



**ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 7 APRIL 2009 AT 7.00PM
LEVEL 3, COUNCIL CHAMBERS**

A G E N D A
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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 10 March 2009

Minutes numbered 52 to 61

MINUTES FROM THE MAYOR

MM.1 **Shop Local Campaign**

File: S02166

Ku-ring-gai is fortunate to have so many high quality small businesses that offer great personal service and are vital parts of our local neighbourhoods.

We have many local shops including butchers, patisseries and hairdressers that have won industry awards and small business awards based on voting by shoppers.

These businesses and others such as newsagents, pharmacies, delicatessens and fruit shops also work together to donate to local sporting and community organisations and help organise local events such as sausage sizzles and charity drives. Without these businesses our local communities would be much poorer.

In the current global financial crisis, businesses the world over are facing tough times. Ku-ring-gai's businesses are of course not immune from this crisis – and I believe Council could play a role in making sure they continue to prosper.

I am proposing that Councillors hold a workshop to discuss ways we could implement a 'Shop Local' campaign to encourage residents to support our local businesses.

A key message of such a campaign would be that shopping locally helps create a more sustainable local community – both economically and environmentally.

It has the twin aims of generating local economic activity and reducing residents' energy consumption and costs.

The campaign could urge residents to leave the car at home and walk or cycle to the local shops, pointing out they would save money on petrol, reduce their carbon footprint, improve their fitness and keep spending within the community.

Such a campaign would be consistent with the objectives of our Draft Climate Change Policy, which Councillors discussed with so much enthusiasm at our first General Committee meeting held on 24 March.

A Councillors' workshop would be the best way to work out how the campaign could be run. Possible options could be media releases, information on Council's website and Councillors visiting and liaising with neighbourhood centres to encourage events such as market days, community events and the like.

PETITIONS

PT.1 **West Lindfield Sports & Recreation Club - Support for the Development of Futsal Courts - (Four Hundred & Thirty-Nine [439] Signatures)**

File: S02712

"The following petition was extracted from <http://www.gopetition.com.au/online/25921.html> at the request of Councillor Jennifer Anderson on 29 March 2009 by e-mail.

Background (Preamble):

West Lindfield Sport and Recreation Club is dedicated to supporting the community through the provision of sporting and recreation facilities. Currently, there are 1800 playing members of the Lindfield Football Club and no all-weather practice courts in Ku-ring-gai.

By providing futsal courts, Lindfield FC will be able to hold futsal competitions and offer the all-weather facilities to local schools and groups. There are 5000 children attending schools within a 5km radius of the Club in Highfield Road, Lindfield. WLS&RC supports the fitness of children and their families by providing local facilities through a not-for-profit community organisation.

"We, the undersigned, call on Ku-ring-gai Council to support the development of futsal courts at West Lindfield Sport and Recreation Club.

We understand that there may be an increase in usage of the facilities following the development of the futsal courts, however, we believe that the better use of these community facilities and the provision of all-weather sports facilities provides a greater benefit to the local community than to keep the currently unused bowling greens".

REPORTS FROM COMMITTEES

Minutes of Ku-ring-gai Traffic Committee

File: S02110

Meeting held 12 March 2009

Minutes numbered KTC1 to KTC3

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 **Code of Meeting Practice** **1**

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File: S02211

To recommend the public exhibition of a revised Code of Meeting Practice.

Recommendation:

That the revised Draft Code of Meeting Practice as attached be placed on public exhibition.

GB.2 **Koola Park, East Killara - Storage Facility Upgrade** **70**

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File: S03076

To seek Council's approval for the construction of a storage facility at Koola Park, East Killara to be funded by Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield.

Recommendation:

That Council approve the construction of a storage facility at Koola Park, East Killara subject to the conditions outlined in the report.

GB.3 **West Pymble Pool Operation - Tender Process** **75**

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File: S04066

To seek Council's approval to change the timetable for the tender for the operation of the new aquatic and leisure facility at West Pymble Pool.

Recommendation:

That Council: defer the selective tender for the operation of the West Pymble Pool until after the approval of funding and commencement of construction of the new facility; use an open tender process for the long term operation of the facility; and that Council write to the current facility lessees to offer a lease extension to operate the facility for the 2009/2010 swimming season.

GB.4 **Prioritising Capital Works** **79**

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File: S05347

To update the ranking criteria for Capital Works Projects that is used to develop ongoing programs.

Recommendation:

That Council adopt the updated ranking criteria as detailed in the report.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 241 OF GENERAL REGULATIONS

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

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MAYORAL MINUTE

SHOP LOCAL CAMPAIGN

Ku-ring-gai is fortunate to have so many high quality small businesses that offer great personal service and are vital parts of our local neighbourhoods.

We have many local shops including butchers, patisseries and hairdressers that have won industry awards and small business awards based on voting by shoppers.

These businesses and others such as newsagents, pharmacies, delicatessens and fruit shops also work together to donate to local sporting and community organisations and help organise local events such as sausage sizzles and charity drives. Without these businesses our local communities would be much poorer.

In the current global financial crisis, businesses the world over are facing tough times. Ku-ring-gai's businesses are of course not immune from this crisis – and I believe Council could play a role in making sure they continue to prosper.

I am proposing that Councillors hold a workshop to discuss ways we could implement a 'Shop Local' campaign to encourage residents to support our local businesses.

A key message of such a campaign would be that shopping locally helps create a more sustainable local community – both economically and environmentally.

It has the twin aims of generating local economic activity and reducing residents' energy consumption and costs.

The campaign could urge residents to leave the car at home and walk or cycle to the local shops, pointing out they would save money on petrol, reduce their carbon footprint, improve their fitness and keep spending within the community.

Such a campaign would be consistent with the objectives of our Draft Climate Change Policy, which Councillors discussed with so much enthusiasm at our first General Committee meeting held on 24 March.

A Councillors' workshop would be the best way to work out how the campaign could be run. Possible options could be media releases, information of Council's website and Councillors visiting and liaising with neighbourhood centres to encourage events such as market days, community events and the like.

RECOMMENDATION

That Council hold a workshop to consider cost effective ways to encourage residents to shop locally and support our local businesses.

Cr Elaine Malicki
Mayor

PETITION

WEST LINDFIELD SPORTS & RECREATION CLUB - SUPPORT FOR THE DEVELOPMENT OF FUTSAL COURTS - (FOUR HUNDRED & THIRTY-NINE [439] SIGNATURES)

"The following petition was extracted from <http://www.gopetition.com.au/online/25921.html> at the request of Councillor Jennifer Anderson on 29 March 2009 by e-mail.

Background (Preamble):

West Lindfield Sport and Recreation Club is dedicated to supporting the community through the provision of sporting and recreation facilities. Currently, there are 1800 playing members of the Lindfield Football Club and no all-weather practice courts in Ku-ring-gai.

By providing futsal courts, Lindfield FC will be able to hold futsal competitions and offer the all-weather facilities to local schools and groups. There are 5000 children attending schools within a 5km radius of the Club in Highfield Road, Lindfield. WLS&RC supports the fitness of children and their families by providing local facilities through a not-for-profit community organisation.

"We, the undersigned, call on Ku-ring-gai Council to support the development of futsal courts at West Lindfield Sport and Recreation Club.

We understand that there may be an increase in usage of the facilities following the development of the futsal courts, however, we believe that the better use of these community facilities and the provision of all-weather sports facilities provides a greater benefit to the local community than to keep the currently unused bowling greens".

RECOMMENDATION

That the Petition be received and referred to the appropriate officer of Council for attention.

CODE OF MEETING PRACTICE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To recommend the public exhibition of a revised Code of Meeting Practice.

BACKGROUND:

On 29 July 2008 Council considered the revised Code of Meeting Practice following public exhibition.

COMMENTS:

On 29 July 2008 Council did not make a decision in respect of the adoption of the Code of Meeting Practice.

It has been eight months since Council considered the revised Code and since then further changes have been made. It is therefore recommended that the Draft Code of Meeting Practice be placed on public exhibition for comment before adoption by Council.

RECOMMENDATION:

That the revised Draft Code of Meeting Practice as attached be placed on public exhibition.

PURPOSE OF REPORT

To recommend the public exhibition of a revised Code of Meeting Practice.

BACKGROUND

On 29 July 2008 Council considered the revised Code of Meeting Practice following public exhibition.

COMMENTS

On 29 July 2008 Council did not make a decision in respect of the adoption of the Code of Meeting Practice.

At the meeting the item was the subject of the following amendment that was lost:

- A. That the revised Code of Meeting Practice be adopted.
- B. That the second sentence of point 11 in Council's Order of Business for Council Meetings be as follows:

Mayor to invite Councillors to nominate any items on the Agenda that they wish to adopt in accordance with the officer's recommendation allowing for minor changes without debate.

The following motion was also lost:

That consideration of the matter be deferred for further clarification of Clauses 3.18.2; 3.24.2; 5.6.2 and 6.2.1 and due to the lack of a pre-briefing on the Code.

Council's existing Code of Meeting Practice was adopted in May 2005. The Code contains references to the *Local Government (Meetings) Regulation 1999* that was repealed in 2005. Other legislative changes are also missing from the Code. The existing Code is therefore out of date.

A revised Code of Meeting Practice was drafted and presented to the Policy Forum on 31 March 2008 and considered by Council as follows:

- Council Meeting – 29 April 2008 where it was endorsed for placing on public exhibition
- Council Meeting – 29 July 2008 where it was recommended for adoption following the public exhibition where no submissions were received.

The following comments are made in respect of the matters raised in the above amendment and motion.

Order of Business

Point 11 of the Order of Business in Attachment A of the Code states, in part:

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Mayor to invite Councillors to nominate any items on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.

The change proposed at the Council Meeting states:

Mayor to invite Councillors to nominate any items on the Agenda that they wish to adopt in accordance with the officer's recommendation allowing for minor changes without debate.

This change has not previously been raised. It can be incorporated into the Code.

Clause 3.18.2

This clause deals with speaking times and states:

Each councillor shall be granted a maximum of five (5) minutes to speak on an item. A warning signal shall be given at 4 minutes and 30 seconds. No extensions of time shall be granted.

This clause is a copy of part of clause 8 of the existing Code. No change has been made to the existing provision.

Concern was expressed that this clause may have some conflict with part of clause 3.18.1 – clause 250(3) of the Regulation – that allows for additional speaking time in order to explain a misrepresentation or misunderstanding.

As clause 3.18.1 is a direct quote from the Regulation it would, as explained in clause 1.4, take precedence over 3.18.2 should there ever be any need for clarification. Although the provision is in Council's existing Code, to avoid any possible confusion, the clause could be amended to read:

Each councillor shall be granted a maximum of five (5) minutes to speak on an item. A warning signal shall be given at 4 minutes and 30 seconds. No extensions of time shall be granted other than that permitted by 3.18.1.

Clause 3.24.2

This clause deals with rescission motions and states:

A notice of rescission must be placed on a council meeting agenda, or it can be brought forward as a matter of great urgency in accordance with clause 241(3) of the Regulation (see 3.7) if council so resolves.

This clause is a copy of part of clause 6.2 of the existing Code with the reference to the Regulation and the related clause being updated. No change has been made to the intent of the existing provision.

Clause 3.7 quotes clause 241 of the Regulation that states:

- (1) A council must not transact business at a meeting of the council:*
- (a) unless a councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the*

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council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and

- (b) unless notice of the business has been sent to the councillors in accordance with section 367 of the Act.*
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:*
- (a) is already before, or directly relates to a matter that is already before, the council, or*
 - (b) is the election of a chairperson to preside at the meeting as provided by clause 236(1), or*
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with clause 243, or*
 - (d) is a motion for the adoption of recommendations of a committee of the council.*
- (3) Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:*
- (a) a motion is passed to have the business transacted at the meeting, and*
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*
- Such a motion can be moved without notice.*
- (4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.*

It is understood that concern has been expressed about whether a notice of rescission may be dealt with at the same meeting at which it is lodged.

In this regard the following is an extract from the Department of Local Government Meetings Practice Note No. 16:

If council passes a resolution and a rescission motion is lodged at the same meeting, can the rescission motion be dealt with at that meeting?

Section 372(1) of the Act requires notice of a rescission motion to be given in accordance with council's Meeting Code. A rescission motion could be dealt with at the same meeting at which the resolution is passed if the Meeting Code states, for example, that thirty (30) minutes notice must be given.

However, clause 241(2)(a) and clause 241(3) of the Regulation allow business to be transacted when due notice has not been given. Some authorities believe that this clause

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should not be used for rescission motions. Clause 241(3) should be used only when a matter is genuinely urgent.

Although this information is not as definitive as would be preferred, it would appear that the provisions of clause 241(3) allow, or at least do not prevent, a notice of rescission from being dealt with at the same meeting as it is lodged under urgent circumstances.

Inevitably there will be circumstances where it is essential for a rescission meeting to be dealt with on the same night as it is lodged. For example, if Council carries a resolution to bid at an auction to buy a property and the auction is being held the next day, should a rescission motion be submitted during that meeting it would be a genuinely urgent situation under which Council may choose to deal with the rescission that night so that there is a decision in place prior to the auction.

Council's existing Code of Meeting Practice (clause 6.2) acknowledges that urgent consideration of a rescission notice may be required at some time and that provision has been carried over to the new Code as clause 3.24.2. As the Meeting Code is effectively authorising the dealing with a rescission motion in urgent circumstances at the same meeting as it is lodged no further action is required.

Clause 5.6.2

This clause deals with Council Committees (Committees created by the Council whose membership comprises Councillors only) and states:

In the absence of any decision in clause 265(2) of the Regulation, or if the council so resolves, the chairperson shall not have a casting vote except in the case of a committee of the whole.

Clause 265 of the Regulation (clause 5.6.1) states:

- (1) Subject to subclause (3), each committee of a council may regulate its own procedure.*
- (2) Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.*
- (3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands)*

Clause 5.6.2 was included to clarify the position with the casting vote of the Chairperson of a Committee. Clause 265(2) of the Regulation requires a Committee to make a conscious decision to give the Chairperson a casting vote. Clause 5.6.2 was intended to make it clear that if the Committee does not make that decision then the Chairperson does not have a casting vote. It also provided for the Council, as the body with the power to create and dissolve the Committee, to also have the power, when establishing a Committee's charter, to determine the issue of a casting vote.

In reality, unless a Committee has delegated powers, then it maybe of limited consequence as to whether the Chairperson has that power. Any decision to take action or not take action on a matter will be determined by the Council itself and not the Committee.

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Clause 5.6.2 was seen as being supplementary to clause 265(2) of the Regulation. However to remove any concerns about the matter clause 5.6.2 has been deleted and Council can rely solely on the wording of clause 265 of the Regulation.

Clause 6.2.1

This clause explains a non-pecuniary interest. Council's existing Code of Meeting Practice is deficient in dealing with the issue of Conflict of Interests and as such most of Part 6 of the new Code has been added.

Clause 6.2.1 was a direct quote from Council's *Conflict of Interests Policy*. Council has since adopted a new *Code of Conduct*. For consistency it is proposed that the wording of this clause be changed to that which appears in the new *Code of Conduct* (clause 7.10) as follows:

Non-pecuniary interests are private or personal interests that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

Clause 6.5.3

This clause in the exhibited draft states:

A councillor or a member of a council committee who has a non-pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered should disclose the interest to the meeting as soon as practicable.

As a consequence of the adoption of the new *Code of Conduct* (clauses 7.13 to 7.20) an amendment to this clause is now necessary to incorporate the requirement to disclose all non-pecuniary interests and to leave the meeting if a significant non-pecuniary interest exists.

It is proposed that the clause be amended to read:

A councillor or a member of a council committee who has a non-pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the interest to the meeting as soon as practicable. In accordance with clause 7.17 of Council's *Code of Conduct*, if the source of the conflict cannot be removed, the councillor or committee member must have no involvement in the matter, by absenting and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.

The changes discussed above to the Order of Business and clauses 3.18.2, 6.2.1 and 6.5.3 have been incorporated in the revised Code which is attached (Attachment A).

General Committee

Since the original redrafting of the Code of Meeting Practice occurred Council has established a General Committee.

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Part 5 of the Code deals with Council Committees. This Part of the Code provides for Council Committees to be established and managed. There is no necessity for the General Committee to be specifically mentioned in Part 5. Council may, at some time in the future, decide to cease the operation of the committee or decide to establish new committees. Part 5 would allow those actions to be taken without the need to change the Code of Meeting Practice.

However, for completeness the current Charter and Procedures for the General Committee are included in the Code as Attachment D with a footnote reference at clause 5.2. In accordance with clause 1.5 of the Code footnotes and attachments are provided to assist understanding and they do not form part of the Code. This allows Council to amend the Charter and allows the Committee to amend its Procedures from time to time if considered necessary without the need to firstly re-exhibit the Code.

The General Committee, when considering its procedures on 24 March 2009, also resolved that an amended Code of Meeting Practice be prepared in accordance with the Act for adoption by Council after public exhibition.

CONSULTATION

Section 361 of the Local Government Act 1993 requires that the Code be placed on public exhibition inviting submissions for at least 28 days.

An advertisement was placed in the North Shore Times on 6 June 2008 and the Code was available on Council's website during the exhibition period 6 June to 18 July 2008.

No submissions were received and as such the Code of Meeting Practice was recommended for adoption as exhibited on 29 July 2008.

Section 362 of the Act states:

- (1) After considering all submissions received by it concerning the draft code, the council may decide:
 - (a) to amend those provisions of its draft code that supplement the regulations made for the purposes of section 360, or
 - (b) to adopt the draft code as its code of meeting practice.
- (2) If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.

It is considered that the changes proposed in this report are either not substantial or are required as a consequence of the *Code of Conduct* and therefore Council could now adopt the Code with the proposed changes. However, in view of the amount of time that has elapsed and the decision of the General Committee of 24 March 2009, the amended draft Code should be exhibited.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The General Manager was involved in the preparation of the revised Policy.

SUMMARY

The revised Code of Meeting Practice has been exhibited and no submissions were received. Some further changes have been proposed and they have been incorporated into the draft Code. It is recommended that the draft Code now be placed on public exhibition.

RECOMMENDATION

That the revised draft Code of Meeting Practice as attached be placed on public exhibition.

