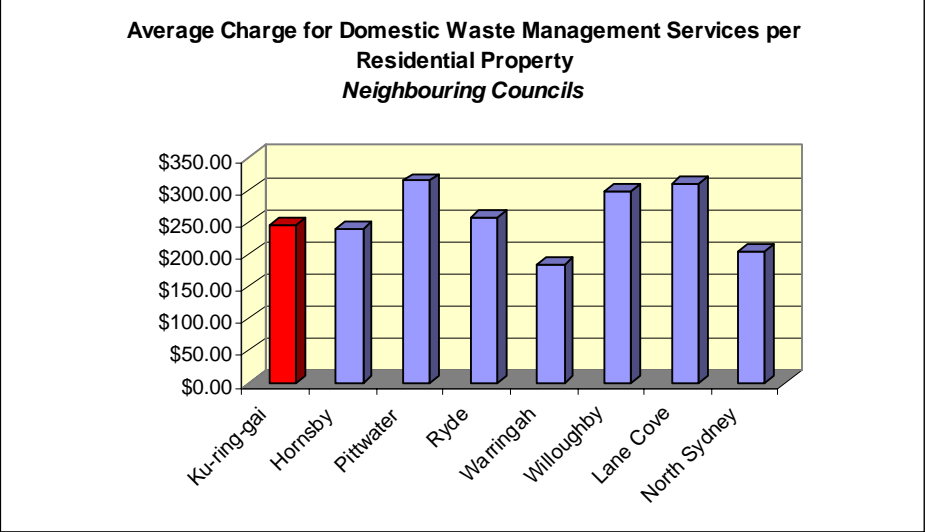
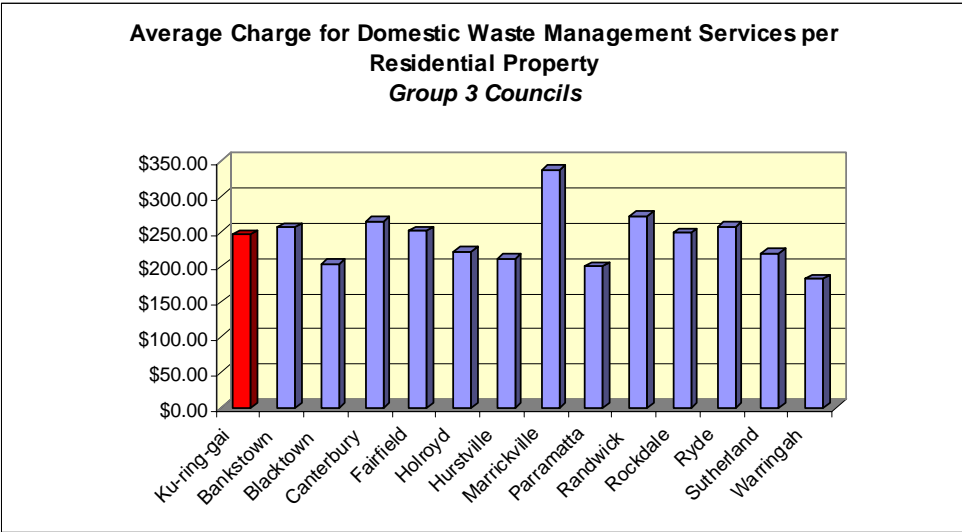
This indicator can be influenced by factors such as: the type and location of the library, the level of service offered and the hours of opening, the number of registered borrowers, the proportion of non-resident borrowers and visitors, the availability of technology, the age and accessibility of the stock and the characteristics of the population.

Average Charge for Domestic Waste Management Services per residential Property

This indicator is calculated by:

Total Domestic Waste Management Charges

Number of Residential Properties Receiving Service



This indicator highlights the relative level of a council’s Domestic Waste Management Service charges. Ku-ring-gai had an average domestic waste charge per residential property of \$245. The average of the Group 3 councils was \$235 and the neighbouring council average was \$256. Of the group 3 councils Marrickville recorded the highest charge of \$337. Pittwater recorded the highest of neighbouring Councils at \$313

The highest average DWMS charge in 2005/2006 was \$444 (Cobar) and the lowest was \$85 (Forbes).

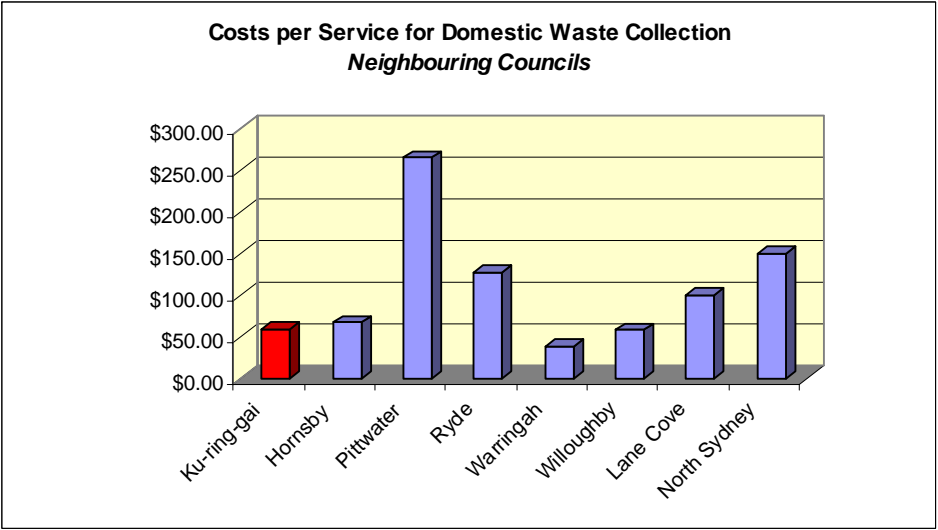
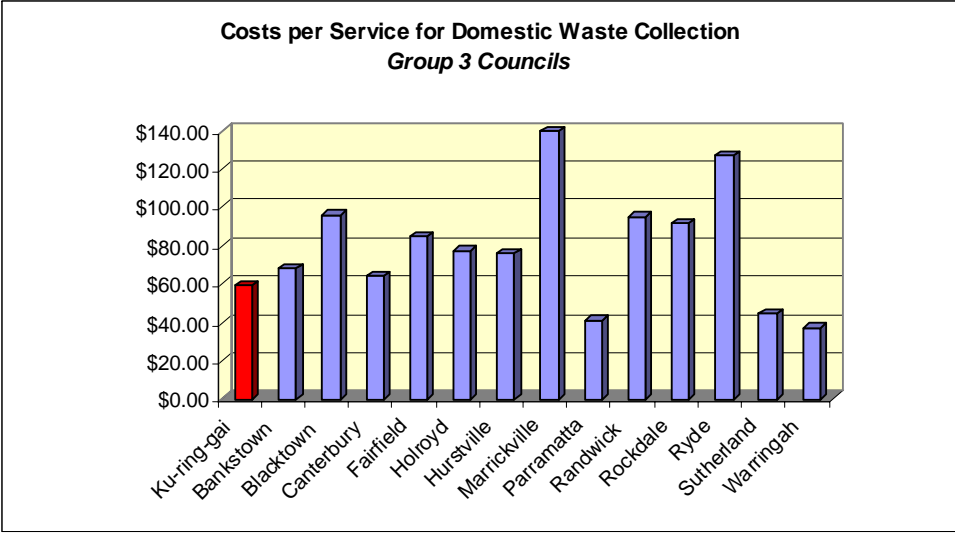
This charge can be influenced by factors such as: the size of the garbage container and the frequency of collection, the disposal facilities available, the use of contractors and the ease of collection.

Costs per Service for Domestic Waste Collection

This indicator is calculated by:

Total Domestic Waste Collection Costs Excluding Tipping Costs

Number of Residential Properties x Average Number of Services per Week per Property



This indicator assesses the efficiency of a council’s domestic waste collections, including recyclables. Ku-ring-gai’s average cost per service for domestic waste is \$59 per property. This is substantially below the Group 3 council average of \$70 and neighbouring council average of \$107.

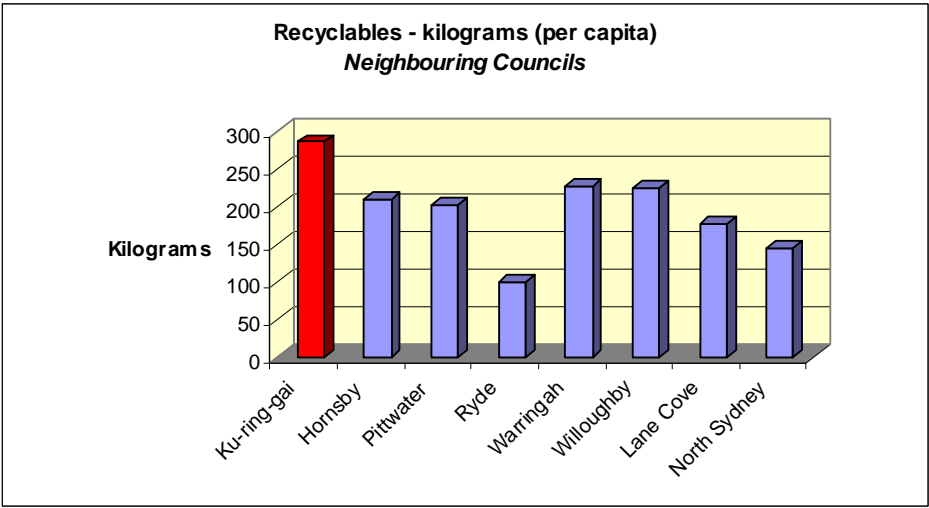
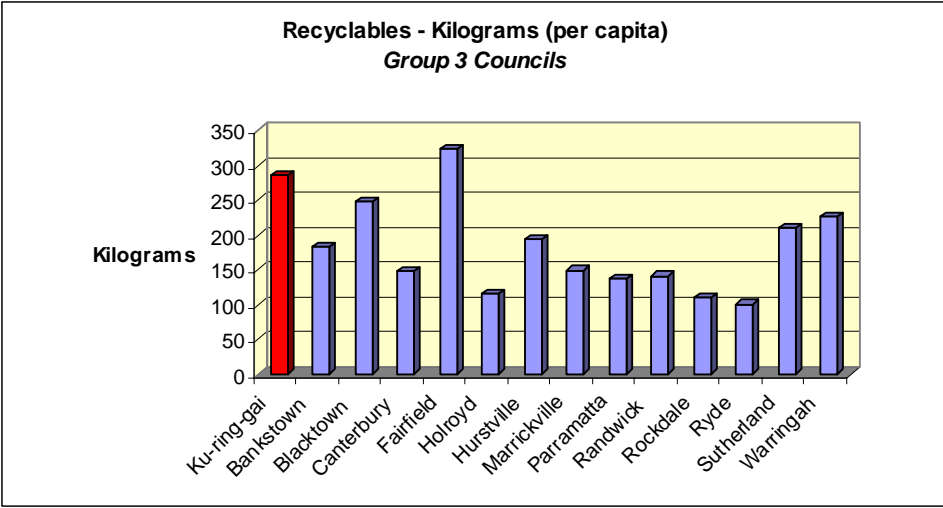
The highest charge per property by a NSW council was \$296 (Narromine) while the lowest was \$0.19 (Cabonne). Factors that can affect this indicator are: the type of recycling service provided, the use of contractors, the distance from the disposal facility, the ease of collection and the level of promotion and education about the service.

Recyclables - Kilograms (per capita) per Annum

This indicator is calculated by:

Total Kilograms of Recyclables Collected

Estimated Resident Population Within Council Boundaries



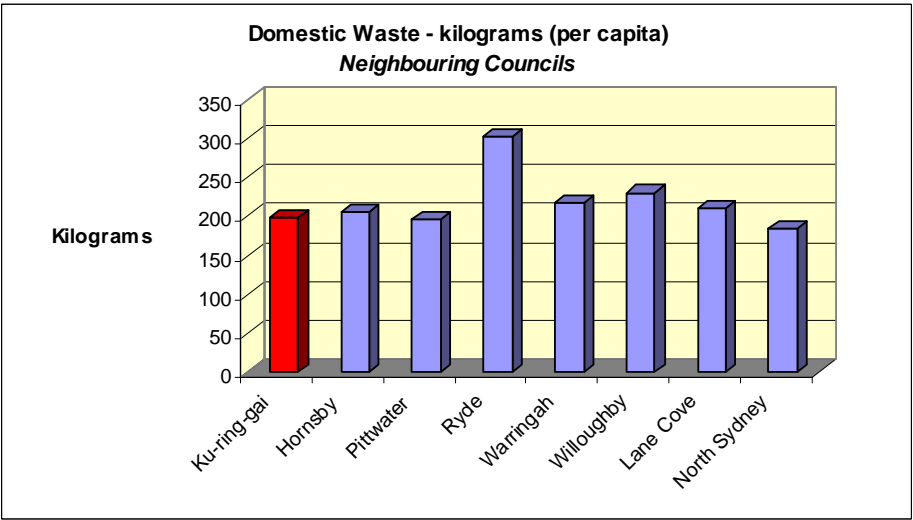
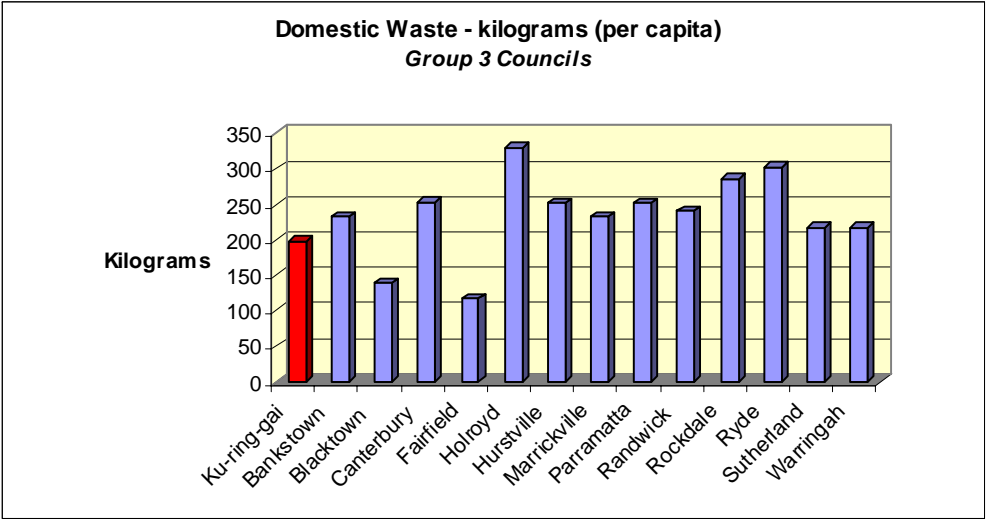
This indicator is used to measure the effectiveness of a council’s recycling service. Ku-ring-gai collects 286 kilograms of recyclable materials per capita. This is the second highest amount per capita after Fairfield when compared to both groups and is substantially above the NSW average of 170 kilograms.

Ku-ring-gai's high volume of recyclable material has in effect reduced Council's kilograms per capita of Domestic Waste collected which is a positive result for Council.

Domestic Waste – Kilograms (per capita) per Annum

This indicator is calculated by:

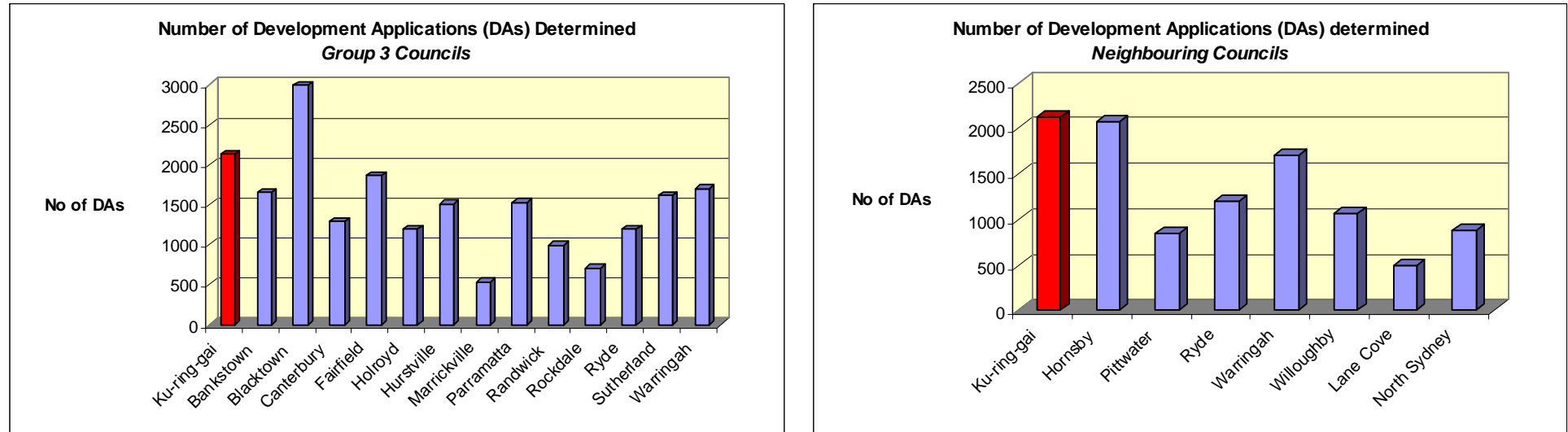
$$\frac{\text{Total Kilograms of Domestic Waste Collected}}{\text{Estimated Resident Population Within Council Boundaries}}$$



This measure indicates the effectiveness of a council’s effort in domestic waste minimisation. Ku-ring-gai collects 198 kilograms of domestic waste per capita, this is the second lowest quantity collected of the Group 3 councils after Blacktown and the third lowest of the neighbouring councils after North Sydney and Pittwater. This is due to the large amount of material that Ku-ring-gai residents recycle.

Ku-ring-gai’s collection per resident is under the NSW average of 258 kilograms and under both, the Group 3 and neighbouring council average of 218 kilograms.

Number of Development Applications (DAs) Determined



This indicator provides information on the level of development activity within a local government area. Factors affecting this indicator are the growth rate of the area, the nature and complexity of the DAs and the extent of exemptions or delegations and the amount of litigation.

