



Corporate & Works Committee

Agenda: *Corporate & Works Committee*

Date: *Monday 3 July 2006*

Time: *6.00pm*

Outline Of Meeting Protocol & Procedure:

The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.

The Chairperson will commence the Order of Business as shown in the Index to the Agenda.

At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.

If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.

If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.

At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.

If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.

The Chairperson has the discretion whether to continue to accept speakers from the floor.

After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.

Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.

Quarterly review of Council's Management Plan.

Finance Regulations, including:-

- Authorisation of expenditures within budgetary provisions where not delegated;
- Quarterly review of Budget Review Statements;
- Quarterly and other reports on Works and Services provision; and
- Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.

Auditing.

Property Management.

Asset Management.

Traffic Management - Works Implementation.

Works and Services - Monitoring and Implementations.

Legal Matters and Legal Register.

Parks and Reserves Management.

Infrastructure Management, Design and Investigation.

To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).

Confirmation of Minutes of its Meeting.

Any other matter falling within the responsibility of the Corporate and Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below.

Recommendation only to the Full Council (“R” Items):

Such matters as are specified in Section 377 and within the ambit of the Committee considerations.

The voting of money for expenditure on works, services and operations.

Rates, Fees and Charges.

Donations

Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.

Matters not within the specified functions of the Committee.

Asset Rationalisation.

Corporate Operations:-

- Statutory Reporting; - Delegations.
- Adoption of Council's Management Plans; - Policies.
- Quality Service/Communications; - Tenders.
- Leases.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

29 June 2006

To: His Worship the Mayor, Councillor Petrie, ex-officio
Councillors John Walker (Chair)
 Keri Huxley (Deputy Chair)
 Claudia Cullen
 Marcus Ehrlich
 Tanya Excell
 Wilhelmina Gardner
 Fiona Sinclair King

Dear Councillors

Corporate & Works Committee Meeting – 3 July 2006

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Corporate and Works Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 3 July 2006 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 19 June 2006	1
D2	Proposal Received for the Upgrading & Landscaping of Bayview Hill Lane, Rose Bay – 545. Part 3	2
D3	Disclosure of Interest Returns Submitted by New Designated Employees April to June 2006 – 169.G	11
D4	Report from Legal Sub-Committee Meeting held on 20 June 2006 – 795.G	14

Note: Confidential Annexure distributed Separately

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	2006/2007 Rating Structure and Revised Environmental and Infrastructure Renewal Works Programs – 331.G	
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Note: Report to be distributed Separately

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 19 June 2006**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 19 June 2006 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Corporate and Works Committee Meeting of 19 June 2006 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: D2 Delegated to Committee
Subject: **Proposal Received for the upgrading and landscaping of Bayview Hill Lane, Rose Bay**
Author: Greg Stewart - Manager Public Infrastructure
File No: 545. Part 3
Reason for Report: To submit the proposal to Council for consideration

Recommendation:

That the site be inspected prior to the Corporate and Works Committee meeting of 17 July 2006.

Background:

Bayview Hill Lane is a public laneway that runs off Bayview Hill Road at its western or harbour end. The laneway, which is approximately 60 metres long and 6.1 metres wide, contains a blind 90-degree bend and terminates in a dead end at the pedestrian entrance to the Hermitage Foreshore Reserve. The laneway is the main pedestrian access to the southern end of the Hermitage Foreshore Reserve.

The final 20 metres of Bayview Hill Lane, this being between the 90-degree bend and the dead end, provides pedestrian access to the Hermitage Foreshore Reserve and vehicular access to one property only, this being the property, No.19 Bayview Hill Lane, which is currently being developed. There is no vehicular access to the Hermitage Foreshore Reserve off Bayview Hill Lane.

The present deficiencies in this section of the laneway are as follows:

Poor pedestrian access to the Hermitage Foreshore Reserve as there is no dedicated footpath in this section of the laneway and pedestrians have to walk on the roadway.

There is no clear visual clue to motorists from Bayview Hill Road that the laneway leads to a dead end.

Conflict between pedestrian traffic and vehicles reversing uphill along the length of the laneway to exit the laneway.

Damage being caused to the property, No 8 Bayview Hill Lane, by vehicles attempting to turn around at the bend in the laneway.

Illegal parking at the end of the laneway obstructing pedestrian access to the Hermitage Foreshore Reserve and vehicular access to No.19 Bayview Hill Lane.

The poor condition of the laneway and appearance as an entrance to the Hermitage Foreshore Reserve.

Proposal:

The owner of the property, No.19 Bayview Hill Lane, has submitted to Council, for approval, a proposal for the upgrading and landscaping of the bend and last 20 metres of the laneway providing pedestrian access to the Hermitage Foreshore Reserve. Details of the proposed upgrading and landscaping works, together with details of the public benefit that would accrue as a result of these works, are explained in detail in their submission, a copy of which is attached.