John Clark
Director Corporate

Attachments: Draft Code of Meeting Practice, April 2009 - 2009/039448



Ku-ring-gai Council

Code of Meeting Practice

April 2009

Code of Meeting Practice
Cross references between the Act or Regulation and this Code

Section in Act	Clause in Code	Clause in Regulation	Clause in Code
9	3.6, 7.1	232	7.1
10	4.2, 4.3, 4.5, 7.2, 8.4	233	2.5
10A	3.6, 4.5, 7.3 - 7.7, 8.1	234	2.6
10B	7.4	235	2.6
10C	7.5	235A	2.6
10D	7.6	236	3.1, 3.7
11	7.7	237	3.2
12	7.7, 8.1, 8.3	238	3.3
12A	7.7, 8.3	239	3.5
12B	7.7	240	3.6
231	3.1	241	3.7, 3.24
234	2.6	242	3.8
360	1.4	243	3.6, 3.7, 3.9, 3.12
365	2.1	244	3.10
366	2.2	245	3.11
367	2.3, 3.7	246	3.12
368	2.4	247	3.13
369	1.3, 3.1	248	3.14
370	3.20	249	3.16
371	3.21	250	3.5, 3.7, 3.8, 3.12, 3.14, 3.18
372	3.24		
373	5.1	251	3.20
374	8.5	252	7.3
375	3.4	253	3.22
376	8.6	254	3.4
377	5.3	255	4.1
433	3.10	256	4.2
440F	4.6	257	4.3
440G	4.6	258	4.4
442	6.1	259	5.1
443	6.3	260	1.3, 5.2
448	6.1, 6.4	261	5.3
451	6.5, 8.5	262	5.4
453	6.7	263	5.5
454	6.5	264	7.3
456	6.5, 6.6	265	5.6
457	6.5, 6.6	266	5.9
458	6.5	267	1.3, 5.7
664	8.1	268	5.8
		269	5.10
		270	4.1, 4.2, 4.3, 4.4
		271	4.5
		272	8.2
		273	8.4
		412	8.1

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2.0	10 May 2005	Review and update			
3.0		Review and update, Regulation changes, Code of Conduct changes			

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PART 1 - INTRODUCTION

1.1 Purpose

The purpose of this Code is to set out the manner in which meetings of Ku-ring-gai Council and formal committees are to be convened and conducted.

1.2 Objectives

The objectives of this Code are to:

- provide a summary of the statutory provisions relating to the conduct of council and formal committee meetings supplemented by additional provisions
- ensure that council and committee meetings are held in a manner that is orderly and efficient and earns the respect of the Ku-ring-gai community
- ensure that council and committee meetings display open government and maximise access and participation by the community
- ensure that councillors conduct themselves with high standards of behaviour, making a positive contribution to all debates and decisions
- ensure that meetings comply with the basic principle of the *Local Government Act 1993* that councillors not involve themselves in day-to-day administration and meetings are restricted to matters of policy, direction, resource allocation and statutory decisions.

1.3 Definitions

In this Code:

Act means the *Local Government Act 1993*

chairperson means, in relation to a meeting of the council, the person presiding at the meeting as provided by section 369 of the Act, and, in relation to a meeting of a committee, the person presiding at the meeting as provided by clause 267 of the Regulation

committee means a committee established under clause 260 of the Regulation or the council when it has resolved itself into a committee of the whole

employee means an employee of Ku-ring-gai Council and includes the General Manager

Regulation means the *Local Government (General) Regulation 2005*

relative¹ means, in relation to a person, any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse
- (b) the spouse or de facto partner of the person or of a person referred to in paragraph (a).

1.4 Legislation

The principle legislation governing council and committee meetings is the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

This Code is made pursuant to section 360(2) of the Act which provides that a council may adopt a Code of Meeting Practice that incorporates the relevant legislation supplemented with further provisions that are not inconsistent with the legislation. Under section 361 a draft Code must be publicly exhibited for 28 days and submissions must be invited for 42 days. Under section 362 council must consider all submissions received before adoption of the Code which can be with amendments or in original draft form.

Pursuant to section 360(3) of the Act, the council and a committee of which all members are councillors must conduct its meetings in accordance with this Code.

This Code incorporates relevant provisions of the Act and the Regulation.

Words appearing in *italics* are a direct quote from the Act or the Regulation.

In the event of any inconsistency between this Code and the Act or the Regulation, the Act or the Regulation (as the case may be) prevails to the extent of the inconsistency. Any ruling or interpretation not covered by this code or legislation shall be determined by resolution of council.

Except as otherwise provided, expressions used in this Code which are defined in the dictionary at the end of the Act, have the meanings set out in the dictionary.

1.5 Notes and Attachments

Footnotes in this Code are explanatory notes and together with the Attachments do not form part of the Code. They are provided to assist understanding.

¹ see dictionary (section 3) of the Act.

PART 2 - CONVENING OF AND ATTENDANCE AT COUNCIL MEETINGS

2.1 Frequency of meetings of the Council

2.1.1 Section 365 of the Act

The council is required to meet at least 10 times each year, each time in a different month.

2.1.2 Ordinary council meetings shall be held on the second and fourth Tuesdays of each month commencing at 7.00pm in the Council Chambers, 818 Pacific Highway, Gordon unless the council by resolution determines otherwise or an extraordinary meeting is called.

2.2 Extraordinary meetings

2.2.1 Section 366 of the Act

If the mayor receives a request in writing signed by at least 2 councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable but in any event within 14 days after receipt of the request.

2.2.2 The mayor or general manager may call an extraordinary meeting of the council on any matter or matters considered necessary.

2.2.3 The mayor, in consultation with the general manager, shall determine the time and place of an extraordinary meeting.

2.2.4 If the mayor refuses or delays in calling an extraordinary meeting after receiving a request, signed by at least 2 councillors, those councillors may, in writing, request the general manager to call the meeting. The general manager shall call the meeting as soon as practicable.

2.3 Notice of meetings

2.3.1 Section 367 of the Act

(1) The general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.

(2) Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.

(3) A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and the business papers in that form.

2.3.2 Notice of ordinary or extraordinary council meetings shall be given to each councillor by electronic means or by delivery to a nominated address within the Ku-ring-gai local government area at least three (3) days before the meeting date for ordinary meetings and at least 24 hours before the meeting date for extraordinary meetings.

2.4 Quorum

2.4.1 Section 368 of the Act

The quorum for a meeting of the council is a majority of the councillors of the council who hold office for the time being and are not suspended from office.

2.5 What happens when a quorum is not present?

2.5.1 Clause 233 of the Regulation

(1) A meeting of a council must be adjourned if a quorum is not present:

- (a) within half an hour after the time designated for the holding of the meeting, or*
- (b) at any time during the meeting.*

(2) In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or*
- (b) in his or her absence - by the majority of the councillors present, or*
- (c) failing that, by the general manager.*

(3) The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

2.6 Absence from Council meetings

2.6.1 Clause 235 of the Regulation

A councillor cannot participate in a meeting of a council unless personally present at the meeting.

2.6.2 A councillor shall not be deemed to be present at a council meeting unless present within the council chamber. For the purposes of this clause, the council chamber excludes the public gallery.

2.6.3 Clause 235A of the Regulation

(1) A councillor's application for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent.

(2) A councillor who intends to attend a council meeting despite having been granted leave of absence should, if practicable, give the general manager at least 2 days' notice of his or her intention to attend.

2.6.4 Section 234(2) of the Act

For the purposes of subsection (1)(d)² a councillor applying for a leave of absence from a meeting of a council does not need to make the application in person and the council may grant such leave in the absence of that councillor.

² section 234(1)(d) of the Act provides that a civic office becomes vacant if the holder is absent from 3 consecutive ordinary meetings of the council (unless the holder is absent because he or she has been suspended from office under section 482) without: (i) prior leave of the council, or (ii) leave granted by the council at any of the meetings concerned.

PART 3 - CONDUCT OF COUNCIL MEETINGS

3.1 Chairperson of Council meetings

3.1.1 Section 369 of the Act³

(1) The mayor or, at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

(2) If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

3.1.2 Clause 236 of the Regulation

(1) If no chairperson is present at a meeting of a council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

(2) The election must be conducted:

(a) by the general manager or, in his or her absence, an employee of the council designated by the general manager to conduct the election, or

(b) if neither of them is present at the meeting or there is no general manager or designated employee - by the person who called the meeting or a person acting on his or her behalf.

(3) If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

(4) For the purposes of subclause (3), the person conducting the election must:

(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and

(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

³ under section 231(3) of the Act, the deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor.

- (5) The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.*

3.2 Chairperson to have precedence

3.2.1 Clause 237 of the Regulation

- When the chairperson rises during a meeting of a council:*
- (a) any councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and*
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.*

3.3 Chairperson's duty with respect to motions

3.3.1 Clause 238 of the Regulation

- (1) It is the duty of the chairperson at a meeting of a council to receive and put to the meeting any lawful motion that is brought before the meeting.*
- (2) The chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.*
- (3) Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.*

3.4 Minutes

3.4.1 Section 375 of the Act

- (1) The council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the council.*
- (2) The minutes must, when they have been confirmed at a subsequent meeting of the council, be signed by the person presiding at that subsequent meeting.*

3.4.2 Clause 254 of the Regulation

The general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,*

- (b) the names of the mover and seconder of the motion or amendment,*
- (c) whether the motion or amendment is passed or lost.*

3.4.3 The correctness of the minutes of every preceding meeting, including any extraordinary meeting, not previously confirmed must be dealt with at a meeting of the council, in order that such minutes may be confirmed.

3.4.4 A motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

3.5 Order of business⁴

3.5.1 Clause 239 of the Regulation

(1) At a meeting of a council (other than an extraordinary meeting), the general order of business is (except as provided by this Regulation) as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix the general order of business) as fixed by resolution of the council.

(2) The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.

(3) Despite clause 250, only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.

3.5.2 The order of business may be altered by a resolution. Only the mover of a motion to alter the order of business may speak to the motion.

3.5.3 The order of business for an extraordinary meeting shall be determined by the general manager having regard to the order of business for ordinary meetings and the business to be transacted at the extraordinary meeting.

⁴ the current order of business at a council meeting is set out in Attachment A.

3.6 Agenda and Business Papers for Council meetings

3.6.1 Clause 240 of the Regulation

- (1) The general manager must ensure that the agenda for a meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of former meetings of the council, and*
 - (b) if the mayor is the chairperson - any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and*
 - (c) subject to subclause (2), any business of which due notice has been given.**

- (2) The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.*

- (3) The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.*

- (4) The general manager must ensure that the details of any item of business to which section 9(2A) of the Act applies are included in a business paper for the meeting concerned.*

- (5) Nothing in this clause limits the powers of the chairperson under clause 243.*

3.6.2 Items of correspondence relating to agenda items shall be circulated as “Additional Agenda Information”.

3.6.3 Items of correspondence of a general nature shall be circulated as “Councillor Information” separate from the business paper with confidential items headed “Confidential Information”.

3.6.4 Confidential items shall be circulated as “Confidential Agenda Information”.

3.6.5 Confidential business papers shall be distributed only to councillors and such employees as the general manager determines.

- 3.6.6 Where a councillor is, or in the opinion of the general manager is likely to be, the subject of proceedings by or against the council, any legal advice, reports or correspondence dealing with those proceedings or likely proceedings shall, if the matter is a kind of business referred to in section 10A of the Act, be withheld from the business paper of that councillor and shall not be made available to that councillor by any person.
- 3.6.7 As circumstances necessitate, reports not listed for consideration on a business paper shall be made available at a meeting and shall be dealt with at the conclusion of General Business so as to enable councillors to be able to read the report.
- 3.6.8 Correspondence shall not be presented or read by councillors at a council meeting without the approval of the council.

3.7 Notice of business and Notices of Motion

3.7.1 Clause 241 of the Regulation

- (1) A council must not transact business at a meeting of the council:*
- (a) unless a councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and*
 - (b) unless notice of the business has been sent to the councillors in accordance with section 367 of the Act.*
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:*
- (a) is already before, or directly relates to a matter that is already before, the council, or*
 - (b) is the election of a chairperson to preside at the meeting as provided by clause 236(1), or*
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with clause 243, or*
 - (d) is a motion for the adoption of recommendations of a committee of the council.*
- (3) Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:*
- (a) a motion is passed to have the business transacted at the meeting, and*

*(b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.
Such a motion can be moved without notice.*

(4) Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.

- 3.7.2 A Notice of Motion signed and in writing must be provided to the general manager no later than 2.00 pm on the Monday eight (8) days prior to a meeting.
- 3.7.3 Only the actual wording of the Notice of Motion will appear on the business paper. Any background notes will be circulated as an attachment to the business paper.
- 3.7.4 A councillor may not submit more than two (2) Notices of Motion to a meeting.
- 3.7.5 The chairperson shall consider a matter to be of great urgency when it requires a resolution in the first instance to action and only if consideration could not be deferred until the next meeting of council.

3.8 Business paper for extraordinary meetings

3.8.1 Clause 242 of the Regulation

(1) The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

(2) Despite subclause (1), business may be transacted at an extraordinary meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:

(a) a motion is passed to have the business transacted at the meeting, and

(b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.

(3) Despite clause 250, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put.

3.9 Mayoral minutes

3.9.1 Clause 243 of the Regulation

- (1) If the mayor is the chairperson at a meeting of a council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the council or of which the council has official knowledge.*
- (2) Such a minute, when put to the meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of the minute without the motion being seconded.*
- (3) A recommendation made in a minute of the chairperson (being the mayor) or in a report made by a council employee is, so far as adopted by the council, a resolution of the council.*

3.9.2 Mayoral minutes shall always be in writing and be signed by the mayor.

3.10 Report of a Departmental representative

3.10.1 Clause 244 of the Regulation

When a report of a Departmental representative has been presented to a meeting of a council in accordance with section 433 of the Act, the council must ensure that the report:

- (a) is laid on the table at that meeting, and*
- (b) is subsequently available for the information of councillors and members of the public at all reasonable times.*

3.11 Notice of motion - absence of mover

3.11.1 Clause 245 of the Regulation

In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of a council:

- (a) any other councillor may move the motion at the meeting, or*
- (b) the chairperson may defer the motion until the next meeting of the council at which the motion can be considered.*

- 3.11.2 Where there is no objection to a Notice of Motion being taken as a formal motion, then the chairperson shall put the motion to the vote without debate.

3.12 Motions to be seconded

3.12.1 Clause 246 of the Regulation

A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 243(2) and 250(5).⁵

- 3.12.2 The seconder of a motion or of an amendment may reserve the right to speak later in the debate.

- 3.12.3 It is permissible to debate the motion and an amendment concurrently.

3.13 How subsequent amendments may be moved

3.13.1 Clause 247 of the Regulation

If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the council at any one time.

- 3.13.2 It is permissible during the debate on an amendment for a further amendment to be foreshadowed. However, any such foreshadowed amendment shall not be moved and debated until the amendment is dealt with.

3.14 Motions of dissent

3.14.1 Clause 248 of the Regulation

(1) A councillor can, without notice, move to dissent from the ruling of the chairperson on a point of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

⁵ clause 243(2) deals with Mayoral Minutes (see 3.9.1) and clause 250(5) deals with limitation as to the number of speeches (see 3.18.1).

(2) If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

(3) Despite clause 250, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

3.15 Petitions

3.15.1 Where a petition has already been placed on an agenda, the councillor presenting the petition is to briefly refer to the subject matter and move a motion as to how the matter is to be determined by council. The usual motion would be along the lines of:

"That the petition be received and referred to the appropriate officer of council for attention."

3.15.2 Where a petition has not been placed on an agenda the councillor presenting the petition is to refer briefly to the subject matter of the petition without necessarily reading the petition and then hand it to the mayor for subsequent reading by the general manager (if necessary) and the councillor may move a motion as set out in 3.15.1 above.

3.15.3 Only when a petition is urgent or refers to business already placed on the agenda for that meeting is a councillor to recommend that action be taken on the basis of the petition.

3.15.4 No address to the council shall be allowed in relation to petitions when initially presented to council.

3.16 Questions may be put to councillors and employees

3.16.1 Clause 249 of the Regulation

(1) A councillor:

(a) may, through the chairperson, put a question to another councillor, and

(b) may, through the general manager, put a question to a council employee.

(2) However, a councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.

(3) The councillor must put every such question directly, succinctly, and without argument.

(4) The chairperson must not permit discussion on any reply or refusal to reply to a question put to a councillor or employee under this clause.

3.16.2 Questions without Notice shall always be in writing so as to remove any doubt as to whether the minutes have recorded the question correctly.

3.16.3 Questions shall not be so formed as to be an avoidance of a Notice of Motion.

3.16.4 Questions without Notice are limited to two (2) questions per Councillor per meeting.

3.16.5 No debate shall be taken on Questions without Notice.

3.17 Mode of address

3.17.1 Councillors shall on all occasions address their remarks through the chairperson and shall refer to other councillors and employees by their official designation.

3.17.2 Councillors, with the exception of the chairperson, or any person prevented by physical infirmity, shall stand when speaking.

3.17.3 The requirement to stand when speaking shall not include any part of the meeting where the council is in committee of the whole.

3.18 Limitation as to number of speeches

3.18.1 Clause 250 of the Regulation

(1) A councillor who, during a debate at a meeting of a council, moves an original motion has the right of general reply to all observations that are made by another councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.

- (2) A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.*
- (3) A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than 5 minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.*
- (4) Despite subclauses (1) and (2), a councillor may move that a motion or an amendment be now put:*
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or*
 - (b) if at least 2 councillors have spoken in favour of the motion or amendment and at least 2 councillors have spoken against it.*
- (5) The chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion.*
- (6) If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1).*
- (7) If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.*
- 3.18.2 Each councillor shall be granted a maximum of five (5) minutes to speak on an item. A warning signal shall be given at 4 minutes and 30 seconds. No extensions of time shall be granted other than that permitted by 13.18.1.
- 3.18.3 The mayor is bound by the provisions of 3.18.1 above except when clarifying issues or statements during an address by a councillor so as to facilitate the progress of the meeting.

3.19 Relevance in debate

- 3.19.1 In the course of debate a councillor shall not introduce material that is irrelevant to the item under discussion. If a councillor is called to order for second time in a single speech for introducing irrelevant material, the councillor shall immediately cease speaking and resume their seat. Failure to do so shall constitute an act of disorder.

3.20 Voting at Council meetings

3.20.1 Section 370 of the Act

- (1) Each councillor is entitled to one vote.*
- (2) However, the person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.*

- 3.20.2 If a motion, when put to the vote, results in a tied vote and a casting vote is not used, then the motion is unsuccessful.

3.20.3 Clause 251 of the Regulation

- (1) A councillor who is present at a meeting of a council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.*
- (2) If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.*
- (3) The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 councillors rise and demand a division.*
- (4) When a division on a motion is demanded, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the council's minutes.*

(5) Voting at a council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.⁶

3.20.4 In those circumstances where a decision is unanimous, the words “CARRIED UNANIMOUSLY” shall be recorded in the minutes.

3.20.5 In those circumstances where a decision is not carried unanimously, the chairperson shall announce the names of the councillors who voted against a motion or amendment and the names shall be recorded in the minutes.

