

AGENDA

WARRINGAH COUNCIL MEETING

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

TUESDAY 27 NOVEMBER 2012

Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



John Warburton
Acting General Manager

(2012/13)

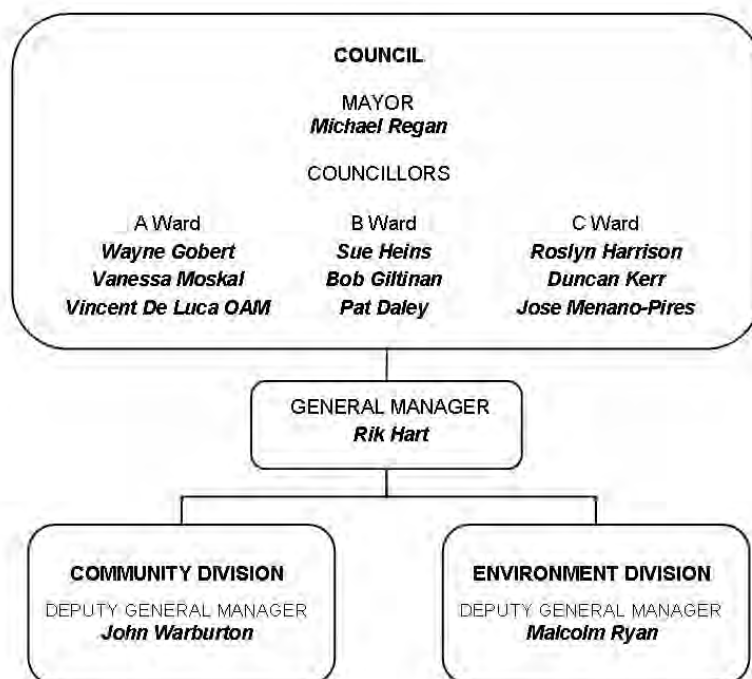


Warringah Council



Warringah Council Organisational Structure

warringah.nsw.gov.au



Our Vision : Our Values

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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

**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 27 November 2012
at the Civic Centre, Dee Why
Commencing at 6.00pm**

ACKNOWLEDGEMENT OF COUNTRY

1.0 APOLOGIES

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Minutes of Ordinary Meeting of Council held 23 October 2012

3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

4.0 PUBLIC FORUM

5.0 MAYORAL MINUTES

Nil

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Nil

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Nil

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 23 OCTOBER 2012

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held 23 October 2012, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	MONTHLY FUNDS MANAGEMENT REPORT OCTOBER 2012
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2012/394640
ATTACHMENTS	1 Application of Funds Invested 2 Councils Holdings as at 31 October 2012 3 Investment Portfolio at a Glance 4 Monthly Investment Income vs. Budget 5 Economic Notes

REPORT

PURPOSE

To report the balance of investments held as at 31 October 2012.

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 (Attachment 1)
2. Council's Holdings as at 31 October 2012 (Attachment 2)
3. Investment Portfolio at a Glance (Attachment 3)
4. Monthly Investment Income vs. Budget (Attachment 4)
5. Economic Notes (Attachment 5)

FINANCIAL IMPACT

The actual investment income to 31 October 2012 is \$1,531,772 which compares favourably to the budgeted income of \$1,490,000 a variance of \$41,772.

POLICY IMPACT

The investment strategy was reviewed by our Investment advisors Oakvale Capital, in July 2012. They confirmed as of 30 June 2012, that Council's investment portfolio continues to be managed in a prudently conservative manner.

Performance over the 2012/13 financial year to date (October 2012) continues to be strong having exceeded the benchmark, 5.40%pa vs 3.62%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing its cash flows.

Bank issued fixed and floating bonds are beginning to represent good value again, thereby providing Council with further long-term investment options (beyond term deposits and the NSW Treasury Corporation Managed Fund Facilities) depending upon its cash flow requirements.

RECOMMENDATION OF ACTING GENERAL MANAGER

That the:

- A. Report indicating Council's Funds Management position be received and noted.
 - B. Certificate of the Responsible Accounting Officer be noted and the report adopted.
-

Application of Investment Funds	Description	Value (\$)
Restricted Funds:		
Externally Restricted	Section 94 Old Plan	26,499,471
	Section 94A Plan Contributions	5,826,195
	Domestic Waste & Unexpended Grants	1,205,311
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.	18,833,614
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	29,179,734
Total		81,544,325

There has been a decrease in the investments held of \$8,913,693, which is in line with budgeted movements at this time of year.

Reconciliation of Cash Book

Description	Value (\$)
Council's Cash Book balance	608,114
Kimbriki Bank balance	1,161,319