Generally, the works proposed to be carried out comprise the following:

The narrowing of the road pavement and the installation of three bollards, the centre bollard being retractable, just prior to the bend in the laneway. The purpose of the bollards is to restrict vehicular access to the dead end section of the laneway to the adjoining owners, authorised Council vehicles, the National Parks and Wildlife vehicles and emergency vehicles only. It will also prevent vehicles from illegally parking in the dead end of the laneway and make it obvious to motorists turning into the laneway from Bayview Hill Lane that the laneway is a dead end.

The provision of a new footpath, kerb and gutter and drainage in the section of the laneway between the bend and the dead end where none currently exists.

The provision of landscaping on both sides of the laneway.

The resurfacing of the laneway between the proposed bollards and the entrance to the Hermitage Foreshore Reserve

It is proposed that all works will be carried out at no cost to Council, to Council agreed design and specifications and that the works will be carried out under Council's control.

The owner of the property, No.19 Bayview Hill Lane, has also agreed to a Positive Covenant being placed on the title of his property to ensure the future maintenance of the bollard system.

It is understood that the National Parks and Wildlife Service supports the proposal.

Consideration:

It is considered that the proposal, as submitted, has merit. It will not only enhance the frontage to the property, No.19 Bayview Hill Road, which is currently under construction, but also addresses the deficiencies listed earlier in this report. The proposal will:

- improve the appearance of the end of the Bayview Hill Lane and the entrance to the Hermitage Foreshore Reserve,
- improve and enhance pedestrian access to the Hermitage Foreshore Reserve through the provision of a new footpath opposite No 19 Bayview Hill Road, linking the existing footpath that currently finishes at the bend in the laneway with the entrance to the Hermitage Foreshore Reserve,
- resolve the issue of motor vehicles gaining access to the end of the laneway and having to reverse along the length of the narrow laneway to exit the laneway,
- prevent illegal parking at the end of the laneway, the obstruction of the pedestrian access to the Hermitage Foreshore Reserve and vehicular access to No.19 Bayview Hill Lane,
- reduce pedestrian and vehicle conflict within the laneway,
- reinforce that the laneway is a dead end for vehicles,
- eliminate damage being caused to the garage of No.8 Bayview Hill Lane by vehicles trying to turn around at the bend in the laneway, and
- improve the drainage and overall physical condition of the dead end of the laneway at no cost to Council.

Due to the public benefit that would be obtained as a result of the proposed upgrading works, it is recommended that the site be inspected prior to the Corporate and Works Committee meeting of 17 July 2006.

Identification of Income & Expenditure:

The works are proposed to be carried out at no cost to Council.

Greg Stewart
Manager Public Infrastructure

Warwick Hatton
Director Technical Services

ANNEXURES:

Copy of proposal received from the owner of the property, No 19 Bayview Hill Lane, Rose Bay.

Item No: D3 Delegated to Committee
Subject: **Disclosure of Interest Returns Submitted by new Designated Employees April to June 2006**
Author: Les Windle - Manager Governance
File No: 169.G
Reason for Report: To table the disclosure of interest returns that have been lodged by new designated employees during the period April to June 2006

Recommendation:

- A. That the Disclosure of Interest Returns of the new designated persons who were required to submit a Primary Return during the period April to June 2006 be tabled.
- B. That Council notes that the Primary Disclosure of Interest Returns have been submitted in accordance with the requirements of the Local Government Act 1993.

Background:

Designated persons are required to lodge a disclosure of interest return:

- (1) within three months of becoming a designated person, (Primary Return) and
- (2) for each July 1 to June 30 period (Ordinary Return).

A designated person is described in Section 441 of the Local Government Act as:

S441 Who are 'designated persons'

For the purposes of this chapter, "designated persons" are:

the general manager

other senior staff of the council

a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict of interest between the person's duty as a member of staff or delegate and the person's private interest

a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

The occupants of the following Council positions have been determined to be designated persons for the purpose of Section 441 of the Local Government Act:

Directors	Senior staff of Council
Managers	Deemed to exercise designated persons functions
Assessment Management Engineer	Exercises designated persons functions
Assessment Officers	Exercises designated persons functions
Blg/DA Compliance Officers	Exercises designated persons functions
Design/Urban Design Team Leaders	Exercises designated persons functions
Development Engineers	Exercises designated persons functions
Environmental Health Officers	Exercises designated persons functions
Fire Safety Officers	Exercises designated persons functions
Heritage Officers	Exercises designated persons functions
Landscape Development/Tree Officers	Exercises designated persons functions
Parks Co-ordinator	Exercises designated persons functions
Property Officers	Exercises designated persons functions
Program Development Officers	Exercises designated persons functions
Ranger Supervisor	Exercises designated persons functions
Traffic Team Leader	Exercises designated persons functions
Waste Services Team Leader	Exercises designated persons functions
Admin Assistant – Printing & Purchasing	Exercises designated persons functions
Adult Lending Services Librarian	Exercises designated persons functions
Branch Librarians	Exercises designated persons functions
Children's & Young Adult Librarian	Exercises designated persons functions
Information Systems Librarian	Exercises designated persons functions
Plant & Fleet Co-ordinator	Exercises designated persons functions
Purchasing Team Leader	Exercises designated persons functions
Trades Superintendent	Exercises designated persons functions
Co-ordinator Civil Services	Exercises designated persons functions
Construction Engineer	Exercises designated persons functions
Maintenance Supervisor	Exercises designated persons functions
Consultant Planners	Exercises designated persons functions

The Local Government Act requires, at Section 450A(1), the General Manager to keep a register of returns disclosing the interests of Councillors and designated persons.

