

# AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held at the Civic Centre, Dee Why on

**Tuesday 25 August 2015**

Beginning at 6:00pm for the purpose of considering and determining matters included in this agenda.



**Rik Hart**  
**General Manager**

**Issued: 19/08/2015**

## OUR VISION

*A vibrant community, improving our quality of life by living and working in balance with our special bush and beach environment*

## OUR VALUES

*Respect*

*Integrity*

*Teamwork*

*Excellence*

*Responsibility*

## ORGANISATIONAL STRUCTURE



**Agenda for an Ordinary Meeting of Council  
to be held on Tuesday 25 August 2015  
at the Civic Centre, Dee Why  
Commencing at 6:00pm**

**ACKNOWLEDGEMENT OF COUNTRY**

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**2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

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## **2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 4 AUGUST 2015**

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#### **RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held 4 August 2015, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

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## 6.0 GENERAL MANAGER'S REPORTS

<b>ITEM 6.1</b>	<b>MONTHLY FUNDS MANAGEMENT REPORT JULY 2015</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2015/231443</b>
<b>ATTACHMENTS</b>	<b>1 Application of Funds Invested</b> <b>2 Councils Holdings as at 31 July 2015</b> <b>3 Investment Portfolio at a Glance</b> <b>4 Monthly Investment Income vs. Budget</b> <b>5 Economic Notes</b>

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### REPORT

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#### PURPOSE

To report the balance of investments held as at 31 July 2015.

#### Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulation 2005 and Council's Investments Policy number FIN-PL-215.

#### REPORT

The following attachments are provided as part of the Report.

1. Application of Funds Invested
2. Council's Holdings as at 31 July 2015
3. Investment Portfolio at a Glance
4. Monthly Investment Income vs. Budget
5. Economic Notes

#### FINANCIAL IMPACT

Actual investment income for the year ended 31 July 2015 was \$216,523 compared favourably to budgeted income of \$215,224 a variance of \$1,299.

#### POLICY IMPACT

The investment strategy was reviewed by our Investment Advisors Laminar Group Pty Ltd in January 2015. They confirmed that Council continues to maintain a prudent investment strategy and is well placed for the balance of the 2015/16 financial year and indeed beyond.

Performance over the 2015/16 financial year to date, July 2015, is strong having exceeded the benchmark: 3.17%pa vs. 2.55%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing cash flow.

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**RECOMMENDATION OF GENERAL MANAGER**

That:

- A. The report indicating Council's Funds Management position as at 31 July 2015 is noted.
  - B. The Certificate of the Responsible Accounting Officer be noted and the report adopted.
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<b>Application of Investment Funds</b>	<b>Description</b>	<b>Value (\$)</b>
<b>Restricted Funds:</b>		
Externally Restricted	Section 94 Old Plan	16,685,817
	Section 94A Plan Contributions	5,407,702
Externally Restricted Reserves	Unexpended Grants	356,902
	Domestic Waste *	5,814,645
Internally Restricted Reserves	Held to ensure sufficient funds are available to meet future commitments or specific objectives. Employee Leave Entitlements, Bonds & Guarantees, Compulsory Open Space Land Acquisitions, & Insurance.	9,135,219
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	45,747,409
<b>Total</b>		<b>83,147,694</b>

There has been an increase in the investments held of \$1,483,926 which is in line with budgeted movements at this time of year.

#### **Reconciliation of Cash Book**

<b>Description</b>	<b>Value (\$)</b>
Council's Cash Book balance	214,073
Kimbriki Bank balance	4,321,330



**Investments Funds Report - As at 31-Jul-15**

<b>Maturity date</b>	<b>Face Value</b>	<b>Current Yield</b>	<b>Borrower</b>	<b>Standard &amp; Poor's Rating</b>	<b>Current Value</b>
<b>Mortgage Backed Securities Investment Group</b>					
<b>Weighted Avg Life *</b>	<b>Face Value</b>				
22-Aug-22	1,475,036	2.5800	Emerald Series 2006-1 Class A	AAA	1,157,905
	<b>1,475,036</b>				<b>1,157,905</b>
<b>Term Investment Group</b>					
03-Aug-15	1,000,000	3.5600	Westpac Banking Corporation Ltd	A1+	1,000,000
04-Aug-15	2,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	2,000,000
10-Aug-15	2,000,000	3.8500	Westpac Banking Corporation Ltd	A1+	2,000,000
12-Aug-15	2,000,000	3.7500	Westpac Banking Corporation Ltd	A1+	2,000,000
25-Aug-15	1,000,000	3.6500	National Australia Bank Ltd	A1+	1,000,000
02-Sep-15	1,000,000	3.6500	National Australia Bank Ltd	A1+	1,000,000
08-Sep-15	500,000	3.8900	National Australia Bank Ltd	A1+	500,000
10-Sep-15	1,000,000	3.1000	Commonwealth Bank of Australia Ltd	A1+	1,000,000
16-Sep-15	1,000,000	3.2000	Members Equity Bank Ltd	A2	1,000,000
21-Sep-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
22-Sep-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
25-Sep-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
29-Sep-15	2,000,000	2.9000	Members Equity Bank Ltd	A2	2,000,000
02-Oct-15	2,000,000	3.5700	Westpac Banking Corporation Ltd	A1+	2,000,000
06-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
12-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
20-Oct-15	1,000,000	3.5100	Commonwealth Bank of Australia Ltd	A1+	1,000,000
22-Oct-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
26-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
29-Oct-15	1,000,000	2.9500	National Australia Bank Ltd	A1+	1,000,000
03-Nov-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
09-Nov-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
09-Nov-15	1,000,000	3.0800	Commonwealth Bank of Australia Ltd	A1+	1,000,000
16-Nov-15	1,000,000	3.2000	Members Equity Bank Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Bank of Queensland Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Suncorp-Metway Ltd	A1	1,000,000
18-Nov-15	1,000,000	2.9000	Suncorp-Metway Ltd	A1	1,000,000
01-Dec-15	1,000,000	2.9300	Bank of Queensland Ltd	A2	1,000,000
03-Dec-15	2,000,000	3.5500	Bank of Queensland Ltd	A2	2,000,000
07-Dec-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
15-Dec-15	2,000,000	3.5500	National Australia Bank Ltd	A1+	2,000,000
15-Dec-15	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	3.5500	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	2.9000	Suncorp-Metway Ltd	A1	1,000,000
04-Jan-16	1,000,000	3.2100	Commonwealth Bank of Australia Ltd	A1+	1,000,000
04-Jan-16	2,000,000	3.0000	Bank of Queensland Ltd	A2	2,000,000
08-Jan-16	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
11-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
12-Jan-16	1,000,000	3.0000	Bank of Queensland Ltd	A2	1,000,000
19-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
22-Jan-16	1,000,000	2.9500	Bank of Queensland Ltd	A2	1,000,000
29-Jan-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
02-Feb-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
09-Feb-16	2,000,000	3.0000	National Australia Bank Ltd	A1+	2,000,000
02-Mar-16	1,000,000	2.9500	Bendigo & Adelaide Bank Ltd	A2	1,000,000
07-Mar-16	1,000,000	4.0500	National Australia Bank Ltd	A1+	1,000,000
08-Mar-16	500,000	4.0700	National Australia Bank Ltd	A1+	500,000
05-Apr-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
03-May-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
17-May-16	2,000,000	2.9300	National Australia Bank Ltd	A1+	2,000,000
20-May-16	1,000,000	2.8500	Bank of Queensland Ltd	A2	1,000,000
11-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
21-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
25-Jul-16	1,000,000	3.0000	Bendigo & Adelaide Bank Ltd	A2	1,000,000
	<b>63,000,000</b>				<b>63,000,000</b>
<b>Term Investment Group &amp; Cash Deposit Account</b>					
<b>Rollover Date</b>	<b>Face Value</b>	<b>Current Rate</b>	<b>Borrower</b>	<b>Rating</b>	
Cash Account	4,433,029	1.9000	CBA (Business Saver)	A-1+	4,433,029
19-Jun-16	1,000,000	3.5000	CBA Term Deposit Kimbriki 35810609	AA-	1,000,000
10-Aug-15	7,886,709	2.8900	WBC Term Deposit Kimbriki 11-1208	AA-	7,886,709
24-Aug-15	2,466,006	2.8800	WBC Term Deposit Kimbriki 11-4185	AA-	2,466,006
01-Aug-15	3,204,045	1.5000	CBA Money Market Kimbriki 10162612	AA-	3,204,045
	<b>18,989,789</b>				<b>18,989,789</b>
	<b>83,464,825</b>			<b>Closing Balance:</b>	<b>83,147,694</b>

\* Weighted Average Life is the anticipated date of repayment of Council's full principal in mortgage backed securities based upon the expected repayment of a critical balance of underlying mortgages. It is calculated by professional actuaries and its use is market convention for securities such as these. Council's investment policy recognises Weighted Average life dates as appropriate maturity dates for these securities

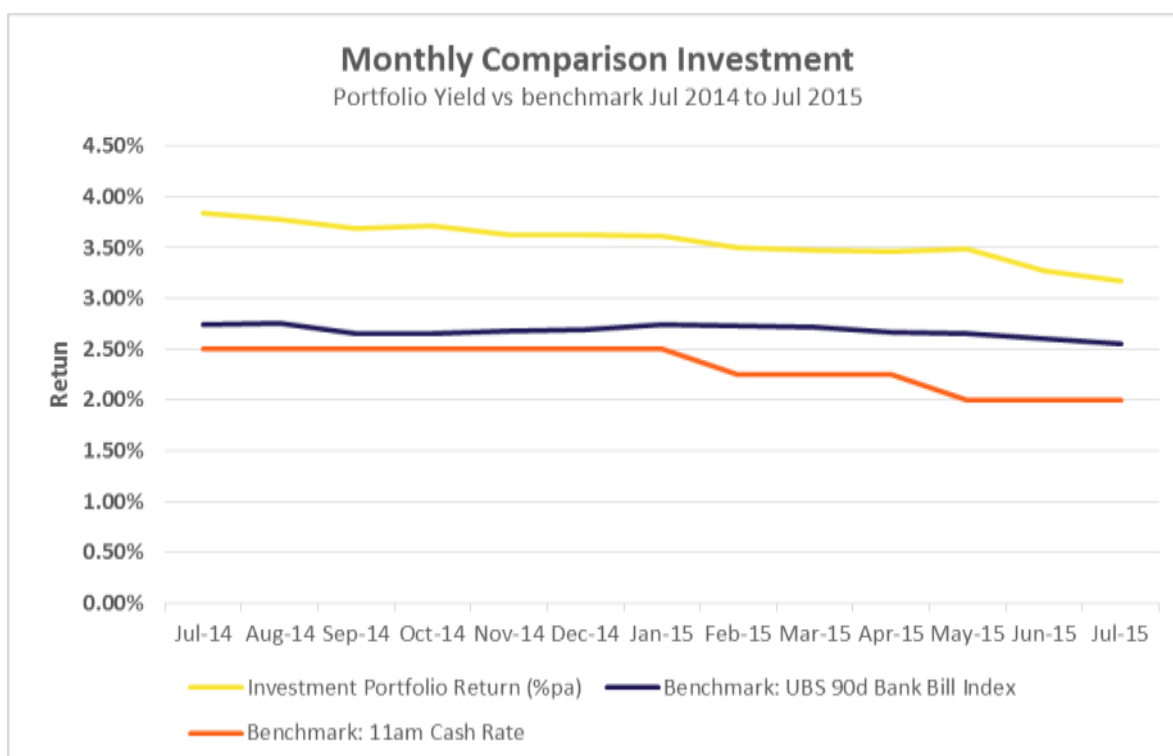
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
<b>Investment Policy Compliance</b>		
Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

### Investment Performance vs. Benchmark

	Investment Portfolio Return (%pa)*	Benchmark: UBS 90d Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	3.17%	2.55%	2.00%
3 Months	3.31%	2.60%	2.00%
6 Months	3.39%	2.65%	2.13%
FYTD	3.17%	2.55%	2.00%
12 Months	3.53%	2.68%	2.31%

\* Excludes cash holdings (i.e. bank account, loan offset T/Ds, and Cash Fund)

\*\* This benchmark relates to Cash Fund holdings

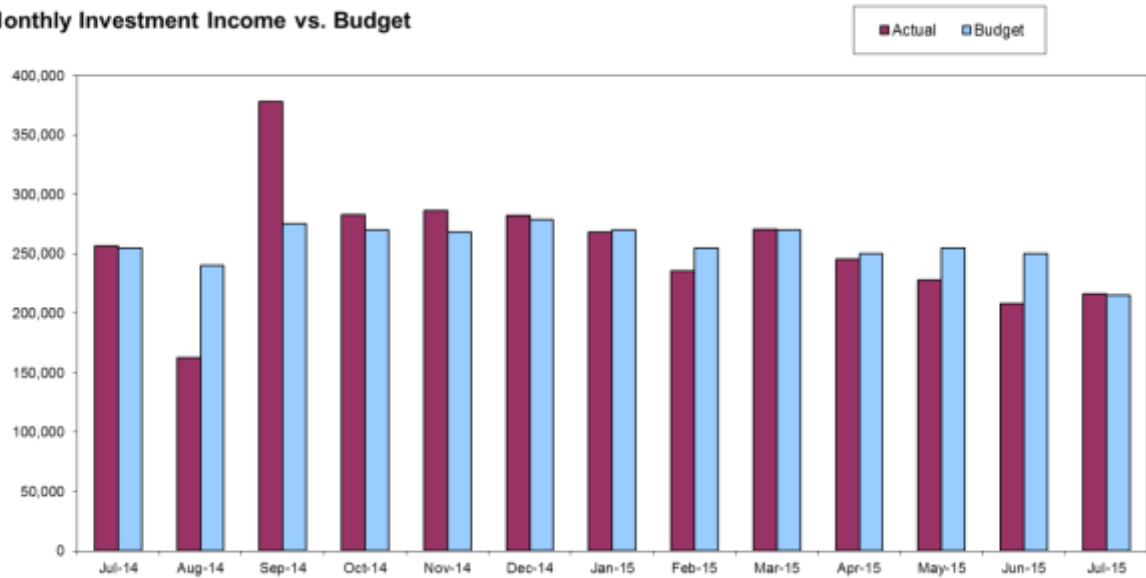


Monthly Investment Income\* vs. Budget

	<b>\$ Jul 15</b>	<b>\$ Year to Date</b>
Investment Income	216,525	216,525
Adjustment for Fair Value	(2)	(2)
Total Investment Income	216,523	216,523
Budgeted Income	215,224	215,224

\*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In July we have reflected a fair value decrease of \$2 in accordance with AASB 139 Financial Instruments: Recognition and Measurement. It is Council's intention to hold these investments to maturity and as such no gain of principal will occur in these circumstances. These investments could have been classified as Held-to-maturity investments upon initial recognition under AASB 139 in which case no fair value adjustment would be required through profit or loss. When these investments reach maturity any fair value adjustment which has been taken up will be written back to the Profit and Loss Account.

## Economic Notes

### Global

Global economic readings in July took a slightly more positive turn with on balance firmer than expected data out of the world's two biggest economies the United States and China. Potential problems for the global economy arising from the Greek debt negotiations also faded as the European Union and Greece came to an agreement about another bail-out package for Greece. Another longstanding geopolitical issue relating to Iran's nuclear ambitions also reached a resolution in July. Despite mostly positive news for the global economy through the month, however, most commodity prices continued to weaken highlighting downside risk to Australian national income.

The world's biggest economy, the US, still seems to be pulling out of its soft patch in quarter 4 2014 and quarter 1 2015 as indicators of US housing activity have strengthened noticeably over recent months. However, manufacturing industrial production has been consistently soft, showing no growth in either May or June. This inconsistency in US growth caused the Federal Reserve to downgrade its 2015 economic growth forecasts back in June but it continues to indicate that it will deliver its first interest rate hike in 11 years later in 2015. US economic growth still seems to us to be insufficiently entrenched to withstand the start of a rate hiking cycle and the likely stronger US dollar that will go with it.

In China, economic readings released in July hinted that the slowdown in growth may be coming to an end. July was also notable in China as the authorities took direct steps to arrest the sharp decline in the share market. One interpretation of events in China is that policy initiatives are working to stabilize the economy around the annual 7% growth rate planned. However, not all indicators are pointing to stabilizing growth. The continuing fall in industrial commodity prices also implies that China's growth rate remains under downward pressure.

In Europe, economic readings have turned mixed-strength. May retail sales rose, but May industrial production fell while the unemployment rate was steady at 11.1%. The European Central Bank (ECB) met in July and played a straight bat to developments in Greece barely changing its comments about Europe's economy, leaving interest rates unchanged and continuing to buy 60 billion euro of securities a month. With the latest package announced for Greece, the ECB continues to support the liquidity of Greek banks who are slowly providing access to higher amounts of cash for their customers. Capital controls remain in place for Greek residents and the terms of the latest bail-out package imply weaker Greek economic growth will persist and may lead to heightened political instability down the track.

### Domestic

In Australia, mixed growth signals persist although weak commodity prices crimping Australian national income still point to pronounced downside risks to economic growth. The strongest part of the economy remains housing activity although there are signs that housing may be topping out. The number of owner-occupier housing finance commitments were surprisingly soft in May falling by 6.1%. APRA's macro-prudential controls are also showing signs of biting bank lending for investment housing with some announcing rate increases of up to 27bps. Home building approvals remain very strong, up in May by 2.4% and by 17.6% for the year, but the contribution of housing activity to GDP probably peaked back in quarter 4 2014 when it grew in real terms by more than 6% in the quarter.

