

MANAGEMENT STREAM

DEVELOPMENT ASSESSMENT – THE IMPORTANCE OF ENGINEERING INPUT INTO THE DEVELOPMENT APPROVAL PROCESS

Jacqui Hansen – Woollahra Council

Traditionally the task of development approval in local government has the role of the Town Planning Department.

Since July 1998, when the amended Environmental Planning and Assessment Act came into force, private certifiers have been on the scene, competing with Council for Construction Certificates. It is now vital for Council Engineers to assess all development applications for their potential impact on Council Infrastructure.

We no longer have “two bites of the cherry” – the Development Application and the Building Application. We must get it right at the Development Application stage or the consequences may be disastrous. We must move **beyond the boundaries** of pure engineering and work with town planners to achieve the best results.

In this paper it is intended that development assessment at Woollahra Municipal Council be discussed. Woollahra Council covers some of the most valuable land in Australia and consequently receives some of the most unique development applications – think: *money is no object!*

Case studies are to be presented on what happens when the process works well (happy developers and happy Council) and when it fails, leaving Council to rectify the situation.

FOUR WEDDINGS AND A FUNERAL: OR HOW TO COME THROUGH AN AMALGAMATION AND STILL SMILE

Philip Willis, Canada Bay City Council

The “Weddings” which are the subject of the title will be:

- Merger of the outdoor staffs of Concord and Drummoyne Councils to form “CanBay” (1977)
- Merger of Deloitte Touche and Tohmatsu (1999)
- Unification of a number of autonomous campuses to form the single University of Western Sydney (2001)
- Amalgamation of Concord and Drummoyne Councils (2000)

The paper will endeavour to understand the motivations and catalysts underlying the proposals; analyse the actions leading up to, and immediately after the amalgamations; reflect on the manner by which they were undertaken; and compare/contrast the successful amalgamations with the less successful.

Of the four Weddings nominated, the two from local government would appear to have performed poorly when compared with their counterparts in academe and the private sector. The paper will endeavour to reveal why that may have been so.

As in their own ways these four organisations should epitomise the peak of their particular type of organisation, it would be reasonable to expect that the manner by which they each approached the Mergers could not have been better achieved. In some instances, events unfortunately have proved to the contrary.

This paper will elicit the problems that were encountered, with particular reference to the effects that the Mergers had on the stakeholders plus the human resources involved, and examine how they were combated. It will also highlight what can be so often overlooked in a Merger. Your human resource is your absolute major asset. The paper will include comments from eminent researchers into the effects of Mergers and Amalgamations and contrast the theoretical with the actual

REORIENTING PROJECT MANAGEMENT TOWARDS DECISION MAKING

Rob Siebert, Regional Project Co-ordinator, DPWS North Coast Region

The title Project Manager is used very widely. It can cover a range of different functions. The definition of those functions needs to be based on what the employer of the project manager wants undertaken. The definition of those functions can be based on four generic types of Project Management. They are adviser, agent, managing contractor and vendor. Each of these types allocates different risks to the principal and the Project Manager.

What is often neglected is that along with the allocation of risk goes the allocation of decision making responsibilities. It is often not recognised that one role of the Project Manager is to facilitate the decision making processes and/or to ensure the decision making processes occur. As it is not recognised, what is required of the Project Manager in this area is generally poorly defined. It is also rarely considered in the normal textbook procedures of project management of work breakdown structure, precedence diagrams, GANTT charts, resourcing, financing, etc and very often leads to delays in projects or simply the project does not get up.

As an alternate or an addition to the normal project management practices, it is proposed that along with undertaking the work breakdown structure etc as part of the project planning, planning of the decision making process should be considered and the tasks required for that process and to support that process be defined. This would ensure the decision making responsibilities are recognised and addressed as part of project planning. The decision making process can then be facilitated or guided by the Project Manager during the execution of a project.

STANDARDISATION OF TENDERING AND CONTRACT ADMINISTRATION

Richard Minter, Manager Consulting, Maitland City Council

Most Councils in the Hunter Valley have, until recently, had an unstructured and uncontrolled approach to the tendering and contract management function. As a result, in early 1999, the Hunter Valley Group of the then IMEA resolved to convene a panel of contract management specialists within the region to explore ways of sharing information and developing an improved standard of documentation for tendering, tender evaluation and contract administration.