Investments Funds Report - As at 31-Oct-12

Maturity date	Face Value	Current Yield	Borrower	Standard & Poor's Rating	Current Value
Floating Rate Note Investment Group					
15-Mar-13	2,000,000	5.7300	HSBC Bank Australia Subordinated Debt	A	2,000,331.23
23-Apr-14	1,000,000	4.1200	Deutsche Bank AG London Sub Notes	BBB+	975,014.11
	3,000,000				2,975,345
Floating Rate Note Investment Group - Held to Maturity					
18-Jun-13	1,000,000	4.6100	Suncorp Metway	A-1	1,000,000
	1,000,000				1,000,000
Mortgage Backed Securities Investment Group					
Weighted Avg Life *	Face Value				
22-Aug-22	1,842,775	4.0600	Emerald Series 2006-1 Class A	AAA	1,333,843
	1,842,775				1,333,843
Term Investment Group					
8-Nov-12	2,000,000	5.6000	Bank of Queensland	A-2	2,000,000
12-Nov-12	2,000,000	5.9700	ING Bank (Australia) Limited	A-1	2,000,000
19-Nov-12	1,000,000	5.1000	Bank of Western Australia	A-1+	1,000,000
19-Nov-12	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
23-Nov-12	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
26-Nov-12	1,000,000	5.9800	ING Bank (Australia) Limited	A-1	1,000,000
26-Nov-12	2,000,000	5.2600	National Australia Bank Ltd - Govt Business	A-1+	2,000,000
29-Nov-12	2,000,000	5.2700	National Australia Bank Ltd - Govt Business	A-1+	2,000,000
5-Dec-12	2,000,000	5.0500	Members Equity Bank Melbourne	A-2	2,000,000
10-Dec-12	1,000,000	5.1300	National Australia Bank Limited	A-1+	1,000,000
10-Dec-12	2,000,000	5.0600	National Australia Bank Limited	A-1+	2,000,000
13-Dec-12	2,000,000	5.0700	National Australia Bank Limited	A-1+	2,000,000
19-Dec-12	2,000,000	5.0400	National Australia Bank Limited	A-1+	2,000,000
7-Jan-13	1,000,000	5.1500	National Australia Bank Ltd - Govt Business	A-1+	1,000,000
21-Jan-13	1,000,000	5.1000	Members Equity Bank Melbourne	A-2	1,000,000
23-Jan-13	2,000,000	5.1000	Members Equity Bank Melbourne	A-2	2,000,000
25-Jan-13	2,000,000	5.1800	ING Bank (Australia) Limited	A-1	2,000,000
25-Jan-13	2,000,000	5.2000	Bank of Queensland	A-2	2,000,000
29-Jan-13	2,000,000	5.0300	National Australia Bank Limited	A-1+	2,000,000
6-Feb-13	1,000,000	4.8500	Members Equity Bank Melbourne	A-2	1,000,000
8-Feb-13	2,000,000	5.2000	Bank of Queensland	A-2	2,000,000
13-Feb-13	2,000,000	5.1000	Bank of Western Australia	A-1+	2,000,000
18-Feb-13	2,000,000	5.0700	National Australia Bank Limited	A-1+	2,000,000
25-Feb-13	1,000,000	5.0000	Bank of Queensland	A-2	1,000,000
26-Feb-13	2,000,000	5.0500	National Australia Bank Limited	A-1+	2,000,000
26-Feb-13	1,000,000	6.0100	ING Bank (Australia) Limited	A-1	1,000,000
26-Feb-13	2,000,000	5.1500	Bank of Queensland	A-2	2,000,000
26-Feb-13	1,000,000	6.0300	ING Bank (Australia) Limited	A-1	1,000,000
26-Feb-13	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
6-Mar-13	3,000,000	5.0500	Members Equity Bank Melbourne	A-2	3,000,000
6-Mar-13	3,000,000	5.0300	National Australia Bank Limited	A-1+	3,000,000
6-Mar-13	1,000,000	5.0100	National Australia Bank Limited	A-1+	1,000,000
6-Mar-13	1,000,000	5.0000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
20-Mar-13	1,000,000	5.0500	Members Equity Bank Melbourne	A-2	1,000,000
5-Apr-13	1,000,000	4.7500	Bendigo and Adelaide Bank Limited	A-2	1,000,000
9-Apr-13	2,000,000	4.8000	Members Equity Bank Melbourne	A-2	2,000,000
21-May-13	2,000,000	5.1000	ING Bank (Australia) Limited	A-1	2,000,000
7-Jun-13	1,000,000	5.0000	Bank of Queensland	A-2	1,000,000
13-Aug-13	1,000,000	5.0000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
25-Nov-14	2,000,000	5.7000	National Australia Bank Ltd - Govt Business	AA-	2,000,000
	64,000,000				64,000,000
Term Investment Group & Cash Deposit Account					
Rollover Date	Face Value	Current Rate	Borrower	Rating	
Cash Account	1,382,204	3.7500	CBA (Business Saver)	A-1+	1,382,204
Cash Account	45,923	3.7500	CBA Business Saver Narabeen Lagoon	A-1+	45,923
17-Dec-12	1,000,000	4.1500	CBA Term Deposit Kimbriki 35810609 (1)	AA-	1,000,000
13-Dec-12	7,064,725	5.1000	WBC Term Deposit Kimbriki 11-1208	AA-	7,064,725
4-Feb-13	2,226,502	4.9000	WBC Term Deposit Kimbriki 11-4185	AA-	2,226,502
1-Oct-12	515,783	3.3900	CBA Money Market Kimbriki 10162612	AA-	515,783
	12,235,137				12,235,137
	82,077,912			Closing Balance:	81,544,325

* 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

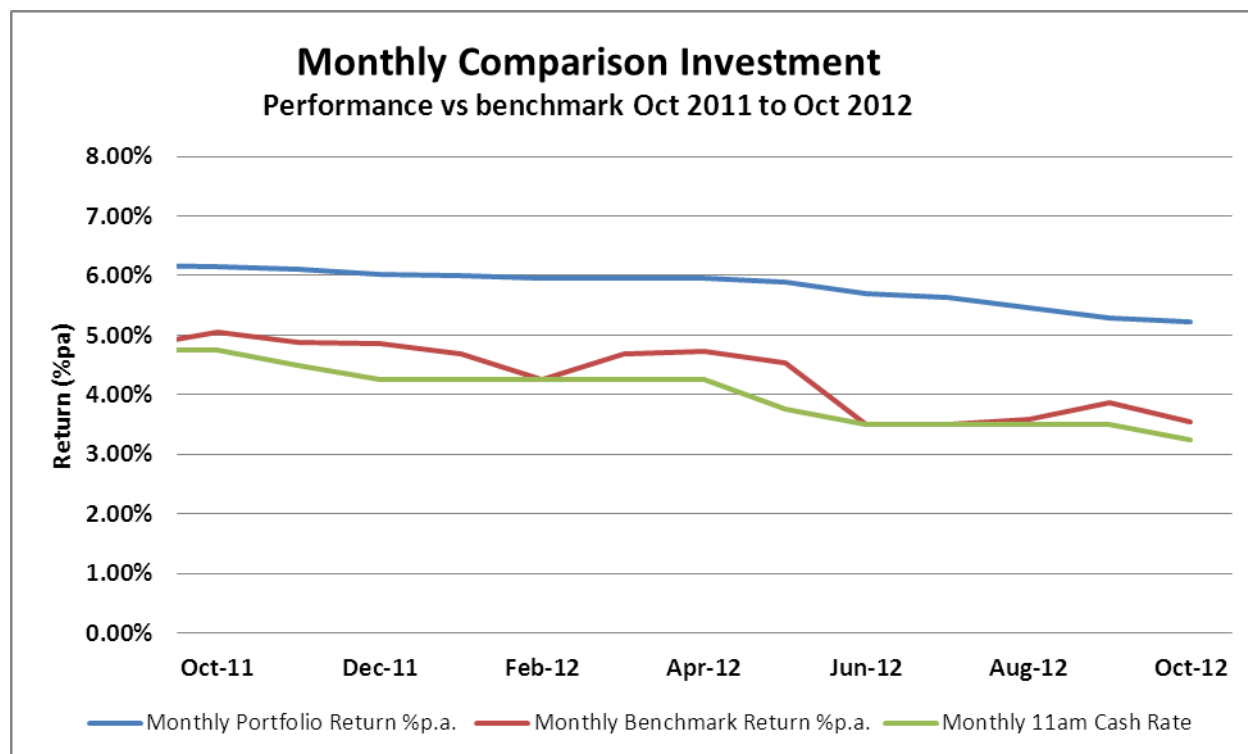
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio 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	5.22%	3.55%	3.25%
3 Months	5.32%	3.67%	3.42%
6 Months	5.53%	3.76%	3.50%
FYTD	5.40%	3.62%	3.44%
12 Months	5.78%	4.23%	3.90%