Ku-ring-gai determined 2,129 Development Applications in 2005/2006.

Of the Group 3 councils Ku-ring-gai was second behind Blacktown Council which determined the highest number of applications in 2005/2006 (2,995). Ku-ring-gai determined the highest number of development applications when compared with neighbouring Councils.

The Group 3 Council average was 1,494 and neighbouring council average was 1,297 DAs.

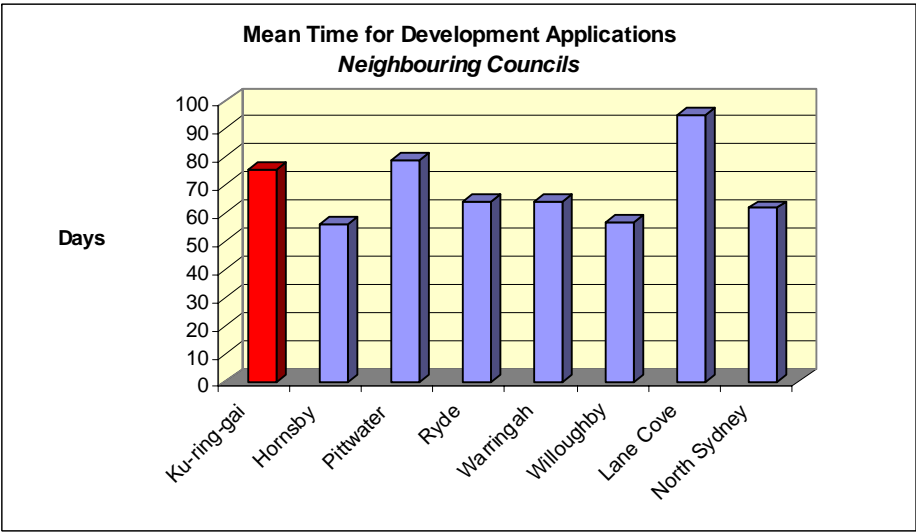
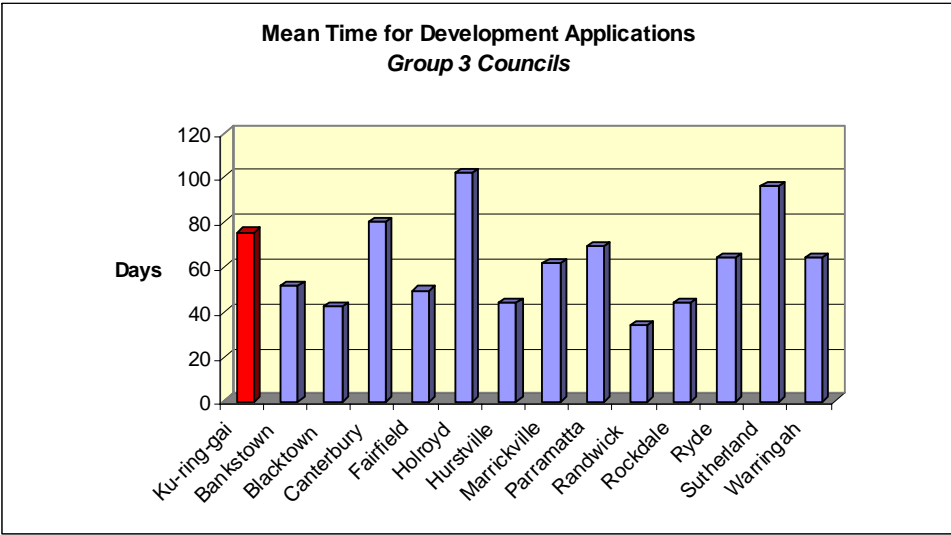
The total number of DAs processed in NSW in 2005/2006 was 107,130, an average of 705 per Council a decrease of 10% when compared to the previous year 2004/2005. This is a substantial difference when compared to Ku-ring-gai's 2,129.

Mean Time in calendar days for Determining Development Applications

This indicator is calculated by:

Total number of calendar days taken to determine each DA

Number of DAs determined



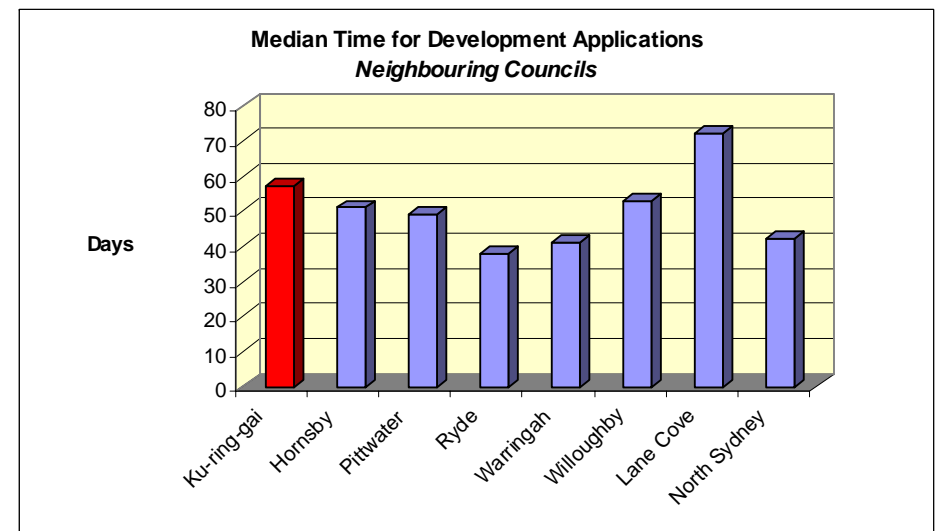
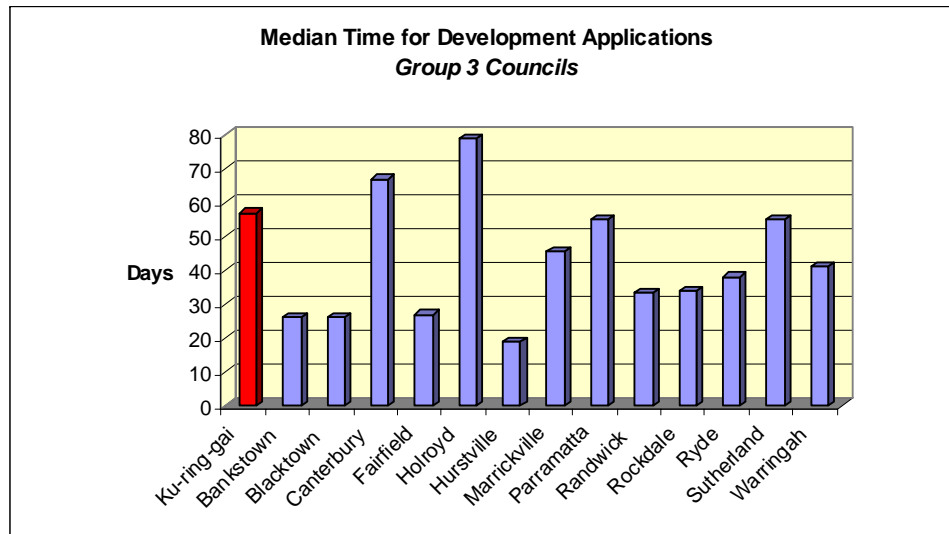
This indicator measures the speed with which Development Applications are determined. Ku-ring-gai had the fourth highest mean time to determine a Development Application in Group 3 councils and the third highest mean time amongst the neighbouring councils. Of the neighbouring councils, Hornsby achieved the lowest mean time of 56 days while Randwick reported the lowest mean time of 34 days within Group 3 councils.

Ku-ring-gai's mean time to determine a DA in 2005/2006 was 75 days down from 103 days in 2004/2005. The NSW councils average was 51 days.

Some of the factors affecting this indicator are: the nature and complexity of the Development Applications, the degree of public consultation and notification, number of planning and development staff employed and the level of building and development activity within the area.

Median Time in calendar days for Determining Development Applications

The process used to calculate this indicator is to rank the time it takes to determine each DA from the least to the most number of days and then select the middle one. If there is an even number of DAs the median is the number half way between the two central scores.



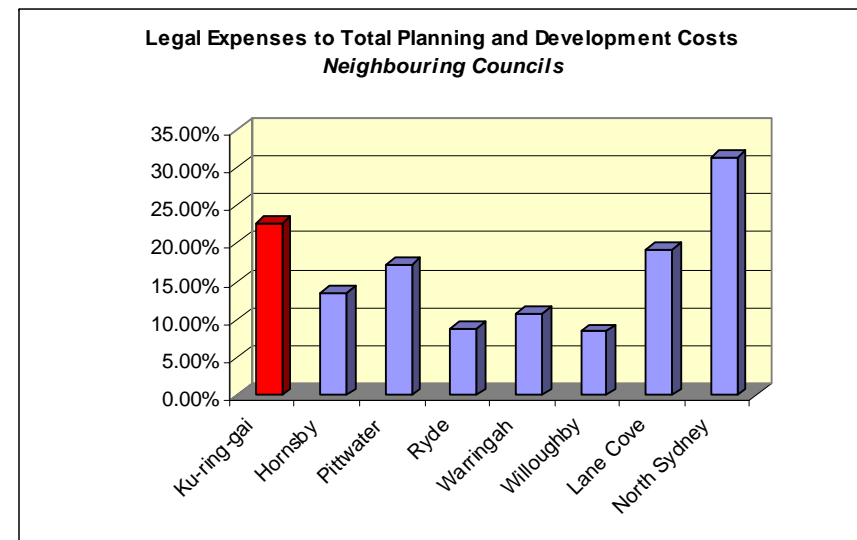
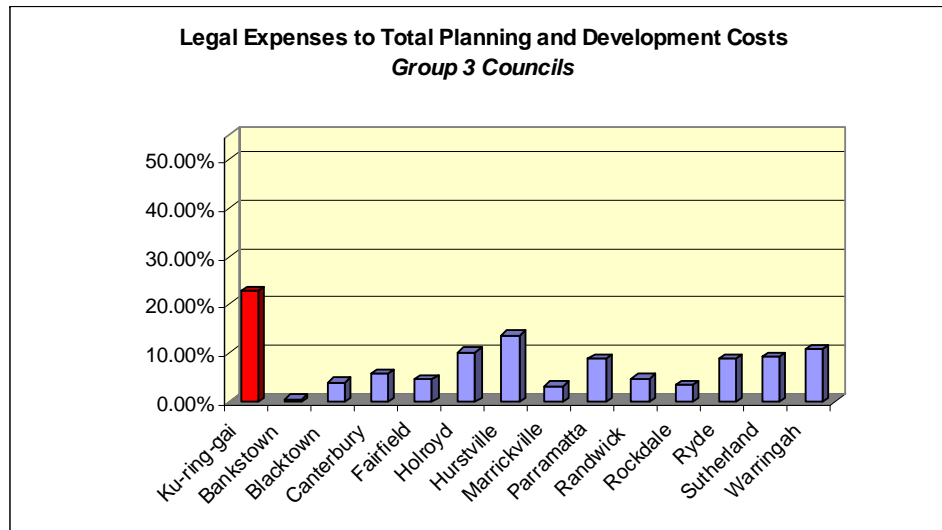
In 2005/2006, 118 councils (78%) met the reporting requirement of a median time of 40 calendar days or less. 34 councils (22%) had a median time of more than 40 days with the highest being 105 days Manly Council and the lowest 2 days Berrigan Council.

Ku-ring-gai's median time to determine a DA in 2005/2006 was 57 days down from 78 days in 2004/2005. The group 3 councils average was 43.07 days and the neighbouring councils average was 50 37days.

Some of the factors affecting this indicator are: the nature and complexity of the Development Applications, the degree of public consultation and notification, number of planning and development staff employed and the level of building and development activity within the area.

Legal Expenses to Total Planning and Development Costs

This indicator is expressed as a percentage and is calculated by:
$$\frac{\text{Legal Expenses (Planning and Development)}}{\text{Total Planning and Building Control Costs}}$$



This indicator highlights the level of disputation in the planning and development process. The majority planning and development expenses involve development applications, with other costs including enforcement and building matters.

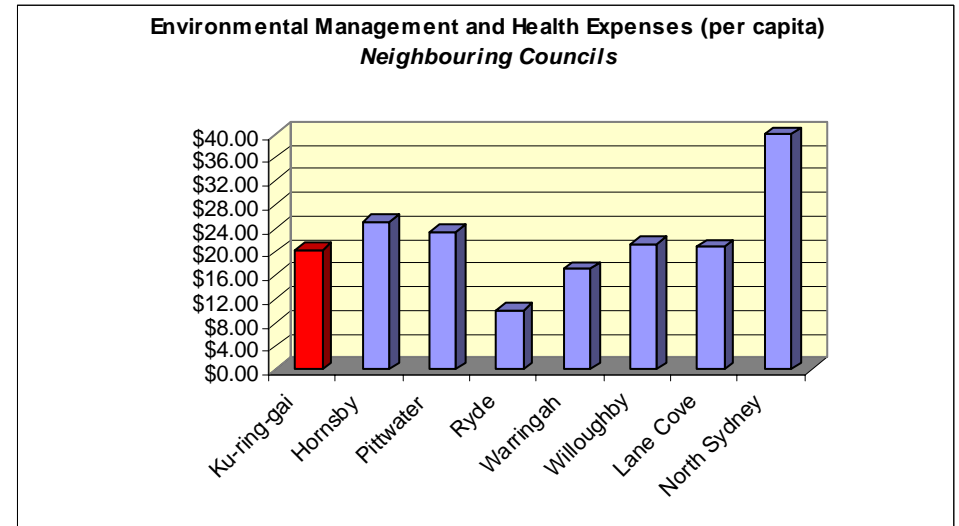
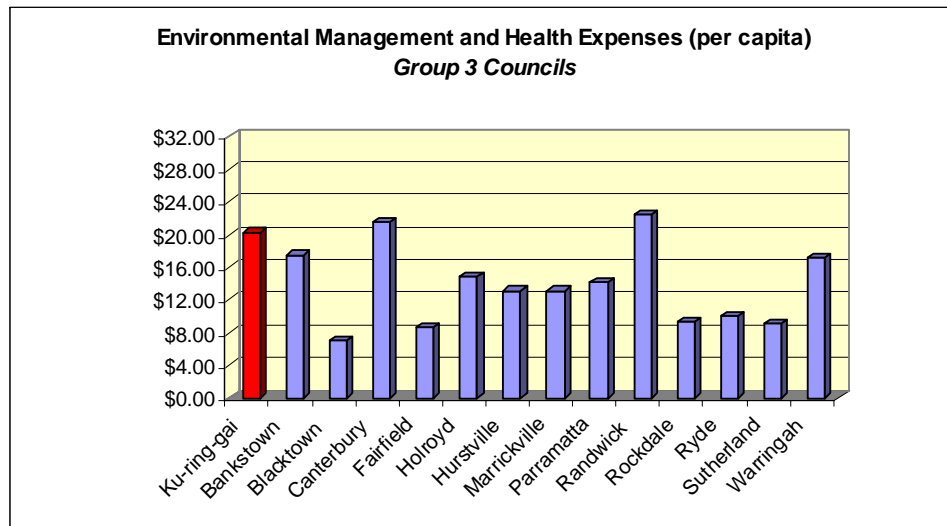
Ku-ring-gai is ranked the highest in this category when compared to Group 3 councils and the second highest compared to neighbouring councils behind North Sydney. Ku-ring-gai's large number of Land and Environment Court matters contributes most significantly to legal costs in this area. Council's legal expense as a percentage to total planning and building control costs was 22.75%. It is worth noting that the figures were 46.79% and 31.21% in 2003/2004 and 2004/2005 respectively.

Other factors which can affect this indicator are: the complexity of the legislation, level of compliance with development codes and plans, level of scrutiny applied to inspections and the level of community consultation in the formulation of policies.

Environmental Management and Health Expenses (per capita)

The formula used for this indicator is:

$$\frac{\text{Total Environmental Management and Health Expenses}}{\text{Estimated Resident Population Within Council Boundaries}}$$



This indicator measures the amount spent on environmental management and health per head of population. Ku-ring-gai at \$20.29 is above the Group 3 council average of \$13.44, and is lower than the neighbouring council average of \$22.60. Blacktown's average of \$7.06 spent per resident was the lowest of the Group 3 councils, while Randwick was the highest at \$22.50. Within the neighbouring councils North Sydney recorded the highest amount at \$42.80 while Ryde spent the least amount at \$10.04.

The majority of NSW councils have an average expense between \$15 and \$30 per resident for environmental management and health. Of all NSW councils, \$313 (Brewarrina) was the highest amount spent per resident and \$6.03 (Albury) was the lowest.