Beyond housing, promising signs of acceleration in household consumption in quarter 1 2015 seem to have faded in quarter 2. Retail sales rose only 0.3% in May after falling by 0.1% in April and appear to have remained soft in June. Australia's international trade performance also appears

to have deteriorated sharply in quarter 2 with a cumulative trade deficit of \$A6.9 billion in April and May against a cumulative deficit of \$A4.5 billion in the three months ending March.

Set against softer retail trade and weakening international trade, employment has taken a stronger turn, up by 7,300 in June after lifting 39,900 in May and leading to the unemployment rate stabilizing around 6.0%. The mixed-strength economic readings seem consistent with economic growth running a touch weaker than forecast by the RBA back in May. The recently released quarter2 CPI, +0.7% for the quarter, +1.5% for the year also seems to be tracking a touch lower than the RBA expected.

The next set of economic forecasts to be released by the RBA early in August will need to recognise the continuing softness in the economic outlook. Even though the RBA is concerned about house price inflation and whether interest rate cuts are adding to the problem we still believe that the RBA is likely to deliver at least one more cash rate cut to assist flagging general domestic spending by households and businesses. We still see a 25bps cash rate cut to 1.75% before Christmas and cash rate being no higher than 1.75% in the following year.

### **Portfolio Performance**

The investment portfolio return for 12 months was 3.53% as at July 31 versus the Ausbond bank bill index annual return of 2.68%. The portfolio is currently outperforming the index by 85 basis points on an annual basis. The portfolio returned 27bps for the month of July, which is 2bps higher than the benchmark. The running yield of the portfolio is 3.17%.

<b>ITEM 6.2</b>	<b>AUDITED GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2015 AND AUDITORS REPORTS</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2015/234361</b>
<b>ATTACHMENTS</b>	<b>1 Financial Statements - Year Ended 30 June 2015 (Included In Attachments Booklet)</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To receive Council's audited 2014/2015 Financial Statements in accordance with Section 419 (1) of the Local Government Act 1993 ("the Act").

### **SUMMARY**

At Council's meeting on 4 August 2015, Council referred its 2014/2015 General and Special Purpose Financial Statements for the year ended 30 June 2015 to Council's Auditor for audit. The auditor's reports were subsequently received by Council and have been attached to the General Purpose and Special Purpose Financial Statements in accordance with Section 417(1) of the Act.

The audited Financial Statements and a copy of the Auditor's Reports have been available for public inspection at Council's Civic Centre and libraries at Dee Why, Forestville, Belrose and Warringah Mall and by viewing on Council's website since 8 August 2015 and are now presented to Council for adoption in accordance with Section 419(1) of the Act.

The Council is required to submit the auditor's report to a public meeting during the public exhibition period. Submissions on the auditor's report or the audited Financial Statements close on 2 September 2015. The audited Financial Statements are included in the separate attachments booklet.

### **FINANCIAL IMPACT**

The cost of the audit of Council's Financial Statements and the public advertising has been allocated in the current budget.

### **POLICY IMPACT**

Nil.

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## **RECOMMENDATION OF GENERAL MANAGER**

- A. That In accordance with Section 419 (1) if the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for 2014/2015 are hereby received and noted.
  - B. That a further report be presented to Council on 22 September 2015 detailing any submissions received in respect of Council's audited Financial Statements if applicable.
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**REPORT**


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**BACKGROUND**

At Council's meeting on 4 August 2015, Council resolved:

That the recommendations listed below and contained in the Minutes, be adopted:

- A. *The Annual Financial Statements for the year ended 30 June 2015 be adopted by the Council.*
- B. *The Mayor, Councillor Menano-Pires, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.*
- C. *The Annual Financial Statements for the year ended 30 June 2015 be referred to the Council's Auditor for audit.*
- D. *Council hereby delegate to the General Manager authority, upon receipt of the Auditor's*
  - a. *Forward a copy to the Office of Local Government and Australian Bureau of Statistics.*
  - b. *Arrange for the public notice of the Council Meeting for presentation to the public, in the required format be placed in the Manly Daily.*
  - c. *Arrange for the Council's audited financial reports and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and in printed format at the Council's Civic Centre and Libraries at Belrose, Dee Why, Forestville and Warringah Mall.*
  - d. *List the audited financial reports and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement'.*

The Auditor's reports were subsequently received by Council and have been attached to the General Purpose and Special Purpose Financial Statements in accordance with Section 417 (1) of the Act.

The draft operating result for the year ended 30 June 2015 of \$22.149 million was reported to the Council on 4 August 2015. This result has since been confirmed following the completion of the audit.

To assess the appropriateness or otherwise of Council's available working capital, it is necessary to review the level of restrictions placed against the use of Council's current assets. The notes to the financial statements indicate clearly where restrictions exist, and the effect of the restrictions is summarised as follows:

	<b>\$'000</b>
<b>Working Capital as per Accounts</b>	<b>69,550</b>
<b>Add: Payables &amp; Provision not expected to be realised in the next 12 months included above</b>	<b>10,387</b>
	<b>79,937</b>
<b>Add: Budget expected to be realised in the next 12 months</b>	
- Borrowings	3
- Employees Leave Entitlements	6,250
- Self Insurance Claims	371
- Deposits Retentions and Bonds	1,214
<b>Adjusted Working Capital</b>	<b>87,775</b>
Less: Externally Restricted Assets	(27,604)
Less: Internally Restricted Assets	(9,136)
<b>Available Working Capital</b>	<b>\$51,035</b>



From this analysis it can be seen that at 30 June 2015 Council has sufficient working capital after the restrictions placed on those assets. This level of liquidity is adequate to fund day to day operations and, after considering the application of funds to the 2014/15 year and the need to maintain a minimum level of liquidity, provide a buffer against unforeseen costs, such as unexpected retirements of long serving staff, urgent restoration works for flood damage or bushfires.

Attached, in the separate attachment booklet, are the audited financial statements and includes:

- Auditor's report dated 5 August 2015 on the form and content of the General Purpose Financial Statements;
- Auditor's report dated 5 August 2015 on the conduct of the audit;
- Auditor's report dated 5 August 2015 on Council's declared business activities in terms of reporting required by National Competition Policy.

### **CONSULTATION**

As required by Section 418 of the Act, Council must give seven (7) days public notice for the meeting at which it presents the Audited Financial Statements and Auditor's Report. The public notice appeared in the Manly Daily on Saturday, 8 August 2015. Section 420 of the Act requires that all submissions in respect of the Audited Financial Statements must be in writing and must be lodged with the Council within seven (7) days after this meeting. Copies of all submissions received must be referred to Council's Auditor.

### **TIMING**

The timing of the public presentation is determined by the Act and should occur by 5 December each year.

### **FINANCIAL IMPACT**

The cost of the audit of Council's Financial Statements and the public advertising has been allocated in the current budget.

### **POLICY IMPACT**

Nil



<b>ITEM 6.3</b>	<b>COMPLAINTS MANAGEMENT AND REPORTING POLICY REVIEW</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2015/228763</b>
<b>ATTACHMENTS</b>	<b>1 Complaints Management and Reporting Policy (Included In Attachments Booklet)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report to Council the draft Complaints Management and Reporting Policy with a view for endorsement and placement on public exhibition.

#### **SUMMARY**

The former Complaints Management Policy was out of date and in need of review.

The scope of this policy outlines how complaints may be made, assessed and addressed by the Office of the Internal Ombudsman, with clearer definitions that may assist potential complainants.

This policy reflects recent changes made to the Code of Conduct and complements Council's existing Public Interest Disclosures Policy.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

The Policy will replace the existing Complaints Management Policy.

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#### **RECOMMENDATION OF GENERAL MANAGER**

That the draft Complaints Management and Reporting Policy be placed on public exhibition.

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<b>ITEM 6.4</b>	<b>CODE OF CONDUCT POLICY REVIEW</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2015/202224</b>
<b>ATTACHMENTS</b>	<b>1 Draft Code of Conduct - 2015 Review (Included In Attachments Booklet)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report to Council the draft Code of Conduct with a view for endorsement and placement on public exhibition.

#### **SUMMARY**

The Code of Conduct is due for review once every four years. This review is not due until February 2017. However, a Policy review is being undertaken across the organisation and one of the recommendations as a part of this review is to amalgamate relevant policies to reduce the number that Council has in play.

This was one of the drivers of the current review, which looks to incorporate two of Council's other Policies – the Gifts and Benefits Policy and the Conflicts of Interest Policy.

There have also been some changes in process, which has required the Code of Conduct to be reviewed. These changes will ensure a tighter document, with Councillors and staff only needing to refer to a single document, rather than three (relating to conduct and behaviour.)

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

If endorsed and adopted at a future meeting of Council, this Code of Conduct will supersede the current version of this document. The revised Code of Conduct also incorporates two of Council's other Policies – Gifts and Benefits and Conflicts of Interest, and as a result, these two Policies will become obsolete and should be rescinded.

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### **RECOMMENDATION OF GENERAL MANAGER**

That the draft Code of Conduct is placed on public exhibition and the results reported back to Council.

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**REPORT**

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**BACKGROUND**

The Code of Conduct is due for review once every 4 years. This review is not due until February 2017. However, a Policy review is being undertaken across the organisation and one of the recommendations as a part of this review is to amalgamate relevant policies to reduce the number that Council has in play.

This was one of the drivers of the current review, which looks to incorporate two of Council's other Policies – the Gifts and Benefits Policy and the Conflicts of Interest Policy. A further driver was to ensure that Council has a documented stance on Fraud and Corruption. In the interests of wishing to streamline Council's relevant policies, it was deemed appropriate to include this aspect in the Code of Conduct.

There have also been some changes in process, which has required the Code to be reviewed.

These changes will ensure a tighter document, with Councillors and staff only needing to refer to a single document, rather than several (relating to conduct and behaviour.)

**CONSULTATION**

The draft Code of Conduct has been written by the Internal Ombudsman in conjunction with the Acting Governance Manager.

The Information Management Manager was also consulted to ensure references to the Records Management OMS and Councillor Access to Information and Interaction with Staff Policy were correct to ensure consistency across all policies. Additionally, the Group Manager Business & Enterprise Risk was consulted to include a reference to Child Protection that will reflect procedures and reporting requirements in this regard.

The Leadership Group was consulted in June 2015, and Councillors were consulted in July 2015, with feedback from both groups being incorporated into the draft policy.

If endorsed, the Policy will be placed on public exhibition for consultation by the community.

**TIMING**

If the draft Code of Conduct is endorsed by Council, it will be placed on public exhibition for 28 days and the results of this will be reported back to Council, with a view to adoption of the Code of Conduct at this time.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

If endorsed and adopted at a future meeting of Council, this Code of Conduct will supersede the current version of this document. The revised Code also incorporates two of Council's other Policies – Gifts and Benefits and Conflicts of Interest, and as a result, these two Policies will become obsolete and should be rescinded.

<b>ITEM 6.5</b>	<b>ANNUAL REPORT OF THE OFFICE OF THE INTERNAL OMBUDSMAN</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2015/233463</b>
<b>ATTACHMENTS</b>	<b>1 Office of the Internal Ombudsman Annual Report 2014/15 (Included In Attachments Booklet)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

The purpose of the Office of the Internal Ombudsman's Annual Report 2014/2015 is to summarise the activity of the Office of the Internal Ombudsman (OIO) during the business year 1 July 2014 to 30 June 2015.

#### **SUMMARY**

This Annual Report (as attached) is delivered in accordance with the requirement of the Internal Ombudsman Guidelines and reports on the various business functions of the OIO for the business year.

The report specifically includes details on education and awareness, complaint handling, investigations, trend analysis, recommendations, as well as the required data in relation to the Conduct Review Committee and Public Interest Disclosures.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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#### **RECOMMENDATION OF GENERAL MANAGER**

That Council notes the Office of the Internal Ombudsman's Annual Report 2014-2015.

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## **7.0 COMMUNITY DIVISION REPORTS**

<b>ITEM 7.1</b>	<b>THE CRESCENT DEE WHY - PROPOSED ROAD RESERVE CLOSURE AND SALE OF LAND TO ADJACENT TO 19 THE CRESCENT DEE WHY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION</b>
<b>TRIM FILE REF</b>	<b>2015/209850</b>
<b>ATTACHMENTS</b>	<b>1 Area of Proposed Road Reserve Closure and Sale adjacent to 19 The Crescent Dee Why</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To consider a proposal to close and sell a portion of road reserve in The Crescent, Dee Why adjacent to 19 The Crescent Dee Why.

#### **SUMMARY**

The subject land is approximately 89 metres squared and is part of the steep road reserve located between the frontage of 19 The Crescent and the constructed Council road pavement. The location of the land is shown in the attachment to this report – Area of Proposed Road Reserve Closure and Sale Adjacent to 19 The Crescent Dee Why.

In accordance with Council's Surplus Road Reserve Disposal Policy – GOV PL 820 (the Policy) and the Roads Act 1993, the owner of 19 The Crescent Dee Why has applied to Council to formally close and purchase this section of road reserve. The purpose of the proposed acquisition is to allow for an extension to the existing dwelling.

#### **FINANCIAL IMPACT**

In accordance with Section 43 of the Roads Act 1993, funds generated from the disposal of this surplus road reserve are required to be expended on either acquiring land for public roads or for carrying out work on public roads.

**POLICY IMPACT** Nil

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That Council authorises:

- A. An application to NSW Trade & Investment – Crown Lands for road closure under the provisions of the Roads Act 1993 for the road identified in this report being part The Crescent, Dee Why adjacent to 19 The Crescent Dee Why.
- B. Disposal of the subject land in accordance with its Disposal of Surplus Road Reserve Policy GOV-PL 820 and Property Acquisition and Disposal – (Negotiation on Purchase Price) Policy GOV – PL 810 subject to the land being consolidated with the adjoining land at 19 The Crescent Dee Why (Lot 2C DP 397873).
- C. The General Manager to execute all documentation necessary in order to give effect to this resolution.

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- D. All costs associated with the proposal referred to in this resolution, including but not limited to, Council's legal costs and GST if applicable, be funded by the applicant.
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**REPORT**

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**Background**

In accordance with Council's Surplus Road Reserve Disposal Policy – GOV PL 820 (the Policy) and the Roads Act 1993, the owner of 19 The Crescent Dee Why has applied to Council to formally close and purchase this section of road reserve adjoining the frontage to this property. The purpose of the proposed acquisition is to allow for an extension to the existing dwelling.

The subject land is approximately 89 metres squared and is part of the steep road reserve located between the frontage of 19 The Crescent and the constructed Council road pavement. The location of the subject land is shown in Attachment A of this report.

The zoning of the subject land is R2 Low Density Residential within the Warringah Local Environmental Plan 2011 (WLEP 2011). This zoning is consistent with the adjoining land zoning.

The applicant has also received Deferred Development Consent (DA2014/0354) for Alterations and Additions to the existing dwelling at 19 The Crescent Dee Why subject to a successful road reserve closure and purchase application.

As the subject land is not a marketable parcel, Council is able to consider the sale of this land to an adjoining owner in accordance with its Policy. Additionally, a requirement of the Policy is that any road that is closed and sold must be consolidated with the adjoining land owned by the purchaser.

**Consultation**

Council has undertaken the required statutory notification of the road reserve closure proposal in accordance with the Roads Act 1993 on behalf of NSW Trade & Investment – Crown Lands. This included a notice in The Manly Daily, notification letters to adjoining/nearby property owners and service authorities and a notice sign at the subject land. The submission period concluded on 15 December 2014 and no objections were received by Council.