Section 450A(2)(a) requires the returns lodged with the General Manager be tabled at the first meeting held after the last day for lodgement. The purpose of this report is to table the Primary Disclosure of Interest Returns of designated persons who were required to lodge a return during the period April 1, 2006 to June 30, 2006.

Tabling of Returns:

Four new designated persons were required to submit Primary Disclosure of Interest Returns during the period and each designated person submitted their return in accordance with the legislative requirements.

Conclusion:

The designated persons required to complete Primary Disclosure of Interest Returns during the quarter ended 30 June 2006 completed their declarations in accordance with the legislative requirements.

The Returns are tabled in accordance with the requirements of the Local Government Act and it is recommended that the information be noted.

Les Windle
Manager Governance

Geoff Clarke
Director Corporate Services

ANNEXURES:

Nil

Item No: D4 Delegated to Committee
Subject: **Report from Legal Sub-Committee Meeting held on 20 June 2006**
Author: Allan Coker – Director Planning and Development
File No: 795.G
Reason for Report: To consider the recommendations from the Legal Sub-Committee meeting.

Recommendation:

- A. That the Corporate and Works Committee note that Item R1 of the Confidential Minutes of the Legal Sub-Committee meeting held on 20 June 2006 were dealt with by the Urban Planning Committee and Council, as a matter of urgency, on 26 June 2006
- B. That the recommendations for Items R2 and R3 of the Confidential Minutes of the Legal Sub-Committee meeting held on 20 June 2006 be adopted.

Background:

The Legal Sub-Committee met on Tuesday 20th June 2006 and considered the following matters:

- R1 Presentation on the Court of Appeal proceedings relating to Cranbrook School
- R2 Presentation on case outcomes and contemporary issues
- R3 Monthly legal services status reports

As the matters discussed by the Sub-Committee contained legal advice, the meeting Agenda and reports were prepared on a confidential basis. A copy of the confidential Minutes of the meeting have been distributed separately to this report.

Discussion:

Item R1 – Presentation on the Court of Appeal proceedings relating to Cranbrook School.

Dr Lindsay Taylor of Lindsay Taylor Lawyers addressed the Sub-Committee on this matter.

The Sub-Committee’s confidential recommendation is contained in the confidential Minutes of the meeting which was dealt with by the Urban Planning Committee on 26 June 2006.

Item R2 – Presentation on case outcomes and contemporary issues

Mr Jeremy Bingham of Deacons addressed the Sub-Committee on two significant contemporary issues. These related to the implications of a decision of the Chief Judge of the Land and Environment Court in the case, AC Landmark v Cessnock City Council and of the changes to the regulation relating to existing use rights.

The recommendation of the Sub-Committee is:

“That the information presented by Mr Bingham be noted and that he be thanked for his presentation.”

Item R3 – Monthly legal services status report

The status reports were reviewed and the recommendation from the Sub-Committee is:

“That the monthly status reports be noted.”

Allan Coker
Director Planning and Development

Annexures:

1. Confidential Minutes of the Legal Sub-Committee meeting of 20 June 2006. (Distributed separately)

Item No: R1 Recommendation to Council
Subject: **2006/2007 Rating Structure and Revised Environmental and Infrastructure Renewal Works Programs**
Author: Don Johnston, Manager Finance
File No: 331.G
Reason for Report: To report the outcome of Council's special variation application and recommend adoption of a revised rating structure and works programs for 2006/2007 and to provide an update on the stormwater levy.

Recommendation:

1. THAT Council adopt the revised works programs appearing in Annexure 1 to this report and they be incorporated into the 2006/2007 Management Plan and Budget;
2. THAT Council adopt the rating structure appearing in Annexure 2 to this report as its 2006/2007 Rating Structure, incorporating the 3.6% general variation and 5.98% special variation as approved by the Minister for Local Government, noting that a rebate of 100% of the Infrastructure Renewal Levy will be granted to all pensioners eligible for a rates rebate; and
3. THAT Council make and levy the rates for 2006/2007 as shown in Annexure 2 to this report.

Background:

At its meeting on 26 June 2006, Council resolved:

1. *That, Council adopt the exhibition copy of the Draft Management Plan 2006 – 2009 as its Management Plan 2006 – 2009, and include the provision of an additional \$100,000 for Strategic Planning resources.*
2. *That the Corporate and Works Committee consider and recommend to Council the rating structure required for 2006/07 having regard to the Minister's decision in relation to the Council's application for a special rate variation and consider any consequential changes to the infrastructure works program if the application is refused, varied or approved in some other form.*
3. *That the following draft fees and charges be adopted and, pending public exhibition for 28 days, be incorporated into the schedule of fees and charges in the Management Plan 2006 - 2009:*

<i>Asphalt footpath on 75mm thick road base</i>	<i>\$193.00 per sq m</i>
<i>Concrete footpath 75mm thick with washed surface finish</i>	<i>\$290.00 per sq m</i>
<i>Pram Ramp</i>	<i>\$1,200.00 each</i>

This report responds to part 2 of the resolution.