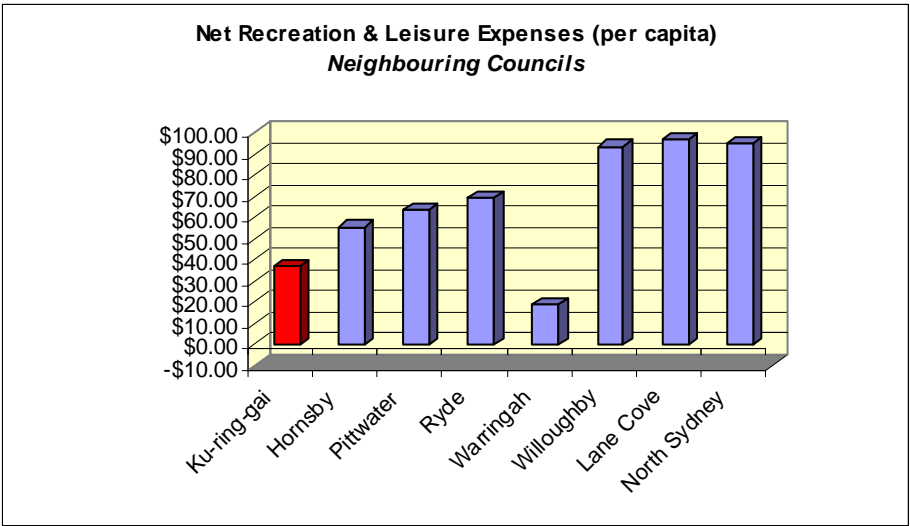
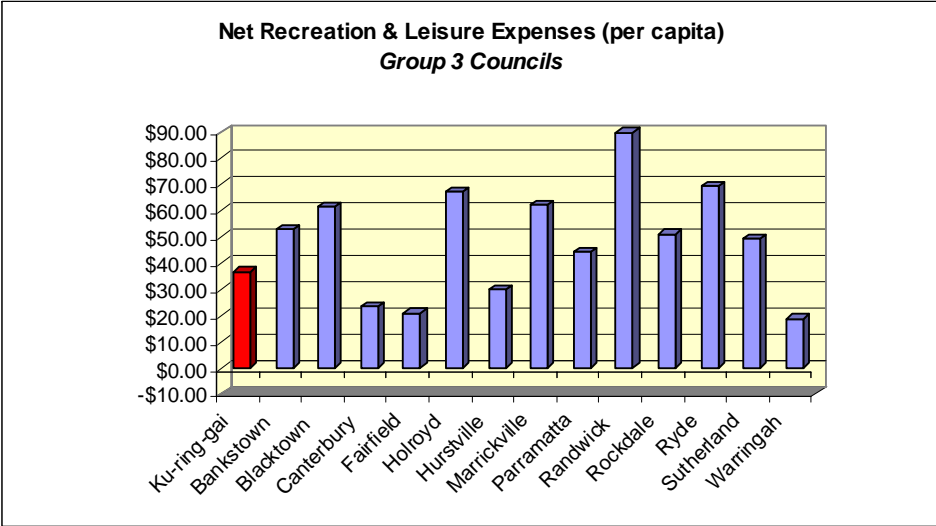
Factors influencing this indicator are the number of environmental management and health staff, council policies about regulation, the population mix, the land usage mix, socioeconomic factors, and the extent to which state legislation is applicable.

Net Recreation and Leisure Expenses (per capita)

The formula used for this indicator is:

Net Recreation and Leisure Expense

Estimated Resident Population Within Council Boundaries



This indicator measures the calculated net amount spent on recreation and leisure services per head of population.

Group 3 councils had quite a mixed range from a low of \$6.00 (Conargo) to a high of \$211 (Lachlan). The Group 3 council average was \$48.70, with Ku-ring-gai Council at \$36.68.

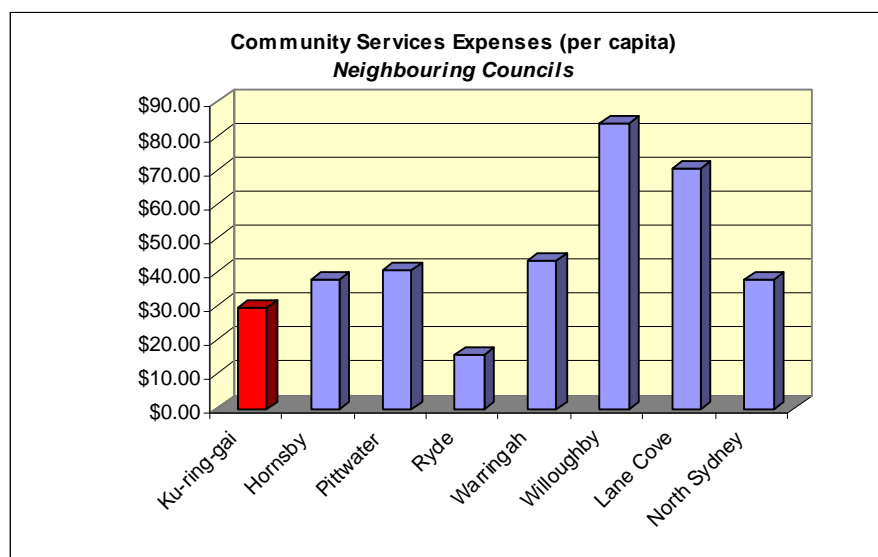
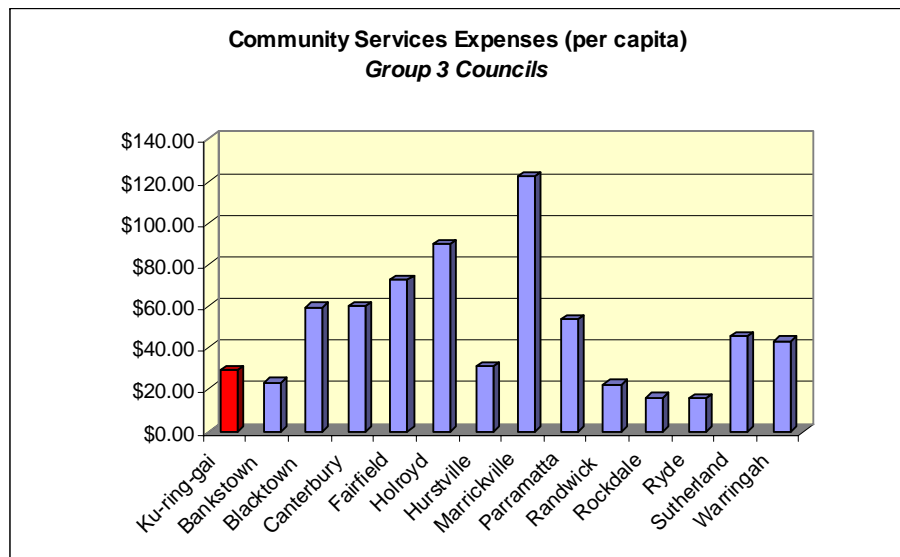
The neighbouring councils average was \$66.00. Lane Cove had the highest average spending \$97.04 per resident.

NSW councils spent \$437 million on recreation and leisure for year 2005/2006, this is an average of \$64.00 per resident. The majority of NSW councils spend between \$60 and \$90 per resident on recreation and leisure services.

Community Services Expenses per capita

This indicator is calculated by:

$$\frac{\text{Total Community Service Expenses}}{\text{Estimated Resident Population Within Council Boundaries}}$$

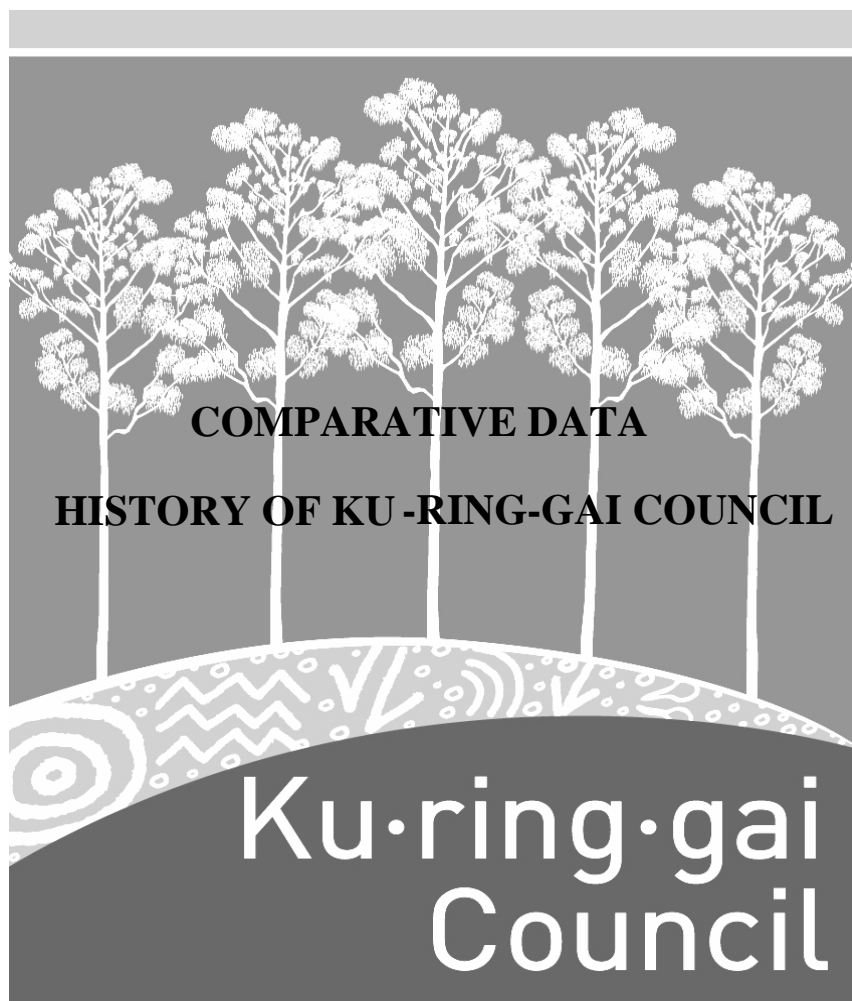


This indicator measures the amount spent on community services per head of population. Ku-ring-gai spent \$29.41 per capita, which is a 8.5% reduction from the previous year 2004/2005 and below the Group 3 council average of \$48.83 and the neighbouring councils average of \$44.80.

NSW councils spent \$366 million on community services, an increase of 10% when compared to the previous year. The NSW average was \$54 per resident. The majority of councils have community services expenses of less than \$60.00 per capita.

This indicator can be affected by: the number of community services staff employed, the size type and number of facilities, the nature of section 94 contributions, the available open space and natural resources, population mix and socio-economic factors.

NSW DEPARTMENT OF LOCAL GOVERNMENT



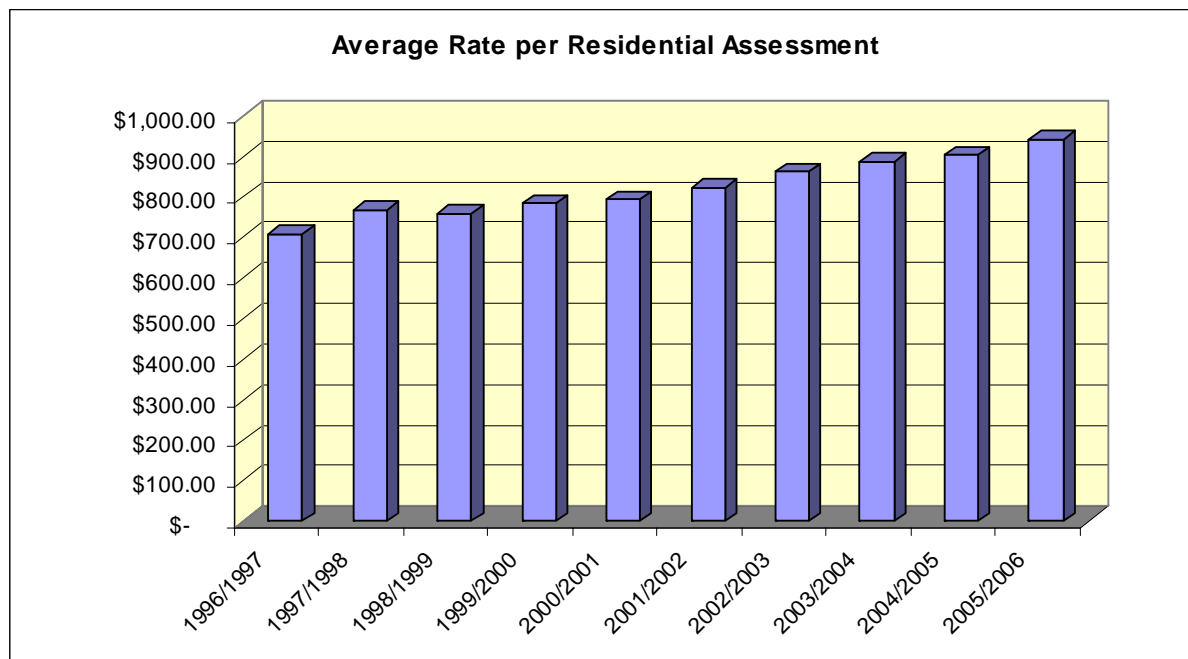
COMPARATIVE INFORMATION KU-RING-GAI COUNCIL

1995/1996 – 2005/2006

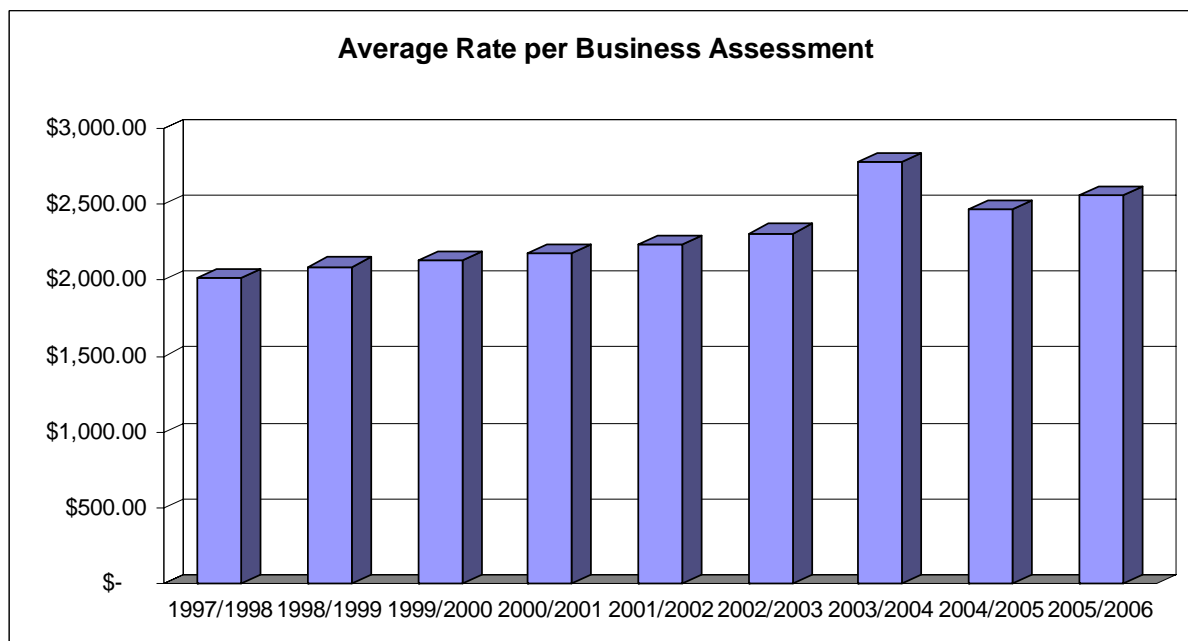
The following pages provide a summary of Comparative Data for Ku-ring-gai from 1995/1996 to 2005/2006.

Each indicator has been graphed individually and shows the history of Ku-ring-gai. Some of the indicators have not been included in the Department's Comparative Analysis report since 1995/1996 and in those instances the graphs only show those years for which information is available.

Information for the year 2005/2006 has been extracted from the Department of Local Government Comparative Information on the NSW Local Government Councils publication released on 21 January 2008.

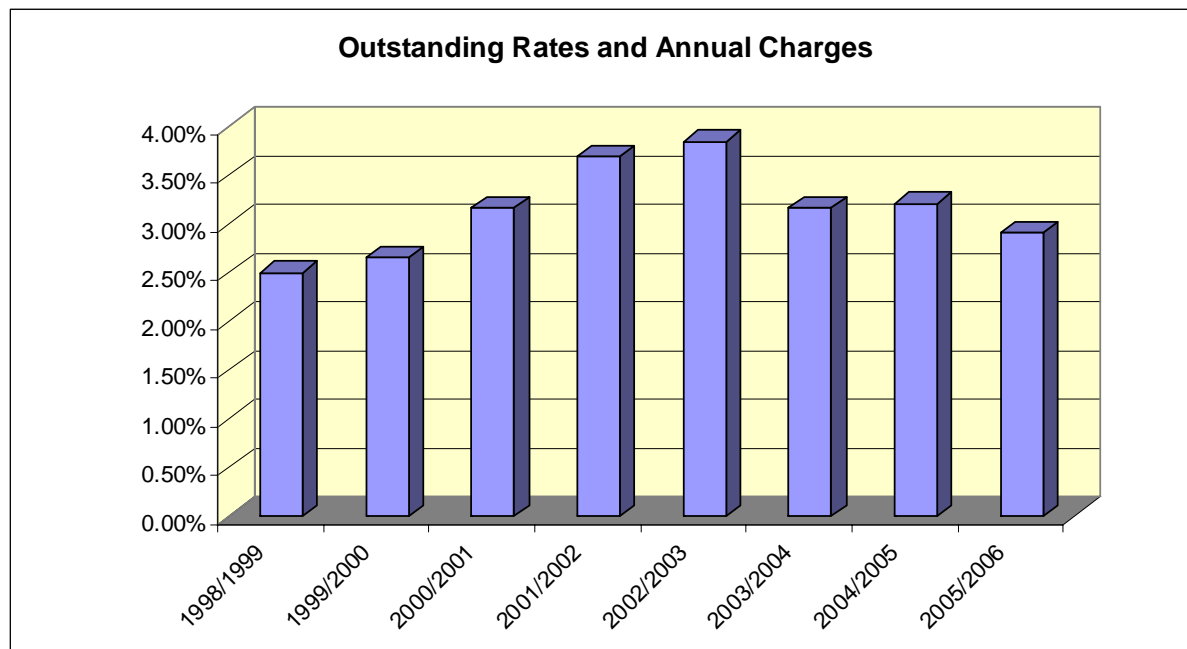


Ku-ring-gai's average residential rate assessment increased 34% in the 10 year period which equates to an average of 3.4% per year. The average rate for 2004/2005 increased 1.8% when compared to the previous year 2003/2004. The state's highest among urban councils is Hunters Hill followed by Pittwater and Ku-ring-gai. This trend has been in existence since 1994. It should be noted that our variation of 4.3% is much lower than Leichardt 16.3%, Sydney City 9.8% and Blacktown 6.7% and slightly above the state average of 3%.