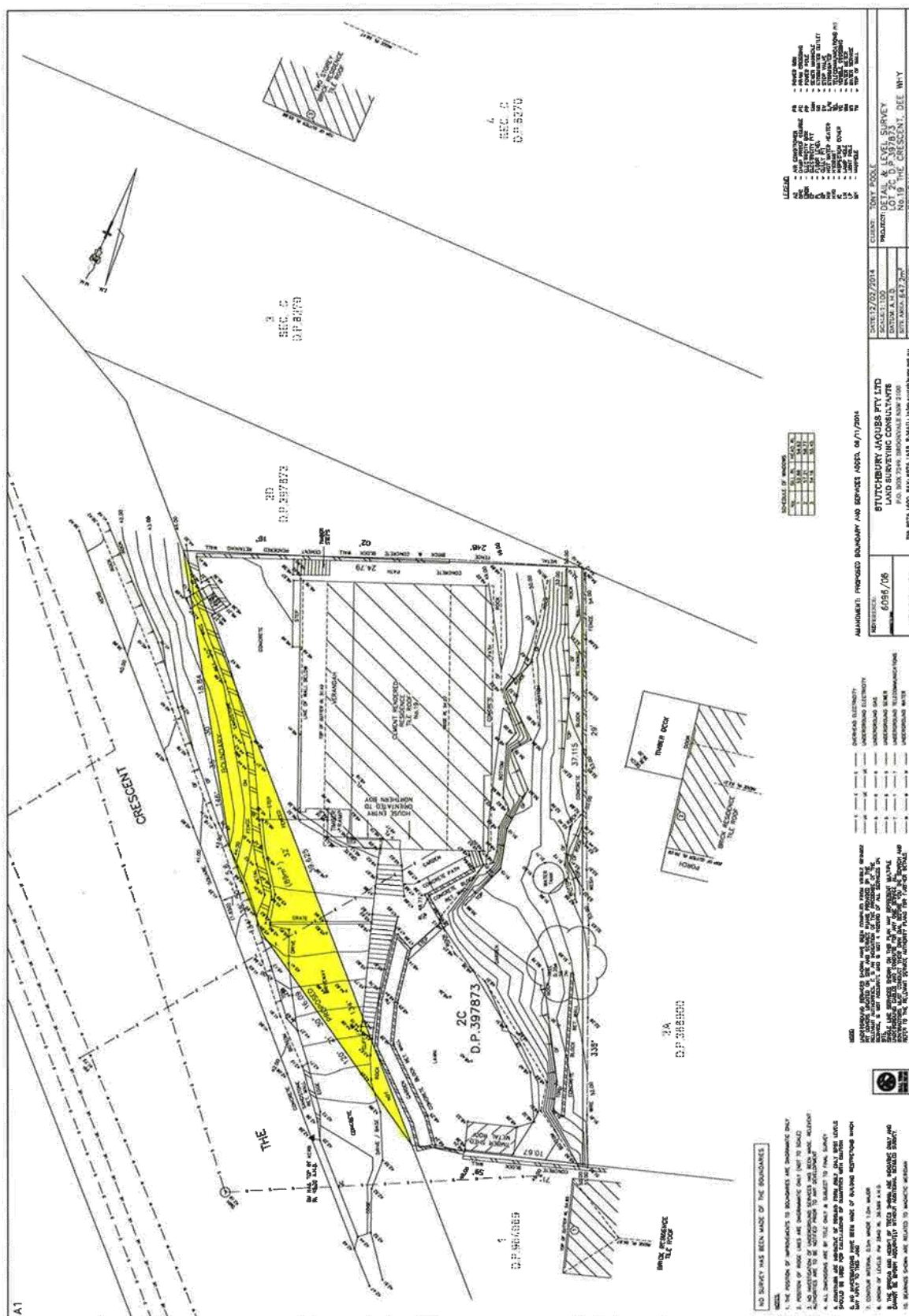
The proposal was then submitted for initial consideration to NSW Trade & Investment – Crown Lands who has recently provided in-principle approval to the road closure and sale proposal.

**Proposed Sale of Land**

Council has obtained independent valuation advice for the subject land. A copy of this valuation advice will be available at the Council meeting for perusal by the elected Council.

The applicant has received a copy of the independent valuation advice and concurs with the assessment of value for the subject land. Consequently, the applicant wishes to proceed with the proposed road closure and purchase of the subject land.







<b>ITEM 7.2</b>	<b>ADOPTION OF THE MANAGEMENT OF TENNIS FACILITIES POLICY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION</b>
<b>TRIM FILE REF</b>	<b>2015/205765</b>
<b>ATTACHMENTS</b>	<b>1 Submission to Draft Tennis Facilities Policy 2 Draft - GOV-PL 882 - Management of Tennis Facilities Policy</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report on the outcome of the public exhibition of the revised draft Management of Tennis Facilities Policy (the Policy) and to recommend its adoption.

#### **SUMMARY**

At the Ordinary Council Meeting held 26 May 2015 Council resolved:

*"That the draft Management of Tennis Facilities Policy be placed on public exhibition for a minimum of 28 days with the results reported to Council".*

The revised draft policy was publicly exhibited from 1 June 2015 until 28 June 2015. The draft policy document received only one submission which suggested that council should subsidise these facilities more. This suggestion was assessed as not being financially sustainable and no changes to the exhibited draft policy are recommended.

The community tennis clubs that are directly impacted by the Management of Tennis Facilities Policy were engaged and the clubs support the policy.

The Management of Tennis Facilities Policy is an update to the existing policy, Council Tennis Court Policy GOV-PL 882, which has also been retitled to better reflect tennis courts as a broader facility.

#### **FINANCIAL IMPACT**

The implementation of the policy will improve the financial sustainability of the tennis facilities and the long term financial impact to Council.

#### **POLICY IMPACT**

This policy will complement a number of Council's current policies and strategies being:

- a) Community Rental Subsidy Policy - PL 420
- b) Asset Management Strategy
- c) Recreation Strategy
- d) Grants and Sponsorship – PL 011 Grants

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#### **RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That Council adopt GOV - PL 882 - Management of Tennis Facilities Policy.

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## REPORT

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### BACKGROUND

In 2014 a review of the Council Tennis Court Policy GOV-PL 882 was undertaken by Council staff. The result was to update the Policy and standardise the tennis clubs lease agreement to reflect how the clubs operate today.

The report to inform Council of the content of the draft Management of Tennis Facilities Policy and seek approval to place the draft policy on public exhibition was presented to Council at its Ordinary Meeting held 26 May 2015.

Council resolved:

*"That the draft Management of Tennis Facilities Policy be placed on public exhibition for a minimum of 28 days with the results reported to Council".*

The draft Management of Tennis Facilities Policy was publically exhibited for comment from 1 June 2015 until 28 June 2015.

### CONSULTATION

The Policy was distributed and discussed with key stakeholders including Council's Buildings, Property, Facilities and Recreational Management Groups as well as the Community Tennis Clubs and Tennis New South Wales.

During the exhibition period, an advertisement was placed in the Manly Daily on 6 June 2015. A copy of the report and draft policy was also available on Council's website.

In addition, notification was sent to tennis groups which have licences and leases with Council as well as to organisations and individuals contained within Council's community engagement list.

### Submissions

A total of one (1) submission was received regarding the draft Policy. This submission related to the renewal approach within the policy recommending that Council should take more financial responsibility. This recommended approach was not progressed as the financial sustainability considerations had been strongly considered and worked through by both Council and the lessees, in conjunction with Tennis Australia.

The submission is provided in the attachments for reference.

### TIMING

Community leases/licences under the new agreements will use the new Policy upon adoption by Council.

### FINANCIAL IMPACT

The implementation of the policy will improve the financial sustainability of the tennis facilities and the long term financial impact to Council.

### POLICY IMPACT

This Policy will complement a number of Council's current policies and strategies and provide clear guidance as to their administration:

- Community Rental Subsidy Policy – PL 420
- Asset Management Strategy
- Recreation Strategy
- Grants and Sponsorship – PL 011 Grants

**From:** Warringah Council <notifications@engagementhq.com>  
**Sent:** Tuesday, 16 June 2015 2:20 PM  
**To:** Council Mailbox  
**Subject:** Submission - Management of Tennis Facilities Policy Submission - Tennis Policy

A member of the community has just submitted the survey 'Submission - Tennis Policy' with the responses below.

Project: Revised Tennis Policy

**Contact**

**Name**

**Address**

**Email**

**What do you like about the changes made to the Draft Management of Tennis Facilities Policy?**

It appears that the non-profit groups that manage the tennis centres will be liable for all the upkeep of the facilities, yet the draft plan was that the council wanted the facilities to be available for a wide section of the community. If one small group is responsible for all the upkeep at the facilities and the wider community can use the facilities how is that fair? I suggest to ensure the facilities are well maintained that the council take on some of the responsibilities. Otherwise they will fall into disrepair and be of no use to anyone. What is the current users just walked away and played when ever they wanted with no responsibility?

**What do you think is missing or needs changing?**

Some cost sharing by the council. It is Crown land not Council land afterall.

**What is your association with Warringah (tick all that apply)**

Warringah rate payer

**Please specify 'Other'**

No Answer

**Any other comments or suggestions?**

No Answer



## **Warringah Council Policy**

### **Policy No.**

### **Management of Tennis Facilities Policy**

#### **1 Purpose of Policy**

To provide a framework for the management of Warringah Council tennis facilities that are leased or licenced to third party community groups.

#### **2 Principles**

Warringah Council's tennis facilities are situated upon either Crown Land which Council is the reserve trust manager or upon Council Land. The principles of this Policy are applicable to all Council tennis facilities.

The management of tennis facilities is guided by the following objectives:

- To encourage tennis participation and accessibility for the greater community
- To provide tennis facilities in appropriate locations
- To encourage sustainable and equitable financial management models for the operation of tennis facilities through standard lease/licence agreements
- To provide clarity and consistency in roles and responsibilities of Council and lessee/licensee
- To enable trends in tennis and recreation activities through permitting a greater range of activities and used
- To fulfil the requirements of State Government legislation and Council policies in relation to provision of facilities and assets on Council land and Crown public recreation reserves
- To adhere to Council's [Asset Management Strategy](#)

#### **3 Implementation**

The Policy is applicable to all tennis facilities entering into the new lease/licence agreement. The lease/licence under this policy will be for an initial 10 year term with an additional five year option. Where there is a substantial increase to the annual rent fee, a reduction in the rent fee for the first three years of the 10 year term will be available in the initial implementation of this Policy.

#### **4 Roles and responsibility matrix**

The roles and responsibility for the management of Council's tennis facilities are as follows:

Effective date	Version	Management of Tennis Facilities Policy	2015/002515	Page 1 of 3
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Policy No.

ITEM	Operational, Maintenance & Repairs	Renewal	Additions & Upgrade
Court Surfaces	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
Net posts & nets	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
All fencing	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
All lighting	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
All Poles	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
Shelters/Structures	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
Grounds	Lessee/Licensee	Lessee/Licensee	Lessee/Licensee
Club House Building (Electrical and Plumbing)	Lessee/Licensee	Warringah Council	Warringah Council

## 5 Amendments

This policy supersedes GOV-PL 882 supersedes FIN-PL 410. GOV-PL 882 supersedes policy number 6.4.07. This policy was last amended on 14/8/84, as recorded in *Council Minute Number 799*.

This Policy was last amended on [insert date]

## 6 Authorisation

This Policy was adopted by Council on [insert date]

It is effective from [insert date]

It is due for review on 31 August 2016

## 7 Who is responsible for implementing this Policy?

Manager Property

## 8 Document owner

Group Manager of Buildings, Property and Spatial Information

## 9 Related Council Policies

- a) [Community Rental Subsidy Policy; PL 420](#)
- b) [Asset Management Strategy](#)
- c) [Recreation Strategy](#)
- d) [Grants and Sponsorship PL 011 Grants](#)

## 10 Legislation and references

[Local Government Act 1993- Section 355](#)



Policy No.

## 11 Definitions

### Operational

Daily up keep of the tennis facility, i.e. cleaning, waste removal and inspecting.

### Maintenance

Work to preserve the condition of the tennis facility, i.e. servicing equipment, rejuvenation of court surfaces and ground/landscaping maintenance.

### Repairs

Work to restore damaged or worn-out facilities to normal operating condition, i.e. fixtures, fencing and court surfaces.

### Renewal

Exchange an item for another that has the same capacity to perform the same function at the end of its use/life, i.e. court surfaces, poles, fencing, and light fittings.

### Additions & Upgrades

Works to change an existing facility or replace an item with another of different performance/function, i.e. clubhouse, fencing, tennis courts and facility layout.

<b>ITEM 7.3</b>	<b>WARRINGAH RECREATION CENTRE - 2014/15 PERFORMANCE REPORT</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION</b>
<b>TRIM FILE REF</b>	<b>2015/000986</b>
<b>ATTACHMENTS</b>	<b>1 WRC Non-Financial Performance Report 2014-15</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To provide a report detailing the income and expenditure statements for the Warringah Recreation Centre.

#### **SUMMARY**

The income and expenditure (Operational Expenditure) statements for the Warringah Recreation Centre for the three (3) years starting 1 September 2013 during which time Council has managed the operation of the site are:

- 2014/15 – Income: \$146,651.76                      Expenditure: \$38,236.11
- 2013/14 – Income: \$133,853.75                      Expenditure: \$55,873.61
- 2012/13 – Income: \$ 34,734.12                      Expenditure: negligible

#### **FINANCIAL IMPACT**

The net positive position for 2014/15 is \$108,415.65

#### **POLICY IMPACT**

Nil

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That Council note the Warringah Recreation Centre – 2014/15 Performance Report.

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**REPORT**


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**BACKGROUND**

Warringah Council resumed the management of the Warringah Recreation Centre (WRC) on 1 September 2013, as per Council's resolution of April 2013 (Resolution 094/13). The Year One – 2013/14 WRC Performance Report was presented to Council on 26 August 2014 and it was requested that a similar report be delivered on an annual basis.

Operating model

The WRC management model still involves the following three main licensees:

- Voyager Tennis (licence for tennis courts and clubhouse management)
- Luik Holding Pty Ltd (licence for squash courts)
- Northern Beaches Futsal Association Inc (licence to hire futsal courts)

The futsal courts are also hired out to other sporting groups, community groups, schools and casual court hire (summary of the sporting services and attendances can be found in the attached report).

2014/15 Operating Expenditure and Income:

The following is a summary of the operating incomes and expenditures (OpEx) for the WRC for 2014/15, noting a reduction in expenditure for 2014/15 due to the service now being an ongoing operation primarily delivered by licensees.

**2014 - 2015:**

<b>Income</b>	<b>Actual 2015 (\$)</b>
1 July 2014 – 30 June 2015	
Venue hire - User fees & charges	27,678.59
Lease / License - Community / Sporting	118,973.17
<b>Total Income from Continuing Operations</b>	<b>146,651.76</b>

**Expenses:**

<b>Employee Costs</b>	<b>Actual 2015 (\$)</b>
Salary	13,953.13
Salaries – Workers Comp	202.10
ELE – Annual Leave	1,128.47
ELE- Long Service Leave	496.34
Superannuation	1435.61
<b>Subtotal</b>	<b>17,215.65</b>
<b>Materials and Contracts</b>	<b>Actual 2015 (\$)</b>
Consumables	492.08
Maintenance - Facilities	4,058.56
Operational Maintenance – Cleaning, Grounds etc	4,820.73
Software Licence Fees	13.64
<b>Subtotal</b>	<b>9,385.01</b>
<b>Other Operating Expenses</b>	<b>Actual 2015 (\$)</b>
Telephone & Communications	1,499.43
Promotion Costs	1,855.00



Insurance	661.00
Utilities*	7,606.84
Tea Coffee & Kitchen Consumables	13.18
<b>Subtotal</b>	<b>11,635.45</b>
<b>Total Expenses from Continuing Operations</b>	<b>38,236.11</b>

	Actual 2015(\$)
Total Income from Continuing Operations	146,651.76
Total Expenditure from Continuing Operations	38,236.11
<b>Net Position</b>	<b>108,415.65</b>

\* - includes pro-rata estimation for utility invoices yet to be received.

This compares with the previous years' figures as per the below:

#### **2013 – 2014:**

	Actual 2014 (\$)
Total Income from Continuing Operations	133,853.75
Total Expenditure from Continuing Operations	55,873.61
<b>Net Position</b>	<b>77,980.14</b>

#### **2012 – 2013:**

	Actual 2013 (\$)
Total Income from Continuing Operations	34,734.12
Total Expenditure from Continuing Operations	Negligible
<b>Net Position</b>	<b>34,734.12</b>

#### Capital Works:

A small amount of renewal was completed at the Warringah Recreation Centre in 2014/15, with the primary expenditure on the one tennis court that was below acceptable standard, as follows:

<b>Work category</b>	<b>Work detail</b>	<b>Actual 2015 (\$)</b>
Courts	Re-leveling and re-surfacing of Court 1.	14,378.00
Clubhouse works	Replacement of a number of locks, door hardware and doors	4,167.00
<b>TOTAL</b>		<b>18,545.00</b>

#### **FINANCIAL IMPACT**

The net positive position for 2014/15 is \$108,415.65

# **Warringah Recreation Centre**

## **2014-2015**

## **Performance Report**



## Warringah Recreation Centre

Warringah Council took over the role of co-ordinating the management of the Warringah Recreation Centre (WRC) on 1 September 2013.

The following is a summary of the non-financial performance of the WRC during 2014-2015.

### Total Attendance Figures - WRC

<b>Month</b>	<b>Tennis</b>	<b>Squash</b>	<b>Futsal</b>	<b>Spectators</b>	<b>Total</b>
<u>July 2015</u>	332	834	1832	360	3358
<u>Aug 2015</u>	356	339	840	*No Futsal Comp	1535
<u>Sep 2015</u>	446	1011	530	*No Futsal Comp	1987
<u>Oct 2015</u>	310	708	3690	1176	5884
<u>Nov 2015</u>	272	566	3670	1504	6012
<u>Dec 2015</u>	256	386	2790	1128	4560
<u>Jan 2015</u>	270	1024	1660	100	3054
<u>Feb 2015</u>	469	1595	2328	1560	5952
<u>Mar 2015</u>	580	1640	540	539	3299
<u>April 2015</u>	1533	392	490	716	3131
<u>May 2015</u>	1296	750	440	626	3112
<u>June 2015</u>	1295	664	400	603	2962
<b><u>Total</u></b>	<b><u>7415</u></b>	<b><u>9909</u></b>	<b><u>19210</u></b>	<b><u>8312</u></b>	<b><u>44846</u></b>

## Tennis Utilisation and Programs

### *Standard tennis court use per week*

		Casual Court hire (Hours)	Hot Shot classes (Hours)	Cardio Tennis (Hours)	Junior Tennis Classes (Hours)	Adult Tennis Classes (Hours)
Monday	am	10	-	-	-	4
	pm	8	4.5	-	12	-
Tuesday	am	6	-	-	-	-
	pm	10	4.5	2	3	-
Wednesday	am	12	-	-	-	-
	pm	14	4.5	1	2	2
Thursday	am	6	-	-	-	3
	pm	10	4.5	-	12	2
Friday	am	7	-	-	-	4
	pm	4	4.5	-	-	-
Saturday	am	20	-	-	-	-
	pm	5	-	-	-	-
Sunday	am	10	-	-	-	-
	pm	6	-	-	-	-

### *Local schools usage per term*

<b>Mon</b>	St Aug Mixed @ 4-5pm x 4 courts	
<b>Tue</b>	Oxford Falls@ 2-3pm x 4 courts	McKellar's Girls@12-1pm x 5 courts
<b>Wed</b>	McKellar's Girls@1-2.30pm x 5 courts	McKellar's Girls@12-1pm x 5 courts
<b>Thurs</b>	Oxford Falls@ 2-3pm x 4 courts	
<b>Fri</b>		
<b>Sat</b>	St M.M.A.C @7.30-12pm x4 courts	

***On average 253 people participate in tennis term programs per week***

Monday	am	8
	pm	50
Tuesday	am	2
	pm	50
Wednesday	am	2
	pm	30
Thursday	am	6
	pm	50
Friday	am	10
	pm	20
Saturday	am	25
	pm	-
Sunday	am	-
	pm	-
<b>Total</b>		<b>253</b>

### ***Tennis Programs during the school terms***

<i>Program</i>	<i>Term 3/2014</i>	<i>Term 4/2014</i>	<i>Term 1/2015</i>	<i>Term 2/2015</i>
Hotshots ( 5-12 yrs)	70	75	90	100
Private lessons	15	17	17	20
Junior class	35	40	45	45
Adult Beginners	6	6	6	6
Adult intermediate	12	12	12	12
Cardio Tennis	6	6	6	6
Seniors Tennis	12	12	12	12
Competition	35	35	35	35
<b>Total</b>	<b>191</b>	<b>203</b>	<b>223</b>	<b>236</b>

NB: Some players play multiple times which is reflected in the table above.