From this meeting of the IMEA group, a Regional Councils Contract Administration Panel was established incorporating the thirteen Councils in the Hunter Valley along with Gosford City Council. This panel has since come under the umbrella of the Hunter Region Organisation of Councils.

In the two years since the establishment of the panel, significant progress has been made in achieving its objectives, with the development of:

- An *Information to Tenderers* document;
- A *Conditions of Tendering* document;
- A *General Conditions of Contract* covering the provision of goods, works and services up to a value of \$250,000;
- Standardised tender schedules; and
- An *Expression of Interest* document.

The panel is currently developing a comprehensive Contracts Manual that will tie together the documents already developed, and will assist in the contract management function particularly for those unfamiliar with the specific requirements of the tendering and contracting process.

The participating Councils are realising significant benefits and advantages through adopting a regional approach to contract administration. These include the opportunity to review and rationalise existing practices and policies, the establishment of “best practice” specifications and processes, the minimisation of risk exposure, contractor familiarity with cross regional practices and requirements and the potential for the lowering of tender submission costs. It also establishes a common forum to address global issues such as occupational health and safety, insurances and contractor performance reporting.

Other Councils are encouraged to adopt this approach to contract administration and enjoy the same benefits.

WHAT CAN WE LEARN FROM LOCAL GOVERNMENT IN NORTH AMERICA?

Leigh Robins, Director of Engineering, Oberon Council

The scope of my paper covers the outcomes of a study tour I undertook in 1999 to North America.

The aim of the study tour was to investigate climate pavement conditions, sub alpine road construction, management systems and entrepreneurial activities.

The information I gained was valuable for my Council and I would like to disseminate this to other Local Government practitioners.

The paper will expand on the following points:

- Detection of ice on pavements and treatment of roads using a variety of de-icing methods.
- The effect of block freezing on infrastructure locations, pavement and accessing underground services.
- Clover Bay – by combining domestic garbage with biosolids a commercial grade compost was being manufactured.
- Kevlar reinforced timber bridges in areas of high seismic activity.
- County jail prisoners being used as “free” labour for eradication of noxious weeds, litter control and general maintenance.
- Employment conditions - in particular the benefits offered for not taking sick leave.
- State of rural roads in Washington State given the way fuel taxes were distributed.

REVIEW OF SUTHERLAND SHIRE COUNCIL'S LIGHT VEHICLE FLEET

Brian Coustley, Sutherland Shire Council

STREET LIGHTING – AN ADDED RESPONSIBILITY FOR LOCAL GOVERNMENT ENGINEERS

Garry Gaffney, Manager Transport & Subdivision, Wagga Wagga City Council

The restructuring of the NSW energy authorities over the last few years has caused a transfer of responsibility for managing street lighting maintenance and improvements to the Local Government Engineer.

Local Government engineers have not been trained in lighting engineering. With the loss of many experienced engineers from the electricity authorities, there is a need for engineers working in city and municipal Councils to understand this technical area. Many Councils have large budget amounts for street lighting. Many are recognising that the community is concerned at the apparent reduction in street lighting infrastructure maintenance.

Communities are also calling for improvements to the level of lighting and Councils must use due diligence in managing public safety in this area.

Wagga Wagga City Council has accepted this challenge seriously and has developed a strategic approach to street lighting which is creating interest from other Local Government Authorities and lighting practitioners. An innovative approach to improving street lighting has been developed.

The paper also discusses the future of street lighting responsibilities, risk management, community attitudes, new technologies, energy consumption, regulated fee structures and possible future directions for street lighting maintenance.

The paper encourages engineers to proactively react to the street lighting situation by developing innovative solutions.

CONFLICTS IN CHANGE – THE ROADS ACT 1993 VERSUS THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1993

Chris Edwards, Senior Land Development Engineer, Liverpool City Council

Introduction

Council staff involved with building and land development mostly operate with the Environmental Planning and Assessment Act (EP & A Act), The Roads Act and the Local Government Act.