3.21 Decisions of the Council

3.21.1 Section 371 of the Act

A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

3.22 Resolutions passed at closed meetings

3.22.1 Clause 253 of the Regulation

If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

3.23 Recommittal of items

3.23.1 If, prior to the completion of a meeting, a councillor or group of councillors consider that a decision made earlier is lacking in judgement or precision a formal written Notice of Rescission shall be completed and brought to the immediate attention of the Council.

3.23.2 Such Notice of Rescission shall be dealt with as Business without Notice (see 3.7 and 3.24 of this Code).

⁶ part II of the Regulation provides that a council is to resolve whether an election by the councillors for mayor or deputy mayor is to be by preferential ballot, ordinary ballot or open voting (clause 394 and clause 3 of Schedule 7). Clause 3 of Schedule 7 also makes it clear that “ballot” has its normal meaning of secret ballot.

3.24 Rescinding or altering resolutions

3.24.1 Section 372 of the Act

- (1) A resolution passed by a council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's code of meeting practice.*
- (2) If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.*
- (3) If a motion has been negatived by a council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with council's code of meeting practice.*
- (4) A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negatived by the council, must be signed by at least 3 councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.*
- (5) If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subclause may not be evaded by substituting a motion differently worded, but in principle the same.*
- (6) A motion to which this section applies may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.*
- (7) The provisions of this section concerning negatived motions do not apply to motions of adjournment.*

3.24.2 A notice of rescission must be placed on a council meeting agenda, or it can be brought forward as a matter of great urgency in accordance with clause 241(3) of the Regulation (see 3.7) if council so resolves.

- 3.24.3 A mayoral minute cannot be used as a device to bring forward a rescission motion, although if a mayoral minute is also signed by two other councillors, it can be regarded as a notice of rescission, and by virtue of one of the signatories being the mayor can receive prominence on the agenda.
- 3.24.4 If need be an extraordinary meeting may be called to consider a notice of rescission.
- 3.24.5 A rescission motion presented to council prior to the close of a meeting has the effect of stopping all action on the decision.
- 3.24.6 The mayor or any councillors have absolutely no authority to prevent implementation of a resolution of council where a notice of rescission is presented at some time after closure of a meeting.
- 3.24.7 Where a resolution of council involves the granting or refusal of consent or any other formal statutory licence giving rise to legal rights, and such decision has been communicated in writing to the applicant, council's decision is incapable of being revoked even if a notice of rescission is lodged at some future time.
- 3.24.8 If a notice of rescission is lodged in relation to a matter that involves a development approval, the notice of rescission should not be dealt with by council until the applicant and any objectors who have addressed council on the matter are informed in writing of the notice of rescission and the date of the meeting at which the notice of rescission is to be considered.
- 3.24.9 For the purposes of section 372(6), council sitting as a committee of the whole, is a committee of council.

3.25 Conclusion of meetings and motions of adjournment

- 3.25.1 The continuation of a meeting after 12.00 midnight shall be dependent upon a motion for extension being carried by at least two thirds of the members of the council being present at the meeting (e.g. if 10 councillors are present it will require a vote of at least 7 for the motion; if 9 are present, it will require a vote of at least 6).
- 3.25.2 Discussion shall not be permitted on any motions for adjournment of a Council meeting. If a motion for adjournment, when put to the vote, is lost, then the meeting shall continue and no further motion for adjournment may be put for a period of not less than half an hour.

3.26 Unfinished business

- 3.26.1 If at the conclusion of a meeting there is unfinished business, then the matters remaining to be dealt with on the business paper shall be brought forward to be dealt with at the next meeting of the council, such business to be dealt with at the next meeting as priority items of business and listed on the business paper accordingly.

3.27 Reports of councillors and presentations

- 3.27.1 Councillors may provide a written report to council on proceedings of meetings attended on behalf of council. Such reports are to be received by the general manager no later than 12.00 noon on the Monday eight (8) days prior to a council meeting. Such reports shall be reported in documents attached to the business paper as councillor information.
- 3.27.2 Councillors should present plaques, certificates, awards and other ceremonial items received on behalf of council at a council meeting.

3.28 Annual elections

- 3.28 Council shall determine the date of the meeting in September each year at which the election for mayor, deputy mayor, committee members and delegates is to be held.

PART 4 - KEEPING ORDER AT MEETINGS

4.1 Questions of order

4.1.1 Clause 255 of the Regulation

- (1) The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.*
- (2) A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.*
- (3) The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.*
- (4) The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.*

4.1.2 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

4.2 Acts of disorder by councillors

4.2.1 Clause 256 of the Regulation

- (1) A councillor commits an act of disorder if the councillor, at a meeting of a council or a committee of a council:
 - (a) contravenes the Act or any regulation in force under the Act, or*
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or*
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or committee, or addresses or attempts to address the council or committee on such a motion, amendment or matter, or*
 - (d) insults or makes personal reflections on or imputes improper motives to any other councillor, or*
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or committee into contempt.**

- (2) The chairperson may require a councillor:*
- (a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or*
 - (b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or*
 - (c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).*
- (3) A councillor may, as provided by section 10(2)(a) or (b) of the Act be expelled from a meeting of a council for having failed to comply with a requirement under subclause (2). The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.*

- 4.2.2 A councillor may seek a ruling from the chairperson on whether another councillor is out of order or has committed an act of disorder, whereupon the chairperson shall make a ruling.
- 4.2.3 If a councillor, after having been called to order by the chairperson on three (3) occasions at the same meeting, refuses to come to order, the councillor shall have committed an act of disorder.
- 4.2.4 If a councillor, having been called on by the meeting chairperson to withdraw a disorderly or improper remark and apologise unreservedly, fails to do so, the councillor shall have committed an act of disorder.
- 4.2.5 When, through a ruling of the meeting a councillor has committed an act of disorder, the chairperson may immediately, without debate, put to the meeting a motion that the councillor be excluded from the remainder of the meeting. If the motion is carried the councillor shall leave the chamber immediately and not participate further in the meeting.
- 4.2.6 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

4.3 Dealing with disorder

4.3.1 Clause 257 of the Regulation

- (1) *If disorder occurs at a meeting of a council, the chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.*
- (2) *A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of a council for engaging in or having engaged in disorderly conduct at the meeting.*

4.3.2 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

4.3.3 Members of the public present in the gallery of a meeting shall not engage in any disruptive or inappropriate behaviour or pass any note or document to a councillor during the course of the meeting without the consent of the chairperson.

4.3.4 A councillor shall not pass any note or document to a member of the public during a meeting without the consent of the chairperson.

4.4 Power to remove persons from meeting after expulsion resolution

4.4.1 Clause 258 of the Regulation

If a councillor or a member of the public fails to leave the place where a meeting of a council is being held:

- (a) immediately after the council has passed a resolution expelling the councillor or member from the meeting, or*
- (b) where the council has authorised the person presiding at the meeting to exercise the power of expulsion, immediately after being directed by the person presiding to leave the meeting, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member from that place and, if necessary, restrain the councillor or member from re-entering that place.*

4.4.2 For the purposes of this clause, the general manager or, in the absence of the general manager, an employee designated by the general manager, shall be deemed to be the person authorised by council for the removal of a person from a meeting.

4.4.3 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

4.5 Expulsion from committee meetings

4.5.1 Clause 271 of the Regulation

(1) If a meeting or part of a meeting of a committee of a council is closed to the public in accordance with section 10A of the Act any person who is not a councillor may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

(2) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council, committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

4.5.2 For the purposes of this clause, the general manager or, in the absence of the general manager, an employee designated by the general manager, shall be deemed to be the person authorised by council for the removal of a person from a meeting.

4.6 Misbehaviour⁷

4.6.1 Section 440F of the Act

(1) In this Division:

misbehaviour of a councillor means any of the following:

(a) a contravention by the councillor of this Act or the regulations,

⁷ the process for the suspension of a councillor for misbehaviour is set out in sections 440H to 440Q of the Act.

- (b) a failure by the councillor to comply with an applicable requirement of a code of conduct as required under section 440(5),*
 - (c) an act of disorder committed by the councillor at a meeting of the council or a committee of the council but does not include a contravention of the disclosure requirements of Part 2.*
- (2) A reference in this Division to **misbehaviour** or **an incident of misbehaviour** includes a reference to misbehaviour that consists of an omission or failure to do something.*

4.6.2 Section 440G of the Act

- (1) A council may by resolution at a meeting formally censure a councillor for misbehaviour.*
- (2) A formal censure resolution may not be passed except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's code of meeting practice.*
- (3) A council may pass a formal censure resolution only if it is satisfied that the councillor has misbehaved on one or more occasions.*
- (4) The council must specify in the formal censure resolution the grounds on which it is satisfied that the councillor should be censured.*
- (5) A motion for a formal censure resolution may, without limitation, be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.*

PART 5 - COUNCIL COMMITTEES

5.1 Committee of the whole

5.1.1 Section 373 of the Act

A council may resolve itself into a committee to consider any matter before the council.

5.1.2 Clause 259 of the Regulation

(1) All the provisions of this Regulation relating to meetings of a council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provision limiting the number and duration of speeches⁸.

(2) The general manager or, in the absence of the general manager, an employee of the council designated by the general manager is responsible for reporting to the council proceedings in committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

(3) The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

5.2 Establishment of committees⁹

5.2.1 Clause 260 of the Regulation

(1) A council may, by resolution, establish such committees as it considers necessary.

(2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

⁸ in accordance with 3.17.3 there is also no requirement to stand when speaking at a committee of the whole meeting.

⁹ see Attachment D for information about existing committees.

- (3) The quorum for a meeting of a committee is to be:*
(a) such number of members as the council decides, or
(b) if the council has not decided a number - a majority of the members of the committee.

5.2.2 A quorum for a committee shall be specified in the charter of that committee.

5.2.3 Where the majority of members of a committee are not present, those members who are present at the meeting shall constitute the quorum for that meeting, and those members present may make recommendations on the items listed in the agenda for consideration at a subsequent council meeting.

5.3 Charters, functions and powers of committees

5.3.1 Clause 261 of the Regulation

A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

5.3.2 Only committees with specific delegations granted in accordance with section 377 of the Act to carry out functions on behalf of council may resolve matters. Other committees may only make recommendations for council's consideration.

5.4 Notice of committee meetings

5.4.1 Clause 262 of the Regulation

(1) The general manager of a council must send to each councillor, at least 3 days before each meeting of the committee, a notice specifying:

- (a) the time and place at which and the date on which the meeting is to be held, and*
(b) the business proposed to be transacted at the meeting.

(2) However, notice of less than 3 days may be given of a committee meeting called in an emergency.

5.5 Non-members entitled to attend committee meetings

5.5.1 Clause 263 of the Regulation

(1) A councillor who is not a member of a committee of a council is entitled to attend, and to speak at, a meeting of the committee.

(2) However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or*
- (b) to move or second a motion at the meeting, or*
- (c) to vote at the meeting.*

5.5.2 All councillors are permitted to attend any committee meeting as an observer unless specifically excluded by resolution of council.

5.6 Procedure in committees

5.6.1 Clause 265 of the Regulation

(1) Subject to subclause (3), each committee of a council may regulate its own procedure.

(2) Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.

(3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands)

5.7 Chairperson and deputy chairperson of committees

5.7.1 Clause 267 of the Regulation

(1) The chairperson of each committee of the council must be:

- (a) the mayor, or*
- (b) if the mayor does not wish to be the chairperson of a committee - a member of the committee elected by the council, or*
- (c) if the council does not elect such a member - a member of the committee elected by the committee.*

(2) A council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not

elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

(3) If neither the chairperson nor the deputy chairperson of a committee of a council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

(4) The chairperson is to preside at a meeting of a committee of a council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

5.8 Absence from committee meetings

5.8.1 Clause 268 of the Regulation

(1) A member (other than the mayor) ceases to be a member of a committee if the member:

- (a) has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or*
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.*

(2) Subclause (1) does not apply if all of the members of the council are members of the committee.

5.9 Committee minutes

5.9.1 Clause 266 of the Regulation

(1) Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,*
- (b) the names of the mover and seconder of the motion or amendment,*
- (c) whether the motion or amendment is passed or lost.*

- (2) As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.*

5.10 Reports of committees

5.10.1 Clause 269 of the Regulation

- (1) If in a report of a committee of the council distinct recommendations are made, the decision of the council may be made separately on each recommendation.*
- (2) The recommendations of a committee of the council are, so far as adopted by the council, resolutions of the council.*
- (3) If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must:*
- (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and*
 - (b) report the resolution or recommendation to the next meeting of the council.*

5.11 Inspections by committee

- 5.11.1 Site inspections may be held only for the purpose of enabling councillors to familiarise themselves with the impact of a proposed development. All Councillors are entitled to attend such inspections.
- 5.11.2 Site inspections shall be held at a time determined by council or a committee. Councillors should wear their councillor name badge and be introduced to the applicant when attending site inspections. Minutes shall be kept recording the sites attended and the names of attendees.
- 5.11.3 An inspections committee has no delegated authority to make decisions or recommendations.

PART 6 - CONFLICT OF INTERESTS¹⁰

6.1 Pecuniary interest

6.1.1 Section 442 of the Act

(1) For the purposes of this Chapter, a “pecuniary interest” is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

(2) A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448.

6.2 Non-Pecuniary interest¹¹

6.2.1

Non-pecuniary interests are private or personal interests that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

6.3 Persons who have a pecuniary interest

6.3.1 Section 443 of the Act

(1) For the purposes of this Chapter, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- (a) the person, or*
- (b) the person’s spouse or de facto partner or a relative of the person, or a partner or employer of the person, or*
- (c) a company or other body of which the person, or a nominee, partner or employer of the person, is a member.*

(2) (Repealed)

¹⁰ for additional information regarding conflict of interests, see the *Code of Conduct* and the *Conflict of Interests Policy*.

¹¹ clause 7.10 *Code of Conduct*.

(3) However, a person is not taken to have a pecuniary interest in a matter as referred to in subsection (1) (b) or (c):

- (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or*
- (b) just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown, or*
- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.*

6.3.2 The general manager has no role in determining whether or not a councillor has a pecuniary interest in a matter. The onus is on individual councillors to make such determinations. Given the complexities involved in the matter, where doubt exists individuals should seek their own legal advice. Such advice shall not be provided by staff or council's legal advisors.

6.3.3 Complaints regarding a failure of a councillor or staff member to disclose a pecuniary interest should be made to the Director-General of the Department of Local Government in accordance with section 460 of the Act.

6.4 Interests that do not have to be disclosed

6.4.1 Section 448 of the Act

The following interests do not have to be disclosed for the purposes of this Chapter:

- (a) an interest as an elector,*
- (b) an interest as a ratepayer or a person liable to pay a charge,*
- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,*
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,*
- (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),*

- (f) an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,*
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or*
 - (ii) land adjoining, or adjacent to, or in proximity to land referred to in subparagraph (i) if the person or the person, company or body referred to in section 443 (1) (b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,**
- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,*
- (i) an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,*
- (j) an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - (i) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,*
 - (ii) security for damage to footpaths or roads,**

- (iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,*
- (k) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor),*
- (l) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252,*
- (m) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor,*
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,*
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or member of a council committee,*
- (p) an interest arising from appointment of a councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.*

6.5 Disclosure and participation in meetings¹²

6.5.1 Section 451 of the Act

- (1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.¹³*
- (2) The councillor or member must not be present at, or in the sight of, the meeting of the council or committee:
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or*
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.**

¹² section 458 of the Act provides that the Minister may in certain circumstances allow a councillor or a member of a committee who has a pecuniary interest to take part in the consideration or discussion of a matter or vote on a matter.

¹³ a general notice of disclosure can be made in some circumstances pursuant to section 454 of the Act which will fulfil the requirement of this subclause.

(3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.

6.5.2 Section 457 of the Act

A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

6.5.3 A councillor or a member of a council committee who has a non-pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the interest to the meeting as soon as practicable. In accordance with clause 7.17 of Council's *Code of Conduct*, if the source of the conflict cannot be removed, the councillor or committee member must have no involvement in the matter, by absenting and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.

6.6 Disclosure by adviser

6.6.1 Section 456 of the Act

(1) A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.

(2) The person is not required to disclose the person's interest as an adviser.

6.6.2 Section 457 of the Act

A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

6.7 Disclosures to be recorded

6.7.1 Section 453 of the Act

A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

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PART 7 - OPEN MEETINGS

7.1 Public notice of meetings

7.1.1 Section 9 of the Act

- (1) A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.*
- (2) A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.*
- (2A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public:
 - (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and*
 - (b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.**
- (3) The copies are to be available to the public as nearly as possible to the time they are available to councillors.*
- (4) The copies are to be available free of charge.*
- (5) A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.*

7.1.2 Clause 232 of the Regulation:

- (1) This clause prescribes the manner in which the requirements outlined in section 9(1) of the Act are to be complied with.*
- (2) A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.*
- (3) The notice must specify the time and place of the meeting.*

(4) Notice of more than one meeting may be given in the same notice.

(5) This clause does not apply to an extraordinary meeting of a council or committee.

7.1.3 Copies of business papers and reports (excluding any confidential items) shall be made available to the public on council's website and during normal opening hours at the council chambers and libraries prior to each council meeting, where practicable, the day after the business papers are available to the councillors.

7.1.4 To assist members of the public at a council meeting, a summary of council meeting procedures shall be provided in the gallery with the business papers.

7.2 Attendance at meetings of the council and committees

7.2.1 Section 10 of the Act

(1) Except as provided by this Part:

(a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are councillors, and

(b) a council must ensure that all meetings of the council and of such committees are open to the public.

(2) However, a person (whether a councillor or another person) is not entitled to be present at a meeting of the council or of such committee if expelled from the meeting:

(a) by a resolution of the meeting, or

(b) by the person presiding at the meeting, if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

(3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations.

7.3 Parts of a meeting closed to the public¹⁴

7.3.1 Section 10A of the Act

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:*
- (a) the discussion of any of the matters listed in subclause (2),*
or
 - (b) the receipt or discussion of any of the information so listed.*
- (2) The matters and information are the following:*
- (a) personnel matters concerning particular individuals (other than councillors),*
 - (b) the personal hardship of any resident or ratepayer,*
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*
 - (d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret,*
 - (e) information that would, if disclosed, prejudice the maintenance of law,*
 - (f) matters affecting the security of the council, councillors, council staff or council property,*
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.*
- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.*

¹⁴ the provisions of sections 10A and 10B of the Act are summarised in Attachment B.