### **Specific WRC Tennis Promotions and Activities**

#### **Hotshot Challenges**

Each term the WRC hosts a Recreation Hotshots Tournament for children from local tennis clubs. The tournament is a fun way for the local junior tennis players to meet and challenge each other – on average 35 children participate in the tournament.

#### **Battle of the clubs challenge**

The WRC hosts a junior competition twice a year for the best junior players in Sydney - over 220 juniors have taken part from Manly Lawn Tennis Club, Narrabeena Tennis Club, Pittwater House School, Mona Vale Tennis Club, Next Generation Ryde Tennis Club and Forestville Tennis Club.

#### **Tennis in schools programs**

Voyager Tennis provides tennis lessons in schools to over six local schools that that don't have the resources to give students the opportunity to play tennis.

#### **School Holiday Tennis in conjunction with the WRC multisport camp**

The WRC runs a multi sports camp over the school holidays which offers a range of sports that includes tennis – on average there are over 80 children per day.

### ***School's Promotions***

The WRC have programs in place for schools to visit the WRC for complementary futsal games and gain skills in conjunction with Tennis and Squash.

### **WRC Affiliation to Tennis NSW**

As part of Warringah Councils ongoing support to Tennis Australia and Tennis NSW, Council's tennis operator has affiliated with Tennis NSW.

Our tennis operator, Voyager Tennis, provides the community of Warringah Tennis Australia/NSW programs that include, MLC Tennis Hot Shots classes, MLC Tennis Hot Shots Competitions and Cardio Tennis.

## **Futsal Utilisation and Programs**

### ***Standard Futsal Court Usage***

		Casual Court hire (Hours)	School Use (Hours)	WRC NBFA Comps (Hours)	WRC NBBSS (Hours)
<b>Monday</b>	<b>am</b>	1	1	-	-
	<b>pm</b>	3	1	8	-
<b>Tuesday</b>	<b>am</b>	1	1	-	-
	<b>pm</b>	-	4	8	-
<b>Wednesday</b>	<b>am</b>	1	1	-	-
	<b>pm</b>	2	4	8	-
<b>Thursday</b>	<b>am</b>	1	1	-	-
	<b>pm</b>	-	3	8	-
<b>Friday</b>	<b>am</b>	1	1	-	-
	<b>pm</b>	1	-	8	-
<b>Saturday</b>	<b>am</b>	-	-	-	4
	<b>pm</b>	2	-	-	-
<b>Sunday</b>	<b>am</b>	2	-	-	-
	<b>pm</b>	2	-	-	-

### ***Local Schools Usage***

<b>Mon</b>	St Aug Collage @10:15-11am	St Aug Collage @12:45-1:25pm x 1 court	
<b>Tue</b>	St Aug Collage @10:15-11am	Oxford Falls@ 2-3pm	McKellar's Girls @12-1pm
<b>Wed</b>	St Aug Collage @ 10.15-11am	Mackellar Girls School @1:30-2:30pm	Forestville High School @12:30-1:30pm
<b>Thurs</b>	St Aug Collage	St Lukes @ 1-2pm	Queenwood Girls

	@ 10:15-11am		@ 4- 5:30pm
<i>Fri</i>	St Aug Collage @ 10.15-11am		

***On average 1013 people participate in futsal term programs per week***

<b>Monday</b>	<b>am</b>	36
	<b>pm</b>	133
<b>Tuesday</b>	<b>am</b>	40
	<b>pm</b>	147
<b>Wednesday</b>	<b>am</b>	32
	<b>pm</b>	172
<b>Thursday</b>	<b>am</b>	27
	<b>pm</b>	135
<b>Friday</b>	<b>am</b>	28
	<b>pm</b>	110
<b>Saturday</b>	<b>am</b>	61
	<b>pm</b>	32
<b>Sunday</b>	<b>am</b>	36
	<b>pm</b>	24
<b><u>Total</u></b>		<b><u>1013</u></b>

### **Specific WRC Futsal Promotions and Activities**

#### ***Northern Beaches Futsal Association (NBFA) Summer and Winter Competition***

The local futsal association hold their summer and winter competitions at the WRC. They have over 500 teams with over 3,500 players that range from 5 years to 55 years, different skill levels and ladies/men's/mix games.

#### ***Northern Beaches Brazilian Soccer School (NBBSS)***

The Northern Beaches Brazilian Soccer School run their development programs at the WRC during the peak season for players aged 6-11 years. The NBBSS also run their school holiday soccer clinics at the WRC and have introduced a girl's only clinic to encourage more girls participating in the sport.

#### ***School Holiday Futsal in conjunction with the WRC multisport camp***

The WRC run sports camp over the school holidays and offer a range of sports that include futsal. The futsal courts are also used for hockey, touch football, hand ball and cricket and group games.

#### ***Live Life Get Active***

The WRC hosted the Live Life Get Active, free fitness classes for over 55s program. The classes were changed to over 18s to allow for wider range of participants. The program ran for over 10 months and had on average 20 participants per session.

#### ***School's Promotions***

The WRC have programs in place for schools to visit the WRC for complementary futsal games and gain skills in conjunction with Tennis and Squash.

## Squash Utilisation and Programs

### *Standard Squash Court Usage*

		Casual Court hire (Hours)	School Use (Hours)	WRC Squash Comps (Hours)
Monday	am	2	-	-
	pm	9	-	6
Tuesday	am	1	-	-
	pm	15	-	-
Wednesday	am	2	-	-
	pm	15	3	-
Thursday	am	2	-	-
	pm	9	3	6
Friday	am	1	-	-
	pm	15	-	-
Saturday	am	4	-	-
	pm	3	-	-
Sunday	am	4	-	-
	pm	3	-	-

### **On Average people participating in squash programs per week**

Monday	am	4
	pm	36
Tuesday	am	2
	pm	30
Wednesday	am	2
	pm	48
Thursday	am	4
	pm	54
Friday	am	2
	pm	30
Saturday	am	8
	pm	6
Sunday	am	8
	pm	6
Total		<b><u>240</u></b>



**Specific WRC Squash Promotions and Activities*****Warringah Recreation Centres Weekly Squash Competition***

The squash centre holds 2 x evening, weekly completion for all skill levels and ladies/men's/mix games.

***Squash Timed Tournaments***

Twice a year the WRC squash holds mini tournaments played amongst 4 players per court in 20 minute matches. The tournaments run on the weekend and are very popular with squash players.

***School Holiday Futsal in conjunction with the WRC multisport camp***

The WRC run sports camp over the school holidays and offer a range of sports that includes squash. The futsal courts are also used for volley ball, short tennis, badminton and wet weather games.

***School's Promotions***

The WRC have programs in place for schools to visit the WRC for complementary futsal games and gain skills in conjunction with Tennis and Squash.

2014/15 - WRC Photos



<b>ITEM 7.4</b>	<b>PROPOSED NEW FEES FOR WARRINGAH AQUATIC CENTRE</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER COMMUNITY</b>
<b>TRIM FILE REF</b>	<b>2015/231655</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To seek Council approval to exhibit proposed new fees for the Warringah Aquatic Centre.

#### **SUMMARY**

Warringah Aquatic Centre has commenced a tender process to partner with an external provider for the provision of squad coaching services.

It is proposed that new fees and charges are introduced to ensure accessibility to the service and, to deliver on the Warringah Aquatic Centre's mission; to promote and encourage, through innovative leadership and partnerships, sustainable participation in a range of Aquatics and Recreational activities.

To enable participation, it is proposed that;

1. A Child Annual Membership be introduced
2. A Child Monthly Membership be introduced
3. A Family Annual Membership be introduced
4. An Additional Child Membership be introduced - *Sold in conjunction with a Family Annual Memberships only*

These new fees will help to retain current swimmers and users of the facility. It will also encourage new squad customers to the service and to the facility. Further, the proposal will bring the Centre's pricing structure in-line with market rates at other comparative facilities.

The range of fees being proposed have been benchmarked against other comparative sites in NSW including Sutherland, Willoughby, Leichardt, Manly and Ryde Aquatic Centres.

#### **FINANCIAL IMPACT**

It is not expected that there will be a significant increase or decrease in revenue from existing users of the service and facility. It is proposed that there will be a positive financial impact from an increase in patronage due to accessibility of the squad service.

The proposed fees and descriptions are shown further in this report.

#### **POLICY IMPACT**

The creation of the proposed fees and charges align with the Warringah Community Strategic Plan 2023 and Warringah Aquatic Centre mission.

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That Council place the proposed fees for the Warringah Aquatic Centre Club on public exhibition.

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**REPORT**


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**BACKGROUND**

Warringah Aquatic Centre's fees structure does not currently accommodate all types of users of the service or the facility.

In addition, the Centre is tendering for an external provider to deliver squad coaching services. To ensure accessibility of the service, the current fee does not encourage participation of new users to the service or assist current users to transition to the new method of squad service delivery.

Current trends indicate a decline in attendance figures and it is proposed that new fees and charges are established to attract and encourage users to attend the facility on a more regular basis.

The range of fees being proposed have been benchmarked against other comparative sites in NSW including Sutherland, Willoughby, Leichardt, Manly and Ryde Aquatic Centres.

The proposed fees are as follows:

<b>FEE DESCRIPTION</b>	<b>Fees for 2015/16</b>
Child Annual Membership – 4-16 years of age Includes access to the centre for casual swimming and other events such as water polo and carnivals	\$636 Based on current percentage discount for Adult casual to Child casual entry
Child Monthly Membership – 4-16 years of age Includes access to the centre for casual swimming and other events such as water polo and carnivals	\$53 Based on Child Annual Membership divided by 12 months
Family Annual Membership – Max. 2 adults and up to 3 children Includes access to the centre for casual swimming, swim-fit for adults and other events such as water polo and carnivals	\$1808 Based on the total value of 2 adults and 3 children minus 50%
Additional Child Membership – 4-16 years of age <i>Sold in conjunction with a Family Annual Membership only</i> Includes access to the centre for casual swimming, swim-fit for adults and other events such as water polo and carnivals	\$318 Based on the total value of a Child Annual Membership minus 50% only available when sold in conjunction with a Family Annual Membership

**TIMING**

Upon Council approval, the proposal is to be open to the public for submissions.

**FINANCIAL IMPACT**

It is not expected that there will be a significant increase or decrease in revenue from existing users of the service and facility. It is proposed that there will be a positive financial impact from an increase in patronage due to accessibility of the squad service.

**POLICY IMPACT**

The creation of the proposed fees and charges aligns with the Warringah Community Strategic Plan 2023 and Warringah Aquatic Centre mission.



## 8.0 ENVIRONMENT DIVISION REPORTS

<b>ITEM 8.1</b>	<b>ELECTION OF DEPUTY MAYOR</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2015/238559</b>
<b>ATTACHMENTS</b>	<b>1 Nomination Form - Deputy Mayor</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To allow Council to elect a Deputy Mayor following the recent resignation of the current Deputy Mayor Cr Menano-Pires, effective 25 August 2015.

#### SUMMARY

Section 231 of the Local Government Act 1993 provides that Councillors may elect a person from among their number to be the Deputy Mayor. That person may be elected for the mayoral term or for a shorter term. The Deputy Mayor has no specific functions other than to exercise the functions of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising those functions or if there is a casual vacancy in the office of the Mayor.

#### FINANCIAL IMPACT

Council's Policy GOV-PL 120, Policy for the Payment of Expenses for, and Reimbursement of Expenses and Provision of Facilities for the Mayor, Deputy Mayor and Councillors provides that the Deputy Mayor shall be paid a percentage of the mayoral fee for the periods of time when the Mayor is prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in, the office of Mayor.

The policy also provides that the amount of the fee paid is to be deducted from the Mayor's annual fee and that the percentage to be paid is to be determined by Council at the election of the Deputy Mayor.

#### POLICY IMPACT

Nil

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### RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT DIVISION REPORTS

That:

- A. Council determines whether to elect a Deputy Mayor.
- B. If Council determines to elect a Deputy Mayor, it then determines:
  - (a) The term of the Deputy Mayor
  - (b) The fee payable, if any, to the Deputy Mayor, for the periods of time when the Mayor is prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in, the office of Mayor and how this will be paid
  - (c) Whether the election, if required, shall be carried out by Open Voting, Ordinary Ballot or Preferential Ballot.

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**REPORT**

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**BACKGROUND**

According to the Local Government Act 1993:

***“231 Deputy Mayor***

- (1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) 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.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.”*

On 23 September 2014 Warringah Council resolved to elect Councillor Menano-Pires as Deputy Mayor for a period of 12 months.

**Payment of Fees – Deputy Mayor**

In relation to the payment of fees to the Deputy Mayor, Council's Policy for the Payment of Expenses for, and Reimbursement of Expenses for The Mayor, Deputy Mayor and Councillors, states that:

*“The Deputy Mayor shall be paid a percentage of the Mayoral Fee calculated under Clause 8, for the periods of time when the Mayor is prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in, the office of the Mayor. The amount of the fee so paid to the Deputy Mayor shall be deducted from the Mayor's annual fee and the percentage to be paid will be determined by Council at the election of the Deputy Mayor.”*

Some Councils, including those with popularly elected Mayors, did not provide any additional fees to Deputy Mayors. A number of Councils, as an alternative to paying a fee to the Deputy Mayor, provide the Deputy Mayor with all or part of the additional facilities available to the Mayor during times that the Deputy Mayor is required to carry out the functions of the Mayor. There is no clear and consistent policy evident across Councils, with several Council policies being silent on the provision of any additional fees or facilities to the Deputy Mayor.

The fee paid to the Deputy Mayor, if any, will be deducted from the Mayor's annual fee. Council resolved, at its meeting on 26 May 2015, that the Mayor's fee (which is separate to the fee paid to the Mayor as a Councillor) for 2015/2016 would be \$ \$62,090.

**Election of Deputy Mayor**

As provided by Clause 394 of the Local Government (General) Regulation 2005, the election of the Deputy Mayor is governed by the provisions of Schedule 7 of that Regulation which is provided below:

**Part 1 - "Local Government (General) Regulation 2005 Requirements – Schedule 7****1 Returning officer**

*The general manager (or a person appointed by the general manager) is the returning officer.*

**2 Nomination**

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) The nomination is to be delivered or sent to the returning officer.*
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

**3 Election**

- (1) If only one councillor is nominated, that councillor is elected.*
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) In this clause:  
"ballot" has its normal meaning of secret ballot.  
"open voting" means voting by a show of hands or similar means.*

**Part 2 - Ordinary ballot or open voting****4 Application of Part**

*This Part applies if the election proceeds by ordinary ballot or by open voting.*

**5 Marking of ballot-papers**

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) An informal ballot-paper must be rejected at the count.*

**6 Count-2 candidates**

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.*
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

**7 Count-3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*



- (3) *If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.*
- (4) *A further vote is to be taken of the 2 remaining candidates.*
- (5) *Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (6) *If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

### **Part 3 - Preferential ballot**

#### **8 Application of Part**

*This Part applies if the election proceeds by preferential ballot.*

#### **9 Ballot-papers and voting**

- (1) *The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.*
- (2) *The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) *An informal ballot-paper must be rejected at the count.*

#### **10 Count**

- (1) *If a candidate has an absolute majority of first preference votes, that candidate is elected.*
- (2) *If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*
- (3) *A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*
- (4) *In this clause, "absolute majority", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.*

#### **11 Tied candidates**

- (1) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal-the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (2) *If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes-the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

**Part 4 - General****12 Choosing by lot**

*To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.*

**13 Result**

*The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:*

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and*
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.”*

Please note nomination papers are attached (Attachment 1).

**TIMING**

Council shall decide the term of office for the Deputy Mayor, being either for the rest of the Mayoral term or for a shorter period.