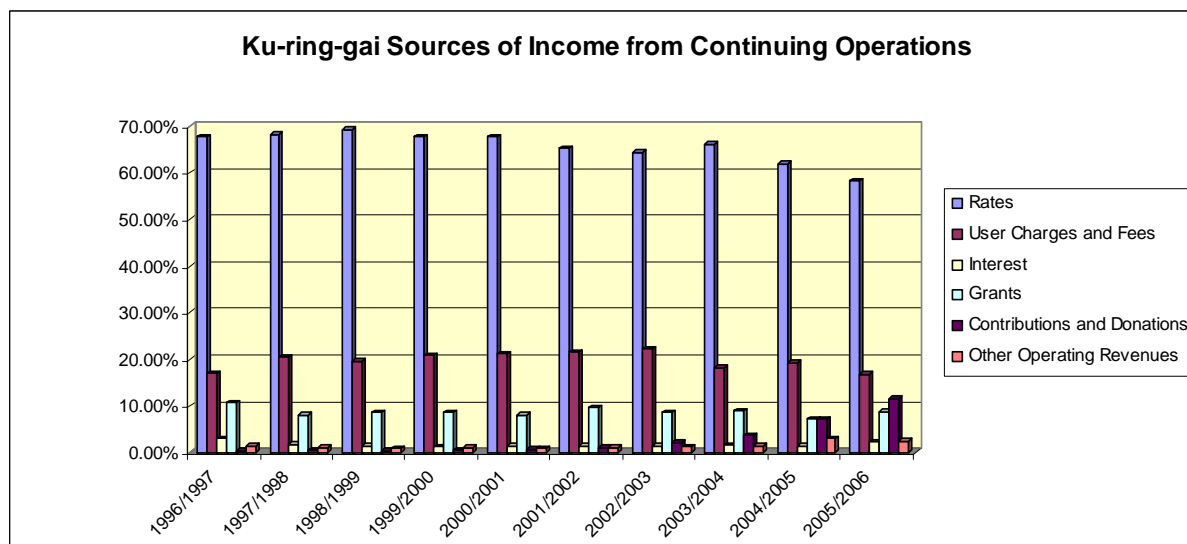


Ku-ring-gai's average business rate assessment increased from \$2,017 in 1997/1998 to \$2,468 in 2004/2005, an increase of 22% in 8 years. Ku-ring-gai's business rates are limited by the lack of

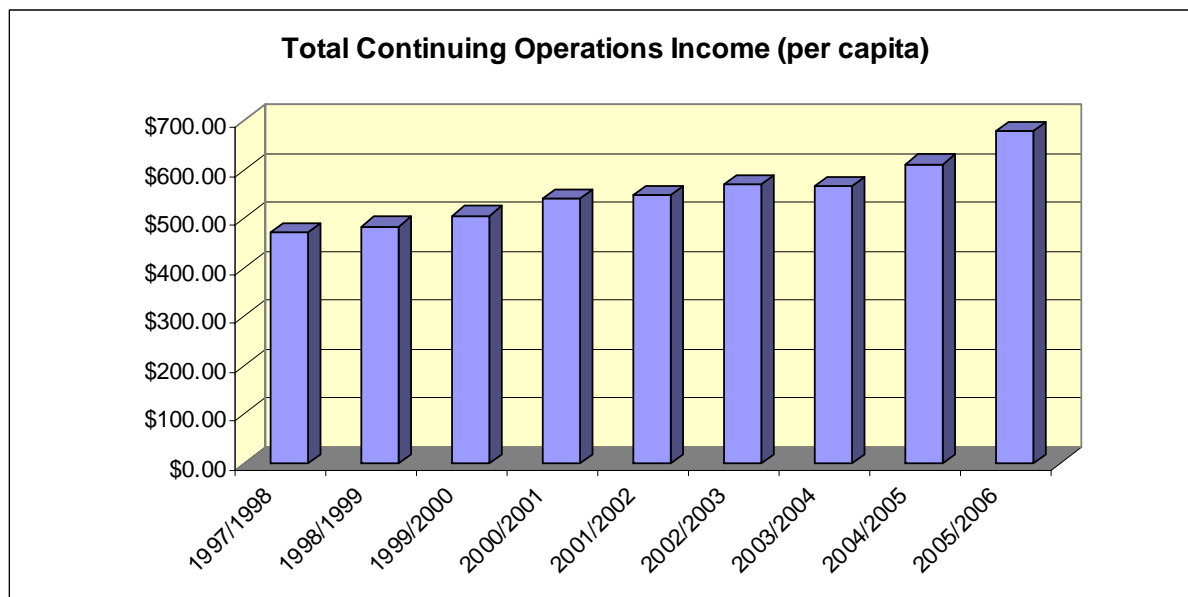
major commercial and industrial areas within the local government area. In 2005/2006 the rate was \$2,559, an increase of 27% in 9 years.



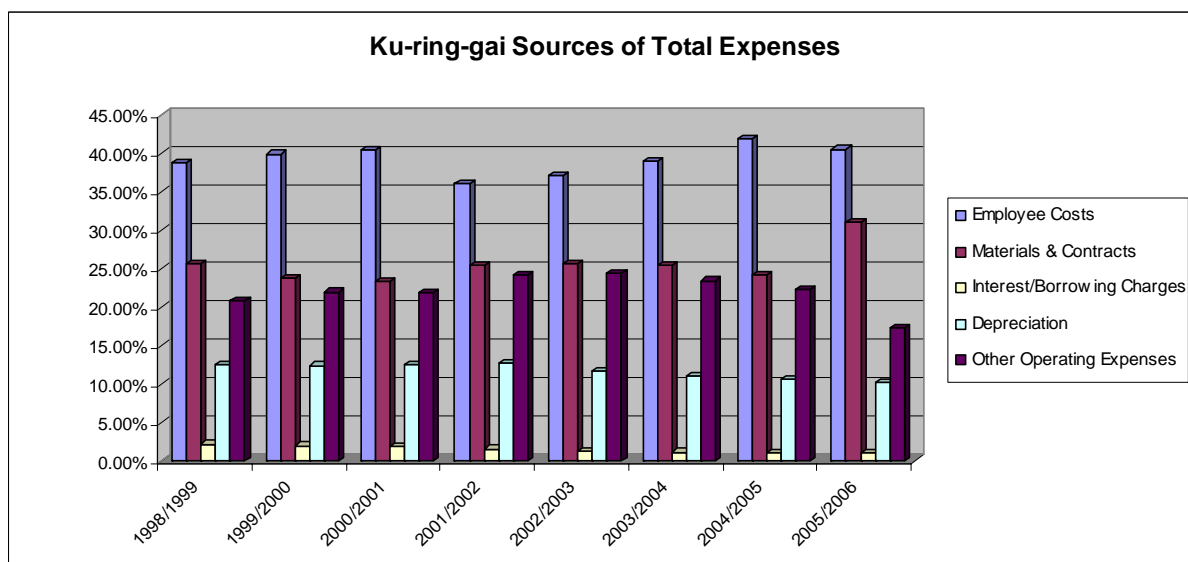
Ku-ring-gai's percentage of outstanding rates and annual charges increased from 2.5% in 1998/1999 to 3.21% in 2004/2005 and has dropped to 2.91% in 2005/2006, and is still under the average of 4.9% for NSW councils.



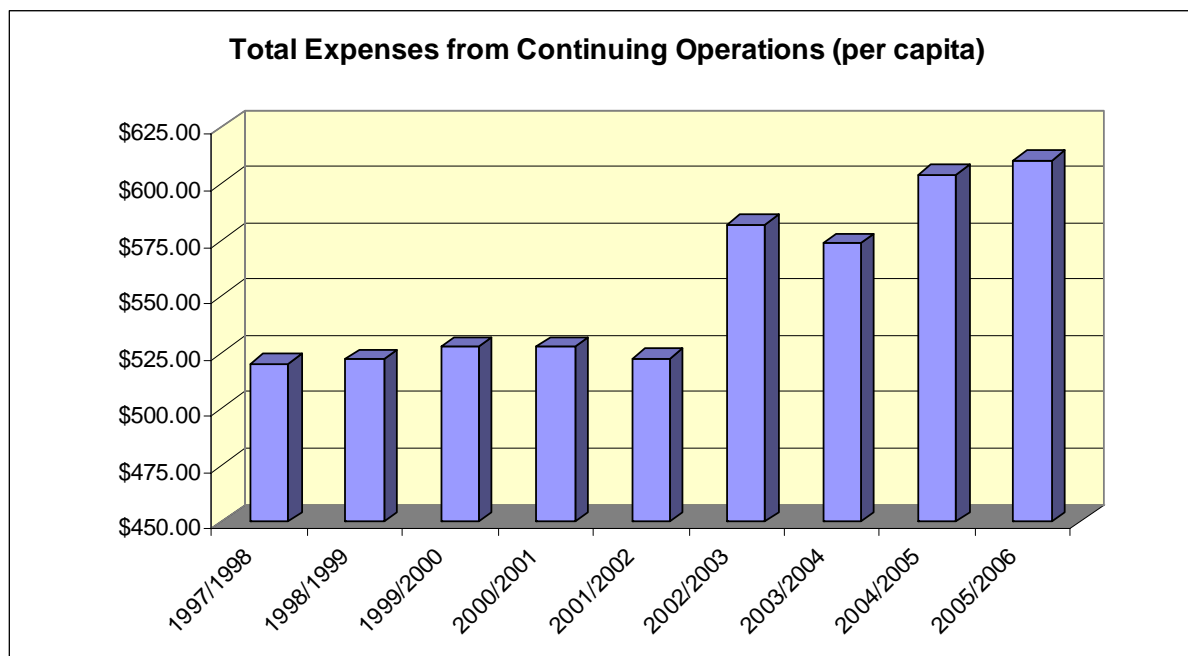
Ku-ring-gai has an established history of having a high reliance on rates revenue. The decrease in rates as a percentage of income in the past two years is mainly as a result of significant increase in Section 94 contributions.



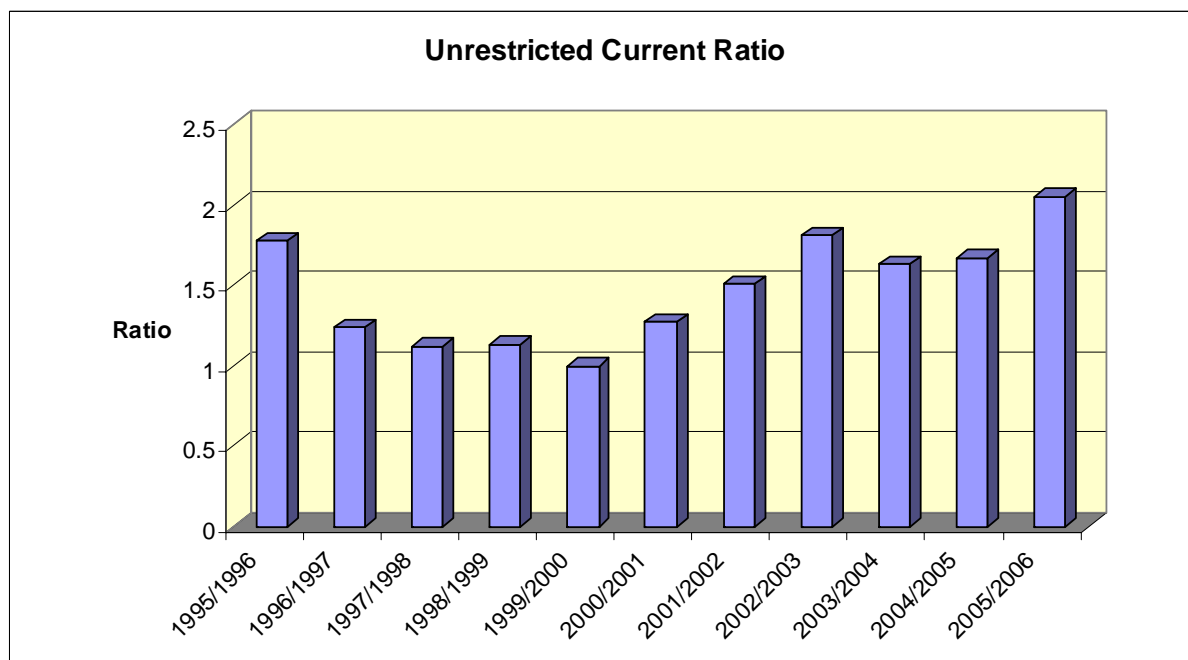
Continuing operations income per capita increased from \$472 in 1997/1998 to \$678 in 2005/2006. This is a 43% increase during the 9 year period. NSW councils average of \$876 per capita is \$198 higher than Ku-ring-gai in 2005/2006.



Interest and Borrowing costs in 1998/1999 accounted for 2.19% of total expenses, this decreased to 1% in 2005/2006. Materials & contracts and other operating expenses decreased in 2004/2005 when compared to the last three years. The noticeable difference in 2005/2006 is the increase in materials and contracts 24% to 31% and significant decrease in other operating expenses 22% to 17%.

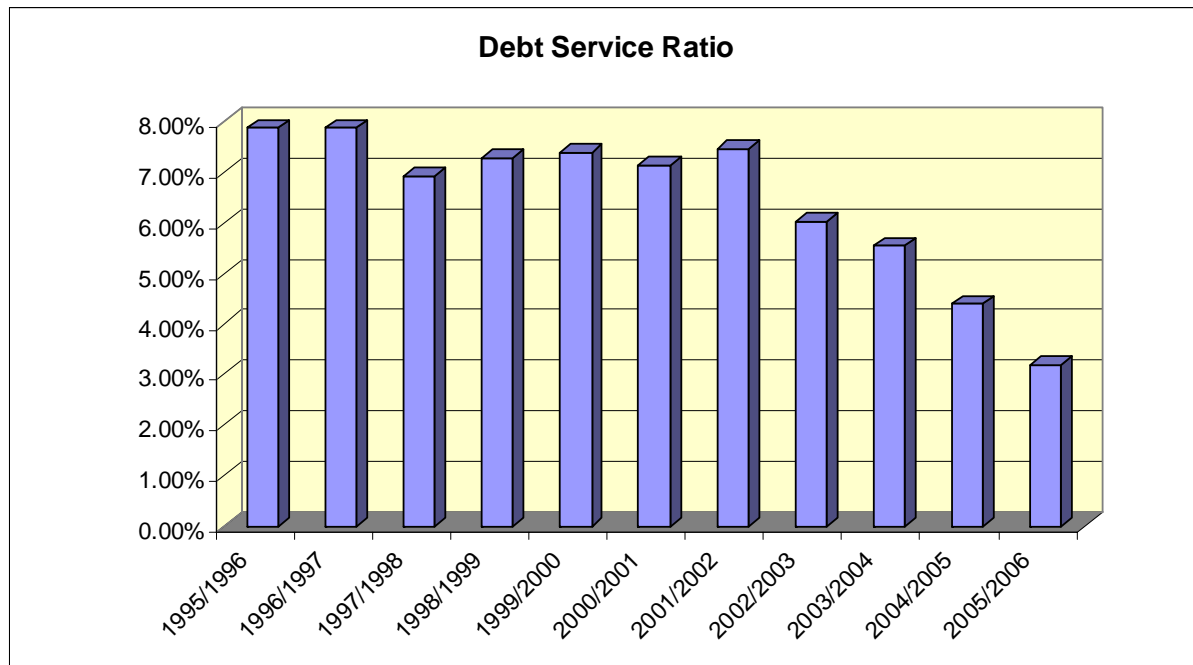


Ku-ring-gai's expenses from continuing operations increased from \$520 in 1997/1998 to \$610 in 2005/2006. Council's expenses per capita is \$257 under the NSW average of \$867. Factors affecting this indicator are socio-economic characteristics, rate of new development and population demography and movement.