Introduction – Minister’s decision:

Council has now received advice from the Department of Local Government in regard to its special variation application. The Minister has approved a special variation of 5.98% in addition to the general increase of 3.6%, a total increase of 9.58% over the 2005/2006 rates. This approval sees the continuation of the existing Environmental Levy for its final year in 2006/2007 and provides the capacity to introduce an Infrastructure Renewal Levy in the amount of \$1,483,207. This approval is different to what we applied for however the total amount of rate revenue to be raised by special levies will remain unchanged. However, there are implications for the proposed Stormwater Management Charge.

Changes as a result of the Minister’s decision:

Our application to the Minister proposed that we forgo the current environmental levy and replace it with a new combined environmental and infrastructure levy. The combined infrastructure and environmental levy excluded stormwater projects which were to be funded using the new stormwater management charge.

The structure of the funding proposed was as follows:

Infrastructure and environmental levy	\$2,525,000
Stormwater management charge	\$740,000
Grants	\$354,000
Council funds	\$1,411,000
Total	<u>\$5,030,000</u>

The Minister’s determination means that the environmental levy, which has only one year left to run, will continue. The previously approved environmental levy includes stormwater drainage works and because of the requirements set out in the Local Government (General) Regulation 2005 we cannot impose the new stormwater management charge.

The funding arrangements will now need be as follows:

Infrastructure levy program	\$1,483,000
Environmental levy program	\$1,042,000
Stormwater management charge	\$0
Grants	\$528,000
Council funds	\$1,411,000
Total	<u>\$4,464,000</u>

Since the original application we have had additional grants as well as the state government have taken back the ferry wharves. These changes will go most of the way to provide sufficient funding for the works set out in our original proposal for next year. Details are shown later in the report.

Stormwater Management Charge:

We are precluded from introducing a stormwater management charge if we already have a levy in place to fund stormwater projects. Clause 125A(2) of the Local Government (General) Regulation 2005 states:

A council may not make or levy an annual charge for the provision of stormwater management services in respect of a parcel if:

- (a) *The parcel of land is vacant, or*

- (b) *The parcel of land is subject to a special rate or charge that has been made for or towards meeting the cost of any works, services, facilities or activities the primary purpose of which is the provision of stormwater management services.*

We have reviewed our options to see if we can reasonably continue with the stormwater management charge by excluding the stormwater projects from the environmental levy. We cannot reasonably do so as the original approval for the environmental levy predominately focused on stormwater projects. In addition, when we put together the original proposal we did not have access to the regulations governing the stormwater management charge. Because of the way the regulations have been written, we would have had to exclude further items from the proposed combined levy to meet the requirements now in place.

In the presentation to the Budget Workshop on 28 March it was noted that the amount we would raise from the stormwater levy would be less than the amount anticipated in the budget (\$740,000) as a result of further clarification as to how the charge could be raised. Our original understanding was that we could impose a charge of \$25 per rateable assessment. We now know that the charge is per lot. The original calculation included each strata unit at \$25.00. Instead, the calculation for residential stratas was, originally, going to be \$25 per 350m² of land area, making a considerable difference to the yield. This has since been changed again to allow a \$12.50 charge for each residential strata assessment in an effort to simplify the implementation of the charge. Current calculations indicate that the amount raised will be more like \$480,000 per annum because of these restrictions. A change to the works program would have been required regardless of the special variation approval.

We can further consider introducing the charge in next year's budget cycle and the structure our works programs can be amended to meet the requirements of the Regulations.

Revisions to Works Programs:

The current budget provides for \$440,000 in environmental works projects. This program must now be increased to \$1,040,000 in accordance with the special variation approval which sees the continuation of the current environmental levy. The additional \$600,000 in environmental projects will come partly from the projects previously proposed to be funded by the stormwater management charge and from future years' projects in the proposed combined environmental and infrastructure works program and partly from a water quality project identified as short-medium term priority in the Cooper Park Plan of Management.

Consequently, the infrastructure renewal program will be adjusted to accommodate the projects previously proposed to be funded by the stormwater management charge that relate to infrastructure renewal projects. This will necessitate the deferral of some projects to future years' programs. This re-direction of funding can be accommodated without any detrimental effects on the overall program of works.

Instead of spreading environmental projects over several future years in a smaller annual program and thereby accelerating infrastructure works, particularly stormwater drainage, we will now accelerate the completion of the environmental works program and spread infrastructure projects across future years.

The changes to the budget required as a result of the Minister's approval are summarised in the table below.