**FINANCIAL IMPACT**

Council's Policy GOV-PL 120, Policy for the Payment of Expenses for, and Reimbursement of Expenses and Provision of Facilities for the Mayor, Deputy Mayor and Councillors provides that the Deputy Mayor shall be paid a percentage of the mayoral fee for the periods of time when the Mayor is prevented by absence, illness or otherwise from acting in, or when the Mayor requests the Deputy to act in, the office of Mayor.

The policy also provides that the amount of the fee paid is to be deducted from the Mayor's annual fee and that the percentage to be paid is to be determined by Council at the election of the Deputy Mayor.

**POLICY IMPACT**

Nil



## Office of Deputy Mayor

In accordance with Clause 394 and Schedule 7 of the Local Government (General) Regulation 2005,

Councillor \_\_\_\_\_ is hereby nominated for  
(insert name of nominee)

the office of **DEPUTY MAYOR** for a period to be determined by Council.

### Nominators

1. Councillor \_\_\_\_\_  
(insert name) (signature)
2. Councillor \_\_\_\_\_  
(insert name) (signature)
3. Councillor \_\_\_\_\_  
(insert name) (signature)

### Nominee

I, Councillor \_\_\_\_\_, consent to this nomination.  
(insert name)

\_\_\_\_\_  
(Signature)

Clause 124 and Clause (2) Schedule 3 of the Local Government (Elections) Regulation 1998 outlines the Statutory provisions for the nomination of candidates for election of **Deputy Mayor** by Councillors as follows:

#### **"Nomination**

2. (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held."

Doc No 2012/297631

<b>ITEM 8.2</b>	<b>MINUTES OF SYDNEY COASTAL COUNCILS GROUP MEETING HELD 20 JUNE 2015</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER NATURAL ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2015/209697</b>
<b>ATTACHMENTS</b>	<b>1 Minutes of Sydney Coastal Councils Group Meeting held 20 June 2015 (Included In Attachments Booklet)</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To report the Minutes of the Sydney Coastal Councils Group (SCCG) meeting held 20 June 2015.

#### SUMMARY

An ordinary meeting of the Sydney Coastal Council Group was held at the City of Sydney Council on 20 June 2015. Councillors Heins and Moskal attended the meeting as Warringah Council's delegates.

Matters discussed at the meeting relevant to Warringah Council included the following:

- SCCG Strategic Plan (2015-2019)
- 2015 - 2016 Campaign program (Sewer overflows and associated contamination of stormwater)
- Responsibility for the *Coastal Protection Act 1979*
- Trialling alternative methods to shark meshing
- Dates of future SCCG meetings

#### FINANCIAL IMPACT

Nil

#### POLICY IMPACT

Nil

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### RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council note the minutes of the Sydney Coastal Council Group meeting held 20 June 2015.

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## REPORT

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### BACKGROUND

Sydney Coastal Councils Group (SCCG) meetings are held quarterly and minutes are available through the Councillor portal. Warringah Council delegates on the SCCG are Cr Heins and Cr Moskal. Further information on the SCCG and its activities is available at [sydneycoastalcouncils.com.au](http://sydneycoastalcouncils.com.au)

### DISCUSSION

An ordinary meeting of the SCCG was held at the City of Sydney Council on Saturday 20 June 2015. Councillors Heins and Moskal attended the meeting as Warringah Council's delegates.

Matters discussed at the meeting relevant to Warringah Council included:

#### SCCG Strategic Plan (2015-2019)

Formal exhibition of the SCCG Strategic Plan (2015-2019) was undertaken with Member Councils between April and May 2015. Following some minor amendments the final SCCG Strategic Plan (2015-2019) was adopted at the meeting.

#### 2015 - 2016 Campaign program (Sewer overflows and associated contamination of stormwater)

At the March SCCG meeting delegates considered and voted on potential advocacy campaigns for the SCCG to undertake in 2015 and 2016. Through this process a campaign on sewer overflows and associated contamination of stormwater was considered to be the highest priority.

To assist the development of a campaign the Secretariat will prepare a scoping study to define key issues and actions for this campaign.

#### Responsibility for the *Coastal Protection Act 1979*

It was noted that the Planning Minister, the Hon Rob Stokes MP, recently issued Administrative Orders assuming responsibility for the *Coastal Protection Act 1979* and the coastal reforms (these had formerly been the responsibility of the Environment Minister). The EO recommended that the Planning Minister be invited to present to the AGM.

#### Trialling alternative methods to shark meshing

Department of Primary Industry (Fisheries) advised that \$100,000 has been committed to trialling alternative methods to shark meshing. It was noted that prior to the State Election, the NSW Government committed \$100M to threatened species none of which was allocated to marine species.

#### Dates of future SCCG meetings

- Saturday 19 September 2015 at 12 noon (AGM) – Mosman Council
- Saturday 5 December 2015 at 12 noon - City of Sydney

### FINANCIAL IMPACT

Nil

### POLICY IMPACT

Nil

<b>ITEM 8.3</b>	<b>FIRE SAFETY COMPLIANCE POLICY PAS-PL 110</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES</b>
<b>TRIM FILE REF</b>	<b>2015/172561</b>
<b>ATTACHMENTS</b>	<b>1 Fire Safety Compliance Policy PAS-PL 110</b>

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**REPORT**

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**PURPOSE**

To seek adoption of the Fire Safety Compliance Policy PAS-PL 110.

**REPORT**

The revised Fire Safety Compliance Policy (the Policy), as attached, was reported to Council on 28 April 2015, and it was resolved to place the Policy on public exhibition for a period of 28 days, prior to adoption.

The Policy was subsequently listed on the 'your say' page of Council website, advertised in the Manly Daily and also displayed in the Civic Centre.

No submissions were received to the Policy.

The Policy is reported back to Council without change for consideration of adoption.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council adopt the Fire Safety Compliance Policy PAS-PL 110.

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## **Warringah Council Policy**

### **Policy No. PAS-PL 110**

### **Fire Safety Compliance Policy**

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#### **1. Purpose of Policy**

- To ensure fire safety compliance in all buildings within Warringah and to protect life safety, prevent death, injury and property damage caused by fire.
- To give the community confidence that Warringah Council takes its obligations under the law seriously in terms of annual fire safety statements
- To provide guidance on fire safety process and inspections.

#### **2. Policy Statement**

##### **Warringah Council will:**

- Maintain appropriate resources to ensure the effective delivery of this policy, including appropriately trained, experienced and qualified field staff
- Respond to complaints and enquiries concerning fire safety
- Maintain, and proactively manage a register of fire safety statements and essential services
- Implement a program of proactive fire safety audits
- Provide systems and processes which support efficient and effective delivery of this policy, including a register of current fire safety orders.
- Conduct enforcement with due consideration of Warringah Council's Compliance and Enforcement Policy PL120
- Collaborate with other agencies, including Fire and Rescue New South Wales (F&R NSW) and the Rural Fire Service (RFS) in pursuit of this policy and in support of managing fire safety risks within the Local Government Area (LGA)
- Maintain the required standards for fire safety within its own buildings, including submission of Annual Fire Safety Statements (AFSS).



### **3. Principles**

#### **3.1 Investigation of Fire Safety matters**

Council will respond to all complaints and enquiries concerning fire safety relating to premises within the LGA.

Actions will be prioritised according to risk, with matters that present an immediate threat to life being given the highest priority.

Targets for actioning requests will be as follows:

High risk – within one working day

Moderate Risk – within 5 working days

Low risk – within 10 working days

##### **3.1.1 Statutory Reports**

Matters reported to Council in accordance with Section 121ZD of the Environmental Planning and Assessment Act 1979 (EPA Act), where F&R NSW carries out an inspection of a building, will be prioritised as set out in 3.1 above. Notwithstanding this they will also be tabled at the next available Council meeting to determine whether or not an Order 6 or Order 8 of the Table to Section 121B of EPA Act will be issued. F&R NSW will then be advised of the resolution of Council.

##### **3.1.2 Proactive Program**

Council will conduct a program of proactive fire safety inspections of buildings within the LGA to determine compliance with relevant fire safety provisions.

Such programs will generally be prioritised on risk, but may also be determined based on industry information, advice from F&R NSW or other relevant body, or focused on a particular sector or classification of Building.

#### **3.2 Annual Fire Safety Statements**

Warringah Council LGA has a large and diverse stock of buildings constructed over different periods of time, where varied fire safety standards apply.

Under the EPA Act, post 1 July 1988, proprietors of class 1b to 9 buildings, where fire safety measures have been installed as a result of development consent for a change of use, a construction certificate, or a fire safety Order, are required to provide an AFSS to Council and F&R NSW. The statement is also required to be prominently displayed in the building.

Council will maintain a register of class 1b to 9 buildings that have current annual fire safety statements, including Council buildings.

Council may charge a fee for submission of each AFSS, payable at the time of submission, in order to recover the costs associated with





administering the AFSS register. Buildings will be added to the register when they are subject to:

1. Occupation Certificate
2. Fire Safety Orders
3. Voluntary submission of an AFSS

Failure to submit an AFSS within the required timeframes is an offence under the EPA Act which in most circumstances will result in the issue of a Penalty Infringement, including for any Council buildings.

Extensions of time will only be considered where there are extenuating circumstances, including but not limited to, discrepancy of fire safety measures specified, unavailability of essential parts, or unavoidable failure and/or damage of essential measures immediately prior to inspection. Delays in appointing a contractor, arranging an inspection and/or changes in Strata Manager will not generally be accepted as grounds for extension.

Requests for extension will generally only be considered where made prior to the due date, using Council's extension request application form, and where payment of the approved application fee has been made.

### 3.3 Compliance

The EPA Act and Regulations provide a range of enforcement tools to deal with Fire Safety matters, including:

- Order 6 – to promote fire safety in a building
- Order 8 – to cease an activity
- Order 10 – to cease the use or evacuate a premises where a person has failed to comply with an Order 6
- Penalty Infringement Notices
- Civil and Criminal Court Proceedings

All matters will be thoroughly investigated and actioned on a case by case basis. An escalating enforcement approach is normally applied unless the matter presents an immediate threat to life and safety.

Compliance action will be taken with due consideration of Council's Compliance & Enforcement Policy PL120.

Notwithstanding the above all fire safety breaches are deemed by Council to be serious offences and some circumstances may warrant issuing of a Penalty Infringement without previous warning, use of Emergency Orders where there is a life threatening hazard, Court attendance, for example due to failure to comply with the provisions of an Order, or action in the Land & Environment Court, for example to seek compliance with the terms of an Order.

The same action as outlined above can be expected should any of Council's own buildings be found to be deficient in terms of fire safety. Notwithstanding this any such matters in a Council building that are deemed to present a



serious threat to life safety will also reported without delay to the General Manager.

#### **4. Risk Assessment**

When applying this policy Council will take a risk-based approach when determining what works are required based on the vulnerability of occupants, uses and activities, risk to the community and age of the building, i.e. how far below today's fire safety standards the building currently achieves.

Notifications received under Section 121D or Section 162D of the Environmental Planning and Assessment Regulation 2000 will be considered using a risk-based approach, which may include taking no action; writing to the building owners, or taking any of the actions outlined in 3.3 above, as is warranted in the circumstances.

The scope of fire safety upgrade works required will generally be determined by requiring the building owners to engage appropriately qualified certifiers to undertake a Fire Safety Audit and submit strategies for approval, by issuing of Notices and Orders.

#### **5. Authorisation**

This policy was first adopted by Council on 14 February 2006 and will be reviewed every three years or as legislation requires.

#### **6. Amendments**

This policy was last amended on 23 March 2015.

#### **7. Who is responsible for implementing this policy?**

Group Manager Development and Compliance Services.

#### **8. Document owner**

Deputy General Manager, Environment

#### **9. Related Council Policies**

- a) Compliance & Enforcement Policy PL120
- b) Enterprise Risk Assessment Framework Policy PL700

#### **10. Legislation and references**

*Environmental Planning & Assessment Act 1979* and Regulations  
*Building Code of Australia*  
*Local Government Act 1993* and Regulations  
Warringah Council's *Fire & Life Safety Report* (19 Sep 2005)

#### **11. Definitions**

Class 1b to 9 buildings are defined under the Building Code of Australia.

<b>ITEM 8.4</b>	<b>SWIMMING POOL BARRIER INSPECTION PROGRAM</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES</b>
<b>TRIM FILE REF</b>	<b>2015/214207</b>
<b>ATTACHMENTS</b>	<b>1 Draft Swimming Pool Barrier Inspection Program</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To seek Council's endorsement of the draft Swimming Pool Barrier Inspection Program.

#### **SUMMARY**

The *Swimming Pools Act 1992* requires all Councils to adopt an inspection program of private swimming pools.

A draft Swimming Pool Barrier Inspection Program (draft Program) was reported to Council on 22 October 2013 and it was resolved to place the program on exhibition and report the results to Council.

The draft Program was exhibited and no submissions were received. Unfortunately the draft Program was not reported back to Council for formal adoption.

In light of this, and taking into account recent experiences of providing swimming pool inspection services, the draft Program has been reviewed and brought up to date, as is shown in the Draft Swimming Pool Barrier Inspection Program and is reported back to Council for adoption.

The proposed changes are limited to administration aspects of the program and include; no longer charging fees for complaint related inspections to ensure consistency with other compliance investigations and requiring reinspection fees associated with applications to be paid upfront to reduce potential debt recovery concerns.

Amendments have also been made to the compliance options and actions, adding a written warning option and clarifying Council's ability to prosecute for breaches in the local courts. This again provides greater consistency with other compliance programs.

#### **FINANCIAL IMPACT**

Budget provision has been made in 2015/16 to deliver this program, including funding of a Swimming Pool Inspector position.

#### **POLICY IMPACT**

Nil

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council adopt the draft Swimming Pool Barrier Inspection Program.

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## REPORT

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### BACKGROUND

Warringah Council has approximately 11000 known private swimming pools and spas and this number is increasing each year.

The Swimming Pools Act 1992 (the Act) contains obligations for owners, occupiers, Councils and Certifiers, including:

- Mandatory registration of pools and spas via an online state-wide register [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)
- The requirement for certificates of compliance to accompany sale of land contracts and residential tenancy agreements where there is a swimming pool upon the property, commencing 29 April 2016. The original commencement date of 29 April 2014 having been delayed twice by State Government.
- Ability for Council or private accredited certifiers to issue compliance certificates.
- Mandatory inspection by Councils of pools associated with multi-occupancy dwellings and tourist accommodation.
- The requirement for Councils to adopt a program for the inspection of swimming pools.
- The adoption of new pool fencing requirements under Australian Standard 1926.1- 2012

The Act establishes maximum fees for Council inspections as part of an adopted program. The inspection fees are \$150 for an initial inspection and a once only re-inspection of \$100. No charge can be issued for any subsequent inspections. This fee structure does not permit full cost recovery for council. Private accredited certifiers are able to set their own inspection fees.

A draft inspection program was reported to Council on 22 October 2013 and it was resolved to place the program on exhibition and report the results to Council.

The draft program was exhibited and no submissions were received. Unfortunately the program was not reported back to Council for formal adoption.

In light of this, and taking into account recent experiences of providing swimming pool inspection services, the draft program has been reviewed and brought up to date, as is shown in the draft program.

The proposed changes are limited to administration aspects of the program and include; no longer charging fees for complaint related inspections, to ensure consistency with other compliance investigations and requiring reinspection fees associated with applications to be paid upfront to reduce potential debt recovery concerns.

Amendments have also been made to the compliance options and actions, adding a written warning option and clarifying Council's ability to prosecute for breaches in the local courts. This again provides greater consistency with other compliance programs.

This report seeks Council resolution to adopt the revised program.

### CONSULTATION

The draft program was placed on public exhibition following the Council meeting on 23 October 2013. No submissions were received.

**FINANCIAL IMPACT**

Budget provision has been made in 2015/16 to deliver this program, including funding of a swimming pool inspector position.

Council has streamlined processes and is currently operating with minimal back log of compliance certificate applications. This means Council is able to actively compete for the expected surge in compliance certificate applications expected in the lead up to the 29 April 2016 deadline.

**POLICY IMPACT**

Nil

## **Draft Swimming Pool Barrier Inspection Program**

**Date: 28 July 2015**

### **Purpose of Inspection Program**

The purpose of the inspection program is to:

Identify swimming pools that are not protected by a child resistant barrier in accordance with legislative standards.

Take appropriate action to ensure identified non-compliant swimming pool barriers comply with the required standards.

To establish an adopted inspection program as required under Section 22B of the Swimming Pools Act 1992.

### **Swimming Pools to which the Inspection Program applies**

This inspection program applies to all swimming pools and spas regulated under the Swimming Pools Act 1992.

### **Composition of the Inspection Program**

Swimming pool barrier inspections will be carried out in the following circumstances:

1. In response to an application for a swimming pool certificate of compliance, including requests for inspection to enable sale or lease of a premises, in which a swimming pool is located.

Section 22D of the Act provides for a swimming pool owner to make application to Council or an accredited certifier for a certificate of compliance.

Section 22C(3) of the Act provides that Council must carry out an inspection in a reasonable time where application for inspection is made in writing and states that inspection is required to enable the sale or lease of a premises.

2. On receipt of a complaint alleging that a defective swimming pool barrier exists.
3. In response to an exemption application.

Section 22 of the Act provides for a swimming pool owner to make an application to Council for exemption from all or any of the legislative barrier requirements. On receipt of an application and the appropriate fee, Council will undertake an inspection of the swimming pool as part of the determination of the exemption application.