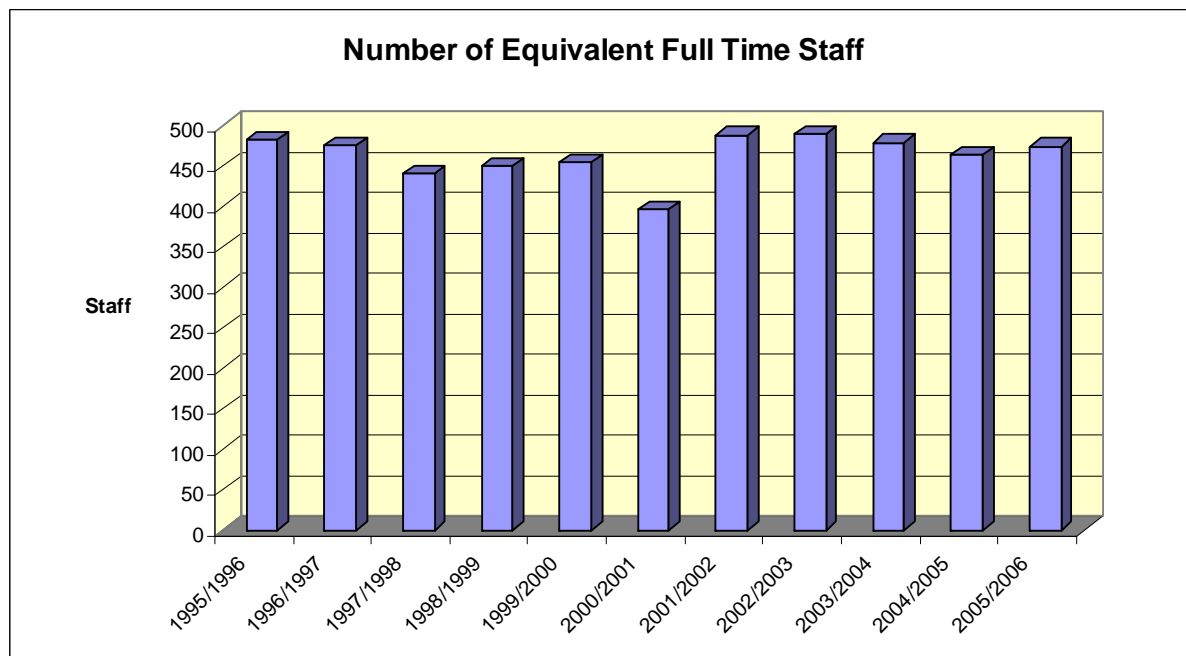


Council's unrestricted current ratio took a downward trend from 1994/1995 through to 1999/2000 when it fell below the industry benchmark of 1. Council has improved on this ratio over the last 5 years to 1.67 in 2004/2005. In 2005/2006 we have attained a ratio of 2.05 Council's best performance in twelve years. Factors affecting this indicator are planning & budgetary control, cash management

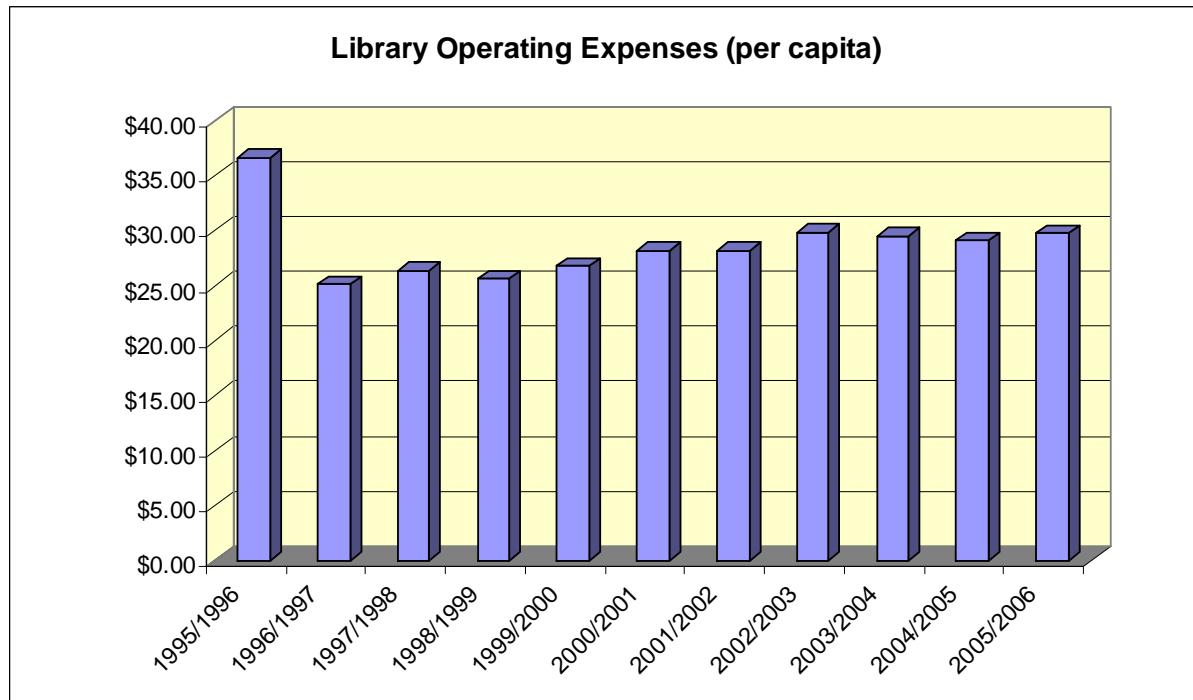
and cash flow, the level of restricted assets and credit management policies and economic circumstances.



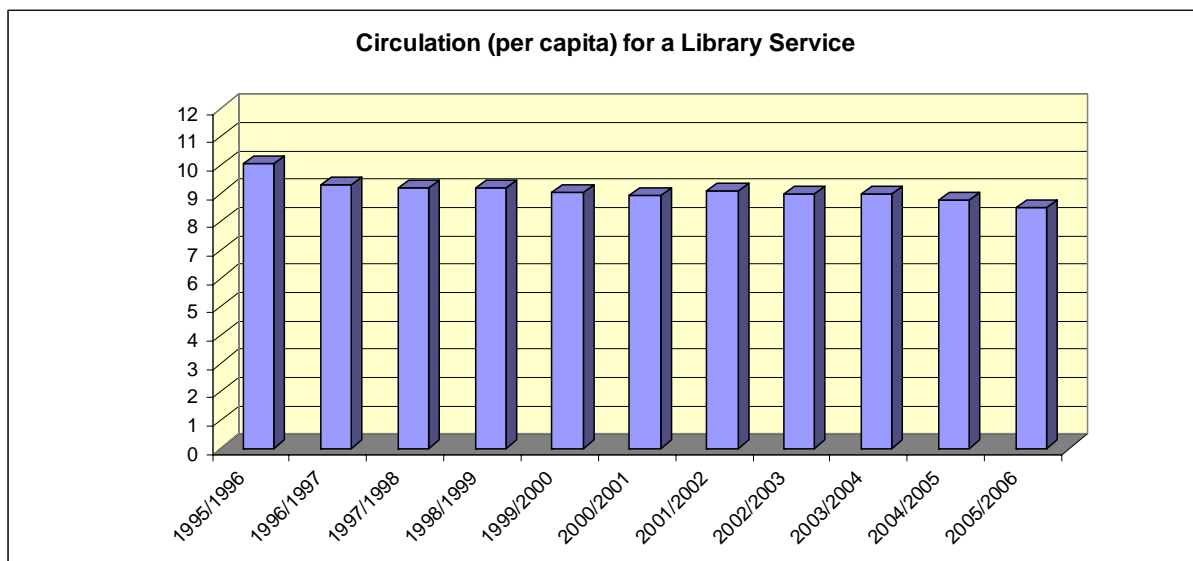
Council's debt service ratio over a 12 year period decreased from 8.08% in 1994/1995 and 7.47% in 2001/2002 to 3.19% in 2005/2006. This is significantly lower than the debt service ratio levels in previous years. Council's 20 year financial model continues to include proposals to reduce Council's indebtedness. The average debt service ratio of urban councils groups 1-7 (81 councils) was 4.4%.



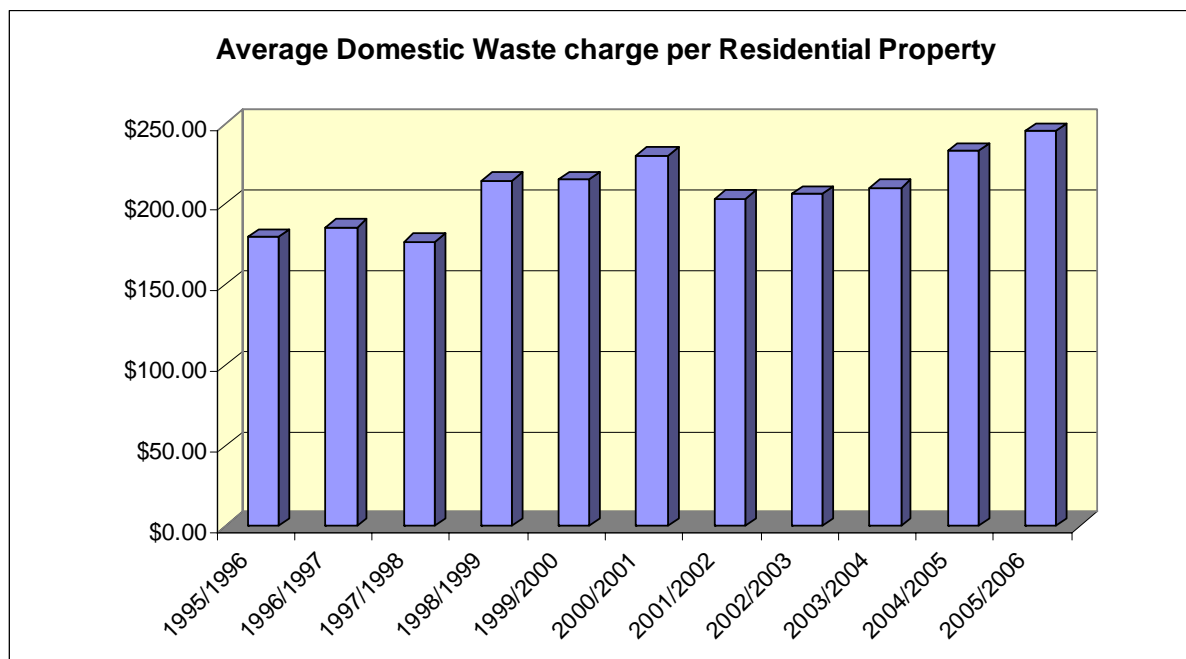
This indicator represents the number of fulltime equivalent staff on the payroll on the last day of the financial year and does not include staff vacancies at the time. The number of fulltime equivalent staff declined from 482 in 1995/1996 to 474 in 2005/2006.



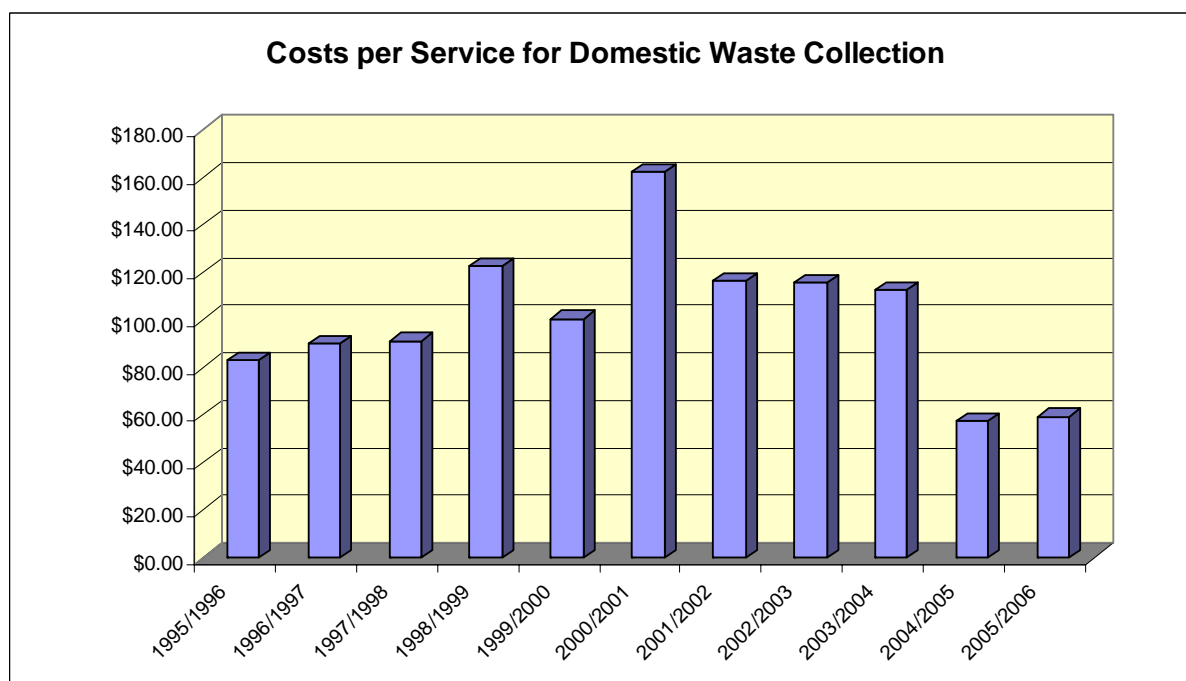
Ku-ring-gai's Library expenses per capita have remained relatively stable since 1996/1997. This is consistent with the overall results of NSW councils. The highest expenses for library service per capita was \$85.50 Carrathool Shire and the lowest was Sutherland Shire Council \$9.50.



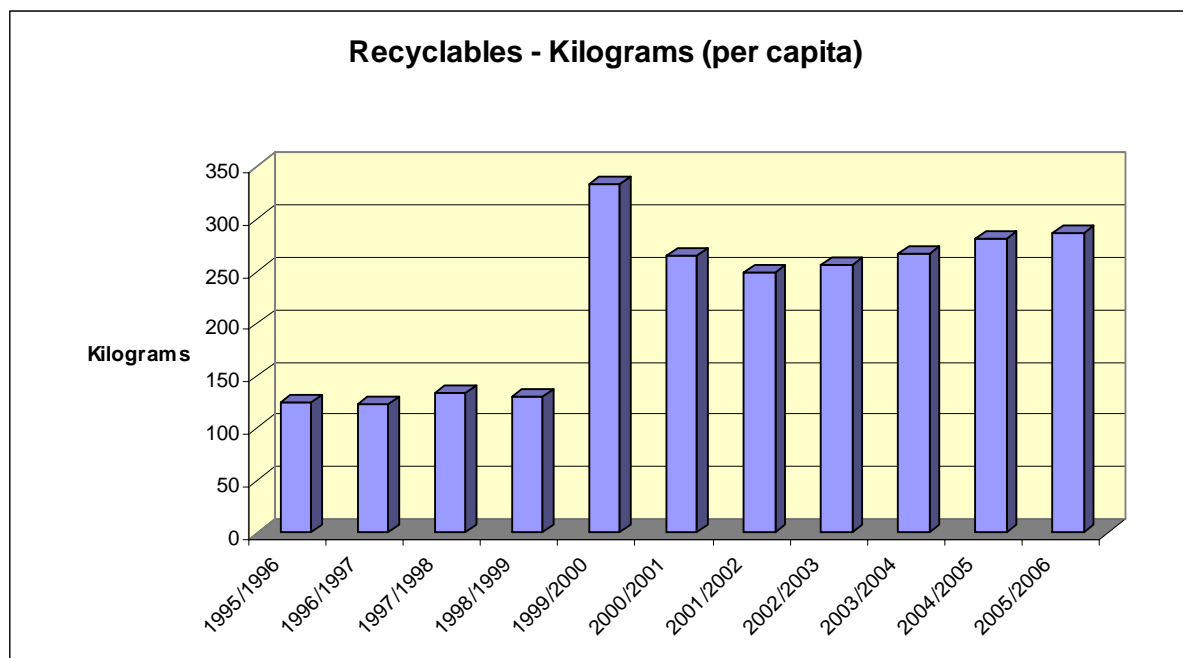
Ku-ring-gai's circulation per resident for a library service has remained fairly constant during this period. The unit measure of 8.48 circulations for 2005/2006 is above the NSW council average of 7.



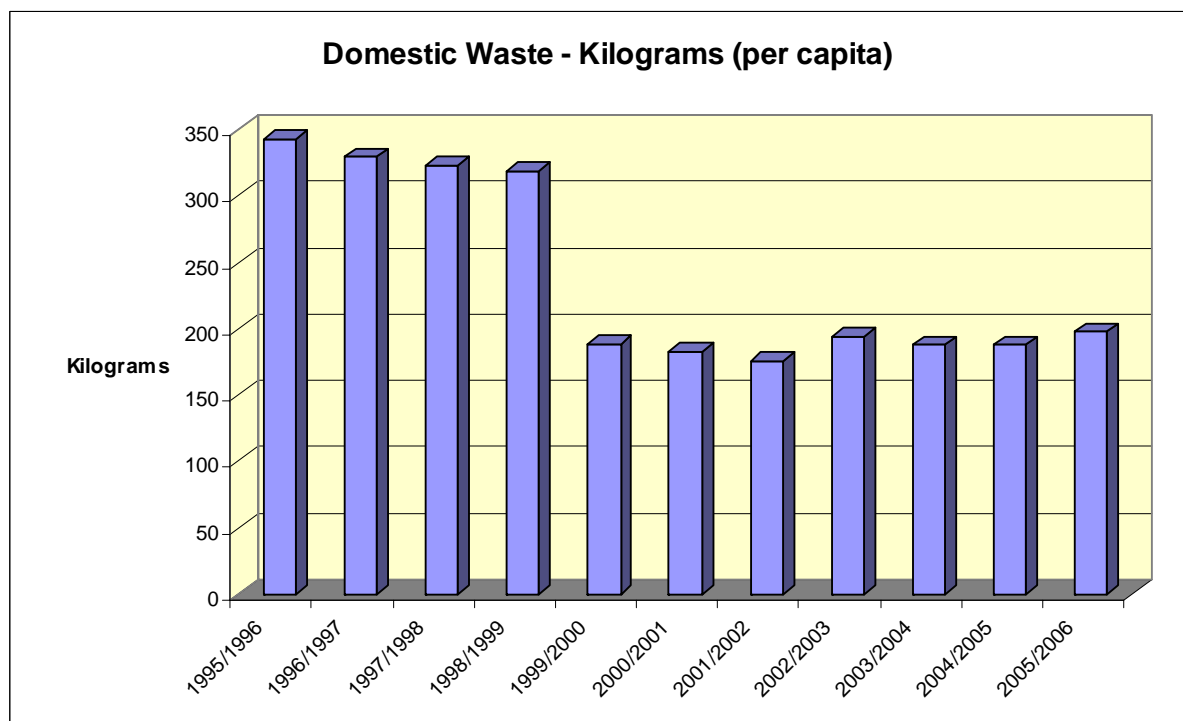
After steady increases, Ku-ring-gai's average domestic waste charge decreased \$26 in 2001/2002 and has moved an average of only 1% over the following 3 years. 2004/2005 has however seen a 10% increase from 2003/2004 levels and 5% increase in 2005/2006.