	Current Budget	Adjusted Budget
	\$'000	\$'000
Environmental Works projects	440	1,230 ¹
Infrastructure Renewal projects	3,660	3,234 ²
Stormwater Management projects	930	0
	5,030	4,464
Funded by:		
Council funds	1,411	1,411
Combined Environmental & Infrastructure Levy	2,525	0
Stormwater Levy	740	0
Continuing Environmental Levy		1,042
New Infrastructure Renewal Levy		1,483
Grants	354	528
	5,030	4,464

1. Includes \$180k in grants funds from the Department of Natural Resources
2. Includes \$174k in supplementary Roads to Recovery grant funding

The amount of work to be completed in 2006/2007 has had to be reduced by \$740,000 as a result of not being able to introduce the stormwater levy. This has been offset by the inclusion of supplementary Roads to Recovery funding of \$174k announced in the May Federal Budget. The net reduction in programmed works is therefore \$566,000.

This reduction is not of significant concern to the budget for the 2006/2007 year as the reduction has largely been accommodated by using the \$500,000 provision original made in the budget for ferry wharves as the State Government have taken back care, control and management of the wharves. The remainder of the change (\$66,000) has been accommodated through other minor changes within the program.

The revised works programs for the Environmental Works and Infrastructure Renewal Works Programs have been attached as **ANNEXURE 1**.

Rating Structure:

Two rating structure scenarios were included in the exhibition copy of the draft management plan. Scenario 1 included the combined Environmental and Infrastructure Levy of \$2.52m as envisaged in our special variation application and scenario 2 showed the structure that would apply if no special variation approval was received.

As a result of the approval received, neither scenario will apply in 2006/2007. Council will be able to continue the Environmental Levy for 2006/2007 and introduce an Infrastructure Renewal Levy to take up the full amount of the special variation approval. The total amount raised by levies will remain at \$2.52m but will be made up of \$1.04m Environmental Levy and \$1.48m Infrastructure Renewal Levy.

The rating structure required to put this in place is attached as **ANNEXURE 2**. It is the same as the exhibited scenario 2 with an Infrastructure Renewal Levy added. It is proposed to levy this on the basis of a 50% base amount and 50% ad valorem component as envisaged in the special variation application.

In our special variation application for a combined levy we included a rebate of 100% of the combined levy to all pensioners eligible for a rates rebate. Even though we have not received approval for the combined levy it is considered appropriate to still provide a 100% rebate of the new infrastructure levy to all pensioners eligible for a rate rebate.

Conclusion:

The Minister for Local Government has approved a special variation of 5.98% in addition to the general rate increase of 3.6%, a total increase of 9.58%. The approval sees the continuation of the existing environmental levy. That has had an impact of the funding sources proposed in the budget, particularly the stormwater management charge. The continuation of the environmental levy, with stormwater projects included, precludes Council from introducing the charge in 2006/2007.

The Minister's decision requires Council to increase the environmental works program to \$1,040,000 from the \$440,000 proposed in the budget and consequently adjust the infrastructure renewal program. The additional \$600,000 in environmental projects will come partly from the projects previously proposed to be funded by the stormwater management charge and from future years' projects in the proposed combined environmental and infrastructure works program and partly from a water quality project identified as short-medium term priority in the Cooper Park Plan of Management.

The major change to the infrastructure renewal program is the removal of environmental works and the re-inclusion of stormwater projects. This has resulted in the need to use the \$500,000 provision for ferry wharves to fund the shortfall resulting from the lack of a stormwater management charge. The redirection of funding can be achieved without any detrimental effects on the overall program.

The introduction of the stormwater management charge can be further considered in next year's budget cycle and the structure our works programs can be amended to meet the requirements of the Regulations.

The Minister's decision also requires Council to revisit its rating structure for 2006/2007. Scenario 2 in the exhibition copy of the management plan showed the rating structure that would be put in place in the event the Minister's approval was not received. This rating structure has been amended to include the new infrastructure renewal levy that takes up the 5.98% special variation approval.

Don Johnston
Manager Finance

Geoff Clarke
Director Corporate Services

Gary James
General Manager

Annexures:

1. Revised 2006/2007 Environmental and infrastructure Works Programs.
2. 2006/2007 Rating Structure.

Project	Expenditure	Environmental Levy	Infrastructure Renewal Levy	Grant	Operating Budget	Comment
Environmental & Infrastructure Levy Works Program						
Environmental Works						
Administration and Auditing						
Plan and control the environmental works program	85,000	85,000			0	
Strategic Review of EWP and PJS SMP	25,000	25,000			0	
Set up a baseline catchment management database including: pits, pipes, GPT's, street sweeping, foreshore cleaning, catchment maps, hot spots, maintenance schedules & recording sheets, contracts, generated reports & CRMS system	25,000	25,000			0	
Develop and implement a community communication strategy	5,000	5,000			0	
Report to the community on the physical progress and financial compliance of the program	5,000	5,000			0	
Water Quality "At Source" Treatment Program						
Environmental Education - Target Group 1 (General Community / Residents)	25,000	25,000			0	
Environmental Education - Target Group 2 (Council Operational Personnel)	6,000	6,000			0	
Environmental Education - Target Group 3 (Schools)	15,000	15,000			0	
Environmental Education - Target Group 4 (Static Business Owners & Operators)	2,000	2,000			0	
Environmental Education - Target Group 5 (Mobile Business Owners & Operators)	2,000	2,000			0	
Cigarette litter reduction	10,000	10,000			0	