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

** This benchmark relates to Cash Fund holdings

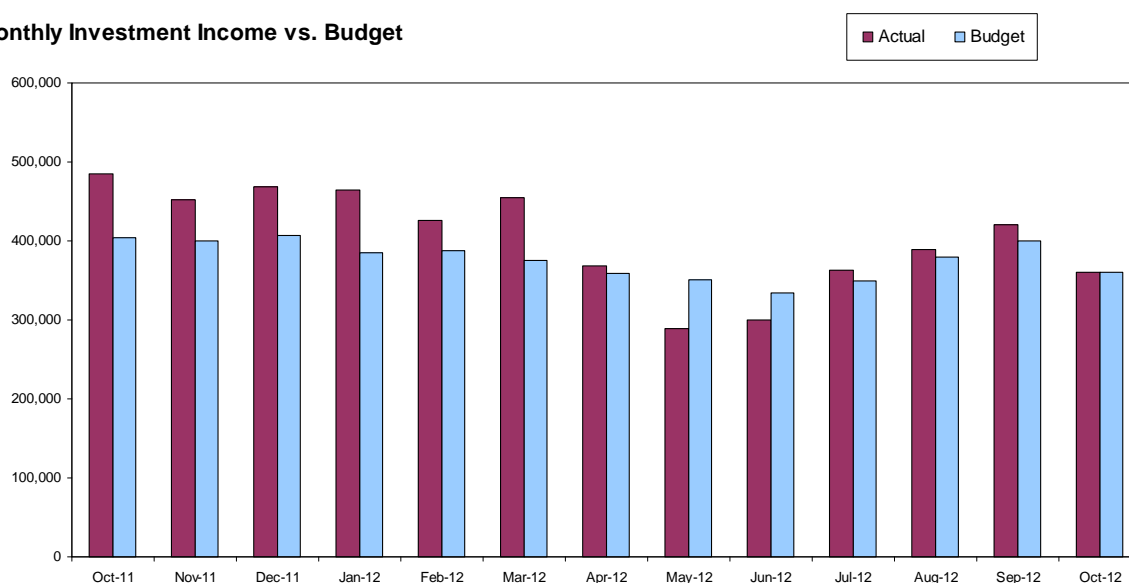


Monthly Investment Income* vs. Budget

	\$ October 12	\$ Year to Date
Investment Income	384,154	1,522,265
Adjustment for Fair Value	(23,962)	9,507
Total Investment Income	360,193	1,531,772
Budgeted Income	360,000	1,490,000

*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In October we have reflected a fair value decrease of \$23,962 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 issues:

- Manufacturing and employment data in the US continued to be positive but sluggish. Markets remain wary of the effects of the 'fiscal cliff' which is the expected effect of automatic tax increases and spending cuts to kick in 31 Dec unless the Democrats and Republicans reach a compromise in the US Congress.
- Further evidence appeared that the Chinese economy has stabilised. Quarterly growth increased at its fastest rate for a year, and manufacturing and services indices rebounded strongly in October.

Domestic issues:

- The Federal Government released its Mid-Year Economic Fiscal Outlook which showed that the Budget position had worsened due to falling commodity prices and a weaker global outlook.
- Inflation was higher than expected in the September quarter, with the annual underlying measure increasing to 2.5% (up from 2.1% in the June quarter), right in the middle of the RBA's 2-3% annual inflation target.
- The unemployment rate jumped to 5.4% in September (up from 5.1% in August) despite the creation of 14,500 new jobs. Hours worked and the participation rate both increased.

Interest rates:

- The RBA left the official cash rate at 3.25% at its November meeting. The RBA pointed to expectations of inflation remaining consistent with its target and the impact of previous interest rate cuts still to work their way through the economy.

Investment Portfolio Commentary

Council's investment portfolio posted a return in October of 5.22%pa versus the bank bill index benchmark return of 3.55%pa. For the financial year to date ending October, Council's investment portfolio has exceeded the bank bill index benchmark by 1.78%pa (5.40%pa vs 3.62%pa)

Market conditions continue to result in solid returns for portfolios, such as Council's, holding predominately term deposits with historically high margins over swap rates.

Despite leaving interest rates on hold in early November, the market is still forecasting up to 75bps worth of rate cuts by the RBA over the next 12 months. Therefore, as Council's existing term deposits mature, reinvestment is likely to be at lower levels than those seen at the current time.

Emerald Series 2006-1 Class A - Mortgage Backed Securities

Council's Investment Advisors, Oakvale Capital, have advised Council that the projected maturity date of the above security has been extended from 21 August 2014 to 22 August 2022.

The "Emerald Reverse Mortgage Series 2006-1 Trust" (Credit rating: Fitch AAA) is comprised of a pool of Australian-only reverse mortgage loans originated by Bluestone Equity Release Pty Ltd. Bluestone has continued to assure of the robustness of the underlying Emerald portfolio with the extension occurring as a result of post-GFC secondary market conditions and not to deteriorating loan quality. The extension in maturity date was anticipated in the "Investment Strategy and Portfolio Review" that was prepared by Oakvale and presented to Council at its meeting on 28 August 2012.

Oakvale has made the following comments with respect to this investment

- The very nature of reverse mortgages means that they have very low Loan to Value (LTV) Ratios (i.e. the amount of the loan in relation to the value of the property). Although expected to increase over time as the underlying loan pool reduces, the Emerald 2006-1 pool currently

has a low average LTV ratio of approximately 30%. This compares favourably to normal mortgage-backed securities which typically have LTVs in the 75-90% range.

- The Emerald Class A notes continue to provide Council's portfolio with diversification and a secure investment option in-line with the original investment objectives and continue to be recommended as part of the Council's long term hold to maturity portfolio.
- The market for Australian mortgage backed securities, regardless of the robustness of the structure, is highly illiquid as a direct consequence of the global financial crisis. This has caused difficulties in valuing the security as there is limited "price discovery" in the market. At this stage, opportunistic bids for this tranche would be expected in the low 70c in the dollar area.

ITEM 6.2	QUARTERLY BUDGET AND BUSINESS REVIEW STATEMENT
REPORTING MANAGER S	CHIEF FINANCIAL OFFICER AND GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/382444
ATTACHMENTS	1 Quarterly Budget and Business Review Statement

EXECUTIVE SUMMARY

PURPOSE

To present the September 2012 Quarterly Budget and Business Review Statement on the Strategic Community Plan 2012.

SUMMARY

The September 2012 Quarterly Budget and Business Review Statement is in a separate Attachment Booklet and is the first progress report on the Strategic Community Plan 2012. The report details Council's overall financial position by 16 Key Service areas, the progress of key initiatives and capital works for the period.

The Income Statement for the quarter ending 30 September 2012 shows an increase in the Surplus from Continuing Operations before Capital Grants and Contributions for the full financial year of \$37,000 taking the forecast surplus from \$8,060,957 to \$8,097,957 at 30 June 2013. An increase in capital expenditure of \$969,409 is also forecasted at 30 June 2013.

Of 157 actions covered by the report, 93% are progressing in accordance with agreed timeframes (either completed or on schedule), and 7% (or 11 projects) are behind schedule.

FINANCIAL IMPACT

The available working capital is well in excess of the minimum level required to be held at any time for unplanned expenditure and in terms of Clause 203 of the Local Government (General) Regulation 2005; this financial position is satisfactory.

POLICY IMPACT

operating revenues are set at a level sufficient to meet projected operating expenses".

RECOMMENDATION OF ACTING GENERAL MANAGER

That the:

- A. September 2012 Quarterly Budget and Business Review Statement be noted.
 - B. Following changes to the Current Forecast in the September 2012 Quarterly Budget and Business Review Statement be approved:
 - a. Increase the Surplus from Continuing Operations before Capital Grants and Contributions by \$37,000 to \$8,097,957 at 30 June 2013.
 - b. Increase the capital expenditure by \$969,409 to \$31,620,492 at 30 June 2013.
-

REPORT

BACKGROUND

The Quarterly Budget and Business Review Statement is a progress report against the Strategic Community Plan 2012 (the "Plan"). The Report is distributed in a separate Attachment Booklet and provides a report on progress of key initiatives and capital works.