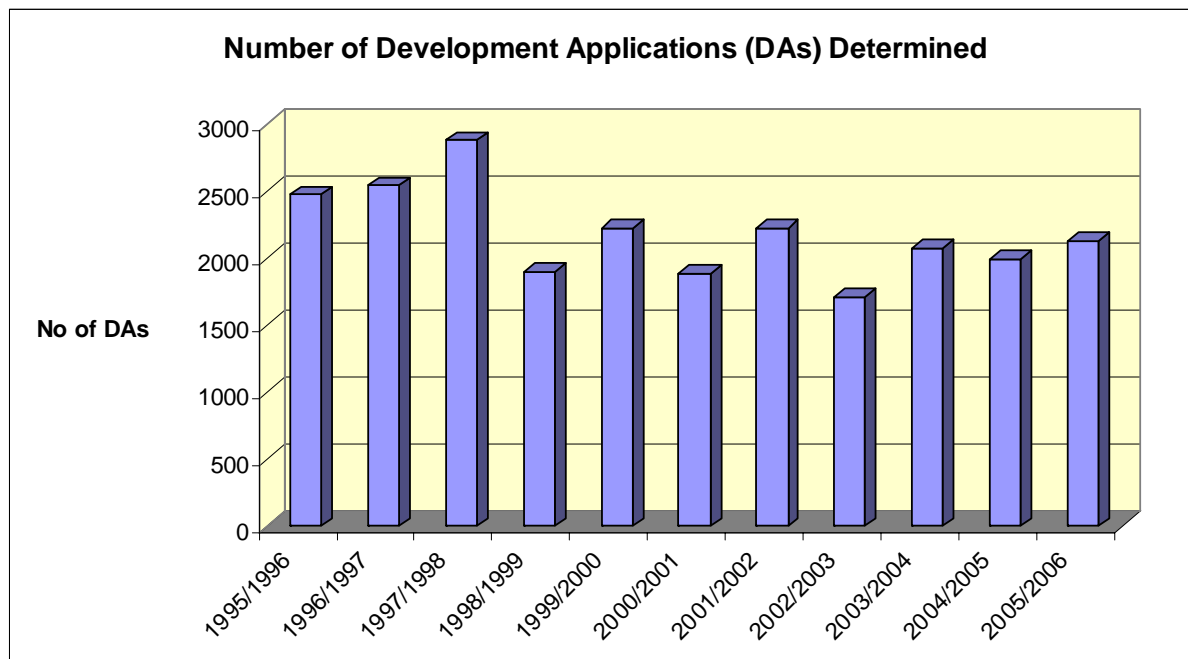
Council has in 2004/2005 recorded the lowest average cost of \$57 per Domestic Waste collection since a low of \$83 recorded in 1995/1996. The highest cost occurred in 2000/2001. This has since been reduced by 65% which is an excellent result for Council. 2005/2006 was \$59 per service representing a 3.2% increase.



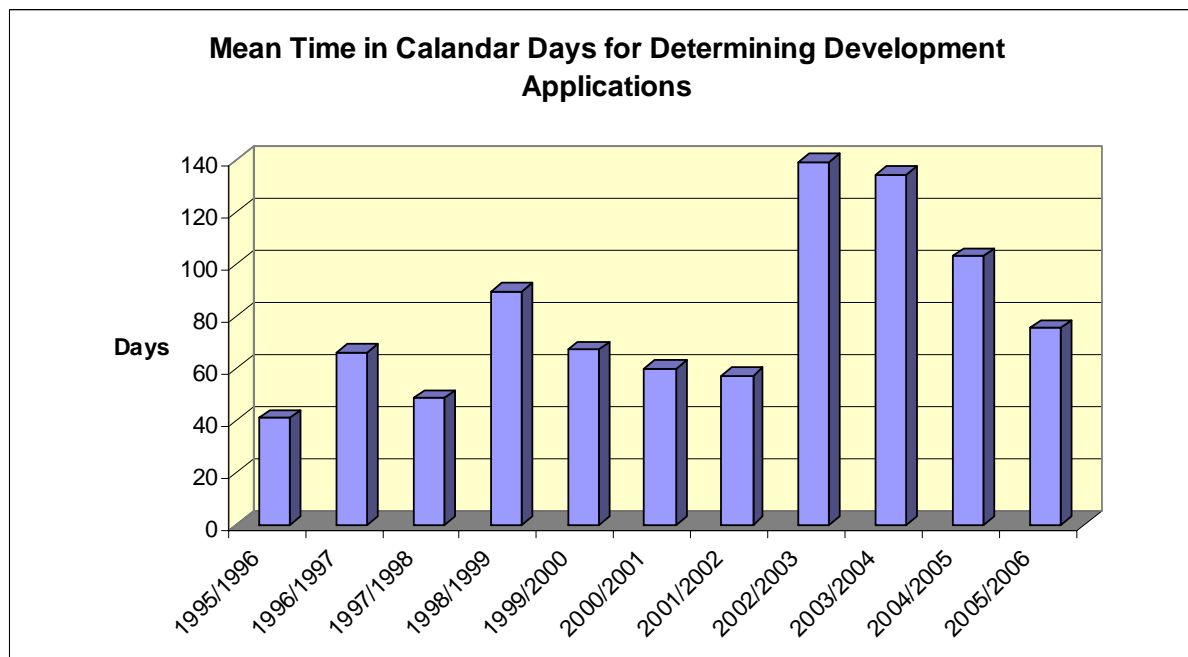
Council's waste contract provides a significant opportunity for the community to recycle. This has resulted in an increase of 120% to 2005/2006 since 1998/1999.



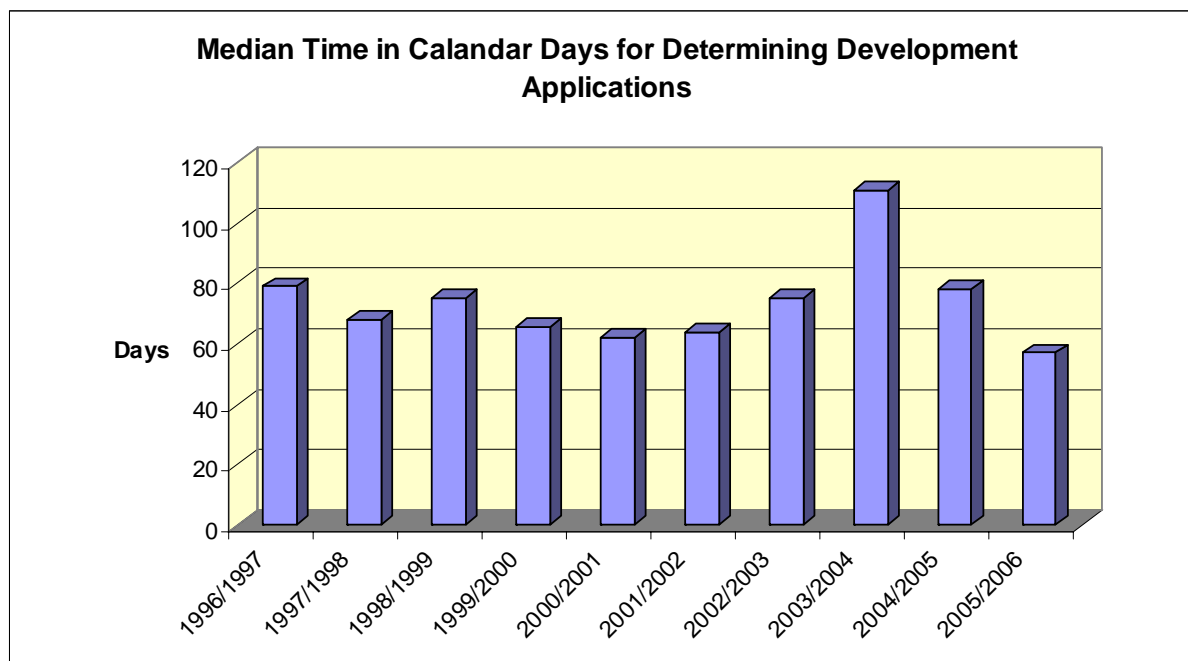
As a result of the above, Council's average domestic waste kilograms per capita for 2005/2006 has increased by only 10 kilograms to 197 from 2003/2004 and has significantly decreased since 1998/1999. The lowest amount of 175 kilograms per capita was collected in 2001/2002 while the highest amount of 343 kilograms was recorded in 1995/1996.



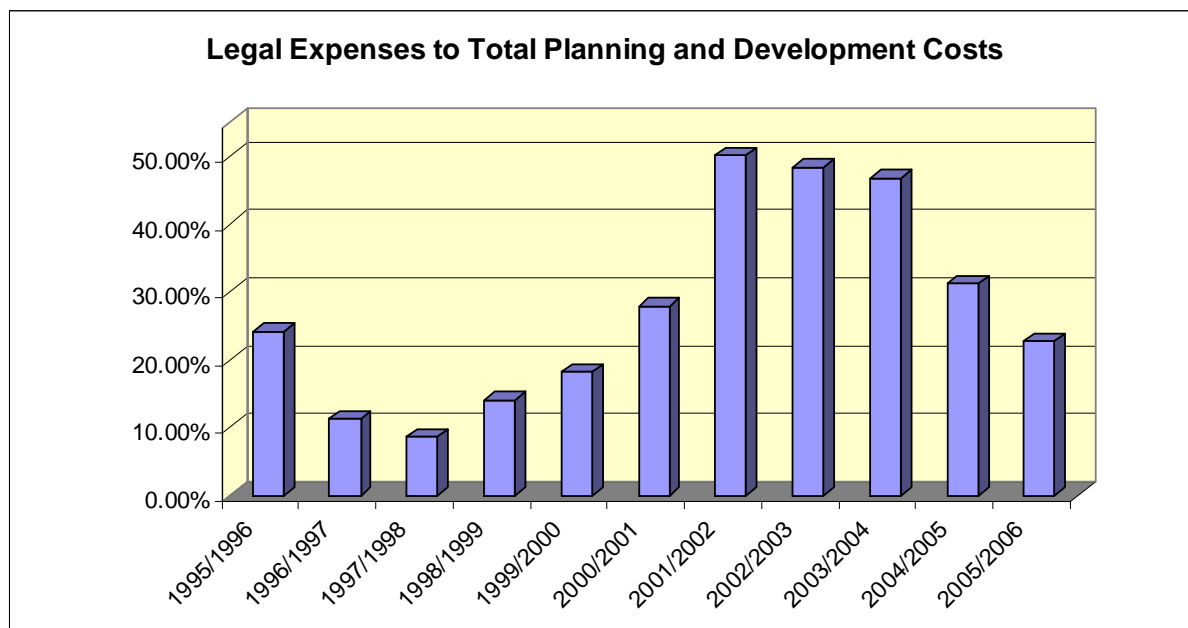
Over the Eleven year period, Council assessed the highest amount of Development Applications (DAs) in 1997/1998. The number of DAs determined decreased by 4% in 2004/2005 when compared to the previous year 2003/2004 and has increased by 7% in 2005/2006 to 2,129 when compared to the previous year.



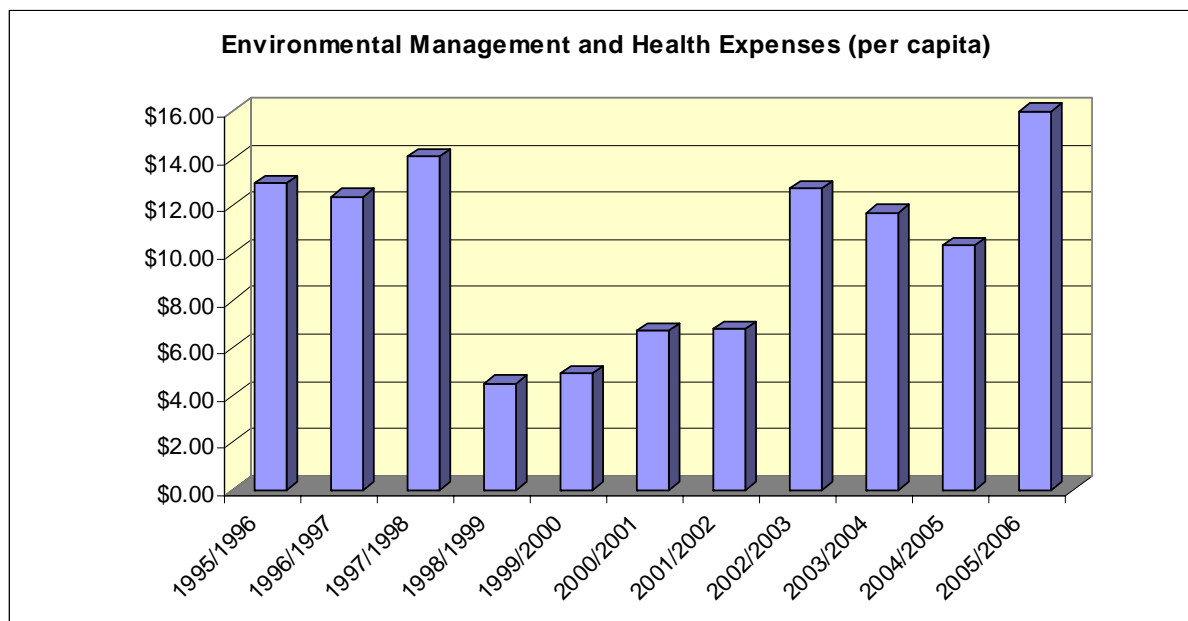
In 1995/1996 the mean time for DA assessment was 40 days. This had increased to 139 days in 2002/2003 and has substantially decreased to 75 days in 2005/2006. The mean time for determining applications in NSW was 51 days.



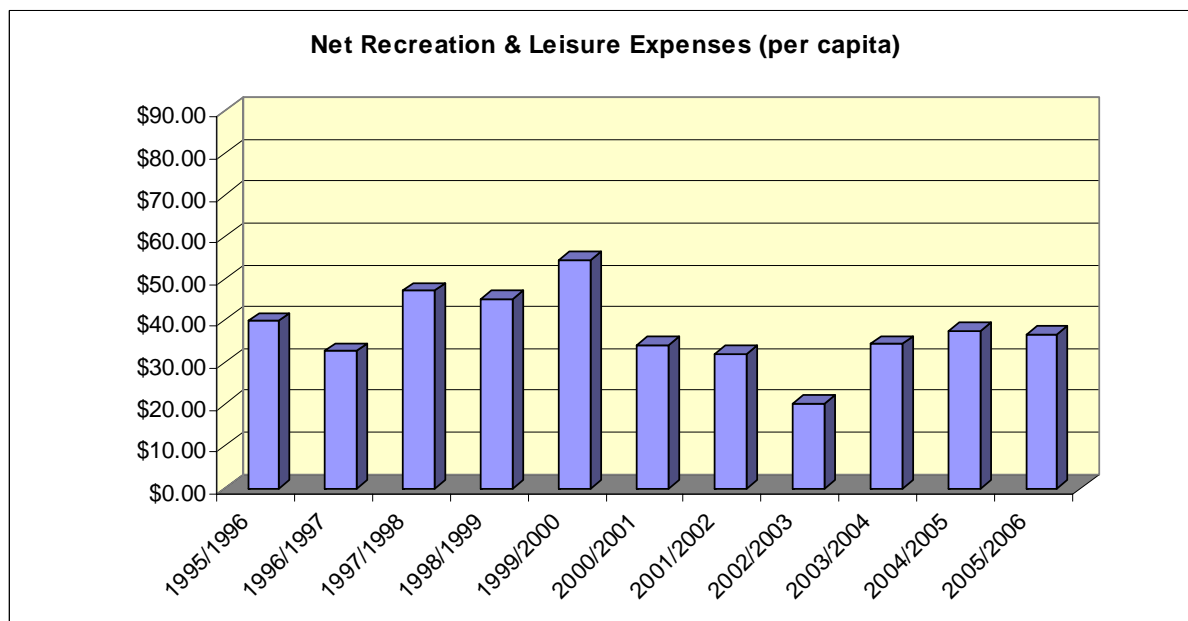
The median time for 2005/2006 was 57 days which is the lowest in the 10 year period. The state average is 30.2 days.



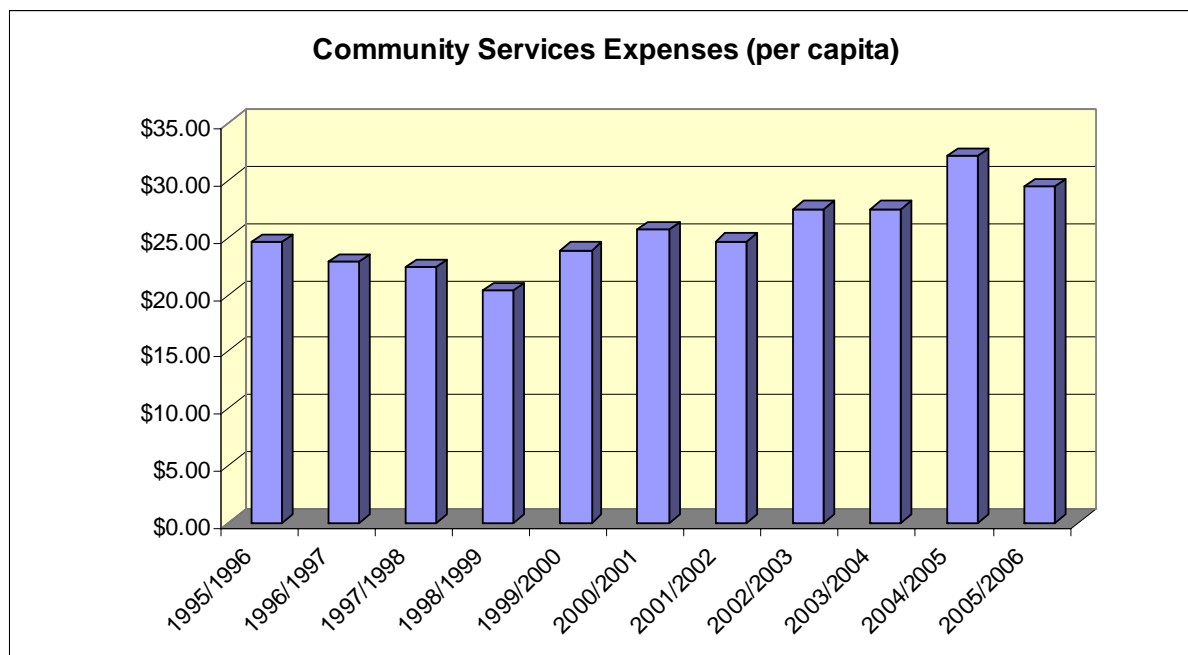
Council's legal expenses to total planning expenses rose from 8.6% in 1997/1998 to 50% in 2001/2002 and have steadily declined to 31% in 2004/2005 down to 22% in 2005/2006. The increase in legal costs in recent years is mostly due to the increased number of SEPP5 and Dual Occupancy applications received by Council. The decline is due to improved efficiencies in processing legal matters.



In 1998/1999 expenditure on environmental management and health per head of population reduced to \$4.51, however in 2002/2003 it increased to \$12.73 and has steadily reduced to \$10.33 in 2004/2005. In 2005/2006 the rate increased to \$20.29 largely due to increases in environmental protection costs but this is still below the NSW average of \$23.