4. In response to the issue of a notice by an accredited certifier.

Section 22E of the Act requires an accredited certifier to provide a notice to the owner of a swimming pool after inspection, if not satisfied that the swimming pool is compliant. A copy of the notice is required to be provided to Council.

5. Where Council is engaged as the certifier for works involving a swimming pool or the swimming pool barrier.

6. Where the premises is subject to a building certificate application, which includes a swimming pool barrier.

7. Where a Council Officer identifies a suspected inadequate swimming pool barrier at a premises which is subject to Council investigation or inspection, or a neighbouring premises.

8. As required by section 22B(2) of the Act, at least once every three years where tourist and visitor accommodation or more than two dwellings are situated upon the premises.
9. By proactive audit.  
  
Where resources permit Council will carry out targeted inspections to ensure minimum standards are being maintained. This may include inspections of unregistered swimming pools and those without a valid certificate of compliance or a relevant occupation certificate.
10. Council also provides a separate service to unable swimming pool owners to seek advice on the relevant standards and regulations prior to making an application under Division 5 of the Act.  
  
Advice will be provided upon receipt of an application and payment of the approved advice fee.
11. Where Council is otherwise provided with information that reveals a swimming pool barrier is non-compliant.

### **Inspection Fees**

Section 22F permits Council to charge fees for inspections carried out under Division 5 of the Act. Inspection fees will be charged as regulated, or where permitted as otherwise approved by Council.

Fees will be charged for all inspections carried out as part of the above inspection program, except for inspections resulting from complaints. In the case of compliance certificate applications this is limited in law to one inspection fee and one reinspection fee per application.

Council requires all fees to be paid at lodgement of any application or request which necessitates Council inspection. In the case of Certificates of Compliance this is the approved application fee and fees for one inspection and one reinspection. Should a reinspection not be required then Council will refund the reinspection fee to the customer.

Where Council has initiated the need for an inspection, other than for a complaint, an invoice will be forwarded to the swimming pool owner for the applicable inspection and any reinspection fees. If after a complaint or other Council initiated inspection the owner wishes to be issued a certificate of compliance, then an application should be made with the appropriate fee as outlined above.

### **Upgrading of non-compliant Swimming Pool barriers**

Where a defective swimming pool barrier has been identified, compliance will generally be sought via notices and/or directions, save for minor issues that can be rectified quickly and which do not present a significant risk, which may be dealt with by way of warning.

### **Other Compliance Measures**

Penalty Infringement Notices may be issued by Council for non-compliance with the requirements of the Act. Such penalties will generally not be used as an initial response by Council, except when confronted by blatant disregard for safety. Rather, fines are to be used as a deterrent for continued failure to comply. Council may also seek to prosecute breaches of the Swimming Pools Act in the Courts as well as seeking legal enforcement of Directions. Enforcement actions will be taken with due regard to Council's Compliance and Enforcement Policy PL 120.



<b>ITEM 8.5</b>	<b>REPORTING VARIATIONS TO DEVELOPMENT STANDARDS - STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS AND CLAUSE 4.6 OF WARRINGAH LOCAL ENVIRONMENT PLAN</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES</b>
<b>TRIM FILE REF</b>	<b>2015/194316</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report to Council variations to development standards granted under State Environmental Planning Policy No. 1 – Development Standards (SEPP1) or under Clause 4.6 of the Warringah Local Environmental Plan (WLEP) as required by the NSW Department of Planning and Environment.

#### **SUMMARY**

During the period 1 April 2015 to 30 June 2015, the following variations were granted:

- 0 variations under State Environmental Planning Policy No. 1 – Development Standards
- 20 variations under Clause 4.6 of Warringah Local Environmental Plan 2011.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council:

- A. Note the report identifying all State Environmental Planning Policy No. 1 variations.
  - B. Note Clause 4.6 of the Warringah Local Environment Plan variations granted to development applications between 1 April 2015 and 30 June 2015.
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**REPORT**


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**SEPP 1 Variations Granted**

No SEPP1 variations were granted between 1 April 2015 and 30 June 2015 inclusive.

**Clause 4.6 Variations Granted**

The following applications had a Clause 4.6 variation granted between 1 April 2015 and 30 June 2015 inclusive.

App No.	Address	Proposal	Clause 4.6 Development Standard	% of variation	Determined By
DA2014/1125	511 Pittwater Rd, Brookvale	Mixed	4.3 Height of buildings	85	JRPP
DA2014/1286	62 Crown Rd, Queenscliff	Residential - Alterations & additions	4.3 Height of buildings	5.4	Delegated Authority
DA2014/1298	22 Curl Curl Pde, Curl Curl	Residential - Alterations & additions	4.3 Height of buildings	13.29	Delegated Authority
DA2014/1313	15 Quirk St, Dee Why	Residential - Alterations & additions	4.3 Height of buildings	6.24	Delegated Authority
DA2014/1307	261 Condamine St, Manly Vale	Residential - New multi- unit	4.3 Height of buildings	5.4	Delegated Authority
Mod2014/0290	7 Pitt Rd, North Curl Curl	Residential - Alterations & additions	4.3 Height of buildings	3.5	Delegated Authority
DA2015/0057	22 Hill St, Queenscliff	Residential - Single new detached dwelling	4.3 Height of buildings	8.1	Delegated Authority
DA2015/0066	335 Mona Vale Rd, Terrey Hills	Commercial/Retail/Office	4.3 Height of buildings	10.5	Delegated Authority
DA2015/0091	434 Pittwater Rd, North Manly	Residential - Other	4.3 Height of buildings	6.04	Delegated Authority
DA2015/0153	18 Adams St, Curl Curl	Residential - Alterations & additions	4.3 Height of buildings	7	Delegated Authority
DA2015/0186	25/2 Monash Pde, Dee Why	Residential - Alterations & additions	4.3 Height of buildings	61	Delegated Authority
DA2015/0193	50 Parni Pl, Frenchs Forest	Residential - Alterations & additions	4.3 Height of buildings	3.53	Delegated Authority
DA2015/0209	4 Wedgewood, Cres Beacon Hill	Residential - Alterations & additions	4.3 Height of buildings	17.61	Delegated Authority
DA2015/0211	19 Wyndora Ave, Freshwater	Residential - Alterations & additions	4.3 Height of buildings	9.6	Delegated Authority
DA2015/0235	44 Sunshine St, Manly Vale	Residential - Alterations & additions	4.3 Height of buildings	8.2	Delegated Authority

App No.	Address	Proposal	Clause 4.6 Development Standard	% of variation	Determined By
DA2015/0261	55 Rose Ave, Wheeler Heights	Residential - Alterations & additions	4.3 Height of buildings	7	Delegated Authority
Mod2015/0026	9 Laurie Pl. Belrose	Residential - Alterations & additions	4.3 Height of buildings	30.59	Delegated Authority
DA2014/1360	97 Old Pittwater, Rd Brookvale	Mixed	4.3 Height of buildings	21.7	Delegated Authority
DA2015/0292	27 Lincoln Ave, Collaroy	Residential - Alterations & additions	4.3 Height of buildings	12.9	Delegated Authority
DA2015/0356	8 Newby Pl, Wheeler Heights	Residential - Alterations & additions	4.3 Height of buildings	8.9	Delegated Authority

<b>ITEM 8.6</b>	<b>ADOPTION OF THE DISTRICT PARK PLAN OF MANAGEMENT (2015)</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER PARKS RESERVES &amp; FORESHORES</b>
<b>TRIM FILE REF</b>	<b>2015/228752</b>
<b>ATTACHMENTS</b>	<b>1 District Park Draft Plan of Management Community Engagement Report - 6 August 2015 (Included In Attachments Booklet)</b> <b>2 Landscape Concept Plan District Park (Included In Attachments Booklet)</b> <b>3 District Park Plan of Management Final Draft - August 2015 (Included In Attachments Booklet)</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To seek approval to adopt the District Park Plan of Management (2015).

### **SUMMARY**

Council resolved at the Ordinary Council meeting held on 26 May 2015:

*“That the draft District Park Plan of Management, with the clarification that the dirt jump bike track and indoor recreation facilities are separate facilities, be placed on public exhibition for a minimum of 42 days.”*

The draft District Park Plan of Management was placed on public exhibition from 3 June 2015 to 14 July 2015. 197 submissions were received by the end of the exhibition period. A Community Engagement Report detailing the comments in the submissions and Council's response is attached. Issues that generated the most feedback, and have been addressed, include the:

- Proposed new sports community club building
- Proposed number of bowling greens at the North Manly Bowling Club site
- Lease for the Warringah Golf Club
- New amenities at the southern end of Nolan Reserve
- Pathways within the park and links to adjoining areas.
- Environmental matters including the bushland around the Mermaid Pool

### **FINANCIAL IMPACT**

The District Park Plan of Management (2015) includes actions that will need to be considered through the operational and capital works budget processes in the 2016/17 and subsequent financial years.

### **POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the District Park Plan of Management (2015) be adopted.

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## REPORT

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### BACKGROUND

District Park is one of Warringah's most significant open spaces. It is of regional significance because of its size, environmental values of natural bushland and creeks, and the diversity of sporting and other recreational opportunities it offers to the community. The current Plan of Management for District Park was adopted by Council in December 2002.

Council resolved, in part, at the Council meeting held on 11 December 2012, to:

*"Give priority to commencing the review of the District Park Plan of Management (as listed in the 2012 Strategic Community Plan), and ensure it is brought back to Council for adoption no later than December 2015."*

The review of the District Park Plan of Management has involved comprehensive consultation with the community, local residents and key stakeholder groups and detailed research including the:

- District Park Discussion Paper (2013)
- Northern Beaches Regional Golf Study (2014)
- District Park Strategic Directions Paper (2014)
- District Park Clubhouse Feasibility Study (2015) - a working group comprising key stakeholder groups was established to assist Council with this study.
- Draft District Park Plan of Management (2015)

The draft District Park Plan of Management was placed on public exhibition from 3 June 2015 to 14 July 2015. Communication about the draft plan included:

- A letter mailed to over 5000 local residents
- Information in the Manly Daily
- Temporary signs around District Park
- Hard copies available at the Civic Centre and Council libraries
- Direct communication with key stakeholders
- Information on the Your Say Warringah page on Council's website. There were 1,110 visits to this page and 647 documents downloaded.

Three community drop-in sessions were also held at the North Manly Bowling and Recreation Club, Warringah Golf Club and Manly Vale Calabria Bowling Sports and Social Club. Over 85 people attended these sessions.

197 submissions were received by the end of the exhibition period. A Community Engagement Report detailing the comments in the submissions and Council's response is attached. Individuals and groups that made a submission will be informed about the outcome of their submission and provided access to this report.

Issues that generated most feedback included the:

- Proposed new sports community club building
- Proposed number of bowling greens at the North Manly Bowling Club site
- Lease for the Warringah Golf Club

- New amenities at the southern end of Nolan Reserve
- Pathways within the park and links to adjoining areas.
- Environmental matters including the bushland around the Mermaid Pool

Responses to the submissions that generated most feedback include:

- For the proposed new sports community club building
- Retain the proposed location at Nolan Reserve but broaden the envelope within which the building can be built.
- Consider the optimal building alignment with the golf course and the optimal number of bowling greens
- That the lease for the Warringah Golf Club be extended until the future of the proposed new sports community club building is determined by Council.
- Clarify that new sportsground amenities will be constructed at the southern end of Nolan Reserve
- New and renewed park infrastructure will be developed to encourage participation by all ages. Pathways proposed within District Park have been amended.
- Matters relating to the Mermaid Pool will be managed outside of the District Park Plan of Management.

Analysis of the submissions from this public exhibition has informed the final District Park Plan of Management and Landscape Concept Plan as per attached documents.

In regard to the Sports Community Club Facility, Council's Buildings, Property and Spatial Information Group will further develop the concept based on the findings of the District Park Clubhouse Feasibility Study (2015) and the District Park Plan of Management (2015).

### **FINANCIAL IMPACT**

The District Park Plan of Management (2015) includes actions that will need to be considered through the operational and capital works budget processes in the 2016/17 and subsequent financial years.

### **POLICY IMPACT**

Nil

<b>ITEM 8.7</b>	<b>DEE WHY TOWN CENTRE UPGRADES - COMMUNITY FEEDBACK - PRELIMINARY DESIGNS FOR WALTER GORS PARK AND REDMAN ROAD PLAZA</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER PARKS RESERVES &amp; FORESHORES</b>
<b>TRIM FILE REF</b>	<b>2015/228064</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report the results of the public exhibition process, recommend adoption of the preliminary designs for Walter Gors Park and Redman Road Plaza, and recommend a revised scope for Phase 1 of the upgrade works to include the eastern half of Redman Road Plaza.

#### **SUMMARY**

In December 2014 Tract Consulting were engaged to undertake preparation of Preliminary Designs for the Phase 1 Dee Why Town Centre Upgrades Works. The preliminary designs for Walter Gors Park and Redman Road Plaza were completed and placed on public exhibition, as these areas were not affected by the delay in obtaining approval of Roads and Maritime Services for the proposed traffic scheme.

Community feedback regarding the preliminary designs has been highly supportive, with only a few suggestions for some minor changes, which will be considered at the detailed design stage. A separate 'Confidential' report recommending the engagement of a consultancy to undertake the detailed design for these two areas is also on the agenda for this Council meeting.

This report also provides an option which will allow inclusion of the eastern half of Redman Road Plaza to be part of the Phase 1 Upgrade Works. Redman Road was originally planned to be included in the Phase 2 Upgrade Works.

#### **FINANCIAL IMPACT**

The proposal to include the eastern end of Redman Road Plaza as part of the Phase 1 upgrade works can be accommodated within the previously estimated cost of the Phase 1 upgrade works by re-phasing some works. Details of the works which will be re-phased to facilitate this are included in the body of this report.

#### **POLICY IMPACT**

Adoption of the recommendations in this report will not impact or contravene any council policy.

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### **RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That:

- A. Council note the strong support for the Preliminary Design Plans for Walter Gors Park and Redman Road Plaza.
- B. Council staff proceed to prepare detailed designs for Walter Gors Park and Redman Road Plaza.

- 
- C. Council approve the revised scope of Dee Why Town Centre Phase 1 Upgrade Works to include the eastern half of Redman Road Plaza.
-



## REPORT

### BACKGROUND

At its meeting on 16 December 2014 Council resolved to engage Tract Consulting for Stage 2 Preliminary Design for the Phase 1 upgrade works. The scope of the Phase 1 upgrade works proposed at that time is shown on the plan below.

### PLAN 1



In accordance with the Community Engagement Plan for the project, the Preliminary Designs for the upgrade works are to be publicly exhibited to obtain community feedback on the designs before proceeding to detailed design. Due to delays in obtaining Roads and Maritime Services approval of the proposed traffic scheme for the Dee Why Town Centre, preliminary design for Phase 1 of the streetscape upgrades could not be finalised in time for the planned exhibition period.

It was decided to proceed with exhibition of the Preliminary Designs for Walter Gors Park and Redman Road Plaza to enable preparation of detailed designs, particularly for Walter Gors Park. This would enable a public tender, contractor engagement and commencement of construction of Walter Gors Park by May 2016, as planned.

As per the Phasing Plan above, Redman Road Plaza was planned for construction as part of Phase 2 upgrade works. Councilors have requested that the construction of at least the eastern half of Redman Road plaza be included as part of Phase 1 upgrade works. A funding option to allow the eastern half of Redman Road to be included as part of the Phase 1 upgrades is presented below.

### CONSULTATION

Extensive public consultation was undertaken during preparation of the Master Plan, and the community's views, aspirations and priorities for the redevelopment of the Town Centre were included in the final adopted document.

In early 2014 council held a 'Design Ideas' competition for Walter Gors park. Many of the themes and components from designs submitted for the competition have been incorporated into the preliminary designs for the new Walter Gors park.

In June 2014 a specialist consultant was engaged to develop a Place Making and Public Art Plan for the Dee Why Town Centre. This involved substantive engagement and consultation with a broad range of targeted stakeholders from within the community, such as the Warringah Chamber of Commerce, Dee Why RSL Club, ethnic group community leaders, council's Youth Consultative Committee to determine what is socially, culturally, historically and environmentally important to the community of Dee Why.

In March 2015, property owners adjoining Walter Gors Park were invited to view the preliminary design plans and to provide feedback. The feedback was strongly positive and supportive. All comments and suggestions were considered, and the design refined accordingly.

A number of briefings and presentations have been given to Council and council's Strategic Reference Groups over the past eighteen months during development of the preliminary design.

Between 15 June and 24 July 2015 the preliminary design plans including input from the previous consultations for Walter Gors Park and Redman Road Plaza were publicly exhibited and comments invited. The outcomes of that public exhibition are included below.

### **Public Exhibition of Preliminary Designs for Walter Gors Park and Redman Road Plaza**

Public exhibition commenced on 15 June 2015 and concluded on 24 July 2015.

The public exhibition included the following:

- A hard copy display in council's Civic Centre and a notification poster in the Dee Why Library,
- Advertisement in the Manly Daily (Warringah Update) on Saturday 13 June, 20 June and 18 July 2015,
- Inclusion on council's web site with links to FAQs and on-line feedback form,
- Notification via email to people on the Community Engagement Register,
- A notification letter mailed out to approximately 16,000 property owners and occupiers,
- Three public information/drop-in sessions

All notification material included details of how the public could view more information on council's web site and make feedback submissions.

### **Public Exhibition Feedback**

#### **Public Information Sessions**

Three sessions were held at the Dee Why Senior Citizen's Centre, on Monday 20 June 10am-12 noon, on Tuesday 22 June 6-8 pm, and on Saturday 18 July 10am-12noon. Details of these sessions were included in all notification information issued as per the above.