7.3.2 Clause 252 of the Regulation

- (1) A representation at a council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.*
- (2) That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.*

7.3.3 Clause 264 of the Regulation

- (1) A representation at a committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.*
- (2) That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.*

7.3.4 Members of the public wishing to make representations in accordance with section 10A(4) of the Act, may make such representations to the council or committee meeting in writing or verbally. Each person wishing to make verbal representations may speak do so in accordance with the procedures set out in 7.8 and Attachment C of this Code.

7.4 Further limitations to closure of parts of meetings

7.4.1 Section 10B of the Act

- (1) A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):*
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*

- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.*
- (2) A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:*
- (a) are substantial issues relating to a matter in which the council or committee is involved, and*
 - (b) are clearly identified in the advice, and*
 - (c) are fully discussed in that advice.*
- (3) If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).*
- (4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:*
- (a) a person may misinterpret or misunderstand the discussion, or*
 - (b) the discussion of the matter may:*
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or*
 - (ii) cause a loss of confidence in the council or committee.*
- (5) In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must have regard to any relevant guidelines issued by the Director-General.*

7.5 Notice of closure not required in urgent cases

7.5.1 Section 10C of the Act

Part of a meeting of a council, or of a committee of the council of which all the members are councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A(2), and*
- (b) the council or committee, after considering any representations made under section 10A(4), resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and*
 - (iii) should take place in a part of the meeting that is closed to the public.**

7.6 Specification of grounds for closing part of a meeting

7.6.1 Section 10D of the Act

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:
 - (a) the relevant provision of section 10A(2),*
 - (b) the matter that is to be discussed during the closed part of the meeting,*
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.**

7.7 Public access to correspondence and reports¹⁵

7.7.1 Section 11 of the Act

- (1) A council and a committee of which all the members are councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.*
- (2) This section does not apply if the correspondence or reports:
 - (a) relate to a matter that was received or discussed, or**

¹⁵ for access to publicly available documents generally see sections 12, 12A and 12B of the Act. For inspection of minutes of meetings see also 8.2 of this Code.

(b) were laid on the table at, or submitted to, the meeting, when the meeting was closed to the public.

(3) This section does not apply if the council or committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A(2) are to be treated as confidential.

7.8 Addressing council and committee meetings

7.8.1 Members of the public shall have the opportunity to address a meeting on any matter of a general nature or interest to council and the community as well as any item on the business paper, with the exception of petitions, business without notice and questions without notice. This right to address includes representations by members of the public as to whether any part of the meeting should be closed to the public.

7.8.2 The number of speakers shall generally be limited to a maximum of two (2) for and two (2) against a matter before the meeting. On occasions where there are more than two (2) speakers both for and against a matter, the number of speakers shall be limited to equal numbers for and against the matter. On occasions where there is more than one (1) speaker for or against an item, new speakers shall be requested to limit their address to new material. The chairperson shall have the right to so limit their addresses. The number of speakers is limited to a maximum of three (3), on any one topic in general address to Council.

7.8.3 Council shall have procedures for addresses to meetings¹⁶. A summary of the procedures shall be provided to persons at the time of submitting their name to address the meeting.

¹⁶ the current procedures for addressing a meeting are set out in Attachment C.

PART 8 - MISCELLANEOUS

8.1 Disclosure and misuse of information

8.1.1 Section 664 of the Act

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:*
- (a) with the consent of the person from whom the information was obtained, or*
 - (b) in connection with the administration or execution of this Act, or*
 - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or*
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or*
 - (e) with other lawful excuse.*
- (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A(1), a person must not, without the authority of the council or the committee, disclose, (otherwise than to the council or a councillor of the council), information with respect to the discussion at, or the business of, the meeting.*
- (1B) Subsection (1A) does not apply to:*
- (a) the report of a committee of a council after it has been presented to the council, or*
 - (b) disclosure made in any of the circumstances referred to in (1)(a)-(e), or*
 - (c) disclosure made in circumstances prescribed by the regulations, or*
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.*
- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.*

(3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:

- (a) the determination of an application for an approval, or*
- (b) the giving of an order.*

Maximum penalty: 50 penalty units.

8.1.2 Clause 412 of the Regulation

For the purposes of section 664(1B)(c) of the Act, any disclosure made with the intention of enabling the Minister or the Director-General to properly exercise the functions conferred or imposed on them by or under the Act is a prescribed circumstance.

8.2 Inspection of minutes

8.2.1 Clause 272 of the Regulation

(1) An inspection of the minutes of a council or committee of a council is to be carried out under the supervision of the general manager or an employee of the council designated by the general manager to supervise inspections of those minutes.

(2) The general manager must ensure that the minutes of the council and any minutes of a committee of the council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.

8.3 Access to information and records by councillors

8.3.1 Councillors shall have access to council documents in accordance with sections 12 and 12A of the Act and the *Councillor Access to Information and Interaction with Staff Policy*. However, nothing in this Code derogates from the common law right of councillors to generally inspect any record of the council relating to any business before the council, except where the councillor requesting inspection has, in the opinion of the general manager, a pecuniary interest in the matter.

8.4 Recording of meetings

8.4.1 Clause 273 of the Regulation

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

8.4.2 As an aid to the preparation of the minutes of a meeting, a recording of all ordinary and extraordinary council meetings shall be made with the exception of any matters dealt with in confidential session. Prior notice shall be given to anyone addressing the meeting that they are being recorded.

8.5 Certain circumstances do not invalidate council decisions

8.5.1 Section 374 of the Act

Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or*
- (b) a failure to give notice of the meeting to any councillor or committee member, or*
- (c) any defect in the election or appointment of a councillor or committee member, or*
- (d) a failure of a councillor or a committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or a committee meeting in accordance with section 451, or*
- (e) a failure to comply with the code of meeting practice.*

8.6 Attendance of general manager at meetings

8.6.1 Section 376 of the Act

- (1) The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all the members are councillors.*
- (2) The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.*
- (3) However, the general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of the employment of the general manager.*

8.7 Mobile telephones

- 8.7.1 No person shall answer or otherwise use a mobile telephone during a council or committee meeting, unless permission is granted by the chairperson.
- 8.7.2 All mobile telephones shall be switched off or put on silent mode during every council and committee meeting, unless permission is otherwise granted by the chairperson.

8.8 Other matters

- 8.8.1 A ruling or interpretation not covered by the Act, the Regulation or this Code shall be determined by resolution of the council.

8.9 Amendment of Code

- 8.9.1 This Code may be amended in accordance with the provisions of the Act. However, any amendments to the Act or the Regulation will immediately apply and override this Code to the extent of any inconsistency. Such amendments will be inserted into this Code without the need for further public notification.

PART 9 – ASSOCIATED DOCUMENTS

9.1 Codes and policies

Code of Conduct

Conflict of Interests Policy

Councillor Access to Information and Interaction with Staff Policy

9.2 External references

Department of Local Government, Closed Council Meetings, Circular no. 07-08, 11 April 2007

Department of Local Government, Guidelines for the Model Code of Conduct for Local Councils in NSW, October 2008

Department of Local Government, Meetings Practice Note, Practice Note no. 16, November 2005

Department of Local Government, Open Meetings Guidelines, July 1998

ATTACHMENT A

Order of business for Council Meetings

1. Prayer and the following acknowledgement
“On behalf of Council I recognise the traditional custodians of the land, the Guringai people, on whose land we stand”
2. Apologies
3. Declaration of interests
4. Reports to be considered in closed meeting
5. Addresses to Council
6. Documents circulated to Councillors
7. Confirmation of minutes
8. Minutes from the Mayor
9. Petitions
10. Reports from Standing Committees
11. General Business
Mayor to invite Councillors to nominate any items on the Agenda that they wish to have a site inspection.
Mayor to invite Councillors to nominate any items on the Agenda that they wish to adopt in accordance with the officer’s recommendation allowing for minor changes without debate.
12. Extra reports circulated at meeting
13. Motions of which due notice has been given
14. Business without notice – matters of great urgency
15. Questions without Notice
16. Inspections Committee – setting of date, time and rendezvous
17. Confidential business – to be dealt with in closed session

ATTACHMENT B

Closed Meetings – Summary of Legislation

A meeting may go into closed session for receipt or discussion of any of the following matters, for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security:

Matter - Section 10A	Restrictions - Section 10B
(2)(a) personnel matters concerning particular individuals (other than Councillors)	
(2)(b) personal hardship of any resident or ratepayer	
(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of council, or (iii) reveal a trade secret	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest (except for trade secrets)
(2)(e) information that would, if disclosed, prejudice the maintenance of law	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(f) matters affecting the security of the council, councillors, council staff or council property	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest (2) advice must concern legal matters that: (a) are substantial issues relating to a matter in which the council is involved (b) are clearly identified in the advice, and (c) are fully discussed in that advice
(2)(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(3) so much of its meeting as comprises a motion to close another part of the meeting to the public	(3) must not include any consideration of the matter or information to be discussed

ATTACHMENT C

Procedures for Addressing a Meeting

1. Speakers name, address and subject must be registered with staff prior to the meeting. People who have not registered prior to the commencement of the meeting will not be permitted to address. No matter will be delayed due to a speaker not being present, nor will Council inhibit its right to alter the order of dealing with the agenda items.
2. A list of speakers is given to the Mayor/Chairperson as soon as possible following commencement of the meeting.
3. Members of public whose names do not appear on the list will not be allowed to address Council / Committee.
4. Speakers are limited to three minutes each, with a warning bell at 2 minutes 30 seconds. All addresses to be taped and no extensions of time will be granted.
5. Where the matter is of general interest or not included in the Business Paper, the speakers address the Council at the commencement of the meeting.
6. Where the matter is included in the Business Paper, speakers to address the Council immediately prior to discussion of that item.
7. If the matter under discussion is listed on the Committee Business Paper, the speaker should address the Committee immediately prior to the item under discussion.
8. Speakers are encouraged to leave notes of their speech for follow-up or review action.
9. Speakers on Mayoral Minutes shall address Council after the Mayor has presented and spoken on his/her Minute.
10. Speakers on Notices of Motion shall address Council after the Councillor concerned has moved and had seconded his/her Notice of Motion.
11. Questions of speakers who address Council be permitted, with the consent of the Chairperson, for the purpose of points of clarification only. Under no circumstances will the matter be debated with the speaker.

ATTACHMENT D



GENERAL COMMITTEE

Charter of Responsibility

Adopted 24 February 2009, Minute 48

Purpose

To address issues relating to the management of Council's financial, human and physical resources through the adoption and monitoring of strategies, policies, budgets and procedures that will enable Council to achieve its visions for Ku-ring-gai.

Functions

The Committee exercises its functions under clause 260 of the *Local Government (General) Regulation 2005*. The functions of the Committee are to consider all matters referred to the Committee, including but not limited to:

Finance

Consider funding strategies and revenue raising opportunities and adopt funding strategies for long and short term budgets that will ensure Council's financial security.

Budget

Monitor and review the adopted Management Plan.

Organisational Issues

Review organisation and management structures and issues and adopt policies.

Initiatives

Examine, review and adopt business plans and strategies for the funding of major capital purchases, entrepreneurial activities and development proposals.

Major Issues

Address and determine any other issues of a significant nature impacting on Ku-ring-gai or the Council.

Referrals

Deal with matters referred from other Committees including the Community, Planning & Heritage, Open Space and Sustainability Reference Committees.

Notices of Motion

Deal with any Notice of Motion submitted by a Councillor for consideration by the Committee

Powers

The Committee shall have delegated authority under section 377 of the Local Government Act 1993 to determine all matters dealt with by the Committee.

Regular Meeting Time

4th Tuesday of the months February to November, commencing at 7.00pm. Meetings to be held only if there are sufficient items to warrant the calling of a meeting.

Additional meetings to be held if the Council so resolves or meetings are considered necessary by the Mayor and General Manager.

Membership

All Councillors

The Chairperson shall be the Mayor

The Deputy Chairperson shall be the Deputy Mayor

Quorum

Six (6) Councillors

Voting

Each Councillor present is entitled to one vote for each motion and amendment put to a meeting.

The Committee shall decide in accordance with clause 265 of the *Local Government (General) Regulation 2005* whether, in the event of an equality of voting at a Committee Meeting, the Chairperson of the meeting shall have a casting vote in addition to an original vote.

Meeting procedures

The provisions of the Local Government Act 1993, the *Local Government (General) Regulation 2005* and the Council's Code of Meeting Practice apply to the Committee.

The Committee may, as provided by clause 265 of the *Local Government (General) Regulation 2005*, regulate its own procedure.

* * * * *



GENERAL COMMITTEE

Procedures

Adopted by the General Committee 24 March 2009

The provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, and the Council's *Code of Meeting Practice* as they apply to Council Meetings shall apply to the conduct of meetings of the General Committee as amended by the following:

1. Agendas

The General Manager, after consultation with the Mayor, shall, when preparing each Committee Agenda, allocate approximate time periods for the consideration of the items on each Agenda. These allocated time periods shall take into account the likelihood of there being discussion and questioning of members of the public and staff as permitted in 4. and 5. below.

2. Speeches

There shall be no limitation on the number of, or time allowed for, speeches that may be made by any Committee member. However all Committee members, under the guidance of the Chairperson, shall strive to ensure that the consideration of Agenda items does not exceed the times allocated in 1. above.

3. Standing

There is no requirement for anyone to stand during a meeting of the Committee.

4. Addresses by members of the public

The procedures (including time limits) that apply to addresses made by members of the public at Council Meetings shall also apply to addresses made by members of the public at Committee meetings. However, in addition to the time utilised for any such addresses, members of the Committee may engage in subsequent discussion and questioning of any members of the public who have addressed the Committee.

5. Presentations by staff

Presentations may be made to a Committee meeting by staff on any item and Committee members may engage in subsequent discussion and questioning of staff.

6. Casting vote

The Chairperson shall have a casting vote as well as an original vote.

7. Mayoral Minutes

- a. If the Mayor is the Chairperson at a meeting of the General Committee, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the General Committee.

- b. Such a minute, when put to the meeting, takes precedence over all business on the General Committee's Agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.
- c. A recommendation made in a minute of the Chairperson (being the Mayor) or in a report made by a Council employee is, so far as adopted by the General Committee, a resolution of the General Committee.

DRAFT

KOOLA PARK, EAST KILLARA - STORAGE FACILITY UPGRADE

EXECUTIVE SUMMARY

PURPOSE OF REPORT: To seek Council's approval for the construction of a storage facility at Koola Park, East Killara to be funded by Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield.

BACKGROUND: Koola Park, East Killara, has been servicing local sporting for more than 40 years and recreational needs for more than 70 years. The park provides an important community facility for sporting and school groups. Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield have used a shipping container for storing equipment at Koola Park for many years and have recently raised funds for the construction of a permanent building.

COMMENTS: Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield have applied to Council to replace the shipping container at Koola Park, East Killara, with a permanent building of size. The construction of the new building would be funded by the two groups though would be owned by Council. Under the SEPP (Infrastructure) 2007, amenities facilities at public reserves, such as the one proposed, do not require development approval. However, for transparency this project has been referred to Council for its consideration.

RECOMMENDATION: That Council approve the construction of a storage facility at Koola Park, East Killara subject to the conditions outlined in the report.

PURPOSE OF REPORT

To seek Council's approval for the construction of a storage facility at Koola Park, East Killara to be funded by Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield.

BACKGROUND

Koola Park, East Killara, has been servicing local sporting and recreational needs since 1932. The playing fields were constructed in 1969. The park and associated amenities provide an important community facility for sporting and school groups.

Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield have for many years used a shipping container for storage at Koola Park, East Killara. In 2008, the parties approached Council staff with a proposal to fund the replacement of the container with a brick storage facility in the same location.

COMMENTS

The capital cost of the storage facility would be funded by the two parties and once completed would become the property of Council. The proposed storage facility will be used for storing playing equipment, uniforms, sporting equipment, non-perishable canteen stock, mobile barbeques and other related storage equipment.

The plans for the facility were prepared by the Lindfield Junior Rugby Club after consultation with Council's Team Leader Open Space and Recreation Planning, Principal Landscape Architect, and Building Trades Team Leader.

The proposal is subject to the State Environmental Planning Policy (Infrastructure) 2007. This planning instrument applies to, among other lands, public reserves within the same meaning as it has in the Local Government Act 1993. Under clause 65(3) development for any of the following purposes may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- (a) roads, cycleways, single storey car parks, ticketing facilities and viewing platforms
- (b) outdoor recreational facilities, including playing fields, but not including grandstands
- (c) information facilities such as visitors' centres and information boards,
- (d) lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZS 1158: 2007, *Lighting for Roads and Public Spaces*
- (e) landscaping, including irrigation schemes (whether they use recycled or other water)
- (f) amenity facilities
- (g) maintenance depots
- (h) environmental management works.

Under the SEPP (Infrastructure) 2007, amenities facilities at public reserves, such as this proposed storage facility upgrade, may be carried out without consent. However, for transparency reasons, such projects should still be approved by Council.

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Development standard plans, certifications and a Statement of Environmental Effects were prepared by Paynter Dixon Constructions Pty Ltd, on behalf of Lindfield Junior Rugby Club and Newington Preparatory School and submitted to Council in late December 2008. The plans have been certified by Chapman Hutchison Pty Ltd, Structural Engineering and Design, as having been designed in accordance with the Building Code of Australia and the relevant Australian Standards for structural adequacy, in particular, AS1170, AS2870, AS3600, and AS4100.

The proposed new storage facility will consist of reinforced concrete floor slab and footings, painted masonry walls and pre-finished profiled metal roofing with steel roof framing. It will match the construction type, colour, and scale of the adjacent amenities block.

Council's Senior Building Surveyor assessed the proposed storage facility as a Class 10a structure under the Building Code of Australia (BCA) and concluded that the proposal complies with the BCA. The following conditions must be complied with:

1. All building work must comply with the Building Code of Australia.
2. All structural work shall be inspected and certified by a practising professional structural engineer.
3. All stormwater drainage work must be carried out in accordance with Australian Standard/New Zealand Standard AS/NZS 3500 Plumbing and Drainage.

The existing amenities building on the site is not a local heritage item and is not in a conservation area. The proposed facility will have no significant environmental impact on the amenity of the neighbourhood, the streetscape or park. It will not change the nature of the activities conducted in the park. The site and proposed facility are considered appropriate.

CONSULTATION

Surrounding residents in Koola Avenue were notified of the proposal and sent a copy of the proposed plan and elevations. Residents were given 14 days to submit comments and no comments were received.

FINANCIAL CONSIDERATIONS

The removal of the existing shipping container and the construction of the proposed facility are to be fully funded by Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield. The new asset would be registered on Council's building asset and would expect to have an ongoing financial cost.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The application has been reviewed by a number of individuals within Council including a Senior Building Surveyor, Manager Engineering Services, Manager Open Space Services and Principal Landscape Architect. Each Council officer has responded without any objections or suggested modifications to the plans.