Ku-ring-gai's net recreation & leisure expenses increased from \$34.37 in 2003/2004 to \$37.61 in 2004/2005. This indicator has been amended from a negative of -\$4.55 which was incorrect due to \$4.5M of capital revenue included in total revenue. The majority of NSW councils have net recreation and leisure expenses ranging from \$60 to \$90. In 2005/2006 Councils net expense decreased to \$36.68.



Council's expenditure per capita on Community Services has increased from \$27.50 per capita over the last two years to \$32.13 in 2004/2005. In comparison the lowest was in 1994/1995 when Ku-ring-gai spent \$19.41 per capita on Community Services. In 2005/2006 the expense per capita was \$29.41.

REPLACEMENT OF BUS SHELTER AT ILLOURA AVENUE, WAHROONGA WITH ADSHEL-TYPE BUS SHELTERS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To seek Council approval to replace a vandalised bus shelter situated on Illoura Avenue, Wahroonga, with two single advertising bus shelters.

BACKGROUND:

On 17 January 2008, the existing bus shelter situated on Illoura Avenue, Wahroonga was vandalised. The extent of damage resulted in the remaining unstable brickwork and roof being removed for the safety and welfare of the public.

Council has been contacted requesting replacement of the shelter to provide weather protection and is used by the community.

COMMENTS:

Any new shelter will require removal of the remaining materials and redesign to enable compliance with Disability Discrimination Act 1992 requirements for access.

It is recommended to install an Adshel type, advertising shelters which enable Council to meet compliance with the DDA, provide consistency with other shelters constructed across the LGA, higher maintenance, improved lighting, aesthetics and greater weather protection than previous design.

RECOMMENDATION:

That Council approves the replacement of the existing shelter, situated at Illoura Avenue, Wahroonga, with the installation of an Adshel type, twin 3 bay single advertising shelter.

PURPOSE OF REPORT

To seek Council approval to replace a vandalised bus shelter situated on Illoura Avenue, Wahroonga, with two single advertising bus shelters.

BACKGROUND

On the evening of 17 January 2008, the existing bus shelter situated on Illoura Avenue, Wahroonga adjoining Wahroonga Park was vandalised. Brickwork on the sides and rear was damaged and removed resulting in minimal support for the roof posts. The existing shelter was considered to be hazardous and the roof and damaged brickwork was removed. The bus seat has been kept in place for the use of patrons until a suitable replacement bus shelter can be provided.

The shelter is well used by school children and members of the public. Since the temporary works to remove debris, there have been a number of requests for Council to replace the shelter to provide weather protection.

COMMENTS

Construction of any new shelter will require removal of the remaining materials to enable design for accessibility for compliance with Disability Discrimination Act (DDA) 1992 requirements.

To replace the existing shelter, it is proposed to install an Adshel type, twin 3 bay single advertising shelter rather than replacement of the brick shelter for the following benefits:

- **Consistency:** Since approval in June 2004, to accept the Tender from Adshel for advertising and non-advertising bus shelters, over 30 bus shelters have been installed over the Local Government Area. In October 2005, Council approved nine (9) additional locations following a public consultation process.
- **Seating length and wheel chair space:** Each single shelter will provide approximately 2.2m seating length and 1.65m for wheelchair access.
- **Disability access:** The existing shelter had limited provision for wheelchair access due to the short brick wall located centrally across the front. Adshel shelters have unobstructed frontal access and provision of space for wheelchair and standing patrons.
- **Function:** Glass panels provide clear unobstructed views with the benefit of wind protection.
- **Aesthetics:** Glass panels are unobtrusive and virtually invisible.
- **Lighting:** Improved shelter lighting provides increased visibility and perceived safety.
- **Maintenance:** Adshel shelters are maintained by Adshel under maintenance schedule which are cleaned fortnightly with faults addressed within 24 hours of notice.
- **Revenue:** Revenue will be available based upon Adshel's Schedule of Rates under the Tender.

The installation of these types of shelters is considered an important initiative to provide improved facilities for the community.

Item 2

S03552
18 February 2008

A public consultation process commenced on 29 January 2008 and closed on 14 February 2008. Letters were sent inviting comments on the proposal and advising residents of the reasons for the removal as well as consideration of the twin single advertising shelters, including information on responses to frequently asked questions.

At the close of the consultation period, only 1 written response was received. In the response, the resident made the following comments:

- The proposal to install twin advertising shelters as replacement for the existing shelter is not acceptable.
- Local residents think that the shelter would be out of character for the area and not in keeping with the style of Wahroonga Park and its environs.

In reply, the following observations are made:

- There was only one response from all residents notified and therefore it is not considered to be representative of the opinion of the neighbourhood.
- A site inspection indicates the character along Illoura Avenue varies due to differences in the housing style. Shelters have been installed across the Local Government Area, and the style fits satisfactorily across the Council area.
- The shelter is situated outside a park and on the opposite side to properties. Visual impact to nearby properties is negligible given good screening by tree foliage.
- Wahroonga Park is not a gazetted heritage conservation area and as such the existing shelter was not regarded as a heritage item. The existing shelter was located on the footpath and not within the park and as the proposed shelter is mainly glass it will provide a suitable vista to the park.

Based on site measurements, the twin shelter can be readily accommodated. The existing site has a total length of 11.85m (5.35m length for the existing shelter and 6.5m in length for an adjoining small grass section to the north). The twin single shelters require approximately 10.7m in length, allowing for a 1m wide space between butting ends.

CONSULTATION

A public consultation process was undertaken between 29 January 2008 and 14 February 2008. A total of six (6) residents, within reasonable visibility of the site, were notified.

FINANCIAL CONSIDERATIONS

Installation of the Adshel type shelters will be in accordance with the schedule of rates in the tender and, based on the initial cost and revenue, the payback period is approximately 2.8 years.

The cost of the installation of the new shelters is proposed to be funded from the Street Furniture reserve and adequate funds are available for this purpose.

The cost of constructing the shelter in the same materials as the existing shelter is estimated to be a minimum of \$20,000. Cleaning and maintenance costs for repairs and any damage would be additional and ongoing.

Item 2

S03552
18 February 2008

Council's insurance excess is \$10,000 and would require the replacement of like for like. However, if approved by Council, the matter will be referred to Council's insurer for possible refund of the cost of replacing the existing shelters less Council's excess.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has taken place with Council's Corporate Department with regard to funding options and with Council's Strategy Department with regard to Wahroonga Park's heritage status.

SUMMARY

An existing bus shelter on Illoura Avenue, Wahroonga adjoining Wahroonga Park was vandalised on 17 January 2008. Whilst the seat was kept for use by patrons, the roof and unstable brickwork had to be removed for the safety and welfare of the public.

Replacement is recommended using an Adshel type, twin 3 bay single advertising shelters. These types of shelters offer greater benefits compared to reconstruction in existing materials. Benefits include consistency with the type across the LGA, compliance with the DDA for access, higher maintenance frequency resulting in greater cleanliness, revenue, improved lighting, aesthetics and weather protection from top, sides and rear.

The public consultation process was conducted between 29 January 2008 and 14 February 2008. Although one response was received, this objection is not considered to hold sufficient argument over the benefit to the community by installation of these shelters.

The cost of construction has a short payback period of approximately 2.8 years whereas if constructed in the same materials as the existing shelter, it has ongoing costs for cleaning and maintenance.

RECOMMENDATION

- A. That Council approves the replacement of the existing shelter, situated at Illoura Avenue, Wahroonga with the installation of an Adshel type, twin 3 bay single advertising shelter.
- B. That funding for the installation of the replacement advertising shelter be funded from the Street Furniture reserve.

Ian Taylor
Manager Engineering Services

Greg Piconi
Director Operations

NOTICE OF MOTION

BUSHFIRE MANAGEMENT POLICY

Notice of Motion from Councillor T Hall dated 26 February 2008.

On 8 May 2007, Council adopted its fifth amendment to its bushfire management policy. While this policy is focused on the fire management of council bushland it does not adequately recognise the role and importance of the community fire units (CFU's). The many hundred Ku-ring-gai residents involved in CFU's voluntarily place themselves at risk during wild fires supporting the many combat agencies that help protect their own homes and other assets through out our local government area. In 2005 the NSW Parliament amended the NSW Fire Brigades Act to legally protect these volunteers which is also not recognized in the Council's current policy.

I therefore move:

"The contribution by Community Fire Unit volunteers located in Ku-ring-gai local government area in managing wildfire, protecting their homes and our community and their role in disaster management be given greater recognition and support. For this, I would request a revision of the Council's Bushfire Management Policy (2007) adopted 8 May 2007, and that a draft be reported to Council by July 2008."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Cr Tony Hall
Councillor for St Ives Ward

Attachments:

- Background Information - circulated separately**
- 1. Memorandum from Director Strategy dated 4 February 2008 to Mayor & Councillors**
- 2. E-mails from & to Councillor Hall**
- 3. Bushfire Management Policy 2007 Version**

TO: MAYOR
COUNCILLORS

COPY TO: GENERAL MANAGER

FROM: DIRECTOR STRATEGY

SUBJECT: **BUSHFIRE MANAGEMENT POLICY (2007)**

At the Ordinary Meeting of Council on 8 May 2007 Council resolved to place the amended Ku-ring-gai Council Bushfire Management Policy (2007) on public exhibition.

Part B of the resolution stated:

B. Provided that no comments are raised to the amended Draft Ku-ring-gai Council Bushfire Management Policy (2007) arise following public exhibition, that the policy will be effective at the conclusion of the 42 day period. Should significant issues arise with the policy, the matter will be returned to Council for formal consideration.

At the conclusion of the public exhibition no submissions were received from the community however NSW Rural Fire Service made slight grammatical alterations which have been incorporated into the Policy.

A copy of the Ku-ring-gai Council Bushfire Management Policy (2007) is attached for your information.

Regards,



Andrew Watson
Director Strategy

Tony Hall

From: Tony Hall
Sent: Monday, 25 February 2008 5:41 PM
To: Andrew Watson
Cc: John McKee, Christine Foott
Subject: RE: Bushfire Management Policy (2007) -SO5914

Thanks Andrew.

I shall seek to move a NoM as there is now no need for a rescission. However having pointed out the omissions in this Policy which did not go back to Council for ratification after exhibition due to a clause in the resolution of May 2007 I would have thought a staff report could have been appropriate.

Tony Hall

From: Andrew Watson
Sent: Monday, 25 February 2008 4:36 PM
To: Tony Hall
Cc: Ku-ring-gai Mayor; John McKee; Greg Piconi; Christine Foott; Mark Arnfield; Ian Armstrong; Margaret Harte; Peter Davies; Directors
Subject: RE: Bushfire Management Policy (2007) -SO5914

Thank you for your email Councillor Hall,

I agree with you that the CFUs are a very important asset and should be recognised as such. As I was not with the organisation when the policy was adopted by Council, I would not be so presumptuous as to concede that it is "flawed". While I am not intimately familiar with the operation of CFUs, I would have thought there is nothing stopping new ones forming, existing ones relocating etc. So a map in a policy document might be misleading in an emergency situation. There is an argument to rely on the most up to date information in this regard that the NSW Fire Brigade would presumably have on hand. Either way, I do agree with you that it is a matter best dealt with by full Council. In your initial email you indicate that you would be prepared to move a rescission motion in relation to Council's resolution to adopt of 8 May 2007. This is my preferred approach, though a Notice of Motion would be required as the 3 months for a rescission motion has passed. This way I can program the work with other projects that are in an adopted program or otherwise the subject of a formal council request.

Regards

Andrew

Andrew Watson
Director Strategy
Ku-ring-gai Council
t: (02) 9424-0817
m: 0400 119 549
e: awatson@kmc.nsw.gov.au
Ku-ring-gai to Global: Sustainability for a better tomorrow

From: Tony Hall
Sent: Monday, 18 February 2008 11:52 AM
To: Andrew Watson
Cc: Ku-ring-gai Mayor; John McKee; Greg Piconi; Christine Foott
Subject: Bushfire Management Policy (2007) -SO5914
Importance: High

Andrew

Thank you for providing a copy of the above policy on 4 February 2008 and I note its contents. I also note that Council did not review the draft policy after exhibition. As no representations were received the Policy was automatically adopted as per Part B of the Council's resolution of 8 May 2007. (Please quote the Minute no. next time).

In doing so I was reminded at the recent 20 Cambourne Ave St Ives CFU get together there are some 6,000 Sydney volunteers in the Community Fire Unit (CFU) program conducted by the NSW Fire Brigade .

Under 1.4.5 of the Policy "Council encourages community participation in CFU's as co-ordinated and supervised by the NSW Fire Brigade"

I believe that brief description does NOT give sufficient importance to CFU' s in the Ku-ring-gai local government area and they must be more fully identified.

I am unsure how many are now well established at home fire fronts in this LGA but it could be more than 150 . There are at least 10 full time volunteers to each unit, keeping the equipment in good condition and undertaking regular fire training practice both locally and regionally. If there are over 1,500 volunteers involved with CFU's Council should recognise this in this Policy and include the nos together with a detailed map of the location of each CFU unit.

Are these CFU's also identified clearly in the Council's DISPLAN? If not, why not?

These CFU's have legislative backing under the amendments to the NSW Fire Brigade Act in 2005 yet the Policy is silent on that legislation. This amendment was passed by the NSW Parliament to afford protection to these volunteers should houses be lost where they are attending.

You may not be aware also that this Council each year provides donations from local CFU's for additional equipment such as pumps for private swimming pools on the borders of the bushfire prone areas. Apparently this aspect is word of mouth only and should be more effectively publicised.

This Policy has also NOT included the recently published "Bush Fire Prone Land Map" approved by the NSW Rural Fire Service over the Ku-ring-gai LGA.

These issues may not seem important to us at this moment but they do involve life and property. Having been involved in the Coronial Inquiry into the 1994 Bush fires in Ku-ring-gai , I suggest this Council could be severely criticised for not including the detailed locations of the CFU's and the Land Map for residents' information should another natural fire disaster occur in the near future

I again raise serious concerns about the completeness of the Council's DISPLAN. I would be happy to move a motion to rescind the Council's resolution of 8 May 2007 and have the Policy further considered.

I look forward to your prompt attention and advice to these very serious omissions of the Council's Bushfire Management Policy.

Cr Tony Hall
St Ives' Ward.



Ku-ring-gai Council

Bushfire Management Policy

2007 Version

PUBLIC USE

First Adopted

30 April 1991

Revised Version Adopted

March 1992

Revised Version Adopted

November 1994

Revised Version Adopted 8

December 1998

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Introduction

Ku-ring-gai Council is responsible for the management of 1,100 hectares of bushland, subject to the provisions of State Environmental Planning Policy No. 19 - Bushland in Urban Areas and the Bushland Plan of Management prepared in accordance with the *Local Government Act*, 1993. Much of this bushland is contiguous with larger natural areas to the north, south-west and east administered by the NSW National Parks and Wildlife Service (NPWS).

Fire is a natural periodic event in bushland and Council has statutory obligations to prevent the occurrence and to minimise the danger of the spread of bushfires. These obligations however, need to be enacted without totally compromising the basis for which the land is managed which is primarily to ensure the long term conservation of the natural values.

The biodiversity, both flora and fauna, has evolved over thousands of years experiencing periodic bushfires and this type of disturbance has influenced the species and the ecosystems we presently recognise. This influence benefits the populations of some species and restricts others with the period between fires determining the balance. The fire intensity and season also influence the species in the community.

The management of fuel levels is the responsibility of the property owner or land manager. In Ku-ring-gai, fuel management is the responsibility of Council, State authorities and the individual property owners. As highlighted by the January 1994 bushfires, there needs to be a commitment from all land managers to undertake adequate fuel management and fire protection measures.

In balancing ecological aims and fire management objectives, there also is a need to consider smoke management and its impact on air pollution levels within the Sydney region.

Regional co-operation with other land managers in the Council area, particularly the NPWS, is essential to ensure effective fire management. Consistent plans and operations in both the Rural Fire District and the Sydney Fire District are co-ordinated with the NSW Rural Fire Service and the NSW Fire Brigades through the Hornsby/Ku-ring-gai Bushfire Management Committee.

1. Bushfire Management Policies

1.1 Fuel Management on Private Property, Regulatory Control.

1.1.1 Make property owners or occupiers aware of the presence of hazardous fuel levels on their land.

1.1.2 Take all practicable steps to ensure that

property owners or occupiers take action to prevent and minimise the danger of spread of bush fires in accordance with their statutory obligations under the *Rural Fires Act 1997*.

1.1.3 Take all practiced steps to ensure that trees protected by Council's "Tree Preservation Order" are not removed without the prior consent of Council.

1.1.4 Ensure that only authorised officers issue a Hazard Reduction Certificate for fuel management burning on private property where the material to be burnt is vegetation and there is no practical method of physically removing fuel from the site.

1.1.5 Ensure that all Hazard Reduction Certificates issued on private land meet the requirements of the Bushfire Environmental Assessment Code for NSW (NSW Rural Fire Service February 2006).

1.1.6 Consider issuing a Hazard Reduction Certificate for fuel management on private bushland, in lieu of section 1.1.4, where the land holder wants to reduce vegetative fuel levels and maintain the diversity of native or locally indigenous flora and fauna within their property.

1.1.7 Ensure that owners or occupiers who are issued with a Hazard Reduction Certificate are aware of other restrictions such as:

- Special conditions associated with the Hazard Reduction Certificate
- Appropriate fuel management techniques including the standards for pile burning
- "Total Fire Ban", declared by the Minister in accordance with the *Rural Fires Act 1997* or
- "No Burn Period", declared by Environmental Protection Authority (EPA)
- A fire permit must be obtained from one of the states fire authorities (either the NSW Rural Fire Service or NSW Fire Brigade) prior to the implementation of any burning.

1.1.8 Promote the planning and implementation of fuel management works in accordance with the current Bush Fire Risk Management Plan prepared by the Hornsby/Ku-ring-gai Bushfire Management Committee.

1.2 Planning and Development Control

1.2.1 Ensure that Council's Local Environmental Plans and Development Control Plans address the issue of providing protection from bushfires by means of the location and design of dwellings and other assets.

1.2.2 Ensure that subdivision and development applications, for properties that are at risk from bushfires, provide for and accommodate adequate bushfire protection measures within the property boundaries. Council owned/managed bushland shall not be used for future asset protection purposes to accommodate new development. This is consistent with Section 3.3 Part b page 13 of Planning for Bushfire protection 2006.