It has been prepared in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Regulation 2005, namely that the General Manager report at least every 6 months on the principal activities (16 key services) and the responsible accounting officer report quarterly on a budget review statement.

INCOME STATEMENT

The result for the three months ended 30 September 2012 shows some variations between budgeted and actual results. Comments have been provided by responsible budget managers and the forecasts have been amended where necessary. The reports for each of the 16 services provided in the Strategic Community Plan 2012 are each provided separately.

These overall movements are detailed in the table below:

	Annual Budget \$	Approved Forecast \$	Variance \$	Current Forecast \$	Variance \$
Total Income From Continuing Operations	155,540,704	155,540,704	-	155,916,304	375,600
Total Expenses From Continuing Operations	(142,694,298)	(142,694,298)	-	(142,662,898)	31,400
Surplus / (Deficit) from Continuing Operations	12,846,406	12,846,406	-	13,253,406	407,000
Surplus/ (Deficit) before Capital Grants & Contributions	8,060,957	8,060,957	-	8,097,957	37,000

The principal feature of the forecast changes is an increase in the Surplus from Continuing Operations before Capital Grants and Contributions for the full financial year of \$37,000 to \$8,097,957. This is related to the purchase of a special purpose vehicle required for the maintenance of the Narrabeen Lagoon Trail and is therefore restricted and not available for use on other purposes.

The significant changes resulting in an increase of \$375,600 in the forecast Income from Continuing Operations are as follows:

- Other Revenues have been forecast to increase by \$5,600 due to monies received from the Manly Dam War Memorial Trust for the installation of a security system at Manly Dam.
- Grants & Contributions – Capital Purposes have been forecast to increase by \$370,000 due to an additional grant of \$70,000 to be received from the Metropolitan Greenspace Fund towards the North Narrabeen Masterplan and a \$300,000 contribution from the Netball Association towards Capital Works currently being undertaken at Curl Curl Sports Centre.

The significant changes resulting in a reduction of \$31,400 in the forecast in Expenses from Continuing Operations are:

- Employee Benefits and OnCosts have been forecast to decrease by \$127,055. This is principally due to \$95,000 which has been reallocated within Parks, Reserves and Foreshores to Materials and Contracts for cricket wicket maintenance contractor expenditure, \$9,705 within Children's Services and \$22,000 within Corporate Support have been reallocated to Other Expenses for Agency Costs.

- Materials and Contracts have been forecast to increase by \$35,600. Corporate Support has decreased by \$28,000 due to a reallocation to Other Expenses for Data Services expenditure. Parks, Reserves and Foreshores have increased by a total of \$63,600 due to a reallocation from Employee Costs of \$95,000 noted above, an additional \$5,600 for the installation of a security system at Manly Dam from the funds received from Manly Dam War Memorial trust noted above offset by a reduction of \$37,000 for the purchase of a special purpose vehicle required for the maintenance of the Narrabeen Lagoon Trail.
- Other Expenses have been forecast to increase by \$60,056 principally due to the reallocation of \$31,705 from Employee Costs noted above to cover Agency Costs and the reallocation of \$28,000 from Materials and Contracts noted above to cover Data Services.

CAPITAL WORKS

Expenditure on Capital Works for the three months ended 30 September 2012 totalled \$4,285,492.

	YTD Actual \$	YTD Forecast \$	Variance \$
Total Capital Expenditure	4,285,492	5,021,746	(736,255)

Changes to the forecast details which are included in the individual reports of each of the Services are shown below.

	Annual Budget \$	Approved Forecast \$	Variance \$	Current Forecast \$	Variance \$
Total Capital Expenditure	30,651,083	32,000,843	(1,349,760)	31,620,492	380,351

Description	\$
Changes by Council Resolution during the first quarter:	
Reallocation of Funds Rolled Over from the 2011/12 Budget	386,972
Council Resolution 265/12 of Council meeting 24 July 2012: Construction of Cromer Park Field 3, 4 and 5.	962,788
	1,349,760
Changes identified in the Proposed Forecast	
Capital Works carried forward to 2013/14	
Narrabeen Lagoon (Council Monies)	(779,749)
New skate facility St Matthews Farm	(26,226)
Capital Works carried forward to 2013/14 Total	(805,975)
Description	\$
Other	
Curl Curl Sports Centre - Stage 2 construction and commissioning	500,000
Demolition of 17B Crown Rd	(173,998)
North Narrabeen Masterplan	76,000
Other	23,622
Other Forecast Changes Total	425,624
Total Net Changes identified in the Proposed Forecast	(380,351)
Total Net Changes	969,409

Performance against Key Actions

A total of 157 actions are contained within the Attachment Booklet. "Traffic light" indicators are used in the Quarterly Budget and Business Review Statement to show overall progress. Comments are provided against action in the report where the action is not on schedule.

The September 2012 results are as follows:

- 146 Strategic Community Plan Actions are completed or on-schedule
- 11 Strategic Community Plan Action are behind schedule.

The reasons for the delay is provided in the report.

POLICY IMPACT

The projected surplus is consistent with Council's financial planning policy, namely that "Projected operating revenues are set at a level sufficient to meet projected operating expenses".

FINANCIAL IMPACT

The available working capital is well in excess of the minimum level required to be held at any time for unplanned expenditure and in terms of Clause 203 of the Local Government (General) Regulation 2005; this financial position is satisfactory.



WARRINGAH COUNCIL

quarterly budget and business review statement

September 2012



warringah.nsw.gov.au

Warringah Council

September 2012 Quarterly Report - General Manager's Message

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Warringah Council for the three months ended 30 September 2012 indicates that Council's projected financial position at 30 June 2013 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