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SUMMARY

Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield have applied to Council to replace the shipping container at Koola Park, East Killara, with a brick storage facility similar in size to the existing container, at their expense. It is considered that this facility will significantly improve the aesthetics of the park and is supported by staff and is recommended for approval by Council.

RECOMMENDATION

That Council approve the construction of a storage facility at Koola Park, East Killara as described in the body of this report and funded by Lindfield Junior Rugby Club and Newington Preparatory School, Lindfield, subject to the following conditions:

- A. All building work must comply with the Building Code of Australia.
- B. All structural work shall be inspected and certified by a practising professional structural engineer.
- C. All stormwater drainage work must be carried out in accordance with Australian Standard/New Zealand Standard AS/NZS 3500 Plumbing and Drainage.

Roger Faulkner
**Team Leader Open Space
and Recreation Planning**

Peter Davies
**Manager Corporate Planning
and Sustainability**

Andrew Watson
Director Strategy

Attachments: Koola Park proposed storage building, Plan & Elevations - 2009/038440

WEST PYMBLE POOL OPERATION - TENDER PROCESS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To seek Council's approval to change the timetable for the tender for the operation of the new aquatic and leisure facility at West Pymble Pool.
BACKGROUND:	At the Ordinary Meeting of Council (OMC) on 16 December 2008, it was resolved that Council commence a selective tender process to provisionally engage an operator for this facility. Prior to this, an Expression of Interest (EOI) process was held to identify firms interested in managing the operation of the new facility. Six firms were considered capable of operating the facility and were approved to proceed to the selective tender stage at the OMC on 8 April 2008.
COMMENTS:	Previously, Council resolved to appoint an operator for the new aquatic and leisure facility on a provisional basis, with final appointment subject to a review of their performance and suitability during the design phase. In light of the timing for the design and approval of the facility and approval by the Minister for Local Government on the funding, it would be prudent of Council to delay seeking tenders from management firms until construction of the facility has commenced, so that the tenderers can be more accurate with their commercial assumptions and tender price.
RECOMMENDATION:	That Council: defer the selective tender for the operation of the West Pymble Pool until after the approval of funding and commencement of construction of the new facility; use an open tender process for the long term operation of the facility; and that Council write to the current facility lessees to offer a lease extension to operate the facility for the 2009/2010 swimming season.

PURPOSE OF REPORT

To seek Council's approval to change the timetable for the tender for the operation of the new aquatic and leisure facility at West Pymble Pool.

BACKGROUND

At the Ordinary Meeting of Council on 16 December 2008 it was resolved that Council commence a selective process to provisionally engage an operator for the new aquatic and leisure facility. The rationale for a provisional appointment was to ensure that an experienced facility operator was involved in the design process, while at the same time not conferring or assuming any right that the company would be automatically awarded the contract to operate the facility. This type of appointment would also allow Council to establish and determine how the operator would relate to and contribute to the design process.

Prior to this, an Expression of Interest (EOI) process was held to identify firms interested in managing the operation of the new facility. Six firms were considered capable of managing the facility. These firms were approved by Council at the OMC on 8 April 2008 to proceed to the selective tender stage. The six firms were:

- Aquabliss School of Swim
- Aquatic Leisure Management
- Bluefit
- Belgravia Leisure
- Michele and Ian Martin
- YMCA of Sydney

Council also resolved at the OMC on 8 April 2008 that, on appointment of the design tenderer, Council commence a selective tender for the operation of the facility.

The successful design tenderer, Suters Prior and Cheney Architects, was engaged by Council immediately following confirmation of funding for the project at the Ordinary Meeting of Council on 16 December 2008. They commenced working on the project in February 2009.

COMMENTS

After the Expression of Interest process early 2008, Council resolved to appoint an operator for the new aquatic and leisure facility on a provisional basis, with final appointment subject to a review of their performance and suitability during the design phase. While this is a sound and sensible process, it has now been recognised that if Council were to conduct the selective tender process immediately for the management of the facility, it would in effect be asking tenderers to submit a tender price two years prior to the new facility becoming operational. With the uncertainty surrounding the current economic downturn and the period of time before the new facility is due to be completed, it is possible that tenderers will need to be very conservative with their tender prices, and that Council may not get a competitive price.

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Furthermore, if the current operator is not the selected operator following the selective tender, it may be necessary for the new operator to commence their appointment at the expiry of the current lease in August 2009. This would require them to operate the facility for the summer 2009/10 swimming season, involving employing new staff, changing signage, a new administrative system, and other setup costs, for one season only, and then close the facility for a year during construction. Inevitably, this will lead to higher overheads for the new operator than would otherwise be the case.

Also difficult to determine in the current economic climate is an appropriate contract period which provides incentive for an operator to invest in the facility and is competitive and in the best interests of Council. By the time construction commences, following the 2009/10 summer swim period, Council should be in a better position to make this decision.

Therefore it would be prudent of Council to delay seeking tenders from management firms until construction of the facility has commenced so that the tenderers can be more accurate with their tender price.

In relation to the benefit of having an operator engaged during the design process, experience to-date has shown all potential operators that have been asked to comment or provide input into the design process have done so willingly. Collectively each has offered valuable insight and suggestions to the design process. It would be recommended that this process continue throughout the design phase and where necessary a nominal sum of \$1500 be set aside in the design budget for the purpose of covering travel and other incidental costs from prospective operators where they may be required to attend meetings or review designs.

Finally, given the period of time since the expression of interest for the design, construction and operation until the commencement of the successful tenderer, it is also recommended that an open tender process be used for the operation of the facility. This would enable greater opportunity and competition into the tender with the view that it should provide a greater response for Council.

CONSULTATION

No community consultation is required for this appointment.

FINANCIAL CONSIDERATIONS

Council can expect to pay no more than a nominal consultancy fee of \$1500 which can be set aside in the existing design budget for the purpose of covering travel and other incidental costs from prospective operators where they may be required to attend meetings or review designs.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Staff from the Community and Recreation Facilities section who administer the pool lease have been consulted during the preparation of this report.

SUMMARY

After the Expression of Interest process in early 2008 for the delivery of the new facilities at West Pymble Pool, Council resolved to appoint an operator for the new aquatic and leisure facility on a provisional basis, with final appointment subject to a review of their performance and suitability during the design phase. It would be prudent of Council to delay seeking tenders from aquatic and leisure management firms until approval of the special rate variation and construction of the facility has commenced, so that the tenderers can be more accurate with their commercial assumptions and tender price.

RECOMMENDATION

- A. That Council defer the selective tender for the operation of the West Pymble Pool until after the construction of the new facility has commenced.
- B. That Council set aside \$1,500 from the existing project budget for the purpose of seeking input on the design process from operators that previously responded to the Expression of Interest.
- C. That, upon commencement of construction, Council use an open tender process for the operation of the facility.
- D. That Council write to the current facility lessees to offer a lease extension to operate the facility for the 2009/10 swimming season.
- E. That a report be brought back to Council as to the extent of the lease with the current operators.
- F. That Council notify the six firms, chosen to proceed to the select tender stage for the operation of the facility, of the new timetable for open tender.

Roger Faulkner
**Team Leader Open Space
Sport and Recreation
Planner**

Peter Davies
**Manager Corporate Planning
and Sustainability**

Andrew Watson
Director Strategy

PRIORITISING CAPITAL WORKS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To update the ranking criteria for Capital Works Projects that is used to develop ongoing programs.

BACKGROUND:

Council at its meeting of 30 April 2002 and updated on 23 May 2006, resolved to adopt criteria as a basis for prioritising future Capital Works. This report provides an update to the ranking criteria that has been changed and adopted by Council for some of the Capital Works categories and provides Council with an opportunity to consider any amendments to the current ranking criteria.

COMMENTS:

Traditionally, Council has had limited funds available for Capital Works and the amount of funds required to bring Council's assets up to a satisfactory standard is unlikely to be realised. Consequently, Council has recognised the need to reassess the criteria for each category of Capital Works and assign a rational basis for assessing proposed Capital Works. In a number of categories the ranking criteria can be used to assess priorities for maintenance funding.

RECOMMENDATION:

That Council adopt the updated ranking criteria as detailed in the report.

PURPOSE OF REPORT

To update the ranking criteria for Capital Works Projects that is used to develop ongoing programs.

BACKGROUND

Council at its meeting of 30 April 2002, resolved to adopt criteria as a basis for prioritising future Capital Works. Since the previous report in 2002, a report dated 23 May 2006 updated the criteria and was adopted by Council. This report provides a further update to the ranking criteria that has been adopted by Council for some of the Capital Works categories and provides Council with an opportunity to consider any amendments to the current ranking criteria.

Council's Operations and Strategy Departments maintains a List of Requested and Desirable Capital Works that has been prioritised on the previous criteria and a number of the future Capital Works programs are based on the adopted criteria.

COMMENTS

Council has an extensive list of all proposed Capital Works that exceeds \$80 million.

Traditionally, Council has had limited funds available for Capital Works and the amount of funds required to bring Council's assets up to a satisfactory standard is unlikely to be realised. With the introduction of fair value and new accounting standards, an internal working group has been established to help develop the valuation of Council's assets, determination of useful and residual life of the various asset classes and what standards apply for determining the "satisfactory" standard.

Consequently, there is a need to reassess the criteria for each category of Capital Works and assign a rational basis for assessing proposed Capital Works. In a number of categories, the ranking criteria can be used to assess priorities for maintenance funding.

Development of a list of criteria based on needs and existing conditions would enable Council to provide a justification for prioritising Capital Works and potentially reducing Council's liability on issues of non-feasance.

There are also numerous requests on Council for new assets where they currently do not exist such as new footpaths, playgrounds, sportsfields, parks and facilities and these requests need to be assessed with funding required to maintain and manage Council's existing assets.

With a limited amount of funding for Capital Works, it may be possible to provide ratepayers with information on whether Council is able to carry out the works which are considered a priority and the likely timeframe when the works may be undertaken or not at all if the priority is low.

By developing a rational basis for assessing projects for each of the categories for Capital Works, staff can develop rolling programs and with some certainty of funding, prepare designs and plans in advance together with estimates of costs.

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Under each item of Capital Works, different conditions and impacts exist for each category of works. Below is a list of the various Capital Works items and following is an assessment of the criteria for each category of Capital Works.

- A. Stormwater Drainage
- B. Paved Paths
- C. Kerb and Gutter
- D. Road Rehabilitation
- E. Traffic facilities
- F. Cycleways
- G. Council Buildings
- H. Playgrounds
- I. Indigenous Tree Canopy Tree Planting
- J. Open Space Amenities
- K. Sportsfields
- L. Tennis Courts

A. Stormwater Drainage

An analysis of all of the catchments within the Council area has been carried out and a program has been developed based on the analysis and available funding.

Council would need to allocate significant funding to upgrade its drainage systems in order to meet flood frequencies of 1 in 20 year storm recurrence intervals, which is considered to be an acceptable standard for drainage design. Based on the catchment analysis, it is estimated that in excess of \$50 million is required to bring Council's drainage system to meet the current standard.

Since the adoption of the previous report in 2002, Council engaged drainage consultants to assess the three main catchments and develop a system that would assist in prioritizing drainage works in order to achieve a standard that would cater for flooding frequencies of 1 in 5 year storm events leading up to 1 in 100 year storm events.

A report submitted to Council in November 2003 adopted the following ranking criteria for drainage works and this was included in Council's Drainage Policy.

Subject to the above investigation, the following criteria was adopted by Council to rank capital works for drainage systems and no further changes are proposed to the current ranking criteria.

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CRITERIA	SCORING CRITERIA			IMPORTANCE WEIGHTING	
1. Severity of the "Problem" (i.e. risk to Council)	Adopted score = minimum score from the three columns			Critical (1.0)	
	Score	5 year ARI Flow (m³/s)	Equivalent Properties Affected ¹		Depth of Flooding (m)
	1	<1.0	0		Na
	2	1.0 to 2.0	0		Na
	3	2.0 to 5.0	<1.0		>0.8
	4	5.0 to 10.0	1.0 – 3.0		>1.0
5	>10.0	>3.0	>1.5		
2. Cost and Effectiveness of Proposed Solution					
2.1 Indicative budget cost	Score = 5 - Estimated cost/\$10,000 (Minimum score 1.0)			High (0.8)	
2.2 Ease of Implementation	Score	Factors		Medium (0.4)	
	1	Site on private land with no machinery access			
	3	Site on public land with no machinery access			
	4	Site on private land with good access			
	4	Site on major road with services likely to be in the locality			
	5	Site on public land with easy machinery access			
2.3 Contingency allowance	Cost Multiplier	Level of technical analysis undertaken for preparation of cost estimate		No separate weighting (included in cost)	
	0.5	Desk top analysis			
	0.7	Desk top analysis + site inspection			
	1.0	Detailed investigation and design			
3. Relative Sensitivity of Area of Flooding Impact	Factors listed below are not scored. Separate column for each factor (Y= present)			N/a	
	<ul style="list-style-type: none"> • Hospital/Nursing Home • School • Residential • Commercial 				
4. Other Factors	Factors listed below are not scored. Separate column for each factor (Y= present)			N/a	
	<ul style="list-style-type: none"> • Opportunity for water quality improvement as part of project • Additional benefits possible(eg sports field irrigation) • Opportunity for additional/outside funding for project. 				

1. Equivalent Property = Dwellings with reported habitable flooding + reported garage flooding x 0.3 + reported garden flooding x 0.1

The Total Score for a problem area is determined by the equation:

$$\text{Total score} = \text{Score from (Severity of the Problem x 1.0)} + \text{Score from (Indicative Budget Cost x 0.8)} + \text{Score from (Ease of Implementation x 0.4)}$$

B. Paved Paths

Council has over 250 requests for the construction of paved paths where they currently do not exist and the estimated cost of this work is approximately \$9,000,000. Whilst a number of areas benefit from fully grassed verge areas, there are a number of streets that require hard paved surfaces to provide accessible paths for residents.

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Areas where pedestrian usage is high, for example, around shopping centres, schools and nursing homes, are considered to be areas where hard paved surfaces are required.

Other factors considered to impact on the need for paved surfaces are street lighting deficiencies, bus stop locations, parks and playing fields and community facilities. Also, high traffic volumes and speeds make it dangerous to cross to a path on the other side of the street.

Below is the updated suggested criteria for new and replacement footpaths following some of the changes that were adopted last year and further consultation with residents:

CATEGORY	EXTENT OF ACTIVITY	SCORE
Resident Demand	High (more than 100 requests)	10
	Medium (more than 50 requests)	5
	Low (less than 50 requests)	1
Adjacent to shopping centres and railway stations.	Within 100 metres	5
	Within 200 metres	3
	Within 300 metres	1
Adjacent to schools	Within 100 metres	5
	Within 200 metres	3
	Within 300 metres	1
Adjacent to nursing homes or hospitals	Within 100 metres	5
	Within 200 metres	3
	Within 300 metres	1
Traffic	Arterial	5
	Regional	3
	Collector	2
	Local > 2000 vehicles per day	1
Adjacent to parks and playing fields	Within 100 metres	5
	Within 200 metres	3
	Within 300 metres	1
Construction difficulty therefore adding to cost	Easy to construct	5
	Some minor construction difficulties	2
	Major construction difficulties	0
Road hazards such as sighting distances and visibility	Extreme	5
	High	3
	Moderate	1
Accessibility from road relating to shoulder height from road	Impractical	5
	Difficult	3
	Moderate	1
Alternative routes nearby	Paved area more than 1km away to facilities	5
	Greater than 500m to facilities	3
	Less than 500m to facilities	1

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C. Kerb and Gutter

Most of Council’s new kerb and gutter works are usually associated with road reconstruction works.

In a significant number of locations, residents have resisted the installation of new kerb and gutter works in order to maintain the rural style appearance of the area.

Areas that may require new kerb and gutter due to high incidence of parking and pedestrian movement, would be around shopping centres, railway stations, bus stop locations, schools, nursing homes and hospitals. Also, kerb and gutter may overcome drainage problems in low lying areas and thereby overcoming localised flooding.

Below are the suggested criteria to be used for ranking of new kerb and gutter works.

CATEGORY	EXTENT OF ACTIVITY	SCORE
Flooding impact	Habitable rooms	10
	Minor buildings	7
	Garden areas	3
	Council roads	1
Adjacent to shopping centres and railway stations	Within 100 metres	3
	Within 200 metres	2
	Within 300 metres	1
Adjacent to schools	Within 100 metres	3
	Within 200 metres	2
	Within 300 metres	1
Adjacent to nursing homes or hospitals	Within 100 metres	3
	Within 200 metres	2
	Within 300 metres	1
Bus stop locations	High usage sites	3
	Medium usage sites	2
	Low usage sites	0

D. Road Rehabilitation

Council has 442 listed roadworks projects estimated to cost \$56,181,100. The requests involve a number of treatments ranging from mill and resheeting to full reconstruction including the replacement of damaged kerb and gutter and drainage.

Council would be aware that the roadworks program is currently determined using a Pavement Management System. The Pavement Management System takes into account the following information when calculating the priorities for work:

- Traffic volume and growth
- Equivalent Standard Axles (heavy vehicle movement)
- Pavement condition
- Surface roughness

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- Surface rutting
- Pavement structure
- Treatment history
- Pavement layer modulus
- Surface and pavement replacement cost
- Life cycle modelling

Roads are then ranked according to a Pavement Condition Index.

The program determines the optimal works program based on the funds available. This system is used for the Council road network whereas funding for work on Regional Roads is dependent on funds from the RTA under the REPAIR and ex 3X3 programs.

The main principle of the PMS is to balance funds allocated to those roads which require minimal costs in the first instance to ensure that these roads remain in a satisfactory condition and then optimising available funds for work on roads that require full pavement reconstruction.

It is recommended that the Pavement Management System be used for assessment of the roadworks program and that the program be reviewed regularly following the update of data received from field surveys and inspections. Council uses the PMS to help justify the amount of funding required to bring its roads up to a satisfactory standard and is also used to help justify additional funding for the Infrastructure Levy.

Also, Council adopted a policy and a 3-year rolling program for road maintenance.

E. Traffic Facilities

Council receives numerous requests for addressing traffic problems in streets throughout the Council area.

Currently there are requests for 37 traffic projects totalling \$1,416,700. This amount does not include funding for the review of existing treatments.

Council has adopted a Traffic and Transport Policy which includes a ranking criteria based on traffic data.

The ranking criteria are proposed for local and collector roads. Because of the high traffic volumes and speeds on regional roads, the following criteria are not suggested for regional roads. Separate criteria could be developed for those roads and funding is likely to be sourced from the Roads and Traffic Authority through grants.