Water Quality "End of Line" Treatment Program						
Water Quality Treatment Program. Maintain database developed by Biotrack as Part of Water Quality Monitoring Strategy and develop performance measurement system	25,000	25,000			0	
Harbour foreshore cleaning	30,000	30,000			0	
Watercourse & Bushland Vegetation Treatment Program						
Thorne St/Cameron St/New McLean St Paddington Interallotment drainage Scheme to protect Trumper Park remnant bush areas.	120,000	120,000			0	
Vaucluse House Creek stabilisation and water quality works	40,000	40,000			0	
Gap Park Bush Regeneration Project	20,000	20,000			0	
Stormwater Works						
Rushcutters Bay Flood Study - Funded 2:1 Department of Natural Resources:WMC	15,000	5,000		10,000	0	Floodplain management study (including DNR grant)
Rushcutters Bay Floodplain Management Study/ Plan - Funded 2:1 Department of Natural Resources:WMC	75,000	25,000		50,000	0	Floodplain management study (including DNR grant)
Double Bay Flood Study - Funded 2:1 Department of Natural Resources:WMC	30,000	10,000		20,000	0	Floodplain management study (including DNR grant)
Double Bay Floodplain Risk Management Study/ Plan - Funded 2:1 Department of Natural Resources:WMC	75,000	25,000		50,000	0	Floodplain management study (including DNR grant)
Rose Bay Flood Study - Funded 2:1 Department of Natural Resources:WMC	75,000	25,000		50,000	0	Floodplain management study (including DNR grant)
Small St, Woollahra - Upgrade local drainage system and provide overland flow path.	25,000	25,000			0	Stormwater management works
Dudley Rd, Vaucluse. - Upgrade local drainage system, including level adjustment of driveways and footpath areas.	80,000	80,000			0	Stormwater management works

New South Head Rd/Victoria Rd, Double Bay - Adjust levels of driveways and footpath areas and upgrade local drainage system.	25,000	25,000			0	Stormwater management works
Rose Bay Flood Relief Works, Cranbrook Rd to O'Sullivan Rd, Rose Bay. - Upgrade local drainage systems and provide overland flow paths.	200,000	190,000			10,000	Stormwater management works
Water quality treatment components for stormwater infrastructure projects incorporating WSUD	65,000	65,000				Brought forward from EWP Year 2.
Water Urban Sensitive Design WSUD stormwater treatment The Crescent, Vaucluse	15,000	15,000				Brought forward from EWP Year 3.
Water Urban Sensitive Design WSUD stormwater treatment & re-use, New South Head Road, parking bays trial	20,000	20,000				Brought forward from EWP Year 3.
Cooper Park Water Quality Pond stormwater treatment and ancillary environmental works.	90,000	90,000				Project from Cooper Park Plan of Management
	1,230,000	1,040,000		180,000	10,000	
Infrastructure Renewal						
Roads, Footpath & Kerb & Gutter						
Annandale Street Darling Point, Loftus Rd to Yarranabbe Rd - Footpath Replacement (Conc)	75,369		38,663		36,706	
Annandale Street Darling Point, Loftus Rd to Yarranabbe Rd - Kerb and gutter replacement	58,855		30,192		28,664	
Annandale Street Darling Point, Loftus Rd to Yarranabbe Rd - Road Pavement re-seal & Subgrade repair	56,646		0	56,646	0	Supplementary RTR GRANT
Annandale Street Darling Point, Loftus Rd to Yarranabbe Rd - Stormwater Pipe Renewal	60,000		30,779		29,221	Stormwater renewal works associated with infrastructure upgrade
Blaxland Road Bellevue Hill, Bunyula Rd to Bundarra Rd - Footpath Replacement (Conc) - As required	48,678		24,971		23,707	
Blaxland Road Bellevue Hill, Bunyula Rd to Bundarra Rd - Kerb and gutter replacement	99,715		51,152		48,563	