Up until 1997 Council staff managed all approvals delegated by those Acts (except for the RTA who are concurrence authorities under the Roads Act for main roads). In 1997 the E P & A Act was amended to permit private certification and specified a framework of integrated development that was supposed to incorporate the other 2 Acts above mentioned. Unfortunately they forgot to change the other Acts?

On the 8th December 2000 a meeting was held at Liverpool City Council. Attendees included Council subdivision engineers, Department of Urban Affairs and Planning (DUAP) officers, Roads and Traffic Authority traffic and legal people, private certifiers and surveyors, service authority representatives, and others in the development industry. The meeting discussed general problems that are occurring as a consequence of legislative change that has deregulated activities that affect Councils road asset and affect individual victim ratepayers that are unlucky to be downstream or next to "rogue" developments.

The outcome of the meeting was complex, however general agreement was reached that the EP & A Act needed to be changed to focus more responsibility on private certifiers for community service obligations such as sediment and stormwater control, noise and site pollution control payment of Roads Act fees (hoardings, driveways and street works) and damage deposits and bonds.

Prior to 1997 Councils building inspectors were empowered by the 3 Acts. Local Government by coincidence is the Consent Authority, the Road Authority, and the Local Government Authority. The Council building inspectors in many cases operated in a traditional manner wearing all 3 "hats". After 1997 many Council building inspectors moved to the private sector becoming private certifiers and increasingly were appointed Principle Building Certifiers for issue of Construction Certificates for building works. Unfortunately most of the new private certifiers were unaware that they working outside Council only wore one "hat", delegation under the EP & A Act. The Roads Act and Local Government Act powers still remained with Council. No private certification powers exist in the Roads Act. The EP & A Act inferred that integration of powers of the 3 Acts was to occur. The reality is that it didn't and Section 138 of the Roads Act expressly excluded the EP & A Act to conflict with the Roads Act.

A generally agreed concern by all Councils was the belief by some Private Certifiers that they did not have to visit the site and could rely on certificates from other inspecting professionals and any site issues were Councils regulatory problem. The private certifiers collected the fees and Council collected the unpaid work.

Large Councils such as Liverpool City had prior to 1997 a large income stream from fees and charges. These fees are now going to the private sector but the Councils workload has not decreased. A budget shortfall of more than \$1million is a consequence. The complexity of private certification and the problems it creates has created unfunded work for Councils. Roughly 50% of all Construction Certificates and subsequent flawed site management creates breaches of the Council Development Consent. The Department (DUAP) requires Councils to prosecute. Most Councils don't have the financial or staff resources. The affected neighbours don't have the funds to mount legal cases for civil action. It's a most unsatisfactory situation and I am sure the Department of Planning had not considered the problems when they drafted the 1997 changes to the EP & A Act.

Liverpool has a particular problem that is common in urban areas. The lack of interallotment drainage creates a drainage design problem where residential sites are being consolidated for intensive commercial or multi unit residential development. Prior to 1997 Council controlled strictly the design of stormwater detention, overland flow, sedimentation control during construction, enlarging of downstream pipe systems and provision of on creek detention schemes with Section 94 monies. About 95% of first draft plans from private designers needed to be modified to the direction of Council's Land Development Engineers. Now with private certifiers those same substandard first draft plans are being accepted without modification or checking by the Principle Building Certifier (the PCA). The PCA requires the designing consultant to submit a Compliance Certification. In many cases the certification is so heavily qualified it is irrelevant as an acceptance of professional responsibility. When the PCA is later questioned after a disaster, he shrugs his shoulders and says he accepted the Compliance Certification by the drainage designer as compliance with Councils Development Consent. The downstream ratepayer with mud and water damage to his property is left with the Builder, the Developer, the building PCA, the designing consultant, DUAP and the Council all pointing fingers at each other.

Conclusion. This problem is very topical in Local Government at present and there is some benefit at this conference in sharing those concerns. By sharing concerns and methods we can all learn to cope with the change. We may not reverse the change, but we can learn to cope.