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The suggested criteria for ranking traffic projects on collector and local roads is as follows and no changes are proposed to the criteria as indicated in the Traffic and Transport Policy:

CATEGORY	EXTENT OF ACTIVITY	SCORE	WEIGHT	MAX TOTAL
Accidents over the last 5 years, but dependent on accident/traffic volume data (intersection or mid-block) based on RTA and other sources such as insurance companies.	High accident: volume ratio	3	8	24
	Medium accident: volume ratio	2		
	Low accident: volume ratio	1		
85 th percentile speeds above posted speed limit	> 15 kph	3	7	21
	10 to 15kph	2		
	5 to 10 kph	1		
	< 5kph	0		
Increase in traffic volumes per year (growth)	>10%	3	6	18
	5% to 10%	2		
	< 5%	1		
Level of community concern	High (written concern from a number of sections in the community on precinct related traffic issues)	4	3	12
	Medium (high number of residents on localised traffic issues)	3		
	Low (several residents)	2		
	Very Low (one resident)	1		
Pedestrian/cycling usage	High (near a school or shopping centre)	3	5	15
	Medium	2		
	Low	1		
Adjacent to schools	Within 100 metres	3	4	12
	Within 200 metres	2		
	Within 300 metres	1		
TOTAL 102* (*adjust to a percentage)				

F. Cycleways

Cycleways are seen by the community as a form of recreation and access. Council adopted a Council wide bike plan in 1993 but this needs to be assessed further in consultation with the Roads and Traffic Authority.

Cycleways, if included in a plan that is consistent with the RTA objectives, attracts funding on a 50/50 basis. This may include dedicated cycleways, shared zones or road bike paths.

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Ranking of cycleway projects should be based on the following criteria.

CATEGORY	EXTENT OF ACTIVITY	SCORE
Consistent with Council Bike Plan	Yes	5
	No	0
RTA Funding likely to be available	Yes	5
	No	0
Joins existing cycleway	Yes	3
	No	0
Frequency of use	High	5
	Medium	3
	Low	1
Adjacent to shopping centres and railway stations	Within 100 metres	5
	Within 200 metres	4
	Within 300 metres	3
	Within 500 metres	1
Adjacent to schools	Within 100 metres	5
	Within 200 metres	3
	Within 300 metres	1

G. Council Buildings

Council allocates approximately \$1.6 million each year to the maintenance of Council buildings and its built assets. This also includes signposting.

The process of undertaking updated condition audits for Council buildings was completed in 2002 and carried out again in 2008. The condition audits are used to assess the funding required to bring its assets up to a satisfactory standard. Based on this information, a building maintenance works program is submitted to Council each year.

Council's priority is focused on statutory requirements of Occupational Health and Safety, BCA compliance and access, as assessed by the condition audits, as well as ensuring buildings do not deteriorate into a state of disrepair.

The ranking of building works is essentially a maintenance requirement and any capital improvement works will need to be considered separately.

The suggested ranking of building works is as follows:

CATEGORY	EXTENT OF ACTIVITY	SCORE
Occupational Health & Safety non compliance	High	10
	Medium	5
	Low	1
Building Code of Australia non compliance	High	5
	Medium	3
	Low	1
Accessibility non compliance	High	5
	Medium	3
	Low	1

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CATEGORY	EXTENT OF ACTIVITY	SCORE
Frequency of Use	High	3
	Medium	2
	Low	1
Type of User Group	Infants and children	3
	Youth	2
	Elderly	1
General Repairs and maintenance requirements	High	3
	Medium	2
	Low	1
Structural integrity	Poor	5
	Fair	2
	Good	0
Ventilation and user level comfort	High	3
	Medium	2
	Low	1
Sustainability Levels	High	5
	Medium	3
	Low	1
Heritage significance	High (Listed)	5
	Medium (non listed but significant)	3
	Low (No heritage value)	1
Waterproofing problems	High	5
	Medium	2
	Low	1

Capital Improvements Works for new buildings or additions should be based on the following criteria:

CATEGORY	EXTENT OF ACTIVITY	SCORE
Funding availability Section 94 and new facilities reserve.	Likely	5
	Possible	2
	Not likely	0
External government authority requirements eg DOCS	High	5
	Medium	3
	Low	0
User needs	High	3
	Medium	2
	Low	0
Compliance with Social plan	Yes	3
	No	0
Compliance with Disability Action Plan	Yes	3
	No	0
Revenue Potential	High	5
	Medium	2
	Low	0

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CATEGORY	EXTENT OF ACTIVITY	SCORE
Community concern	High	3
	Medium	2
	Low	0

H. Playgrounds

Background

There are 97 playground sites in Ku-ring-gai. Whilst the replacement value of this asset exceeds \$1.3 million it has a current value of approximately \$650,000. In 1995, Council funded a \$250,000 capital works upgrade of playgrounds in the Local Government Area to ensure that all playgrounds complied with Australian Playground Safety Standards. This program ensured the safety of playgrounds was established and recorded. This program did not address the distribution of playgrounds or their quality with regard to play opportunities for users and their carers. Since 1995, playground improvements have been limited to a few sites. A more proactive approach based on playground distribution, play quality and demographic need is being developed.

The benefits of this program are numerous and are listed below:

- Ensuring that Ku-ring-gai residents are able to safely access a playground within walking distance of home.
- Ensuring that there are play equipment replacement programs for the ageing assets.
- Establishment of playgrounds with links between areas that provide greater recreation opportunities.
- Establishment of playgrounds in or adjacent to, recognised recreation areas to enable the recreation experience to be improved and extended for families and neighbourhoods.
- Improving the landscape and/or streetscape character of an area.
- Integration of the assessment criteria with recurrent expenditure to ensure the most productive outcome for all Council expenditure on playgrounds.

Playgrounds in Open Space areas occur in:

- Sportsgrounds
- Parks
- Showground
- Ku-ring-gai Wildflower Garden
- Some Community Halls
- Some Shopping Centres

The criteria are designed in consideration of the benefits and desired outcomes of the program. The highest scoring playgrounds/locations are those where the result of undertaking playground establishment or improvements will provide the most benefit to the whole community and assist to engender an opportunity for local community meeting places.

Assessment Criteria and Scoring

Each assessment criteria has a number of categories that are ranked in order of importance and a score attached to each. A detailed description of each category within the criteria and scores is shown below:

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Identified deficiency in provision of play opportunities within the local area

This criterion considers the proximity of the nearest playground, ideally within 500m maximum to enable walking. Consideration is also given to locations that may involve crossing main roads or the railway line, topographic features such as a creeks or bushland, and lack of accessible footpaths to a site.

Asset condition of existing or nearest playground

A large number of playgrounds are reaching a mature age, or being subject to serious damage from vandalism. An asset audit is required to be conducted annually by Australian Standards. The next audit is programmed for July. This audit ranks individual items of play equipment based on their compliance with AS safety requirements, condition, value and estimated life span.

Target community can access playground

This criterion focuses on the barriers that may restrict access of a playground to playground users.

Project consistent with demographic projections of an area.

Due to changing demographics, playgrounds developed in the past may no longer be appropriate to the age range of children at a site, or children may have left the area. Conversely, in the areas where the number of children is increasing, playgrounds may not be available. Through information collated for the current Section 94 plan the required data is available.

Suitability of site for playground in accordance with Australian Standard Guidelines.

An individual site location can be unsuitable for the location of a playground. The Australian Standards lists these recommended criteria. Compliance with as many criteria as possible is favourable to the success of the playground.

ASSESSMENT CRITERIA	SCORE
Identified deficiency in provision of play opportunities within the local area	0 - 10
Playground not available without a car trip or use of public transport.	10
Playground not available within easy walking distance for a stroller (say 500m)	8
Playground not available within 500m without crossing a main road or railway line	6
Playground not available within 500m without crossing a secondary road or very steep topography	4
Playground available within 500m walking distance	2
Playground available within 500m walking distance along flat terrain with footpaths and kerb ramps	0

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ASSESSMENT CRITERIA	SCORE
Asset condition of existing or nearest playground	0 - 10
Totally damaged requiring removal in accordance with AS	10
Damaged and superseded making spare parts unavailable for repairs	8
Damaged or worn to more than 50% of value of asset	6
Damaged components that can be repaired/replaced	4
Minor wear and tear repairs	2
Good condition, as new	0
Target community can access playground	0 - 5
Physical barriers restrict access to land in which playground occurs (no footpaths/kerb ramps)	5
Physical barriers restrict access to actual playground site (fences, steps)	4
No internal access within playground (softfall areas, cycletracks)	3
Physical barriers restrict access to land in which playground occurs (steep topography)	2
Restricted access to land in which playground occurs (no public transport)	1
Site and playground accessible within and without.	0
Project consistent with demographic projections of an area.	0 - 5
Many children, showing growth	5
Many children, static growth	4
Increased aged housing – grandchildren market	3
No change to population structure	2
Few Children, Static growth	1
Few children, falling population	0
Suitability of site for playground in accordance with AS Guidelines	0- 5
Meets no criteria	5
Meets 50% of criteria	3
Meets all criteria	0

I. **Indigenous Canopy Tree Planting Programs**

The benefits of this program are numerous and are listed below:

- Ensuring that Ku-ring-gai retains its leafy character.
- Ensuring that there are replacements already present for ageing and dying remnant trees.
- Establishment of Bio-links between areas of bushland.
- Establishment of indigenous canopy in, or adjacent to, recognised wildlife corridors or migration paths.

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- Bolstering threatened species and communities by increasing numbers of canopy trees adjacent to these areas.
- Improving the landscape and/or streetscape character of the area.

It is planned to expand future programs to include tree planting in other Open Space areas as well as the continuation of tree planting on road reserves.

These Open Space areas will include:

- Sportsfields/Golf Courses
- Reserves
- Parks
- Drainage reserves
- Other areas of little used Council owned land that is not planned to be sold and can accommodate canopy planting.

Use of such areas as listed above will provide significant results as far as the outcomes of the program are concerned. Indigenous canopy planting within both small isolated pockets of land or larger areas such as sportsfields and parks can contribute significantly to the establishment of bio-links and assist in linking Council's vegetation with National Parks that surround the Local Government Area.

The Tree Nurturers program has also gained momentum with Council recently being successful in receiving a grant through GREENWEB. This grant will allow for further improvements to be made to the already successful Tree Nurturers program.

Identification of streets/locations suitable for this program

As the program has evolved, criteria have been developed for the assessment of streets/locations in an attempt to prioritise these works over future years. The assessment is designed to give a score to each street/location by evaluation of a number of specific criteria.

The criteria are designed in consideration of the benefits and desired outcomes of the program. The highest scoring streets/locations are those where the result of undertaking tree planting will provide the most benefit to both the community and the environment.

Assessment Criteria and Scoring

Each assessment criteria has a number of categories that are ranked in order of importance and a score attached to each. A detailed description of each category within the criteria and scores is shown below.

Proximity to Threatened Species and Habitat Value

This criterion considers the proximity of the street/location to flora or fauna identified under the Threatened Species Conservation Act or bushland as defined under SEPP 19. Consideration is also given to locations that may be in direct line of a migration route or recognised wildlife corridor.

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Health/age of existing tree plantings

Given that a large number of our existing tree plantings are reaching a mature age, it is considered more appropriate to plant in areas where older plantings exist to ensure canopy replenishment in the future. Employing Safe Useful Life Expectancy (SULE) as an assessment tool, this criteria ranks individual trees or stands of trees within a street/location based on their condition and estimated life span.

Visual character amenity and heritage issues

This criterion focuses on the visual character of a street/location and the impacts of indigenous tree planting on that character in addition to the improved amenity eg, shade that may be provided by undertaking plantings at that location.

Liability and insurance issues

Due to inappropriate species selection in the past, a number of Council's streets are subject to insurance claims for damage to private property due to tree roots. A pro-active approach to the minimisation of such claims would consist of planting more suitable indigenous trees that are more suited to the specific soil type. Once new trees are established, existing vegetation could be assessed with regard for their potential to cause damage and removed if appropriate. The aim is to ensure that after refurbishment, there would be a net gain in overall canopy.

Proximity to areas previously affected by severe storms

Ku-ring-gai's tree canopy has suffered significantly over recent years as a result of two major storms in January 1991 and December 2001. Replenishment of canopy within these areas is considered to be a priority.

ASSESSMENT CRITERIA	SCORE
Proximity to Threatened Species/Habitat Value	
Street/location is adjacent to recognised threatened species in accordance with the Threatened Species Conservation Act	4
Street/location is within a recognised migration path or wildlife corridor	3
Street/location adjacent to bushland recognised under SEPP 19	2
Street/location has no significant habitat value	0
Total	4
Health/age of existing tree plantings (SULE)	
SULE < 10 years - Plantings that require replacement in the short term	4
SULE 10 - 30years - Plantings that require replacement in the medium term	3
SULE > 30 years - plantings with long SULE No significant benefit in replanting at this stage	1
Newly established plantings -	0

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ASSESSMENT CRITERIA	SCORE
No benefit in undertaking further planting	
Total	4
Visual character amenity and heritage issues	
Street / location is listed in heritage study for indigenous remnant trees and will improve amenity	4
Indigenous tree planting will enhance or improve visual character of street/location and amenity	3
Indigenous tree planting will be inconsistent with existing visual character of street/location due to existing exotic plantings and/or heritage issues and not improve amenity	0
Total	3
Liability/Insurance issues	
Street/location has been the subject of numerous insurance claims against Council with regard to tree roots	3
Street/location has been the subject of few insurance claims against Council with regard to tree roots	2
Street/location is considered to be the subject of future insurance claims against Council with regard to tree roots	1
Street/location has not been the subject of any insurance claims against Council with regard to tree roots and no future claims are expected	0
Total	3
Proximity to areas previously affected by severe storms	
Street/location is in direct path of previous severe storm	3
Street/location is outside direct path of previous severe storm however did sustain damage as part of that storm	2
Street/location is not in direct path of previous severe storm	0
Total	3
Proximity to commuter transport and shops for natural shade.	
Within 300 metres of railways stations	3
Within 600 metres of railway stations	2
Within 300 metres of neighbourhood shopping centres	1
	4
TOTAL	21

J. Open Space Amenities

The assessment and prioritisation of Open Space amenities is closely linked to the building condition audits being undertaken. Many of Council's amenities are in poor condition and by linking facility condition with facilities that are in highest demand a matrix indicating where works will be of benefit to the maximum of the community has been developed.

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This assessment and prioritisation will be completed within the same time period as for Council's overall program of building audits and is demonstrated in the table below.

ASSESSMENT CRITERIA	ASSESSMENT	SCORE	
Building Condition Audit Ranking	Building Ranking 1-20	H	40
	Building Ranking 20-40	M	20
	Building Ranking 40-60	L	10
	Building Ranking >60		0
Facility usage (taken from Sportsfield booking utilisation and total number of sporting users at periods of highest use)	High	40	
	Medium	20	
	Low	5	
Extent of multiple access to facility [ie. 3 distinct sporting bodies not including schools or occasional casual use] eg. Softball, rugby, cricket.	> 3 Groups	10	
	2 Groups	5	
	1 Group	1	
External funding potential	Commitment	10	
	None	0	
RANKING (maximum equals 100)		100	

K. Sportsfields

Council has currently 68 hectares of sportsfield area at some 46 locations. Council's sportsgrounds are intensively used by specific sporting groups, schools, casual hirers, and perform a significant role in satisfying recreation need for the general community.

Most of Council's sportsfields however are facing significant pressures. Poorly constructed, the majority of sportsfields do not perform at a level consistent with their need and increasing use is accelerating their decline. Little in the way of proactive maintenance management has been undertaken and facilities incidental to the sportsgrounds (eg irrigation, fences, lighting etc) are significantly run down or do not address safety issue or need.

Staff are currently gathering asset data and analysing conditions at all sportsgrounds, as well as in all other Open Space areas.

This information will provide the basis of assessment and prioritisation of sportsfields for Capital Works Programs. An approximate benchmark of costs to substantially return a sportsfield asset to appropriate condition and develop it such that it may satisfy reasonable community expectation is approximately \$150,000. This figure can vary substantially dependent upon necessary earthworks but will provide a reasonable guide.

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A comprehensive process of assessment and prioritisation has been developed that links existing asset condition with demand for that asset to develop a matrix that will identify sites which will provide the highest return for Council and the community. Further, this process has been linked to Council’s adopted strategic direction through the inclusion of assessment criteria against adopted policies and plans (eg Sportsfield Strategic Plan, Social Plan, Plans of Management etc) and their adopted principles.

The work required to complete this assessment and prioritisation process is extensive. To ensure that initial works proposed through this process can be completed within the next management plan, should budgetary allocation be made for this program. Initial assessment and planning will be required to be completed for reporting to Council in July 2002. The Sportfield prioritisation table is as follows:

Revised Sportsfield Capital Works Prioritisation Process

	Assessment Criteria	Category	Rating	Score	Rating
1	Playing Surface Standard 1. Retains water above and/or below soil profile for a minimum of 7 consecutive days. 2. Less than 50% grass cover maintained throughout any one season. 3. Uneven surface levels.	Poor	3/3	10	
		Some Deficiencies	2/3	5	
		Satisfactory	1/3	1	
		Excellent	0/3	0	
2	Ability of recurrent maintenance programs to provide satisfactory playing surface.	No	n/a	4	
		Ability to achieve over time	n/a	2	
		Yes	n/a	0	
3	Quality of supporting infrastructure 1. Fences, backnets cricket/batting nets- Inadequate but required. 2. Seating & Shade - Inadequate but required. 3. Pathways & Lighting - Inadequate but required.	Poor	3/3	5	
		Some Deficiencies	2/3	2	
		Good	1/3	0	
4	Current Negative Environmental Impacts from Site 1. Bushland Interface 2. Water run off & storm water 3. Impact on endangered species(flora & fauna)	High	3/3	5	
		Medium	2/3	3	
		Low	1/3	1	
		None	0/3	0	
5	Project can address identified environmental issues	Yes	n/a	3	
		No	n/a	0	
6	Project Caters for specific target groups at facility as identified in Sportsfield Strategic Plan.	3 or more Groups	3+	5	
		2 Groups	2	3	
		1 Group	1	0	
7	Extent of multiple access to facility	3+ Groups	3+	10	

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Revised Sportsfield Capital Works Prioritisation Process

	Assessment Criteria	Category	Rating	Score	Rating
	(i.e. three distinct sporting bodies, not including schools or occasional casual use, example softball, rugby, cricket.)	2 Groups	2	5	
		1 Group	1	1	
8	Facility usage (taken from Sportsfield booking utilisation and total number of sporting users at periods of highest use)	High	n/a	10	
		Medium	n/a	5	
		Low	n/a	1	
9	Identified as priority project in Sportsfield Strategic Plan and/or Plans of Management	High	n/a	5	
		Medium	n/a	2	
		Low	n/a	1	
10	KSAC endorsement	Yes	n/a	5	Removed
		No	n/a	0	
11	Eligible for S94 funding	Yes	n/a	5	Removed
		No	n/a	0	
12	Asset management/maintenance plan for facility including audit and long term plan	Yes	n/a	3	
		No	n/a	0	
13	Ability of project to address issues of risk for Council and/or lower ongoing recurrent cost to Council.	Alleviate obvious or identified risk and lower recurrent maintenance cost	n/a	5	
		Alleviate identified or obvious risk or lower recurrent maintenance cost	n/a	3	
		Alleviate potential risk	n/a	1	
14	Opportunity for involvement / contribution by user groups and/or external sources of funding.	Commitment	n/a	5	Removed
		None	n/a	0	
	TOTAL			80	

L. Tennis Courts

Council has 71 tennis courts across the local government area, which have netted Council reasonable financial returns in the past. These financial returns however have not taken into account a depreciating asset. Subsequently the returns enjoyed by Council have decreased substantially over the last few years and one of the main reasons is an asset that is declining in

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condition and appeal. To address these issues a business plan is being prepared for Council to consider in June. The table below contains an assessment and prioritisation process for physical works to the courts that if adopted will be reported to Council as a component of the business plan.