David Walsh
Responsible Accounting Officer, Warringah Council

Income - Consolidated By Service

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	33,863,336	33,843,950	(180,615)	88,521,970	88,521,970	88,521,970
User Charges & Fees	9,860,042	9,863,415	(3,372)	39,345,684	39,345,684	39,345,684
Investment Fees and Revenues	1,210,677	1,167,499	43,178	3,931,868	3,931,868	3,931,868
Other Revenues	1,879,368	1,405,612	473,756	7,358,326	7,358,326	7,363,925
Grants and Contributions - Operating Purposes	938,190	856,722	81,467	7,242,705	7,242,705	7,242,705
Grants and Contributions - Capital Purposes	716,481	779,843	(63,362)	4,785,449	4,785,449	5,155,449
Gains on disposal of Assets	130,426	46,200	84,226	4,354,703	4,354,703	4,354,703
Total Income From Continuing Operations	48,398,520	47,963,241	435,278	155,540,704	155,540,704	155,916,304
Expenses From Continuing Operations						
Employee Benefits & On-costs	(14,717,563)	(14,978,293)	260,730	(58,466,355)	(58,466,355)	(58,339,300)
Borrowing Costs	(14,384)	(16,179)	1,794	(308,611)	(308,611)	(308,611)
Materials and Contracts	(11,502,713)	(12,295,708)	792,995	(54,191,436)	(54,191,435)	(54,227,035)
Depreciation and Amortisation	(2,533,628)	(3,571,546)	37,616	(14,285,624)	(14,285,624)	(14,285,624)
Other Expenses	(4,479,088)	(4,430,964)	(48,125)	(16,749,696)	(16,749,696)	(16,809,754)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	(503,067)	(173,144)	(329,923)	(692,574)	(692,574)	(692,574)
Internal Charges	-	-	-	-	-	-
Overhead Allocation	-	-	-	-	-	-
Total Expenses From Continuing Operations	(34,750,743)	(35,465,833)	715,089	(142,694,298)	(142,694,298)	(142,662,898)
Surplus / (Deficit) from Continuing Operations	13,647,776	12,497,409	1,150,368	12,846,406	12,846,407	13,253,407
Surplus / (Deficit) Before Capital Grants & Contribution	12,931,296	11,717,566	1,213,729	8,060,957	8,060,958	8,097,958
Surplus / (Deficit) from Continuing Operations	13,647,776	12,497,409	1,150,368	12,846,406	12,846,407	13,253,407
Rates Yet to be Allocated to Services						
Rates and Charges yet to be allocated to Services	54,678,020	54,678,020	-	-	-	-
Surplus/ (Deficit) from Continuing Operations	68,325,796	67,175,429	1,150,368			
Surplus/ (Deficit) before Capital Grants & Contributions	67,609,316	66,395,586	1,213,729			

The above Income Statement shows Council's consolidated financial result for the three months ended 30 September 2012.

September 2012 Quarterly Report - General Manager's Message

The result for the three months ended 30 September 2012 shows some variations between budgeted and actual results. Comments have been provided by responsible budget managers and the forecasts have been amended where necessary. The reports for each of the 16 services provided in the Strategic Community Plan 2012 are each provided separately.

Forecast Changes

These overall movements are detailed in the table below:

	Annual Budget \$	Approved Forecast \$	Variance \$	Current Forecast \$	Variance \$
Total Income From Continuing Operations	155,540,704	155,540,704	-	155,916,304	375,600
Total Expenses From Continuing Operations	(142,694,298)	(142,694,298)	-	(142,662,898)	31,400
Surplus / (Deficit) from Continuing Operations	12,846,406	12,846,406	-	13,253,406	407,000
Surplus/ (Deficit) before Capital Grants & Contributions	8,060,957	8,060,957	-	8,097,957	37,000

The principal feature of the forecast changes is an increase in the Surplus from Continuing Operations before Capital Grants and Contributions for the full financial year of \$37,000 to \$8,097,957. This is related to the purchase of a special purpose vehicle required for the maintenance of the Narrabeen Lagoon Trail and is therefore restricted and not available for use on other purposes.

The significant changes resulting in an increase of \$375,600 in the forecast Income from Continuing Operations are as follows:

- Other Revenues have been forecast to increase by \$5,600 due to monies received from the Manly Dam War Memorial Trust for the installation of a security system at Manly Dam.
- Grants & Contributions – Capital Purposes have been forecast to increase by \$370,000 due to an additional grant of \$70,000 to be received from the Metropolitan Greenspace Fund towards the North Narrabeen Masterplan and a \$300,000 contribution from the Netball Association towards Capital Works currently being undertaken at Curl Curl Sports Centre.

The significant changes resulting in a reduction of \$31,400 in the forecast in Expenses from Continuing Operations are:

- Employee Benefits and OnCosts have been forecast to decrease by \$127,055. This is principally due to \$95,000 which has been reallocated within Parks, Reserves and Foreshores to Materials and Contracts for cricket wicket maintenance contractor expenditure, \$9,705 within Children's Services and \$22,000 within Corporate Support have been reallocated to Other Expenses for Agency Costs.
- Materials and Contracts have been forecast to increase by \$35,600. Corporate Support has decreased by \$28,000 due to a reallocation to Other Expenses for Data Services expenditure. Parks, Reserves and Foreshores have increased by a total of \$63,600 due to a reallocation from Employee Costs of \$95,000 noted above, an additional \$5,600 for the installation of a security system at Manly Dam from the funds received from Manly Dam War Memorial trust noted above offset by a reduction of \$37,000 for the purchase of a special purpose vehicle required for the maintenance of the Narrabeen Lagoon Trail.
- Other Expenses have been forecast to increase by \$60,056 principally due to the reallocation of \$31,705 from Employee Costs noted above to cover Agency Costs and the reallocation of \$28,000 from Materials and Contracts noted above to cover Data Services.

September 2012 Quarterly Report - General Manager's Message

Capital Works

Expenditure on Capital Works for the three months ended 30 September 2012 totalled \$4,285,492.

	YTD Actual \$	YTD Forecast \$	Variance \$
Total Capital Expenditure	4,285,492	5,021,746	(736,255)

Changes to the forecast details which are included in the individual reports of each of the Services are shown below.

	Annual Budget \$	Approved Forecast \$	Variance \$	Current Forecast \$	Variance \$
Total Capital Expenditure	30,651,083	32,000,843	(1,349,760)	31,620,492	380,351

Description	\$
Changes by Council Resolution during the first quarter:	
Reallocation of Funds Rolled Over from the 2011/12 Budget	386,972
Council Resolution 265/12 of Council meeting 24 July 2012: Construction of Cromer Park Field 3, 4 and 5.	962,788
	1,349,760
Changes identified in the Proposed Forecast	
Capital Works carried forward to 2013/14	
Narrabeen Lagoon (Council Monies)	(779,749)
New skate facility St Matthews Farm	(26,226)
Capital Works carried forward to 2013/14 Total	(805,975)
Description	\$
Other	
Curl Curl Sports Centre - Stage 2 construction and commissioning	500,000
Demolition of 17B Crown Rd	(173,998)
North Narrabeen Masterplan	76,000
Other	23,622
Other Forecast Changes Total	425,624
Total Net Changes Identified in the Proposed Forecast	(380,351)
Total Net Changes	969,409

September 2012 Quarterly Report - General Manager's Message

Balance Sheet

Budget 30 June 2013 \$'000	Actual 30 Sept 2012 \$'000	Actual 30 June 2012 \$'000
ASSETS		
Current Assets		
18,658 Cash & Cash Equivalents	5,134	6,544
55,975 Investments	82,741	68,537
7,500 Receivables	62,682	6,584
90 Inventories	90	96
862 Other	1,440	1,037
2,944 Non Current Assets Classified as "held for sale"	2,944	2,944
86,029 Total Current Assets	155,030	85,742
Non-Current Assets		
1,921 Investments	4,333	4,318
497 Receivables	497	497
2,396,005 Infrastructure, Property, Plant & Equipment	2,383,634	2,383,286
700 Investments Accounted for using the equity method	1,226	1,226
2,100 Investment Property	2,100	2,100
1,270 Intangible Assets	1,842	1,840
2,402,493 Total Non-Current Assets	2,393,632	2,393,267
2,488,522 TOTAL ASSETS	2,548,662	2,479,009
LIABILITIES		
Current Liabilities		
13,044 Payables	14,200	13,766
220 Borrowings	344	491
11,130 Provisions	12,762	12,457
24,394 Total Current Liabilities	27,305	26,714
Non-Current Liabilities		
400 Payables	600	600
221 Borrowings	274	274
6,859 Provisions	6,752	6,752
7,480 Total Non-Current Liabilities	7,626	7,626
31,874 TOTAL LIABILITIES	34,931	34,340
2,456,648 Net Assets	2,513,731	2,444,669
EQUITY		
2,338,026 Retained Earnings	2,395,348	2,326,286
110,929 Revaluation Reserves	110,929	110,929
2,448,955 Council Equity Interest	2,506,277	2,437,215
7,693 Minority Equity Interest	7,454	7,454
2,456,648 Total Equity	2,513,731	2,444,669