In all a total of approximately 35 people attended the information sessions.

At all sessions council staff were on hand to explain features of the designs, answer queries and encouraged attendants to fill out feedback forms. The feedback at all sessions was positive and strongly supportive of the designs, albeit some suggestions were made for minor changes which are summarised below.

## **Review of the Plans on Council's Website**

### **Submissions for Walter Gors Park**

Information from council's server reveals that the Preliminary Design Plans were viewed 781 times and downloaded 209 times. However, council only received a total of **24 submissions from 23 respondents**, as one respondent submitted both a letter and an online feedback form. The majority of responses were via feedback forms, with 14 being completed online and nine handwritten at information sessions. Only one letter was received which responded to the Walter Gors Park.

The following list outlines the feedback form questions along with a summary of the common issues raised, with the number of respondents regarding that issue in brackets. The respondent who submitted a letter also submitted an online form, with the letter providing more detail on their concerns. The concerns raised in this letter are summarised in response to these questions:

- **What is your interest in the Walter Gors Park Preliminary Design Plans?** (15 residents of Dee Why, 9 residents of Warringah, 1 Local Resident bordering the park and 1 resident of Pittwater, 6 respondents worked in Dee Why)
- **What do you like about the Preliminary Design Plans for Walter Gors Park?** Landscaped open space (8); Community mindset (4); Multi-functional area (4); Children's Nature Play (2); Fitness Equipment (2); Water Features (2); Playground (1); Table Tennis (1)
- **What do you think is missing or needs changing?** Retain mature existing trees (4); Reduce the amount of paving (3); more toilets (3); too much landscaped open space (2); Remove water features (2)
- **What are the key issues that you think need to be addressed in the Preliminary Design Plans?** Noise from night activities (5); Control skateboarding (2); Loss of trees (4); Impact on neighbours (3); Traffic (3); Parking (3)
- **Do you support having regular markets in the park?** Yes 18; Unsure 3; No 1
- **If so, what sort of markets?** Food (11); Organic Food (5); Fresh Local Produce (4); Craft and/or handmade goods (4); Wine (2); Similar to Narrabeen (1) and Mosman (1); General (3 – e.g. clothing; home wares, antiques furniture and photography).
- **Do you support having movie evenings in the park?** Yes 15; No 3; Unsure 1
- **Please explain reasons for your answer above:**

**Supportive respondents said:** Opportunity for community to connect (3); Good community attraction (1); Awesome (1); Fun (1); Important for people in units (1); opportunity for retro surf movies, food trucks and picnics (1)

**Those who were not supportive or not sure said:** Subject to reasonable times and noise constraints (2); Noise an issue due to residential area (3); Current night use of community houses is noisy (1); Small Park and no parking (1)

- **Do you think the park should be designated an alcohol free zone during certain hours?** (No alcohol at any time 7/19; permit alcohol with restrictions 6/19; permit alcohol with no restrictions mentioned 3/19; Unsure 3/19)
- **If yes, what hours would you like to have the park an alcohol free zone?** All hours (7); 10pm-10am (1); 4pm to 12pm (1); Night (1); Week days (1); Allow for Special events only (1); Restrict alcohol in certain areas(1)

- **Any other comments or thoughts on the Preliminary Design Plans?** Other comments and suggestions which will be considered in the detailed design include: running a street art competition; celebrating cultural diversity by inclusion of cultural facilities such as a Tibetan Prayer wheel and consideration of security measures such as CCTV.

### Submissions for Redman Road Plaza

Information from council's server reveals that the Preliminary Design Plans for Redman Road Plaza were viewed 678 times and downloaded 271 times. However, council only received a total of **17 submissions**. The majority of responses were via feedback forms, with 13 being completed online and three handwritten at information sessions. Only one letter was received which responded to the Redman Road Plaza.

The following list outlines the feedback form questions along with a summary of the responses, with the number respondents who mentioned that aspect in brackets. The concerns of the respondent who submitted a letter are also summarised in response to these questions:

- **What is your interest in the Redman Road Plaza preliminary design plans?** Local resident living near Redman Road (3); Dee Why Resident (4); Warringah Resident (9); Work in Dee Why (1)
- **In principle, do you support the proposed design plans?** Yes 14; No 2; Unsure 1
- **What do you like about the preliminary design plans for Redman Road Plaza?** Activates dead area (3); Appealing (2); Seating (3); Water Feature (2) New paving (2); Open Space (2); Enhances appeal of western Dee Why (2); Assists and encourages business (2);
- **What do you think is missing or needs changing?** Remove water feature (2); relocate vehicle entries (1); more seating areas (1); concern about maintenance (1)
- **How would you like to use the new plaza?** Meeting area (6); Pedestrian thoroughfare (3); Shopping (3); Community Hub (1); Relaxing and leisure (3); Eating and drinking coffee (2); Food markets on Sunday nights (1); Entertainment area (1); Area for Christmas Carols (1)
- **Do you support the proposal to increase trees and plants as part of the proposal, in particular to have a green roof and hanging garden?** Yes 12; Unsure 2
- **If you do not support the proposal in question 6, please explain why:** concern about blocking sunshine (1); concern about encouraging bats and birds (1); concern about use of non-native species (1)
- **Do you have any other comments or suggestions?** need to attract the right businesses (4); concern about high risk investment for water features (2);

It should also be noted that the exhibited plans for Redman Road Plaza propose the use the same paving unit as used in front of the shops at Collaroy, rather than the paving unit specified in the *Warringah Public Spaces Design Guidelines*. Only one comment was received in relation to this proposal, which strongly supported the change. It is also intended that the same paver be used for all streetscape upgrades in the Town Centre, which will be shown and described in the preliminary design plans for the streetscape upgrades when publicly exhibited. Should the outcome of the public exhibition of those plans be that there is no objection to the proposed paver, then a recommendation will be made for Council to adopt altering the *Warringah Public Spaces Design Guidelines* to reflect this change.

### Feedback Summary

Generally respondents were highly supportive of both concepts. The submissions provided valuable feedback and all suggestions will be given consideration during preparation of the detailed designs.



The overall response numbers are summarized in the following table,

<b>Number of notification letters mailed</b>	Approximately 16,000	
	<b><i>Walter Gors Park</i></b>	<b><i>Redman Road Plaza</i></b>
<b>Number of views of the plans</b>	781	678
<b>Number of visitors who downloaded the plans</b>	209	271
<b>Number of Submissions</b>	23	17
<b>Support Concept</b>	16	14
<b>Don't Support Concept</b>	5	2
<b>Not Sure</b>	2	1

The total number of submissions received is very low relative to the number of notifications letters mailed web page views and downloads. Experience with the exhibition of plans for previous projects has indicated that the vast majority of people who tend to make submissions are those that have an objection to a proposal. It is encouraging to find that this was not the case regarding exhibition of these plans, indicating that the community was so supportive that they went against the normal trend to show their support for the projects.

It is also reasonable to conclude that the vast majority of people who viewed the plans considered them to be satisfactory, or at least did not oppose it strongly enough to make a submission. On this basis it can be concluded that the community strongly supports the proposals.

#### Removal of Existing Trees

Four responses raised the issue of the removal of some of the existing mature trees in Walter Gors Reserve. An arborist report was commissioned to help inform the concept design. This report identified that most of the trees on site are in decline and are of low ecological value. The design intent of the masterplan is for a large open space surrounded by a mixture of endemic and functional park trees, maintaining the existing trees would compromise this design intent.

The concept plan calls for the retention of the large camphor laurel as an example of an excellent park tree that will provide shade and scale. In response to submissions, the large magnolia tree will also be retained. It should also be noted that the concept plan contains three times more trees being planted than currently exist in the Park.

The trees to be retained will be protected during and after construction works via applying the Australian Standards for protection of trees during construction.

#### Traffic and Parking

Three responses raised the issue of the adequate parking and increased traffic around Walter Gors Park. The new Walter Gors Park is designed to provide an improved resource and amenity for people already living, shopping and working in the Dee Why Town Centre area. As such these local residents, shoppers and business users/ workers are already accommodated for in existing trip generating developments and suitable parking is available at a combination of commercial shop complexes, residential buildings, public car parks and on street parking arrangements.

#### Noise / Impacts on Neighbours

Several responses raised concerns regarding noise and impacts on neighbours around Walter Gors Park. In general the design of elements within the park are proposed to be located away from residential buildings to minimise impacts of this type, in line with existing uses in the reserve. The other possible uses of the reserve for markets and other night events such as movie evenings

received reasonable strong support and will need further evaluation prior to determination of frequency and extent of these type of events.

### General

Council received a number of comments regarding various design elements and aspects. The merit of each of these will be considered during preparation of the detailed design. This includes the use of appropriate fixtures and finishes to dissuade skateboarders from skating in these pedestrian-centric areas.

### Conclusion

Given the strong community support of the Preliminary Design Plans for Walter Gors Park and Redman Road Plaza, council staff should proceed to prepare detailed designs for these two areas to enable public tenders to be called and construction to commence as planned. Refer to section titled 'Detailed Design for Walter Gors Park and Redman Road Plaza' below.

## **FINANCIAL IMPACT**

There is no financial impact as a consequence of the community feedback received from public exhibition of the preliminary design plans for Walter Gors Park and Redman Road Plaza.

The financial impact of the proposed adjustments to the scope of Phase 1 Upgrade Works is shown below. In summary it is shown that the works have been re-phased so that there is no additional cost to include the eastern end of Redman Road Plaza as part of the Phase 1 Upgrade Works.

### **Current Phase 1 Upgrade Works - Estimate of Costs**

The following estimates have been prepared by council's consultants based on the preliminary designs, and include appropriate contingency amounts. They are intended for budget planning purposes and will have to be confirmed with more accurate estimates following preparation of detailed designs.

	<b>July 2015 Estimate</b>
	inc. contingency
Walter Gors Park	\$ 7,054,848
Oaks Ave (to Link Rd)	\$ 5,281,485
Howard Ave (to Link Rd)	\$ 3,510,691
Link Rd	\$ 1,768,698
Pittwater Rd (DY to Sturdee)	\$ 6,373,783
St David's Pocket Park	\$ 1,084,717
<b>TOTAL</b>	<b>\$ 25,074,221</b>

### Proposed Funding Strategy

Proposed Funding Sources by year	2015/16	2016/17	2017/18	2018/19	TOTALS
Section 94 (Currently held funds)	\$ 2,220,227	\$ 6,361,552	\$ 4,461,690		\$ 13,043,469
Section 94A (Current Program 1% General)	\$ 359,678	\$ 3,274,433	\$ 1,600,456	\$ 3,171,830	\$ 8,406,397
Conditions of Consent (Meriton)			\$ 3,323,818		\$ 3,323,818
VPA Contributions (Cobolt)			\$ 250,000		\$ 250,000
External Grant Funding (RMS/ TfNSW)			\$ 500,000		\$ 500,000
					<b>\$ 25,523,684</b>



Estimates only - amounts require confirmation



Amounts yet to be adopted by Council

### Plan 2 Proposed Adjustments to Phase 1 Upgrade Works



The above plan (Plan 2) shows a proposal to reduce the Phase 1 upgrade works for the full width of Pittwater Road between Dee Why Parade and Howard Avenue and on the eastern side of Pittwater Road between Pacific Parade and Sturdee Parade (see Plan 1) and includes half the length of Redman Road between Mooramba Road and Fisher Road.



The estimated cost of the adjusted Phase 1 upgrade works is as follows

	<b>Adjusted July 2015 Estimate</b>	
Walter Gors Park	\$ 7,054,848	
Oaks Ave (Pittwater to Link Rd)	\$ 5,281,485	
Howard Ave (Pittwater to Link Rd)	\$ 3,510,691	
Link Rd	\$ 1,768,698	
Pittwater Rd (DY Pde to Sturdee)	<b>\$ 4,560,100</b>	<b>reduced as per plan</b>
St David's Pocket Park	\$ 1,084,717	
Redman Rd Plaza	<b>\$ 2,000,000</b>	<b>eastern half</b>
<b>TOTAL</b>	<b>\$ 25,260,538</b>	

The above total adjusted estimated cost of \$25,260,538 to enable construction of the eastern half of the Redman Road Plaza (as shown on Plan 2), is slightly less than the previously planned expenditure amount of \$25,523,684 for the Phase 1 Upgrade works (as shown on Plan 1).

### **DETAILED DESIGN FOR WALTER GORS PARK AND REDMAN ROAD PLAZA**

If the recommendations of this report regarding the outcomes of the public exhibition and the revised scope of Phase 1 upgrade works to include the eastern end of Redman Road Plaza are adopted by Council, a consultant will need to be engaged to undertake Stage 3 – Detailed Design for Walter Gors Park and Redman Road Plaza. A separate 'Confidential' report recommending the engagement of a consultancy to undertake the detailed design for these two areas is also on the agenda for this Council meeting.

Adoption by Council of the recommendations of both reports will enable preparation of detailed designs for both Walter Gors Park and Redman Road Plaza and a public tender process for the commencement of construction of Walter Gors Park by May 2016, as planned. The earliest that construction of Redman Road Plaza is likely to commence is late 2016 due to the need to get Ausgrid approval for undergrounding of power and RMS approval to a vehicle and pedestrian shared zone.

### **TIMING**

25 August 2015	Council adopt recommendation to engage Tract Consulting
Sept 2015	Detailed design for Walter Gors Park and Redman Rd Plaza commenced
Dec 2015	Detailed design for Walter Gors Park and Redman Rd Plaza completed <b>#</b>
Jan – April 2016	Public tender and engagement of construction contractor for Walter Gors Park
May 2016	Construction of Walter Gors Park commenced
December 2016	Construction of Walter Gors Park completed <b>##</b>
Late 2016	Earliest expected commencement of construction of eastern half of Redman Rd Plaza

**#** Completion of Detailed Design for Redman Road Plaza dependant approval times from Ausgrid for undergrounding of overhead power and RMS for approval of the proposed vehicle/ pedestrian 'Shared Zone'.

**##** *Construction period subject to tender and contractual agreements with successful tenderer.*

**POLICY IMPACT**

All relevant council policies have been considered in the development of the preliminary designs and will be further considered during preparation of detailed designs.

Council's Community Engagement Process has been followed to ensure appropriate notification and opportunity for appropriate community input to the development of the preliminary designs.

<b>ITEM 8.8</b>	<b>ANNUAL REPORT 2014/15</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2015/227849</b>
<b>ATTACHMENTS</b>	<b>1 Annual Report 2014/15 (Included In Attachments Booklet)</b> <b>2 Capital Works Expenditure and Projects Behind Schedule (Included In Attachments Booklet)</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To present the Annual Report 2014/15.

### **SUMMARY**

Council is required to prepare an Annual Report on its achievements against objectives and performance targets set out in the Delivery Program 2014-2018. The Annual Report 2014/15 details Council's financial position as well as achievements over the last 12 months in delivering on actions in the Delivery Program to 30 June 2015. It has been prepared in accordance with the Local Government Act 1993 and the Local Government (General) Regulations 2005.

The Audited General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2015 forms part of the Annual Report 2014/15. The Audited Statements are separately reported to Council at Item 6.2 and will be incorporated into the Annual Report once adopted.

The Annual Report will be submitted to the Department of Premier and Cabinet – Division of Local Government by 30 November 2015.

### **FINANCIAL IMPACT**

Nil

### **POLICY IMPACT**

Nil

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## **RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council note the Annual Report 2014/15.

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**REPORT**

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**BACKGROUND**

The Local Government Act 1993 (The Act) and The Local Government (General) Regulations 2005 (The Regulation) require Council to provide progress reports and an Annual Report on the implementation of the Delivery Program 2014-2018. The requirements are:

*Progress Report*

- The General Manager to report at least every six months on the principal activities (16 key services) (s404(6) of The Act); and
- Council's responsible Accounting Officer to report quarterly a budget review statement (cl203(1) of The Regulation)

*Annual Report*

- The Council must prepare within five months of the end of the financial year an Annual Report on its achievements against objectives and performance targets set out in the delivery program. It must include the audited financial reports

The Annual Report 2014/15 has been produced shortly after year end. As such a separate progress report on the June Quarterly Budget Review Statements has not been produced. The Audited General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2015 forms part of the Annual Report 2014/15. The Audited Statements are separately reported to Council at Item 6.2 and will be incorporated into the Annual Report once adopted.

The Annual Report 2014/15, including the Audited Statements, will be submitted to the Department of Premier and Cabinet – Division of Local Government by 30 November 2015. It will also be submitted to the State Library of NSW and the Information and Privacy Commission of NSW.

The Annual Report 2014/15 meets all legislative requirements and guidelines from the Department of Premier and Cabinet – Office of Local Government.

**APPROACH TO THE ANNUAL REPORT****Online Platform**

The Delivery Program 2014-2018 was designed for delivery online to streamline the process for producing the document as well as providing a platform for online progress reporting. This is the second year the Annual Report has also been produced as an online resource for the community.

The presentation of the Integrated Planning and Reporting suite of documents online is a recent endeavour. It is Australia's first digital and fully interactive plan for local government. We have continued to refine the online presentation to further improve the ease of reading and navigating such reports.

**In line with our Delivery Program**

The structure of the Annual Report complements that of the Delivery Program and annual Operational Plan. It is structured around Council's 16 key services. It also features progress on major projects that respond to long-term community priorities and will take a number of years to complete.