1.2.3 Ensure that all developments classified as integrated development on bushfire prone land are referred to the NSW Rural Fire Service prior to granting approval.

1.2.4 Ensure that any residential or infill development that does not comply with the 'acceptable solutions' outlined in Section 4.2 of Planning for Bushfire protection 2006 are referred to the NSW Rural Fire Service prior to granting approval.

1.2.5 Ensure that Ku-ring-gai Bushfire Prone Land Map is updated every five years in accordance with Section 146 of the *Environmental Planning and Assessment Act 1979* and the Guidelines for Bushfire Prone Land Mapping (NSW Rural Fire Service June 2006).

1.3 Fuel Management on Public Land, Bushland

1.3.1 Maintain a database of fire history, identifying the areas burnt, type of fire, date of burn, season, fire intensity and other relevant information.

1.3.2 Plan and implement fuel management works in accordance with the current Bushfire Risk Management Plan prepared by the Hornsby-Ku-ring-gai Bushfire District Management Committee.

1.3.3 Consider the methods of both burning and manual/mechanical removal as appropriate fuel reduction techniques provided that they are conducted in a manner consistent with other statements in this Policy.

1.3.4 Plan management burns in bushland with the aim of maintaining a diverse range of age classes of each vegetation community (reference should also be made to section 1.3.7).

1.3.5 Plan fuel management works annually to ensure post-fire weed management is integrated with fuel management.

1.3.6 Plan areas for fuel management works in accordance with the following priority order:

- Where the works provide local asset protection (fuel reduced outer zones), immediately adjacent to residential properties and the fuel loads exceed 15 tonnes per hectare
- Where the works provide regional strategic fire protection and the inter-fire period is within the range outlined in Appendix A of this Policy or where fuel loads are greater than 15 tonnes per hectare
- Where the burns provide ecological benefits and the inter-fire period specified for the vegetation association has exceeded the maximum specified in the Bushfire Environmental Assessment Code for NSW (NSW Rural Fire Service 2006) or Appendix A
- Where burns are a part of an approved research study.

1.3.7 Plan management burns so that no more than 30% of contiguous bushland is burnt within a five year period except where a reserve adjoins areas managed by the NSW National Parks and Wildlife Service (reference should also be made to section 1.3.4 of this policy).

1.3.8 Declared fire exclusion zones:

- In Mangrove swamps (Ocean Shores to Desert Dunes - Keith 2004)
- Around any known species listed in Schedule 1 of the *Threatened Species Conservation Act 1995* except under the direction of the NPWS or where the proposed fire regime is within the range of that recommended by the Bushfire Environmental Assessment Code for NSW (NSW Rural Fire Service 2006) or Appendix A
- Around any known Aboriginal or other heritage sites listed on Aboriginal Sites Register held by the Department of Environment and Conservation or on the NSW Heritage Databases that are subject to fire exclusion conditions as directed by the Aboriginal Cultural Heritage Division (e.g State Heritage Inventory or State Heritage Register) or any sites of local significance. Note; not all aboriginal sites within the register need fire exclusion
- Within the Ku-ring-gai Flying-Fox Reserve, except with approval of the NPWS
- Local areas where damage may occur to infrastructure assets such as walking track signs, fences and bridges etc may be isolated from the fire but not used as measure for exclusion of fire from that area
- In areas where soil erosion is likely to occur such as steep slopes (>18 degrees) burns are to be maintained at low intensity
- No direct lighting of fire can be carried out along the bank of a watercourse.

1.3.9 Avoid the implementation of manual/mechanical vegetation removal within areas that contain any known threatened animals, plants or endangered ecological communities.

1.3.10 Where fuel levels exceed 15 tonnes per hectare the frequency of managed burns are to be carried out in accordance with the Bushfire Environmental Assessment Code for NSW (NSW Rural Fire Service 2006) or at various intervals and seasons within the inter-fire periods as specified in Appendix A.

1.3.11 Make exceptions and compromises to the fire exclusion zones (section 1.3.8) and inter-fire period (section 1.3.9):

- In identified fuel reduced zones adjacent to residential boundaries where fuel loads exceed 15 tonnes per hectare
- At a local level where it is beneficial for threatened species or communities, significant vegetation associations or fauna colonies.

1.3.12 Assess the environmental impact associated with proposed fuel management works or activities prior to undertaking the works, specifically giving consideration to:

- The season in which the burn is planned to take place and the impact on flora and fauna
- Species listed in the Schedules of the *Threatened Species Conservation Act 1995*
- Pre-fire species diversity
- Environmental assessment under the Bushfire Environmental Assessment Code for NSW (NSW Rural Fire Service 2006)
- Environmental assessment under Part five of the *Environmental Planning and Assessment Act 1979*.

1.3.13 Maximise the fire intensity (above 500 kilowatts per metre of fire front) of management burns where it is beneficial to the vegetation community, given the limitations associated with containment and damage control.

1.3.14 Suspend fuel management burns during a "Total Fire Ban", declared under the Rural Fires Act 1997, or during a "No Burn Period", declared by the EPA under the *Protection of the Environment Operations Act 1997*.

1.3.15 Suspend fuel management burning in bushland areas adjacent recreational reserves and ovals when smoke is likely to cause serious discomfort or inconvenience to participants at organised or formal events.

1.3.16 Undertake manual/mechanical fuel reduction works in fuel reduced zones at the residential/ bushland interface, as identified by the Hornsby Ku-ring-gai Bushfire Risk Management Plan.

1.3.17 Only allow residents to undertake manual/physical fuel management works in Council open space bushland when the resident has a current permit issued under the provisions of the Bushcare volunteer program.

1.4 Bushfire Suppression

1.4.1 Assist in bushfire suppression operations in accordance with the Plan of Operations prepared by the Hornsby/Ku-ring-gai Bushfire Management Committee.

1.4.2 Ensure action is undertaken to suppress bushfires as soon as possible.

1.4.3 Give priority to the suppression of bushfires over all other bushland management activities.

1.4.4 Maintain a network of designated service trails in bushland to provide vehicular access for fire suppression and fire management purposes. In accordance with the Bushfire Co-ordinating Committee policies on fire trails.

1.4.5 Maintain designated walking tracks in bushland to provide access and establish control lines for fire suppression and fire management purposes.

1.4.6 Encourage community participation in Community Fire Units (CFU) as co-ordinated and supervised by the NSW Fire Brigade.

1.4.7 Encourage community interest in the Static Water Supply signs through NSW Fire Brigades.

1.4.8 Encourage Community interest in Community Fire Guard sponsored by the NSW Rural Fire Service.

1.4.9 During the hazard reduction burn season (extending from the beginning of April to the end of October) make available Sporting Ovals to be used as staging areas and helicopter landing zones for personnel carrying out prescribed burns.

1.5 Smoke Management

1.5.1 Ensure management burns conducted by Council are not carried out during a "No Burn Period" declared by the EPA.

1.5.2 Make assessments of the fuel moisture levels prior to undertaking management burns so as to minimise local smoke nuisance resulting from management burns.

1.5.3 Undertake other smoke mitigation techniques including rubbish removal (e.g.. vehicle tyres) and rapid rate ignition (e.g.. backfiring) to minimise smoke emissions.

1.5.4 Prohibit open fire burning on public and private land in accordance with regulations prepared under the *Protection of the Environment Operations Act 1997*, except where the purpose is exempted by regulation and, on public land authorised by Council (authorisation, refer section 2).

1.5.5 Ensure that all adjoining property owners that could potentially be impacted upon by smoke emissions are provided with notification at least 24 hours prior to the commencement of the proposed works.

1.6 Community Education

1.6.1 Undertake education of residents living adjacent to bushland by:

- Encouraging them to maintain a level of bushfire preparedness within their own property
- Explaining what to do in the event of a bushfire
- Advising on appropriate steps to retrofit vulnerable dwellings to minimise the risk of loss of life, property and assets.

1.6.2 Promote community awareness and understanding of fire management policies and practices of Council and the plans prepared by the Hornsby/Ku-ring-gai District Bushfire Management Committee.

1.6.3 Provide bushfire awareness information to residents adjacent to bushland when fuel management works are programmed for their local area.

1.6.4 Co-ordinate with other local authorities and land managers.

1.7 Incentives

1.7.1 Investigate, encourage and utilise opportunities for incentive programs which encourage the proper management of bushfire fuels on private lands.

1.7.2 Investigate opportunities for incentive programs which encourage home owners to retro-fit their dwellings to minimise the risk of loss of life, property and assets.

1.8 Regional Co-operation

1.8.1 Promote regional fire management planning through the Hornsby/Ku-ring-gai District Bushfire Management Committee constituted under the *Rural Fires Act 1997*.

1.8.2 Assist in fire suppression operations in accordance with the Hornsby/Ku-ring-gai District Bushfire Management Committee's Plan of Operations and Bushfire Risk Management Plan.

1.8.3 Formalise communication links between regional authorities through the Hornsby/Ku-ring-gai District Bushfire Management Committee.

2. Administration

2.1 Responsibilities

This Policy is to be reviewed annually and is to be administered on the following basis:

- The Director Strategy is responsible for reviewing this Policy in consultation with the General Manager, is responsible for planning and commissioning fuel management works on land zoned as public open space as well as commissioning bushfire education programs. In addition, the Director Strategy is also responsible for the issuing of fire permits on private land
- The Director Strategy is responsible for ensuring Local Environmental Plans (LEPs) and Development Control Plans (DCPs) address bushfire protection measures
- The Director Operations is responsible for Council administration activities and liaising with emergency services in relation to bushfire suppression, planning and commissioning fuel management works within road reserves and all other public land owned or managed by Ku-ring-gai Council
- The Director Development and Regulation is responsible for assessing subdivision and development applications with regards to the provision of bushfire protection measures within properties (Planning for Bushfire Protection 2006), and for the regulatory enforcement of fuel management on private land
- The Director Operations is responsible for commissioning fuel management works on Council properties
- The Director Operations is responsible for undertaking works, activities or programs commissioned by other Directors.

3. Definitions

Bio-diversity: is the variety of life forms, the different plants, animals and micro-organisms, the genes they contain and the ecosystems they form. It is usually considered at three levels: genetic diversity, species diversity and ecosystem diversity.

Bushfire: is a fire in bushland which is not planned and is generally not under effective control.

Available fuel: is the vegetative or flammable matter of less than 6mm in diameter occurring within 4.5 metres above ground level.

Inter-fire period: is the period between fire events whether the fire event was an unplanned wild fire or a fuel management burn.

Fire intensity: is a measure of heat energy generated by a fire. This is influenced by amount of available fuel, air temperature, ground fuel moisture levels, humidity (air) levels and the rate of spread of the fire. The rate of spread of a fire whilst is influenced by the above is also subject to wind speed and slope of the land.

4. Legislation

4.1 Statutory Obligations

Council has statutory obligations with respect to fire management under the following legislation:

- *The Rural Fires Act 1997*
- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *The Environmental Planning and Assessment Act 1979*
- *Native Vegetation Conservation Act 1997*
- State Environmental Planning Policy No. 19 - Bushland in Urban Areas 1986
- Bushfire Environmental Assessment Code for NSW NSW Rural Fire Service 2006
- Planning for Bushfire Protection NSW Rural Fire Service 2006.

4.2 Rural Fires Act 1997

The *Rural Fires Act 1997* requires Council to take measures to prevent the occurrence of bushfires and to minimise the danger of the spread of a bushfire on land under its control or management. The Act gives powers to constitute Bushfire Management Committees and requires these committees to prepare Plans of Operations for fire suppression and Bushfire Risk Management Plans for fire prevention and planning.

The Act specifies the bushfire Danger Period as beginning 1 October and ending 31 March the following year, unless otherwise varied by a notice. During this period it is an offence to light a fire for hazard reduction purposes unless a fire permit is issued.

Where the Minister is of the opinion that it is in the public's interest for example extreme weather conditions, the Minister has the powers to declare a "Total Fire Ban", prohibiting the lighting of any fires.

The Act also empowers Council to give notice to the occupier or owner of land to reduce the bushfire hazard on their land.

4.3 Local Government Act 1993

Public land which is bushland is managed in accordance with the Bushland Plan of Management prepared in accordance with the *Local Government Act 1993* and takes into account the aims of State Environmental Planning Policy No. 19 - Bushland in Urban Areas.

The Bushland Plan of Management recognises fire as an issue which needs to be considered in managing such land.

4.4 Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* provides the Environmental Protection Authority (EPA) with the power to issue orders, impose penalties and make regulations pertaining to air quality and other environmental issues.

Regulations prohibit all refuse burning except for burning which is to be carried out for approved purposes. Approved purposes listed in the regulations includes burning for preventing or controlling bushfires, in accordance with the *Rural Fires Act 1997*.

Overriding these provisions which allow burning for approved purposes, the Act (*s. 113*) allows the EPA to issue an order to prohibit approved burning if, it is of the opinion that meteorological conditions are such that burning is likely to substantially contribute to air pollution levels.

4.5 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* allows for Council to consider impacts on the natural and built environment as well as social and economic impacts when assessing subdivision and development applications. This assessment includes consideration of bushfire hazards and the need for protection measures.

The Act also specifies the environmental considerations which need to be undertaken before carrying out fire management works or activities associated with fire management operations. The environmental impact assessment considerations are outlined in Part 5 of the Act and include threatened species, communities and habitats listed in the schedules of the *Threatened Species Conservation Act 1995*.

Furthermore, *Section 146* of the Act refers to Bushfire Prone Land Maps and requires all councils through out NSW to update and maintain a Bushfire Prone Land Maps every five years.

4.6 Native Vegetation Conservation Act 1997

Whilst the *Native Vegetation Conservation Act 1997*, in its entirety, does not apply to the Ku-ring-gai Local Government Area, the Act (*s. 10*) makes reference to State protected land which is relevant to all areas throughout the State. However, the Act does not apply to residential land (*s. 9*). State protected land is defined (*s. 7*) as land with greater than 18 degrees slope, land within 20m of specified river, or land which is environmentally sensitive.

Specified rivers are those identified in (*s. 26d*) of the *Water Act 1912*, and include Cowan Creek.

The Act is intended to prevent clearing of vegetation particularly on State protected land, however a number of exemptions are permitted (*s. 12a*). These exemptions include clearing authorised under the *Rural Fires Act 1997*.

4.7 State Environmental Planning Policy No. 19

Public land on which there is remnant bushland is managed in accordance with the provisions of State Environmental Planning Policy No. 19 - Bushland in Urban Areas (SEPP No 19). The primary aim of SEPP No 19 is "to protect and preserve bushland within the urban area, so as to provide representation of the original vegetation in its natural state and enable the existing plant communities to survive in the long term".

4.8 Bushfire Environmental Assessment Code for NSW (2006)

The Bushfire Environmental Assessment Code provides for a streamlined environmental assessment process for use by issuing and certifying authorities in determining Bushfire Hazard Reduction Certificates. This document was prepared pursuant to sections 100J to 100N of the *Rural Fires Act 1997*.

The Code identifies the key environmental aspects that need to be considered when undertaking hazard reduction works. The requirements of the Code must be satisfied in order to approve hazard reduction works and issue a Hazard Reduction Certificate. Ku-ring-gai Council acts as both an issuing and a certifying authority. Therefore, authorized officers must issue Hazard Reduction Certificates in accordance with this regulation.

4.9 Planning for Bushfire Protection (2006)

Development in areas considered to be bushfire prone are subject to the provisions of Planning for Bushfire Protection 2006. This document requires development on bushfire prone land to meet certain standards prior to issuing development consent. Standards relate to the provision of asset protection zones, construction standards, access and egress, water supply, emergency management arrangements and appropriate landscaping. Councils development control officers need to be aware of these requirements and refer any development outlined in Section 1.4 of this policy to the NSW Rural Fire Service.

Appendix A - Inter-fire Periods for Bushland Vegetation

The following inter fire periods have been established as guidelines with assistance from Council's Bushland Catchments Natural Area Reference Group, Doug Benson from Royal Botanical Gardens Sydney, Ross Bradstock from NSW National Parks & Wildlife Service (NPWS) and staff of Ku-ring-gai Council, Hornsby Shire Council and the Nth Met. Office of the NPWS.

| FIRE INTERVAL GUIDELINES | | | | | |
|---|--|------------------|------------------|--|---|
| Vegetation formation | Vegetation Sub-formation | Minimum Interval | Maximum Interval | Corresponding Plant Structure | NOTES |
| Wet Sclerophyll Forest | North Coast Wet Sclerophyll Forest | 25 | 60 | Tall open-forest (BGHF) | Crown fires should be avoided in the lower end of the interval range |
| Wet Sclerophyll Forest | Northern Hinterland Wet Sclerophyll Forest | 10 | 50 | Tall open-forest, Open-forest (STIF, Duffys Forest) | Crown fires should be avoided in the lower half of the interval range |
| Dry Sclerophyll Forest | Sydney Dry Sclerophyll Forests | 7 | 35 | Open-forest, Woodland, Low open-forest, Low Woodland | |
| Heathlands | Sydney Coastal Heaths | 7 | 30 | Closed scrub-heath/heath | |
| Saline Wet Lands | Mangrove Swamps | 25 | N/A | Low closed-forest, Closed-scrub/heathland | Fire should be avoided |
| SOURCE : Keith 2006 and NSW Flora Fire Response Data Base | | | | | |

NOTICE OF MOTION

COUNCIL-OWNED PROPERTY ASSETS SURPLUS TO NEEDS

Notice of Motion from Councillor T Hall dated 26 February 2008.

I move:

"That to meet this Council's financial sustainability objectives, the General Manager be requested to bring back a report to Council identifying those council-owned property assets surplus to needs for possible disposal. These may include the assets identified in a previous council resolution in 1997/8 and parts of unmade roads readily available for subdivision into new residential lots for sale following rezoning action. Any investigation relating to the initial identification of such assets remain confidential to Council, pursuant to s.10A(2)(c) of the Local Government Act, 1993 as amended."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Cr Tony Hall
Councillor for St Ives Ward