September 2012 Quarterly Report - General Manager's Message

Cash Flow

Budget 30 June 2013 \$'000	Actual 30 Sept 2012 \$'000	Actual 30 June 2012 \$'000
Cash Flows from Operating Activities		
Receipts:		
88,522 Rates & Annual Charges	32,350	83,146
39,346 User Charges & Fees	9,860	32,631
3,932 Interest & Investment Revenue Received	1,211	5,641
12,028 Grants & Contributions	1,655	13,630
11,713 Other	1,878	10,853
Payments:		
(56,040) Employee Benefits & On-Costs	(14,718)	(53,375)
(53,409) Materials & Contracts	(10,317)	(53,650)
(309) Borrowing Costs	(14)	(82)
(18,225) Other	(4,882)	(17,758)
27,558 Net Cash provided (or used in) Operating Activities	16,924	21,035
Cash Flows from Investing Activities		
Receipts:		
- Sale of Investment Securities	30,000	146,925
3,180 Sale of Infrastructure, Property, Plant & Equipment	130	1,575
- Sale of Non-current assets classified as "held for resale"	-	-
Payments:		
- Purchase of Investment Securities	(44,000)	(143,369)
- Purchase of Investment Property	-	-
(30,321) Purchase of Infrastructure, Property, Plant & Equipment	(4,285)	(29,487)
- Purchase of Intangibles	(2)	(570)
- Contributions Paid to Joint Ventures & Associates	-	-
(27,141) Net Cash provided (or used in) Investing Activities	(18,157)	(24,926)
Cash Flows from Financing Activities		
Receipts:		
- Proceeds from Borrowings & Advances	-	330
- Share Capital from minority interest	-	-
Payments:		
(575) Repayment of Borrowings & Advances	(147)	(647)
(372) Dividends Paid to Minority Interests	-	(430)
(947) Net Cash Flow provided (used in) Financing Activities	(147)	(747)
(530) Net Increase/(Decrease) in Cash & Cash Equivalents	(1,380)	(4,638)
- Net Increase/(Decrease) in Investments	14,189	(3,806)
77,085 plus: Cash & Cash Investments at beginning of the year	79,399	87,843
76,555 Cash & Investments - end of the year	92,208	79,399

September 2012 Quarterly Report - General Manager's Message

Capital Budget Statement

Budget 30 June 2013 \$'000		Actual 30 Sept 2012 \$'000
Capital Funding		
7,738	Rates & Other Untied Funding	1,523
3,201	Working Capital	375
7,131	Depreciation	1,591
2,314	Capital Grants & Contributions	173
	External Restrictions	
2,236	- S94	-
4,851	- S94A	623
	Internal Restrictions	
-	- Other	-
	Income from Sale of Assets	-
3,180	- plant and equipment	-
-	- land and buildings	-
-	- Other	-
30,651	Total Capital Funding	4,285
Capital Expenditure		
2,705	Plant & Equipment	941
1,541	Office Equipment	162
-	- Furniture & fittings	-
-	- Operational Land	-
-	- Community Land	1
646	Land improvements	48
10,245	Buildings	1,192
9,177	Other Structures	1,054
4,789	Roads, Bridges & Footpaths	439
1,022	Stormwater Drainage	303
524	Library Books	145
-	- Other Assets	-
30,651	Total Capital Expenditure	4,285


September 2012 Quarterly Report - General Manager's Message


Cash & Investments Statement

Budget		Actual	Actual
30 June		30 Sep	30 June
2013		2012	2012
\$'000		\$'000	\$'000
76,554	Total Cash and Investments	92,208	79,399
Represented by:			
Externally restricted			
27,567	Developer Contributions	32,187	31,593
19	Specific Purpose Unexpended Grants	400	700
2,708	Domestic Waste Management	671	739
30,294	Total Externally Restricted	33,259	33,032
Internally Restricted			
3,000	Deposits, Retentions & Bonds	4,242	4,239
2,355	Employee Leave Entitlement	2,363	2,363
1,419	Insurance Reserve	1,141	1,187
625	Compulsory Open Space Acquisition Reserve	156	156
2,900	Other	10,583	2,133
10,299	Total Internally Restricted	18,484	10,078
40,593	Total Restricted Cash	51,743	43,110
35,961	Total Unrestricted/ Available Cash	40,465	36,289

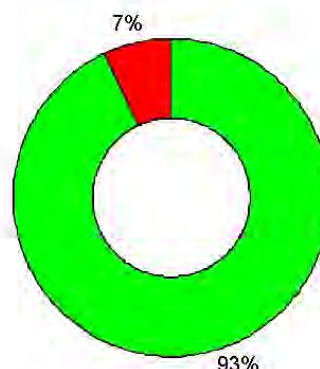
Overall Progress

Progress Capital Works and Key Initiatives

 146 Actions on target or completed

 11 Actions delayed

Total 157 Actions



The majority of actions are on-target. However, delays have been experienced in 11 projects:

- Coastal Lands Plan of Management review:
Other Plan of Management priorities have arisen - the District Park Plan of Management and a plan for the Warringah Aquatic Centre precinct that includes Aquatic Reserve. A decision will be made in December 2012 as to which plans of management will be undertaken in 2012-2013 – i.e. for the Coastal Lands, District Park or the Warringah Aquatic Centre precinct.
- Fisherman's Beach Surf Rescue Radio building:
Council resolved on 24 July 2012 to call upon the Minister for Crown Lands to exercise his powers (s34A Crown Lands Act) to enter into a lease of the Warringah Surf Rescue Building with Surf Life Saving Sydney Northern Beach. Awaiting a decision from the Minister.
- Freshwater Rock Pool restoration works:
A number of issues with the quality of the contractor's concrete work are being addressed by Council. Completion of works is expected early November
- Dee Why Beach viewing tower:
The tower is undergoing redesign to ensure the quality of design and minimal visual impact.
- Initiation of a street life program for Dee Why Town Centre:
This is delayed, due to a wider community engagement phase being undertaken for the Dee Why Town Centre Masterplan, which must precede the street life program.
- Narrabeen Lagoon Multi-use Trail:
Some delays have been experienced with reaching agreement with the Sydney Academy of Sport. These delays will impact the start date of construction and as such, part of the construction budget has been reforecast for expenditure in 2013-2014, however it is unlikely to substantially affect the overall project delivery.
- Wheeler Park public amenities, Narrabeen:
The overall design of the project including its location is being re-investigated and will be nominated for 2013-2014 CAPEX programme.