Overall across all our programs, Warringah has delivered on 130 projects this year. The list of projects behind schedule including reasons as well as summary of the overall expenditure on individual capital projects is at Attachment 2.

## Performance Reporting Framework

We are also focusing more on how well we perform for the community in each of our services, with a suite of 99 indicators. Service highlights and performance indicators are reported ('Key Service Indicators') as well as many of our services having identified Programs and Program Indicators. Most of the 99 indicators are compared with a baseline of 2012/13 and all Key Service Indicators have targets.

Program Indicators are largely outcomes which we have less control over than Key Service Indicators. Program Indicators are more influenced by external factors such as demand levels, prevailing weather, changes to legislation or the contributions of partner organisations. They also generally require a longer time period in which to see progress. As such, we do not set targets for our 32 Program Indicators, but we monitor results for progress over time.

It's also important to hear how the community thinks we are doing, so 41 results from our Annual Community Survey are included in our service reports, indicating community satisfaction levels.

## STRUCTURE OF REPORT

**Overview:** this provides a high-level overview of our achievements and financial performance. This also outlines the basis for the performance reporting and how it is applied.

**Major Projects:** outlines our progress in relation to the seven major projects, all of which are continuing projects of a high priority for our community. Some of these are a model of collaboration across several service areas, some entailing partnerships with grant bodies or the State government.

**Service Highlights:** provides a snapshot of the performance of our 16 key services, including their allocated programs, projects and performance indicators as well as highlights for the year.

**Statutory Returns:** provides detailed responses to requirements relating to the following Acts and Regulations:

- Local Government Act 1993
- Local Government (General) Regulations 2005
- Government Information (Public Access) Act 2009
- Planning and Assessment Act 1979

**Financial Statements:** are a separate item on this meeting's agenda. Once adopted they will be included in the Annual Report.

## WARRINGAH'S ACHIEVEMENTS

Some of the key achievements for the year are:

- **Financial health:** exceeded all 10 of the key financial performance indicators
- **Expenditure: \$155.9m Operational and \$38.8m Capital**
- **Net operating surplus:** \$7.79m before capital grants and contributions
- **Productivity improvements:** include over \$500,000 in savings
- **Project completion:** During the year the Delivery Program required the performance of 130 actions. Our overall yearly performance is good with 91% of actions completed or on schedule, above our target of 85%. Attachment 2 includes a full list of the actions, including those behind schedule and the reason for the delay. Most of the delayed projects have commenced and will be progressed in 2015/16.

## PRODUCTIVITY SAVINGS

We are committed to delivering high quality, value for money service to our community. Our well-established business excellence framework is an effective springboard for cost containment and productivity savings. This year productivity savings of over \$500,000 have been achieved. We

have reinvested these savings directly into services to the community and into initiatives that further support our continuous improvement program.

Cost containment initiatives include successfully negotiating better rates on our contracts and identifying expenditure efficiencies. We have achieved better rates on pavement rehabilitation, graffiti removal, cash collection, pool chemicals, truck servicing, cleaning, smartphone selection, pre-employment checks and disposal of waste from gross pollution traps. Savings have also been made by rationalising processes for building certificates and pool applications, weed control programs, summer mowing schedules and selection technique training.

We continually look at our service areas and how we can structure things, do things smarter and more efficiently. A new foam bitumen pavement rehabilitation technique has been used to repair pavement instead the more costly process of reconstructing pavement. A service review of our Procurement area has resulted in savings.

Technology has been used to provide a higher quality services - often at a lower cost. For example, our Lifeguards now spend more time on the sand, thanks to introducing online daily reports using mobile technology instead of the more labour intensive manual reporting.

Our corporate plans and reports are also online, achieving efficiencies and improvements in the quality of Monthly, Quarterly and Annual Reports. We also automated records for managing fire complaints and orders, shifted to online to access legislation and changed to online deliver of business papers to Council Committees.

The savings have allowed us to provide an enhanced library service for housebound and isolated community members via our new mobile library caravan. They have also been reinvested into increasing the frequency of beach cleaning during summer and we have been able to put in more lifeguards at North Curl Curl Rock Pool, Birdwood Park at Narrabeen, North Narrabeen beach and Collaroy beach.

Productivity improvements have also allowed us to spend more on renewing our existing assets and providing new assets. Eliminating the infrastructure backlog and ensuring our assets continue to deliver appropriate levels of service that the community expects is a priority. We continued to maximise the useful economic life of our assets by ensuring every \$1 required to be spent on asset maintenance in 2014/15 was fully undertaken. And for every \$1 our community centres, roads and footpaths depreciated we spent \$1.50 renewing existing building and infrastructure assets which resulted in an improvement in the condition of these assets.

#### **TIMING**

The Annual Report 2014/15 needs to be submitted to the Department of Premier and Cabinet, Office of Local Government, by 30 November 2015.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

## **10.0 NOTICES OF MOTION**

<b>ITEM 10.1</b>	<b>NOTICE OF MOTION NO 19/2015 - DISCUSSION OF THE PROS AND CONS OF WOOD FIRES IN WARRINGAH</b>
<b>TRIM FILE REF</b>	<b>2015/234352</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Bob Giltinan

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### **MOTION**

That Council staff prepare a report in relation to the pros and cons of wood fires, and the wood used that would appear to be harmful to many residents in Warringah and report back to Council.

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ITEM 10.2	NOTICE OF MOTION NO 20/2015 - CONTINUED NON-COMPLIANCE AT THE BOAT SHED, DEE WHY WITH DEVELOPMENT APPLICATION CONSENT
TRIM FILE REF	2015/234360
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

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## MOTION

1. That this Council notes:

- a. By letter dated 10 August 2015, Council's Acting General Manager, John Warburton confirmed:

**"The current DA2013/0613 allows the operator to function as a kiosk  
"serving coffee, cold drinks and pre-packaged food"**

- b. Despite the DA restrictions, photographs (extracted from the Operator's own FaceBook page annexed hereto) evidence cooked food, non pre-packaged food and Menus of same from being served since the commencement of the business to late last month and despite this Council staff have failed to undertake continuous compliance action, only fining the operators once and putting that fine on hold.
- c. Clause 2.3 (b) of the original Tender document title "Criteria Critical to success" required:

**"the operator will need to display a willingness to work within the local community"**

The operators have failed to comply with this provision, as testified by residents at numerous Council meetings and photos received by Council (some of which annexed hereto) of excessive delivery trucks blocking cars and the street, deliveries at early hours of the morning from 2am onwards, and the operators generating excessive rubbish and obstructing the public and pedestrian access.

Rubbish and crates stacked around the building and adjacent to the pedestrian stairs (see annexed photographs) have also caused a safety risk to the public and made the area look unsightly and brought Council into disrepute.

- d. Clause 2.6 (f) of the original Tender required the successful operator to be responsible for:

**"Installation of bin storage"**

No bin storage has been installed.

- e. Tables and chairs have increased at the Beach Shed, despite this being contrary to the original advertised Tender therefore breaching transparency requirements of the Tender process.
- f. No increase in rent has been received by the current operators despite significant divergence from the original Tender and DA consent of what was to be sold at the Kiosk.

2. That in view of the continual breaches of the DA consent by the Operators as evidenced by

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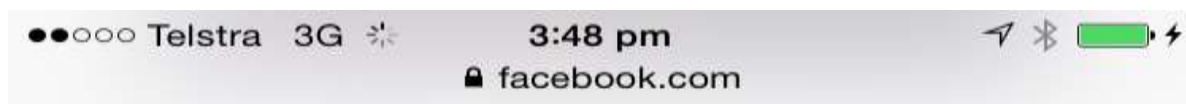
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photographs on its own FaceBook page, the fact that the original tender was for a Kiosk only and the operator has expanded and diverged from that significantly, and the Kiosk continues to cause great nuisance to residents and pedestrians, this Council calls upon the General Manager to terminate the current lease.

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**Annexure "A"**

**Extracted photo and post from The Beach Shed, Dee Why's FaceBook Page  
26 July 2015 – Cooked Bacon**



18 Likes · 1 Comment



**The Beach Shed**

July 26 at 8:56am · 🌐

Who's hungry!? @thebeachshed #breakfast #deewhy  
#sundaymorning #freshfood #deewhy  
#sydneynorthernbeaches #beachsidebreakfast  
#instacafe #instafood



3 Likes

**Annexure "B"**

**Extracted photo and post from The Beach Shed, Dee Why's FaceBook Page  
29 July 2014**

●○○○○ Telstra 4G ✱ 2:54 pm

facebook.com

9+ 1



**The Beach Shed**  
Breakfast today @thebeachshed #yum !!  
#deewhy #thebeachshed #sydneynorthernbeaches #cafe

The Beach Shed's Photos in Timeline Photos · Jul 29, 2014 ·

View Full Size · Send as Message · Report Photo

< >   



**Annexure "C"**

**Extracted photo and post from The Beach Shed, Dee Why's FaceBook Page  
16 August 2014**

Telstra 4G 2:52 pm facebook.com

9+

1





**The Beach Shed**

The Beach Shed spread! \*smashed eggs w/salmon w/bacon \*quinoa Bircher #delicious #breakfast #deehwhy #thebeachshed

The Beach Shed's Photos in Timeline Photos · Aug 16, 2014 ·

[View Full Size](#) · [Send as Message](#) · [Report Photo](#)

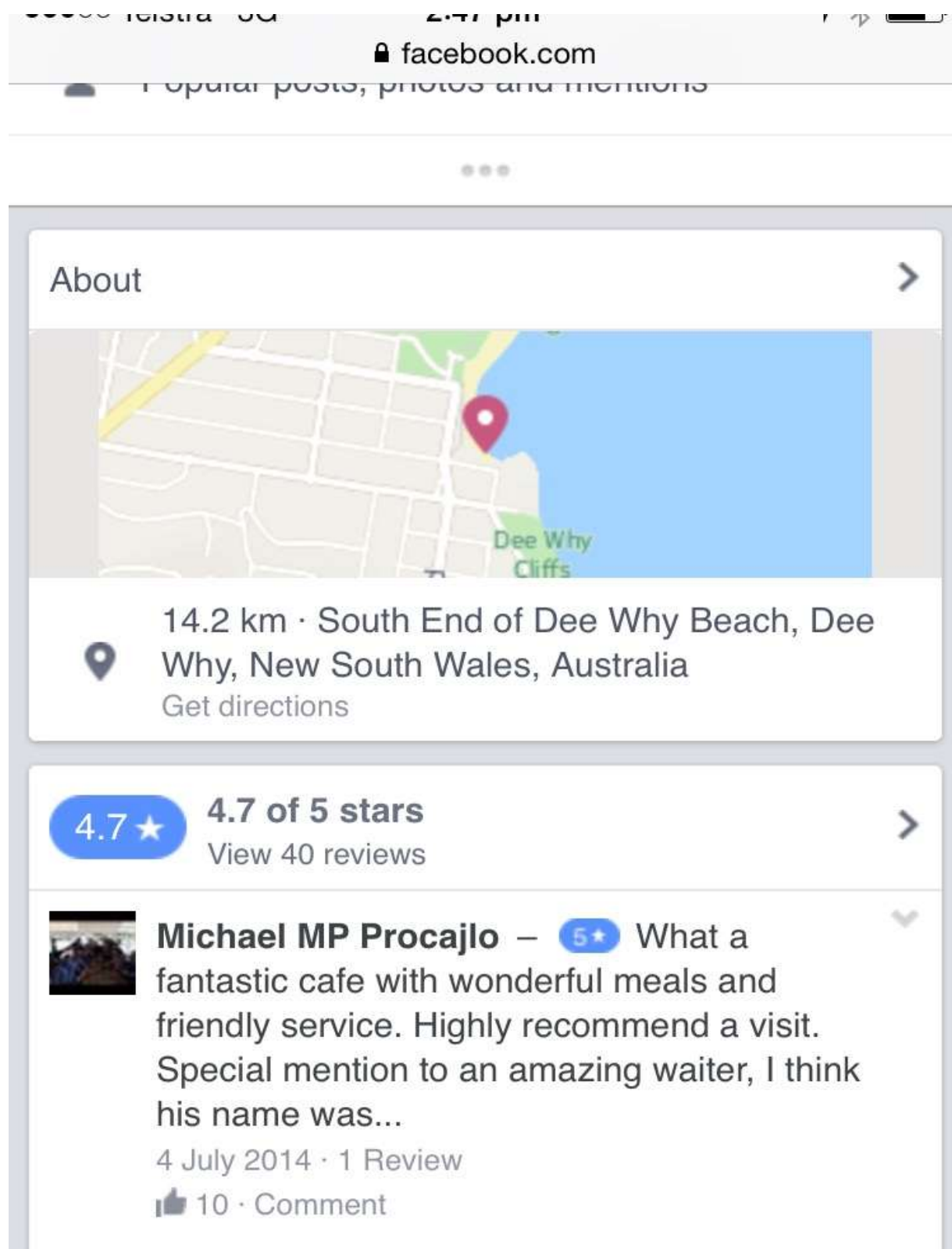
Like

Comment

Share

**Annexure “D”**

**Extracted photo and post from The Beach Shed, Dee Why's FaceBook Page – Wait Staff  
4 July 2014**





**Annexure "E" Extracted photo and post from The Beach Shed, Dee Why's FaceBook Page  
28 May 2015**



**Annexure “F” – Deliveries to The Beach Shed**





**Annexure “G”**

**Rubbish and stacked crates around The Beach Shed and adjacent to pedestrian stairs**





**Annexure “H”**

**Rubbish bins obstructing pedestrian path (mother and grand mother had to move bins get through)**



**Annexure “I”**  
**Excessive rubbish and car parked in no parking**



**Annexure “J”Cooking 25 March 2015 – Poached Eggs**



## **11.0 QUESTIONS ON NOTICE**

<b>ITEM 11.1</b>	<b>QUESTION ON NOTICE NO 19/2015 - RENT FROM LEASE OF THE BOAT SHED, DEE WHY</b>
<b>TRIM FILE REF</b>	<b>2015/234299</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

What is the total amount of rent received from the lessees of the Boat Shed, Dee Why since it commenced operation?



<b>ITEM 11.2</b>	<b>QUESTION ON NOTICE NO 20/2015 - FUNDS RECEIVED BY COUNCIL FOR SEATING ON THE STRAND, DEE WHY BEACH</b>
<b>TRIM FILE REF</b>	<b>2015/234308</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

What is the total amount of money Council has received for space for tables and chairs for each business on The Strand, Dee Why Beach?

<b>ITEM 11.3</b>	<b>QUESTION ON NOTICE NO 21/2015 - EXPENDITURE INCURRED ON MAYORAL AND COUNCIL CREDIT CARDS AT THE BOAT SHED, DEE WHY BEACH</b>
<b>TRIM FILE REF</b>	<b>2015/234315</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

What is the total amount of expenditure incurred on Mayor Michael Regan's and any other Council credit card at The Boat Shed, Dee Why since it commenced operations?

## **12.0 RESPONSES TO QUESTIONS ON NOTICE**

<b>ITEM 12.1</b>	<b>RESPONSE TO QUESTION ON NOTICE NO 16/2015 - EXPENDITURE ON COUNCIL'S CAR FLEET</b>
<b>TRIM FILE REF</b>	<b>2015/228820</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

For the last financial year what is the total amount of expenditure on Council's car fleet (ie purchase of vehicles, maintenance and ongoing costs)?

### **RESPONSE**

Purchase of vehicles - \$1,622,782.

Maintenance and servicing - \$967,475.

<b>ITEM 12.2</b>	<b>RESPONSE TO QUESTION ON NOTICE NO 17/2015 - EXPENDITURE ON COUNCIL'S MARKETING AND MEDIA UNIT</b>
<b>TRIM FILE REF</b>	<b>2015/228843</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

For the last Financial year what is the total amount of expenditure on Council's Marketing and Media Unit?

**RESPONSE**

\$1,676,098.27



<b>ITEM 12.3</b>	<b>RESPONSE TO QUESTION ON NOTICE NO 18/2015 - NUMBER OF COUNCIL RANGERS</b>
<b>TRIM FILE REF</b>	<b>2015/228845</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

How many full time Council Rangers were permanently employed by Warringah Council in the following Financial Years: 2012/2013, 2013/14, 2014/15?

**RESPONSE**

Warringah Council employed full time Council Rangers in the following year:

2012/13 – 15  
2013/14 – 10  
2014/15 - 8

## 13.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

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### RECOMMENDATION

A. That, in accordance with the requirements of Section 10 of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- a Item 13.1 RFT 2014/043 - Dee Why Town Centre Upgrades - Detailed Design for Walter Gors Park and Redman Road Plaza on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses tender prices supplied for consultancies and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would provide commercial advantage to successful tenderers.

- b Item 13.2 RFT 2015/063 - Community and Child Care Centre Landscape Maintenance on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses information that is commercial-in-confidence and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would potentially influence future outcomes of similar tenders.

- c Item 13.3 RFT 2015/064 - Provision of Swimming Squad Coaching Services on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses information that is commercial-in-confidence and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would potentially influence future outcomes of similar tenders.

- d Item 13.4 Alternative Procurement for the Supply and Delivery of Groceries on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses the supply and delivery of groceries and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would confer a commercial advantage on a person.

- e Item 13.5 Financial Negotiations with the Preferred Glen Street Theatre Food and Beverage Operator on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses levels of financial incentives and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining

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openness and transparency in council decision-making because the disclosure of this information could compromise Council's ability to deliver the best commercial lease outcome

- B. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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