Several of Council's courts are currently closed. These would receive highest prioritisation for adopted Capital Works.

ASSESSMENT CRITERIA	ASSESSMENT	SCORE
Existing condition (from completed asset audit)	Poor	10
	Satisfactory	5
	Good	0
Degree of court utilisation (drawn from bookings information)	High	10
	Medium	5
	Low	0
Ability to increase performance of asset	High - will increase both utilisation and financial return from court	5
	Medium - will increase either financial return from courts or increase utilisation of courts	2
	Low - will sustain either current levels of utilisation or financial performance of court	1
Identified community need and/or contribution from external sources towards funding of project	Clear Need and Funding Source	5
	Clear Need or Funding Source	2
	Neither	0
TOTAL		30

CONSULTATION

Council staff consult regularly with residents and user groups on the priority criteria that is used to develop the programs to advise them of how the programs are developed when they request new or upgraded works.

FINANCIAL CONSIDERATIONS

The purpose of this report is to assist in determining the priorities for capital and maintenance works.

Council is currently experiencing a number of demands for additional funding which is outside Council's control, such as impacts of the financial crisis, increased payments for employer superannuation payments, likely reduction in rate and planning panel costs. The likely amount based on these issues is approximately \$2.1 million. These funds need to be found from the general revenue area of the capital works. **Attached** is a list of projects proposed for 2009/10 which includes the proposed list of projects to be removed because of the likely funding cuts. The updated list of Capital Works projects for 2009/10 and future years will be included in the report on the Management Plan to be presented to General Committee in late April 2009.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has taken place with staff from the Operations, Strategy and Corporate Departments.

SUMMARY

Council has previously adopted ranking criteria for Capital Works. These criteria were applied to all projects rather than individual categories of work.

The purpose of applying ranking for separate categories of work is to provide for criteria to be established that is specific to the category of work. This then enables Council to identify the high priority works in each category and allocate funding through established reserves.

Given the decision of the High Court on the issue of non-feasance, it is considered appropriate for all Councils and State Government Authorities to establish ranking criteria for its capital works and maintenance works.

This criteria will be used to develop future programs and if adopted by Council, the draft Management Plan report to be presented to the General Committee on 28 April 2009 will contain the proposed future capital works programs based on the adopted criteria.

RECOMMENDATION

That Council adopts the updated ranking criteria as detailed in the report.

Greg Piconi
Director Operations

Attachment: Draft Capital Works Programs for 2009/10 - 2009/039281

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)										2,462,590		130,600		-500,000		2,093,190		2,353,000			
Project ID	Case	Plan/Program	Project Group/Asset Category	Project Sub-Group/Category (Programs)	Project Sub-Group Manager	Ward	Suburb	Primary Location	Secondary Location	Description of Work	Estimated Total Cost (2008/09 prices \$)	General Funds (Capital & Operating)	Revised General Fund Allocation	s94 2004	s94 2000	Capital Grant	DWM (Project Funding Only)	Infrastructure Levy	Environmental Levy	Facilities	Golf Course Levies
FULLY INTERNAL RESERVE FUNDED >>>>																					
1045	1	Special	Council Buildings	Depot Relocation	Greg Picconi	G	Pymble	Pymble		Depot relocation	8,216,000	0	0	0	0	0	0	0	0	8,216,000	0
1050	3	Special	Council Buildings	SES relocation	Greg Picconi	W	Wahroonga	Golden Jubilee Oval		SES relocation	821,600	0	0	0	0	0	0	0	0	821,600	0
8135	2	InfraS	Parks & Recreation	Fencing & Parking Areas	Roger Faulkner	R	East Lindfield	Lindfield Oval No.1		Carpark re-sheeting	102,700	0	0	0	0	0	0	0	0	102,700	0
8130	2	InfraS	Parks & Recreation	Fencing & Parking Areas	Roger Faulkner	R	Roseville	Roseville Park Tennis Courts		Repair/upgrade tennis fencing following installation of lighting	51,350	0	0	0	0	0	0	0	0	51,350	0
3065	1	Infra	Roads & Transport	Footpaths	Roger Guerin	G	KILLARA	LADY GAME DR	Ryde Rd to de Burgh	610m SOUTH SIDE - APPLYING FOR 50% RTA FUNDING	220,600	0	0	0	0	0	0	0	0	220,600	0
3045	1	Infra	Roads & Transport	Footpaths	Roger Guerin	G	KILLARA	DE BURGH RD	Lady Game Dr to School	EASTERN SIDE SEE TRIM 740028	73,122	0	0	0	0	0	0	0	0	73,122	0
3035	1	Infra	Roads & Transport	Footpaths	Roger Guerin	W	TURRAMURRA	BOOMERANG ST	Turramurra to Ku-ring-gai	N SIDE	31,940	0	0	0	0	0	0	0	0	31,940	0
3050	1	Infra	Roads & Transport	Footpaths	Roger Guerin	S	ST IVES	EASTERN ARTERIAL RD	Between Rosetta Ave & Springdale Rd	E SIDE	27,626	0	0	0	0	0	0	0	0	27,626	0
3055	1	Infra	Roads & Transport	Footpaths	Roger Guerin	S	ST IVES	WALKER AVE	Mona Vale to Gowrie School		26,497	0	0	0	0	0	0	0	0	26,497	0
3060	1	Infra	Roads & Transport	Footpaths	Roger Guerin	C	WEST PYMBLE	DIANA AV	Boundary to Wallalong S Side	CONSIDER K & G ACROSS END OF ROAD AS SCHOOL DRIVEWAY	22,697	0	0	0	0	0	0	0	0	22,697	0
3040	1	Infra	Roads & Transport	Footpaths	Roger Guerin	R	LINDFIELD	LADY GAME DR ST IVES	Bradfield to Moore	SOUTH SIDE TO COMPLETE	16,535	0	0	0	0	0	0	0	0	16,535	0
3970	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	SHOPPING CAR PARK	Memorial Ave to Cowan Road	STABILISATION 165 MM + SEAL + AC14(40MM)	241,242	0	0	0	0	0	0	0	0	241,242	0
3915	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	DUMARESQ STREET	No 43 Fbdy to Vale Street	STABILISATION 165 MM + SEAL + AC14(40MM)	137,002	0	0	0	0	0	0	0	0	137,002	0
3910	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	DUMARESQ STREET	No 9 Fbdy - 4 to No 43 Fbdy Moore Avenue	STABILISATION 165 MM + SEAL + AC14(40MM)	135,359	0	0	0	0	0	0	0	0	135,359	0
3925	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	FIDDENS WHARF ROAD	to Charles St (Right)	STABILISATION 195 MM + SEAL + AC14(40MM)	112,765	0	0	0	0	0	0	0	0	112,765	0
3950	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	PYMBLE	LIVINGSTONE AVENUE	Cross Street to Ward Street	STABILISATION 240 MM + SEAL + AC14(40MM)	105,268	0	0	0	0	0	0	0	0	105,268	0
3960	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	SHIRLEY ROAD	Abingdon Rd to Alison St	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	101,468	0	0	0	0	0	0	0	0	101,468	0
3880	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	BRUCE AVENUE	Pacific Hwy to Greengate Rd	STABILISATION 195 MM + SEAL + AC14(40MM)	99,311	0	0	0	0	0	0	0	0	99,311	0
3945	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	EAST KILLARA	COOLA AVENUE	Benwerrin Ct to Byamee St	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	97,360	0	0	0	0	0	0	0	0	97,360	0
3900	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	CORONGA CRESCENT	Fiddens Wharf Rd to #19	STABILISATION 165 MM + SEAL + AC14(40MM)	86,268	0	0	0	0	0	0	0	0	86,268	0
3905	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	DANLEY LANE	Mona Vale Rd to Village Green Pde	STABILISATION 165 MM + SEAL + AC14(40MM)	85,960	0	0	0	0	0	0	0	0	85,960	0
3965	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	SPRINGDALE ROAD	No 75 To Birdwood Ave	Stabilisation 200mm+Seal+40mm AC14	75,485	0	0	0	0	0	0	0	0	75,485	0
3955	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	NERRINGA AVENUE NTH	Millewa Ave to Woniora Ave	STABILISATION 165 MM + SEAL + AC14(40MM)	71,171	0	0	0	0	0	0	0	0	71,171	0
3940	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	ILLOURA AVENUE	Stuart Street To Cut-De-Sac	STABILISATION 195 MM + SEAL + AC14(40MM)	67,577	0	0	0	0	0	0	0	0	67,577	0
3885	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WAHROONGA	BUNDARRA AVENUE STH	#17 Pacific Hwy to Park Avenue To	STABILISATION 195 MM + SEAL + AC14(40MM)	63,263	0	0	0	0	0	0	0	0	63,263	0
8745	2	InfraS	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	ECHO STREET	Dead End	AC OVERLAY DENSE GRADED 40 MM	60,080	0	0	0	0	0	0	0	0	60,080	0
3980	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	WOLSTEN AVENUE	Fairlawn Ave to No.16	STABILISATION 200 MM + SEAL + AC	58,744	0	0	0	0	0	0	0	0	58,744	0
3985	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	WOLSTEN AVENUE	No.16 to Katina St	Stabilisation 200mm+Seal+40mm AC14	57,717	0	0	0	0	0	0	0	0	57,717	0
3990	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	WOLSTEN AVENUE	No.16 To Katina Street	Stabilisation 200mm+Seal+40mm AC14	57,717	0	0	0	0	0	0	0	0	57,717	0
3975	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	STANHOPE ROAD	Kardella Ave to Rosebery Rd	STABILISATION 165 MM + SEAL + AC14(40MM)	54,020	0	0	0	0	0	0	0	0	54,020	0
3895	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	CALVERT AVENUE	No 24 Nbdy to Spencer Rd	STABILISATION 165 MM + SEAL + AC14(40MM)	40,977	0	0	0	0	0	0	0	0	40,977	0
3995	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	WOODBURY ROAD	Karen Road To The Cloisters	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	40,567	0	0	0	0	0	0	0	0	40,567	0
4000	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	WOODBURY ROAD	Karen Rd to The Cloisters	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	40,567	0	0	0	0	0	0	0	0	40,567	0
3890	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	CALVERT AVENUE	Fitzroy St to No 24 Nbdy	STABILISATION 165 MM + SEAL + AC14(40MM)	39,642	0	0	0	0	0	0	0	0	39,642	0
3920	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	DURHAM AVENUE	Darriey Line to End	STABILISATION 165 MM + SEAL + AC14(40MM)	32,967	0	0	0	0	0	0	0	0	32,967	0
3935	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	SURREY ROAD	The Mall to Sandford Rd	40MM AC14 OVERLAY	32,248	0	0	0	0	0	0	0	0	32,248	0
4005	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	PYMBLE	NARELLE AVENUE	No 16 Fbdy to Cul-de-Sac	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	29,475	0	0	0	0	0	0	0	0	29,475	0
3930	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	EAST LINDFIELD	MAYFAIR PLACE	Cul-de-Sac	MM	28,448	0	0	0	0	0	0	0	0	28,448	0
8715	2	InfraS	Roads & Transport	Roads Program	Roger Guerin	C	TURRAMURRA	BORONIA AVENUE	Yeramba St to Waratah Rd	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	27,113	0	0	0	0	0	0	0	0	27,113	0
8750	2	InfraS	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	MARANONGA PLACE	Macleay Ave to Cul-de-Sac	STABILISATION 200 MM + SEAL+AC	21,054	0	0	0	0	0	0	0	0	21,054	0
8730	2	InfraS	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	CLANVILLE ROAD	Bridge to Bridge	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	10,373	0	0	0	0	0	0	0	0	10,373	0
8725	2	InfraS	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	CLANVILLE ROAD	Pacific Hwy to Bridge	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	8,730	0	0	0	0	0	0	0	0	8,730	0

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)											2,462,590	130,600	-500,000	2,093,190	2,353,000						
Project ID	Case	Plan/Program	Project Group/Asset Category	Project Sub Group/Asset Sub Category (Programs)	Project Sub-Group Manager	Ward	Suburb	Primary Location	Secondary Location	Description of Work	Estimated Total Cost (2008/09 prices \$)	General Funds (Capital & Operating)	Revised General Fund Allocation	s94 2004	s94 2000	Capital Grant	DWM (Project Funding Only)	Infrastructure Levy	Environmental Levy	Facilities	Golf Course Levies
											11,730,599	0	0	0	0	0	0	0	0	11,730,599	0

FULLY INTERNAL RESERVE FUNDED >>>>

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)										2,462,590					130,600	-500,000	2,093,190	2,353,000				
Project ID	Case	Plan/Program	Project Group/Asset Category	Project Sub Group/Asset Sub Category (Programs)	Project Sub-Group Manager	Ward	Suburb	Primary Location	Secondary Location	Description of Work	Estimated Total Cost (2008/09 prices \$)	General Funds (Capital & Operating)	Revised General Fund Allocation	s94 2004	s94 2000	Capital Grant	DWM (Project Funding Only)	Infrastructure Levy	Environmental Levy	Facilities	Golf Course Levies	
FULLY EXTERNALLY FUNDED >>>>																						
1780	1	Recurring	Operating Projects	Town Centre & Urban Design	Anthony Fabbro		All			KMC Principal LEP-Traffic & Transport Studies	33,891	0		33,891	0	0	0	0	0	0	0	
1790	1	Recurring	Operating Projects	Town Centre & Urban Design	Anthony Fabbro		All			KMC Principal LEP-Open Space Studies	33,891	0		33,891	0	0	0	0	0	0	0	
1805	1	Recurring	Operating Projects	Town Centre & Urban Design	Anthony Fabbro		All			KMC Principal LEP-Community Planning	33,891	0		33,891	0	0	0	0	0	0	0	
8255	1	2004	Parks & Recreation	Parks Development	Roger Faulkner	W	Wahroonga	Archdale Park		Chess tables and shade roof	31,837	0		31,837	0	0	0	0	0	0	0	
2145	1	2004	Parks & Recreation	Parks Development	Roger Faulkner	C	Turrumurra	Rofe Park track		Track between Sheldon Forest Track and Rofe Park playground and Mimosa Oval Land.Kate Street	82,160	0		82,160	0	0	0	0	0	0	0	
2125	1	2004	Parks & Recreation	Parks Development	Roger Faulkner	R	Lindfield	Shot Machine Track		New link between Nelson Rd and junction of Seven Little Australians and two creeks track	227,994	0		227,994	0	0	0	0	0	0	0	
2150	1	2004	Parks & Recreation	Parks Development	Roger Faulkner	G	Killara	Regimental Park		Dual use oval, dual use shelter for tennis and netball, netball satellite site with floodlights and picnic facilities to cater for increased use	428,259	0		428,259	0	0	0	0	0	0	0	
8245	1	2004	Parks & Recreation	Parks Development	Roger Faulkner	W	Wahroonga	The Glade		Lighting, community picnic area and facilities, upgraded tennis courts and basketball court, expanded playground, additional toilets, circumference walking path, bushland access track with bridge	472,420	0		472,420	0	0	0	0	0	0	0	
2680	1	2004	Parks & Recreation	Sports Fields	Roger Faulkner	R	Roseville	Roseville Chase Oval		Install seating and bubblers; upgrade playing surface (levels, turf, irrigation); raise level of wicket; upgrade fencing and back nets	454,858	0		308,100	0	115,948	0	0	0	0	30,810	0
2675	1	2004	Parks & Recreation	Sports Fields	Roger Faulkner	G	East Killara	Koola Park		Major upgrade - reconfiguration of field, surface levelling and upgrade, relocation of turf wicket, new lighting and playground	1,776,710	0		1,178,174	236,210	0	0	0	0	0	362,326	0
2700	1	2004	Parks & Recreation	Sports Fields	Roger Faulkner	W	North Wahroonga	Golden Jubilee Fields No.2		Golden Jubilee Sports field (No.2) Install new lights, seating, bubblers & pathways; upgrade playing surface (levels, turf, irrigation)	51,350	0		51,350	0	0	0	0	0	0	0	
4025	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	WERONA AVENUE	Maples Avenue To Locksley Avenue	REHABILITATE + 50 MM AC14 (HIGH TRAFFIC)	205,811	0		0	0	205,811	0	0	0	0	0	
4020	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	EAST LINDFIELD	CARLYLE ROAD	Sylvan Avenue To Pleasant Avenue	STABILISATION 165 MM + SEAL + AC14(40MM)	272,155	0		0	0	272,155	0	0	0	0	0	
6690	1	2004	Public Domain	Public Domain	Greg Picconi		All			Public Domain Study	114,346	0		114,346	0	0	0	0	0	0	0	
FULLY EXTERNALLY FUNDED >>>>																						
LEVY FUNDED >>>>																						