Overall Progress

Progress Capital Works and Key Initiatives

- **St Matthews Farm Reserve new skate facility:**
Design works have been rephased to 2013-2014 as construction will not commence until 2014-2015. This also helped free up resources to enable completion of the additional sportsfield at Cromer Park.
- **Warringah Aquatic Centre (WAC) Cogeneration project:**
The installation of a cogeneration system has been delayed as additional funds are required and an application has been made to the Department of Climate Change and Energy Efficiency.
- **WAC Conceptual designs and DA:**
This has taken longer than expected as additional time was allowed for more comprehensive community engagement, between April and September 2012. The results and draft proposals are currently being prepared for presentation in late November. It is anticipated that a decision on this will be made by February of 2013.
- **WAC Disability Access and Renewal:**
This has taken longer than expected as additional time was allowed for more comprehensive community engagement, between April and September 2012. The results and draft proposals are currently being prepared for presentation in late November.

Certification Services

Financials

September 2012 Quarterly Report by Service Certification

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	144,420	144,420	-	478,941	478,941	478,941
User Charges & Fees	56,749	66,548	(9,799)	326,099	326,099	326,099
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	201,169	210,968	(9,799)	805,040	805,040	805,040
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(106,863)	(123,924)	17,061	(460,917)	(460,917)	(460,917)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(1,564)	(1,984)	400	(7,857)	(7,857)	(7,857)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(2,007)	(2,101)	94	(8,135)	(8,135)	(8,135)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(12,800)	(13,252)	453	(49,223)	(49,223)	(49,223)
Overhead Allocation	(69,726)	(69,726)	-	(278,908)	(278,908)	(278,908)
Total Expenses From Continuing Operations	(192,960)	(210,968)	18,008	(805,040)	(805,040)	(805,040)
Surplus / (Deficit) from Continuing Operations	8,209	-	8,209	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus/ (Deficit) from Continuing Operations at the end of the first quarter is generally tracking in line with forecast.

There is no anticipated change in the Surplus/(Deficit) from Continuing Operations at this point in time.

Children's Services

Financials

September 2012 Quarterly Report by Service Child Care

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	497,669	497,669	-	1,643,262	1,643,262	1,643,262
User Charges & Fees	1,285,410	1,215,659	69,751	4,898,027	4,898,027	4,898,027
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	2,164	2,500	(336)	10,000	10,000	10,000
Grants and Contributions - Operating Purposes	142,553	153,793	(11,140)	547,215	547,215	547,215
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	1,927,897	1,869,621	58,276	7,098,504	7,098,504	7,098,504
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(1,264,570)	(1,288,214)	23,644	(4,787,071)	(4,787,071)	(4,777,365)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(131,191)	(164,127)	32,936	(649,472)	(649,472)	(649,472)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(87,963)	(43,690)	(44,273)	(174,052)	(174,052)	(183,757)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(28,600)	(22,596)	(6,004)	(83,928)	(83,928)	(83,928)
Overhead Allocation	(350,994)	(350,994)	-	(1,403,982)	(1,403,982)	(1,403,982)
Total Expenses From Continuing Operations	(1,863,317)	(1,869,621)	6,304	(7,098,505)	(7,098,504)	(7,098,504)
Surplus / (Deficit) from Continuing Operations	64,579	-	64,579	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus/ (Deficit) from Continuing Operations at the end of the first quarter is generally tracking in line with forecast.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Children's Services

Key Highlights

National Quality Framework

Warringah Children's Services strive to meet best current practice. Our first long day care centre has exceeded 3 of 7 standards in its recent Assessment and Rating. Three of the Vacation Care services completed successful compliance visits by DEC as part of the Service Approval process. Further, a recently appointed Educational Leader is upgrading documentation and training to meet the requirements of the National Quality Framework.

Training continues to roll out with staff undertaking training in Asthma and Anaphylaxis, behaviour management, and support FDC Educators in gaining knowledge to meet the requirements of the National Quality Framework.

Upgrades to Children's Services

Brookvale Children's Centre has had three large sails installed in their playground and Narrabeen playground plans are in progress. Belrose Children's Centre obtained a \$1,000 grant from Coles Landcare Project to provide garden beds for the children with fruit, vegetables and Bush tucker, supported by advice from the Kimbriki EcoHouse and Garden. This is part of a larger project to enhance learning opportunities for children in the outdoor environment.

Inclusion Support

Children's Services provide for a diversity of children, including those with special needs or high support needs. These currently include 2 children in Family Day Care, 3 in Brookvale Children's Centre, 2 in Dee Why Children's Centre, 6 in Occasional Care and 13 children in Vacation Care. This is funded for support through the Inclusion Support Program of DEEWR and is invaluable for the families involved.

For example, Dee Why Children's Centre provides the opportunity for specialist workers (Speech Therapist) to observe a child with multiple conditions in play situations. Of note, is the welcome and supportive inclusion of this child in play by the children in her class. The centre's Special Child Care Benefit application has been lodged to support a family in crisis as well as provided for an Emergency Care placement for a family in crisis.

Service Achievements

Vacation Care recruited sixteen new casual staff, all of a very high standard, who are working well with our staff and families. Vacation Care operated at 90% utilisation over this period which is 15% above target and the highest utilisation achieved by the service since 2008.

An information session was presented on setting up a family day care business. This was part of the "Bringing Us Together" project (Northern Beaches Community Connect).

Dee Why Children's Centre participated in the STEPS program, screening the vision of 4-year old children, an annual Government initiative. The Centre also had performances on:

- Russian culture as part of the Bi-Cultural Support program, focussing on dance, music, dress and language.
- Bob Turner Wildlife show where children learnt about and handled Australian animals and insects.

Community & Safety Services

Financials

September 2012 Quarterly Report by Service Community & Safety

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	1,038,535	1,039,535	-	4,461,482	4,461,482	4,461,482
User Charges & Fees	449,394	390,734	58,660	1,441,293	1,441,292	1,441,292
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	12,525	114	12,412	36,874	36,874	36,874
Grants and Contributions - Operating Purposes	136,125	90,809	45,316	209,336	209,336	209,336
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	(1,231)	-	(1,231)	-	-	-
Total Income From Continuing Operations	1,636,348	1,521,192	115,156	6,148,995	6,148,984	6,148,984
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(731,368)	(693,746)	(37,622)	(3,211,626)	(3,211,626)	(3,304,506)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(184,755)	(189,867)	5,112	(923,168)	(923,168)	(923,168)
Depreciation and Amortisation	(85,946)	(85,946)	(0)	(343,783)	(343,783)	(343,783)
Other Expenses	(205,307)	(211,048)	5,741	(312,916)	(312,916)	(312,916)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(21,550)	(31,573)	10,023	(121,451)	(121,451)	(121,451)
Overhead Allocation	(309,012)	(309,012)	-	(1,236,041)	(1,236,041)	(1,236,041)
Total Expenses From Continuing Operations	(1,537,938)	(1,521,192)	(16,746)	(6,148,985)	(6,148,985)	(6,241,865)
Surplus / (Deficit) from Continuing Operations	98,410	-	98,410	-	-	(92,880)

Year to Date Actuals and Annual Forecast

The Surplus/ (Deficit) from Continuing Operations at the end of the first quarter is generally tracking in line with budget with some variations principally due to timing differences.