Blaxland Road Bellevue Hill, Bunyula Rd to Bundarra Rd - Road Pavement re-seal & Subgrade repair	68,196		34,983		33,213	
Caledonia Street/Point Piper Lane/Whelan Lane Paddington, Jersey Rd to Elizabeth Street - Footpath Reconstruction	33,440		17,154		16,286	
Caledonia Street/Point Piper Lane/Whelan Lane Paddington, Jersey Rd to Elizabeth Street - Kerb and gutter replacement (s/s)	126,567		64,927		61,641	
Caledonia Street/Point Piper Lane/Whelan Lane Paddington, Jersey Rd to Elizabeth Street - Road Pavement re-seal	66,460		34,093		32,367	
Courtenay Road Rose Bay - STAGE 2, Ebsworth Road - Mitchell Road - Footpath Replacement (Conc) - as required	96,624		49,566		47,058	
Courtenay Road Rose Bay - STAGE 2, Ebsworth Road - Mitchell Road - Kerb and gutter replacement Both Sides	63,389		32,518		30,872	
Courtenay Road Rose Bay - STAGE 2, Ebsworth Road - Mitchell Road - Road Pavement re-seal & Subgrade repair	56,167		5,564	50,603	0	Supplementary RTR GRANT
Courtenay Road Rose Bay - STAGE 2, Ebsworth Road - Mitchell Road - Stormwater Pipe Renewal	90,000		46,168		43,832	Stormwater renewal works associated with infrastructure upgrade
Duxford Street (Both Sides) Paddington, Stafford St to Gurner St - Footpath Replacement (Conc)	160,083		82,119		77,963	
Duxford Street (Both Sides) Paddington, Stafford St to Gurner St - Kerb and gutter replacement (s/s)	92,808		47,609		45,199	
Edgecliff Road Woollahra, #55 - Adelaide Street - Road Stabilisation - Pressure Grouting & Joint Sealing	120,000		61,558		58,442	
Fletcher Street Woollahra -STAGE 2, Small St to Kendall Street - Footpath Reconstruction	26,189		13,435		12,755	
Fletcher Street Woollahra -STAGE 2, Small St to Kendall Street - Kerb and gutter replacement	46,314		23,758		22,556	

Fletcher Street Woollahra -STAGE 2, Small St to Kendall Street - Road Pavement re-seal & Subgrade repair	66,634		0	66,634	0	Supplementary RTR GRANT
Fletcher Street Woollahra -STAGE 2, Small St to Kendall Street - Stormwater Pipe Installation	90,000		46,168		43,832	Stormwater renewal works associated with infrastructure upgrade
Forth Street (Both Sides) Woollahra, Ocean St to Edgecliff Rd - Footpath Replacement (AC)	77,094		39,548		37,546	
Forth Street (Both Sides) Woollahra, Ocean Street to Kilminster Lane - Kerb and gutter replacement	29,381		15,072		14,309	
Gipps Street Paddington, Shadforth St to Brodie Street - Footpath Replacement AC	39,760		20,396		19,364	
Kiaora Lane/Anderson St, Kiaora Rd to Manning Rd - Footpath Reconstruction	61,396		31,495		29,901	
Kiaora Lane/Anderson St, Kiaora Rd to Manning Rd - Kerb and Gutter Reconstruction	89,238		45,777		43,461	
Kiaora Lane/Anderson St, Kiaora Rd to Manning Rd - Road Pavement Reconstruction	104,636		53,676		50,960	
Kiaora Lane/Anderson St, Kiaora Rd to Manning Rd - Stormwater Pipe Renewal	100,000		51,298		48,702	Stormwater renewal works associated with infrastructure upgrade
Magney Street Woollahra, Edgecliff Rd to End - Footpath Replacement (Conc)	37,560		19,268		18,292	
Magney Street Woollahra, Edgecliff Rd to End - Kerb and gutter replacement	42,190		21,643		20,547	
Magney Street Woollahra, Edgecliff Rd to End - Road Pavement re-seal & Subgrade repair	64,520		33,098		31,422	
New South Head Road (South) Vacluse, Laguna St to #127 NSHdRd - Footpath Replacement (Conc)	43,826		22,482		21,344	
Ocean Street (Both Sides) Woollahra - STAGE 2, Jersey Road - Albert Street - Footpath Replacement (Conc)	59,284		30,412		28,872	
Ocean Street (East) Woollahra - STAGE 2, Jersey Road - Albert Street - Kerb and gutter replacement	63,193		32,417		30,776	

Ocean Street Edgecliff, Bus Depot to New South Head Road - Road Pavement re-seal & Subgrade repair	80,000		41,038		38,962	
Ormond Street (West) Paddington, Oxford Street to Glenmore Road - Footpath Replacement (AC)	6,296		3,230		3,066	To be completed from funds rolled over from 2005/06 (\$46906)
Queen Street (North) West Woollahra, Oxford St to Halls Lane - Footpath Replacement (Conc)	81,410		41,762		39,648	
Wentworth Road Vaucluse - STAGE 2, Olola Ave (West) - Wentworth Road - Footpath Replacement (Conc) - as required	44,015		22,579		21,436	
Wentworth Road Vaucluse - STAGE 2, Olola Ave (West) - Wentworth Road - Kerb and Gutter Reconstruction	39,863		20,449		19,414	
Wentworth Road Vaucluse - STAGE 2, Olola Ave (West) - Wentworth Road - Road Pavement	67,944		34,854		33,090	
Yarranabbe Road Darling Point, #83 to Darling Pt Rd - Footpath Reconstruction	0		0		0	Boundary Issues yet to be dealt with
Yarranabbe Road Darling Point, #83 to Darling Pt Rd - Kerb and gutter replacement	0		0		0	Boundary Issues yet to be dealt with
Yarranabbe Road Darling Point, #83 to Darling Pt Rd - Road Pavement re-seal & Subgrade repair	0		0		0	Boundary Issues yet to be dealt with
Fitzwilliam Road Vaucluse, Wentworth to End - Road Pavement	21,422		0	21,422	0	Current RTR Allocation
Glenmore Road Paddington, Walker St to Hampden Rd - Road Pavement re-seal & Subgrade repair	34,386		0	34,386	0	Current RTR Allocation
Hoddle Street Paddington, Glenmore Rd to Goodhope St - Road Pavement re-seal & Subgrade repair	32,544		0	32,544	0	Current RTR Allocation
Kiaora Road Double Bay, New South Head Road to Forrest Rd - Road Shoulder reconstruction	50,602		0	50,602	0	Current RTR Allocation
Victoria Road Bellevue Hill, Bellevue Hill Rd to #186 VicRd - Road surface repair + Joint Sealing	34,929		0	34,929	0	Current RTR Allocation