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)										2,462,590	130,600	-500,000	2,093,190	2,353,000							
Project ID	Case	Plan/Program	Project Group/Asset Category	Project Sub-Group/Asset Category (Programs)	Project Sub-Group Manager	Ward	Suburb	Primary Location	Secondary Location	Description of Work	Estimated Total Cost (2008/09 prices \$)	General Funds (Capital & Operating)	Revised General Fund Allocation	s94 2004	s94 2000	Capital Grant	DWM (Project Funding Only)	Infrastructure Levy	Environmental Levy	Facilities	Golf Course Levies
3675	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	PYMBLE	BOLTON PLACE	Bristol Avenue To Cul-De-Sac	HEAVY PATCH + 40MM OVERLAY	11,708	0		0	0	0	11,708	0	0	0	0
3770	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	EAST LINDFIELD	JOHORE PLACE	Damour Avenue To Cul-De-Sac	AC OVERLAY DENSE GRADED 40 MM	13,043	0		0	0	0	13,043	0	0	0	0
3825	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WEST PYMBLE	WALLALONG CRESCENT	Wallalong Cr Blk 2 To No 89 Fbdy	AC OVERLAY DENSE GRADED 40 MM	13,454	0		0	0	0	13,454	0	0	0	0
3860	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	CASSANDRA AVENUE	Leverton Cl To Grevillea Avenue	AC OVERLAY DENSE GRADED 40 MM	13,454	0		0	0	0	13,454	0	0	0	0
3865	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	PYMBLE	GREENWAY DRIVE	Warroura Avenue To Par Cl	AC OVERLAY DENSE GRADED 40 MM	13,967	0		0	0	0	13,967	0	0	0	0
3835	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	TURRAMURRA	WAMBOOL STREET	Avoca Road To No 8 Fbdy	AC OVERLAY DENSE GRADED 40 MM	14,173	0		0	0	0	14,173	0	0	0	0
3725	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	PYMBLE	CARINYA ROAD	Moorina Road To Korangi Road	AC OVERLAY DENSE GRADED 40 MM	16,124	0		0	0	0	16,124	0	0	0	0
3650	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	BLLENHEIM ROAD	Treatts Road To Kenilworth Rd	AC OVERLAY DENSE GRADED 40 MM	16,740	0		0	0	0	16,740	0	0	0	0
3785	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	NERINGAH AVENUE SOUTH	No 7/9 Nbdy To Warwilla Avenue	AC OVERLAY DENSE GRADED 40 MM	17,254	0		0	0	0	17,254	0	0	0	0
3800	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	PRIESTLEY CLOSE	Lynbara Av (Right) To Cul-De-Sac	HEAVY PATCH + 40MM OVERLAY	17,254	0		0	0	0	17,254	0	0	0	0
3760	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	HIGHLANDS AVENUE	Wilton Close To Carlotta Avenue	AC OVERLAY DENSE GRADED 40 MM	18,281	0		0	0	0	18,281	0	0	0	0
3795	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	PARK AVENUE	Bridge To Pearson Avenue	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	18,691	0		0	0	0	18,691	0	0	0	0
3740	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	TURRAMURRA	FORBES LANE	William Street To Ray Street	HEAVY PATCH + 40MM OVERLAY	19,102	0		0	0	0	19,102	0	0	0	0
3655	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	BLLENHEIM ROAD	Kenilworth Rd To Woodside Avenue	AC OVERLAY DENSE GRADED 40 MM	20,540	0		0	0	0	20,540	0	0	0	0
3685	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	PYMBLE	BOOLARONG ROAD	Fairway Avenue To Moorina Rd	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	20,540	0		0	0	0	20,540	0	0	0	0
3840	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WEST PYMBLE	WARRABRI PLACE	Lovat Street To Cul-De-Sac	HEAVY PATCH + 40MM OVERLAY	20,540	0		0	0	0	20,540	0	0	0	0
3620	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	ANCONA ROAD	Irentino Road To Start Of Ancona Ln	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	21,464	0		0	0	0	21,464	0	0	0	0
3790	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	TURRAMURRA	NULLA NULLA STREET	Avenue To Cul-De-Sac	AC OVERLAY DENSE GRADED 40 MM	21,978	0		0	0	0	21,978	0	0	0	0
3845	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	WARWICK STREET	Essex Street To Maitland St	AC OVERLAY DENSE GRADED 40 MM	22,491	0		0	0	0	22,491	0	0	0	0
3615	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	PYMBLE	ANATOL PLACE	Highlands Avenue To Cul-De-Sac	HEAVY PATCH + 40MM OVERLAY	23,724	0		0	0	0	23,724	0	0	0	0
3680	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	WEST PYMBLE	BOLWARRA AVENUE	Wynna Road (Left) To No 10 Fbdy	AC OVERLAY DENSE GRADED 40 MM	23,826	0		0	0	0	23,826	0	0	0	0
3640	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WEST PYMBLE	BINALONG STREET	Grayling Road To No 10 Fbdy	AC OVERLAY DENSE GRADED 40 MM	25,264	0		0	0	0	25,264	0	0	0	0
3610	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	CHASE	Babbage Rd (Right) To Warrane Road	AC OVERLAY DENSE GRADED 40 MM	26,291	0		0	0	0	26,291	0	0	0	0
3730	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	CASSANDRA AVENUE	Mariana Cl To Leverton Cl	AC OVERLAY DENSE GRADED 40 MM	26,599	0		0	0	0	26,599	0	0	0	0
3820	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	TRYON ROAD	Cooperbrook Avenue To No 227	50MM AC OVERLAY	27,113	0		0	0	0	27,113	0	0	0	0
3625	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	BEAUMONT ROAD	Blaxland Rd Mid Curv To Manning Road	AC OVERLAY DENSE GRADED 40 MM	27,216	0		0	0	0	27,216	0	0	0	0
3750	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	GLENEAGLES AVENUE	No 15 Fb-14M To No 31 Fb-4M	40MM AC14 OVERLAY	27,524	0		0	0	0	27,524	0	0	0	0
3805	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WARRAWEE	RAYMOND AVENUE	Bangalla St To Chilton Pde	HEAVY PATCH + 40MM OVERLAY	28,037	0		0	0	0	28,037	0	0	0	0
3635	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	BILLYARD AVENUE	Halcyon Avenue To Young Street	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	28,961	0		0	0	0	28,961	0	0	0	0
3810	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	SPRINGDALE ROAD	Rosebery Road To No.75	50MM AC OVERLAY	28,961	0		0	0	0	28,961	0	0	0	0
3690	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	PYMBLE	BOOLARONG ROAD	Moorina Rd To Korangi Road	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	30,399	0		0	0	0	30,399	0	0	0	0
3645	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WEST PYMBLE	BINALONG STREET	No 10 Fbdy To Kendall Street	AC OVERLAY DENSE GRADED 40 MM	30,707	0		0	0	0	30,707	0	0	0	0
3695	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	TURRAMURRA	BORONIA AVENUE	Kissing Point Road To Yeramba Street	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	34,610	0		0	0	0	34,610	0	0	0	0
3855	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	WINCHESTER AVENUE	No 12 Fbdy To Lytle Avenue	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	36,869	0		0	0	0	36,869	0	0	0	0
3745	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	KILLARA	GLENEAGLES AVENUE	Golf Links Road To #15	HEAVY PATCH + 40MM OVERLAY	37,075	0		0	0	0	37,075	0	0	0	0
3830	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WAHROONGA	WALPOLE PLACE	Ada Avenue To Cul-De-Sac	HEAVY PATCH + 40MM OVERLAY	37,691	0		0	0	0	37,691	0	0	0	0
3850	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	WINCHESTER AVENUE	Eton Road To No 12 Fbdy	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	38,307	0		0	0	0	38,307	0	0	0	0
3665	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WARRAWEE	BLYTHESWOOD AVENUE	Oswald Close To No 33 Nbdy	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	39,745	0		0	0	0	39,745	0	0	0	0

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)										2,462,590 130,600 -500,000 2,093,190 2,353,000											
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3870	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	GLENVIEW STREET	No 20 Fbdy To No 36 Fbdy	STABILISATION 195 MM + SEAL + AC14(40MM)	42,107	0		0	0	0	0	42,107	0	0	0
3775	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	LINDFIELD	KENILWORTH ROAD	Lindfield Avenue To Blenheim Road (Left)	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	45,085	0		0	0	0	0	45,085	0	0	0
3875	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	GLENVIEW STREET	Baldwin Street To No 20 Fbdy	STABILISATION 195 MM + SEAL + AC14(40MM)	47,447	0		0	0	0	0	47,447	0	0	0
3670	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WARRAWEE	BLYTHESWOOD AVENUE	No 33 Nbdy To Mildred Street (L)	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	48,166	0		0	0	0	0	48,166	0	0	0
3780	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	GORDON	MCINTOSH STREET	Werona Avenue To Rosedale Road	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	50,220	0		0	0	0	0	50,220	0	0	0
3630	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	BILLYARD AVENUE	Eastern Road To Halcyon Avenue	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	53,404	0		0	0	0	0	53,404	0	0	0
3720	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	CARBEEN AVENUE	Killeaton St to Bimburra Ave	HEAVY PATCH + 50MM OVERLAY	54,020	0		0	0	0	0	54,020	0	0	0
3815	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	EAST LINDFIELD	SYDNEY ROAD	Tryon Rd to Adelaide Ave	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	56,074	0		0	0	0	0	56,074	0	0	0
3660	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WARRAWEE	BLYTHESWOOD AVENUE	Pacific Highway To Oswald Close	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	57,820	0		0	0	0	0	57,820	0	0	0
3710	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WAHROONGA	CAMPBELL DRIVE	Bogan Place To Clyde Place	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	66,960	0		0	0	0	0	66,960	0	0	0
3700	1	Infra	Roads & Transport	Roads Program	Roger Guerin	W	WAHROONGA	BURNS ROAD	Eastern Road To Access Rd No 74abc	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	70,452	0		0	0	0	0	70,452	0	0	0
3715	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	WAHROONGA	CAMPBELL DRIVE	Cooper Crescent	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	71,274	0		0	0	0	0	71,274	0	0	0
3765	1	Infra	Roads & Transport	Roads Program	Roger Guerin	R	ROSEVILLE	HILL STREET	Boundary Street To Bancroft Avenue	HEAVY PATCH + DENSE GRADED OVERLAY 50 MM	78,463	0		0	0	0	0	78,463	0	0	0
3735	1	Infra	Roads & Transport	Roads Program	Roger Guerin	G	PYMBLE	DALRYMPLE CRESCENT	Vista Street To Rosedale Road	AC OVERLAY DENSE GRADED 40 MM	106,397	0		0	0	0	0	106,397	0	0	0
3705	1	Infra	Roads & Transport	Roads Program	Roger Guerin	S	ST IVES	BURRANEER AVENUE STH GREENWAY DRIVE	#67 To Eastern Arterial Road Par Close To Cynthia Street	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	123,754	0		0	0	0	0	123,754	0	0	0
3755	1	Infra	Roads & Transport	Roads Program	Roger Guerin	C	PYMBLE	CAMPBELL DRIVE	Acron Rd & Douglas St	HEAVY PATCH WITH 40MM ASPHALT OVERLAY	138,850	0		0	0	0	0	138,850	0	0	0
6755	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		St Ives	Acron Oval		Regeneration and revegetation - Acron Oval	5,135	0		0	0	0	0	0	5,135	0	0
6760	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		Wahroonga	The Glade	Koora Ave	Regeneration and revegetation - The Glade	5,135	0		0	0	0	0	0	5,135	0	0
6765	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		Wahroonga	Turiban Reserve	Burns Rd	Regeneration and revegetation - Turiban Reserve (Bgh)	5,135	0		0	0	0	0	0	5,135	0	0
6770	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		All			Wildlife Promotion And Management	10,270	0		0	0	0	0	0	10,270	0	0
6775	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		Pymble	Maddison Reserve	Merrivale Rd	Regeneration and revegetation - Maddison (BGH)	10,270	0		0	0	0	0	0	10,270	0	0
6780	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		St Ives	Browns Forest	Mona Vale Rd	Regeneration and revegetation - Browns Forest (Bgh)	10,270	0		0	0	0	0	0	10,270	0	0
6785	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		St Ives	Showground	Mona Vale Rd	Regeneration and revegetation - St Ives Showground (Duffy's Forest)	10,270	0		0	0	0	0	0	10,270	0	0
6790	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		Turrumurra	Sheldon Forest	Warragul Rd	Regeneration and revegetation - Sheldon Forest	10,270	0		0	0	0	0	0	10,270	0	0
6795	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		Wahroonga	Browns Field	Campbell Dr	Regeneration and revegetation - Browns Field And Surrounds	10,270	0		0	0	0	0	0	10,270	0	0
6800	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		All			Feral Animal / Noxious Weed Control	15,405	0		0	0	0	0	0	15,405	0	0
6805	1	EL	Trees & Natural Environment	Biodiversity	Mary-Lou Lewis		All			Biodiversity Maintenance	42,107	0		0	0	0	0	0	42,107	0	0
7060	1	EL	Trees & Natural Environment	Communication	Mary-Lou Lewis		All			General Promotion	20,540	0		0	0	0	0	0	20,540	0	0
7065	1	EL	Trees & Natural Environment	Communication	Mary-Lou Lewis		All			Quarterly Newsletters	41,080	0		0	0	0	0	0	41,080	0	0
7130	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis		All			Bushcare	8,216	0		0	0	0	0	0	8,216	0	0
7135	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis		All			Urban landcare	8,216	0		0	0	0	0	0	8,216	0	0
7140	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis		All			Community Firewise	8,216	0		0	0	0	0	0	8,216	0	0

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7145	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis	All				Parkcare	16,432	0		0	0	0	0	0	16,432	0	0
7150	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis	All				Promotions & Initiatives	20,540	0		0	0	0	0	0	20,540	0	0
7155	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis	All				Bushcare site improvements	51,350	0		0	0	0	0	0	51,350	0	0
7160	1	EL	Trees & Natural Environment	Community Partnerships	Mary-Lou Lewis	All				Small Grant Projects	82,160	0		0	0	0	0	0	82,160	0	0
7335	1	EL	Trees & Natural Environment	Fire Management	Mary-Lou Lewis	All				Fire Education	4,108	0		0	0	0	0	0	4,108	0	0
7340	1	EL	Trees & Natural Environment	Fire Management	Mary-Lou Lewis		West Pymble & Turramurra	Kooloona Cres & Kokoda Avenue	behind the houses	Kokoda & Kooloona	15,405	0		0	0	0	0	0	15,405	0	0
7400	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Monitoring	14,378	0		0	0	0	0	0	14,378	0	0
7405	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Biodiversity	20,540	0		0	0	0	0	0	20,540	0	0
7410	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Community Survey	20,540	0		0	0	0	0	0	20,540	0	0
7415	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Social Research	20,540	0		0	0	0	0	0	20,540	0	0
7420	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Program Evaluation	20,540	0		0	0	0	0	0	20,540	0	0
7425	1	EL	Trees & Natural Environment	Monitoring & Evaluation	Mary-Lou Lewis	All				Weed inspectorial	25,675	0		0	0	0	0	0	25,675	0	0
7515	1	EL	Trees & Natural Environment	Recreation Facilities	Mary-Lou Lewis	All				Maintenance	4,108	0		0	0	0	0	0	4,108	0	0
7520	1	EL	Trees & Natural Environment	Recreation Facilities	Mary-Lou Lewis	All		Grosvenor Street	between Highfield and Grosvenor Street	Little Blue Gum Creek to GNV	20,540	0		0	0	0	0	0	20,540	0	0
7555	1	EL	Trees & Natural Environment	Regulation & Enforcement	Mary-Lou Lewis	All				Interface Education	17,459	0		0	0	0	0	0	17,459	0	0
7560	1	EL	Trees & Natural Environment	Regulation & Enforcement	Mary-Lou Lewis	All				Noxious weed control	51,350	0		0	0	0	0	0	51,350	0	0
7565	1	EL	Trees & Natural Environment	Regulation & Enforcement	Mary-Lou Lewis	All				Dumping & Encroachment	102,700	0		0	0	0	0	0	102,700	0	0
7605	1	EL	Trees & Natural Environment	Town Centre Projects	Mary-Lou Lewis	All				Gordon Town Centre	120,159	0		0	0	0	0	0	120,159	0	0
7695	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	Lindfield		Slade Avenue	from Tryon to Slade Avenue	Seven Little Australians	8,216	0		0	0	0	0	0	8,216	0	0
7700	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All		Tanderra Street	The Glade riparian zone bushland	Coups Creek (The Glade)	9,243	0		0	0	0	0	0	9,243	0	0
7705	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	Killara		Stanhope Road	East of Swain Gardens on Gordon Creek	Gordon Creek (Swain Garden)	10,270	0		0	0	0	0	0	10,270	0	0
7710	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Creek Maintenance	10,270	0		0	0	0	0	0	10,270	0	0
7715	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Stoney Creek (Richmond Park)	15,405	0		0	0	0	0	0	15,405	0	0
7720	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Middle Harbour	20,540	0		0	0	0	0	0	20,540	0	0
7725	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Cowan Creek	20,540	0		0	0	0	0	0	20,540	0	0
7730	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Lane Cove	20,540	0		0	0	0	0	0	20,540	0	0
7735	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Avondale Creek	20,540	0		0	0	0	0	0	20,540	0	0
7740	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				General Sites	20,540	0		0	0	0	0	0	20,540	0	0
7745	1	EL	Trees & Natural Environment	Water Catchments	Mary-Lou Lewis	All				Little Blue Gum (Paddy Patten)	77,025	0		0	0	0	0	0	77,025	0	0
7905	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	All				Integrated side entry and street tree pits	26,702	0		0	0	0	0	0	26,702	0	0

2009/10 MANAGEMENT PLAN PROJECTS (AT 2009/10 PRICES)										2,462,590 130,600 -500,000 2,093,190 2,353,000												
Project ID	Case	Plan/Program	Project Group/Asset Category	Project Sub Group/Asset Sub Category (Programs)	Project Sub-Group Manager	Ward	Suburb	Primary Location	Secondary Location	Description of Work	Estimated Total Cost (2008/09 prices \$)	General Funds (Capital & Operating)	Revised General Fund Allocation	s94 2004	s94 2000	Capital Grant	DWM (Project Funding Only)	Infrastructure Levy	Environmental Levy	Facilities	Golf Course Levies	
7910	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	Wahroonga	Cliff oval	Cliff Avenue		Cliff Oval	58,539	0		0	0	0	0	0	58,539	0	0	
7915	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	All				Swales and bioretention	77,025	0		0	0	0	0	0	77,025	0	0	
7920	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	All				Stormwater quality and quantity projects	82,160	0		0	0	0	0	0	82,160	0	0	
7925	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	All				Allan Small	157,131	0		0	0	0	0	0	157,131	0	0	
7930	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	Sth Turramurra	Auluba oval	Kissing Point Road		Auluba 1 & 2	236,210	0		0	0	0	0	0	236,210	0	0	
7935	1	EL	Trees & Natural Environment	Water Sensitive Urban Design	Mary-Lou Lewis	All				Lofberg Oval	362,634	0		0	0	0	0	0	362,634	0	0	
LEVY FUNDED >>>											4,103,070	0		0	0	0	0	0	2,020,212	2,082,859	0	0