Wharves, Jetties & Baths						
Demolition of existing wharf structures and construction of pontoons, ramps and baths.	0		0		0	State Government taking back care and control of wharves and jetties
Seawalls						
Wingadal Place Point Piper - Seawall - Replace Seawall and Stairs	30,000		15,389		14,611	
Dumaresq Reserve Seawall Rose Bay - Seawall - Replace Seawall and Stairs	170,000		87,207		82,793	
Duff Reserve Point Piper - Seawall - Repair Eroded Sandstone Blocks	26,207		13,444		12,763	
Retaining Walls						
Amount allocated for 2006/07. Retaining Wall Works program to be determined following Retaining Wall Condition Assessment and methodology being completed in 2005/06	100,000		51,298		48,702	
	3,233,833	0	1,483,207	347,766	1,402,860	
	4,463,833	1,040,000	1,483,207	527,766	1,412,860	

Rate Category under the Local Government Act 1993	Method of Levying Rate	Yield \$	Minimums / Base Amount / Ad Valorem - Rate in \$	Number of Assessments
Ordinary Rate - Residential	Base Charge - 50% Ad Valorem - 50%	20,768,858	\$432.80 (Base Amount) 0.08137 cents in \$	23,990
Ordinary Rate - Residential Car Spaces	Ad Valorem 100%	901	0.08137 cents in \$	158
Ordinary Rates - Business:				
Sub Category - Business General	Ad Valorem - subject to a minimum	1,051,822	0.4144 cents in \$/\$443.90 (minimum)	413
Sub Category - Double Bay	Ad Valorem - subject to a minimum	1,246,332	0.6486 cents in \$/\$443.90 (minimum)	243
Sub Category - Oxford Street Paddington	Ad Valorem - subject to a minimum	612,613	0.5860 cents in \$/\$443.90 (minimum)	201
Sub Category - Rose Bay (New South Head Road)	Ad Valorem - subject to a minimum	199,613	0.5821 cents in \$/\$443.90 (minimum)	75
Sub Category - Edgecliff	Ad Valorem - subject to a minimum	279,242	0.6021 cents in \$/\$443.90 (minimum)	144
Sub Category - Bellevue Hill	Ad Valorem - subject to a minimum	30,419	0.3833 cents in \$/\$443.90 (minimum)	32
Sub Category - Edgecliff / Grosvenor Streets, Woollahra	Ad Valorem - subject to a minimum	65,371	0.4261 cents in \$/\$443.90 (minimum)	37
Sub Category - Five Ways, Paddington	Ad Valorem - subject to a minimum	54,895	0.4203 cents in \$/\$443.90 (minimum)	30
Sub Category - New South Head Road, Vaucluse	Ad Valorem - subject to a minimum	36,075	0.4198 cents in \$/\$443.90 (minimum)	26
Sub Category - Old South Head Road, Rose Bay	Ad Valorem - subject to a minimum	51,109	0.4218 cents in \$/\$443.90 (minimum)	18
Sub Category - Old South Head Road, Vaucluse	Ad Valorem - subject to a minimum	20,903	0.3340 cents in \$/\$443.90 (minimum)	12
Sub Category - Plumer Road, Rose Bay	Ad Valorem - subject to a minimum	9,037	0.3884 cents in \$/\$443.90 (minimum)	3
Sub Category - Queen Street, Woollahra	Ad Valorem - subject to a minimum	161,701	0.3935 cents in \$/\$443.90 (minimum)	74
Sub Category - Watsons Bay	Ad Valorem - subject to a minimum	59,875	0.3753 cents in \$/\$443.90 (minimum)	18
Special Rate – Environmental Levy (All Categories and sub-categories)	Base Charge - 50% Ad Valorem - 50%	1,042,525	\$20.45 (Base Amount) 0.00386 cents in \$	25,474
Special Rate – Infrastructure Levy (All Categories & sub-categories)	Base Charge - 50% Ad Valorem - 50%	1,483,207	\$29.00 (Base Amount) 0.0055 cents in \$	
Sub Total: Gross Rates Levy		27,174,498		25,474