Total Expenses from Continuing Operations have been forecast to increase by \$92,880 due to Beach Services staff being paid entitlements at the end of the season. This will be funded from savings to be identified within Corporate Support.

The net annual forecast is a Deficit from Continuing Operations of \$92,880 which is a result of the additional Beach Services staff costs noted above.

Community & Safety Services

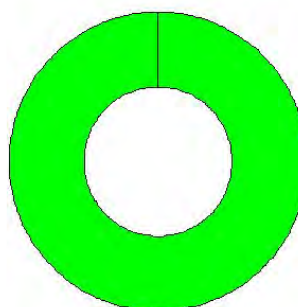


1 Actions on target or completed



0 Actions delayed

Total 1 Actions



All actions are on-target.

Key Highlights

Community Centres

Our Centres continue to be popular for community use, with a 23% increase in web enquiries and a 7% increase in bookings for the same quarter 2011-2012. The Utilisation rate for the quarter was 51%. Further improvements are expected with the Class Booking System currently under review by the Business Excellence Team. Centre activities were widely promoted, with distribution throughout the peninsula of the Warringah Community Centre Course and Activity Brochure (terms 3 and 4).

A successful highlight was the holding of the 37th annual Forest Art and Craft Exhibition, at Forest Community Arts Centre in August 2012, with assistance by Council staff. This Centre also had an accessible ramp installed. With two long-term hirers relocating, space became available at 34A and 30 Howard Avenue (now Dee Why Community Centre) and at Cromer Community Centre. Space in all three locations was quickly taken.

Aged & Disability Services

Council has membership on a regional committee with other Councils to help develop strategies and services to meet our communities' needs. This includes looking at innovative ways to use a \$60,000 annual grant. This strategic approach is also supported by Warringah's current development of a Healthy Ageing Strategy.

To improve the provision of facilities for the disabled, Council reviewed its MLAK facilities and information on our website and MLAK. Information is being updated, new signs have been ordered for toilet doors and liberty Swing. Council continued to support Dee Why and Forestville Seniors' Clubs and commenced planning for upcoming events for Carers (October 17) and for People with Disabilities (November 29).

Youth Services

Council continues to be active in ongoing programs to support the healthy development and involvement of youth in the life of the community. This included:

- Various Urban Art workshops and a partnership with AMF Bowling involving young people to design murals for new laser skirmish in Dee Why
- Parent education such as the Triple P series (Positive Parenting of Teenagers)
- Youth events and entertainment for over 1000 people, including Discobility for special needs youth

Community & Safety Services

- 24/7 Youth Film Festival - 10 year anniversary with a record number of entrants
- Collaboration with Northern Beaches Police along with school Principals and cross-cultural initiatives
- Securing State Government funding and approval for a PCYC at Dee Why
- Ongoing development of a Warringah Youth Strategy, with input through the Warringah Youth Forum, over 1000 responses to the Youth survey and 240 responses to the parents survey.

Providing an influence beyond our borders, seven of our Youth Advisory Committee attended a 3-day conference with the Youth Action and Policy Association (YAPA). We also had a record number of applications for the Brewarrina Sister City Youth Exchange. Our staff also represented Warringah in regional forums and reference groups.

Arts & Cultural Development

Council has developed an Art Collection Register and continues to encourage the development of new art. The community art project 'the Yam Collective' was initiated, and a local artist provided a design for the new outdoor ping pong table at Dee Why beach as a successful community place making initiative.

Community Development

Council awarded more than \$139,000 of Community Development Grants to 29 groups and organisations, including one Community Garden grant. We continued to support the Manly Vale Community Garden and initiated the Friends of Freshwater Community Garden.

Apart from many ongoing programs to build the capacity of the general community and key groups, Warringah Council registered as a Refugee Welcome Zone in August 2012. Council also extended its community mural program including at Collaroy Plateau Community Kindergarten.

Beach Services

Council had a successful start to the beach season in September, with Freshwater and Dee Why beaches opened and patrolled 7 days a week by Council Lifeguards. Patrolling of the remaining beaches commenced in the school holidays, with assistance of Surf Club volunteers on weekends and public holidays

Beach Services staff were recognised for outstanding service delivery and customer service at the divisional Community Services Awards ceremony. Staff training and accreditation continues to be kept up-to-date.

In cooperation with Council's IT Department, Beach Services have developed an innovative computer-based system to collect daily statistics. The system eventually enable all paperwork to be entered and electronically forwarded on to Council electronically for processing and filing. This will replace the current hardcopy reporting, making the process more efficient.

Cultural Services

Financials

September 2012 Quarterly Report by Service Cultural Services

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	200,934	200,934	-	926,878	926,878	926,878
User Charges & Fees	1,267	4,405	(3,138)	8,220	8,220	8,220
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	27,495	7,000	20,495	55,000	55,000	55,000
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	229,696	212,339	17,357	990,098	990,098	990,098
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(109,063)	(81,841)	(27,222)	(312,466)	(312,466)	(312,466)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(45,848)	(46,917)	1,070	(392,284)	(392,284)	(392,284)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(46,515)	(32,955)	(13,560)	(83,633)	(83,633)	(83,633)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(3,935)	(3,901)	(34)	(14,802)	(14,802)	(14,802)
Overhead Allocation	(46,725)	(46,725)	-	(186,913)	(186,913)	(186,913)
Total Expenses From Continuing Operations	(252,085)	(212,339)	(39,746)	(990,098)	(990,098)	(990,098)
Surplus / (Deficit) from Continuing Operations	(22,390)	-	(22,390)	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus/ (Deficit) from Continuing Operations at the end of the first quarter is generally tracking in line with forecast.

There are some differences on individual lines however these are principally due to timing differences.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Cultural Services

Progress Capital Works and Key Initiatives

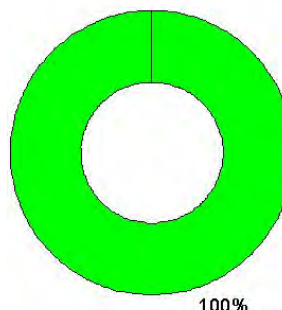


1 Actions on target or completed



0 Actions delayed

Total 1 Actions



All activities are on-target.

Key Highlights

Events

This quarter has seen a stream of events back to back kicking off with the opening of Cromer Park 1 on the 1st of July which has proven to be a success story with the community and media alike, giving Warringah Council a 'first in field' profile for the northern beaches area.

Citizenship ceremonies were conducted on 2 July and 6 August as well as 17 September. During this time, Cr Julie Sutton was also farewelled in retirement, however, fortunately has agreed to continue to preside over our citizenship ceremonies in her own inimitable style. Some 249 new Australians were inducted via our Warringah citizenship program during this time.

Warringah Art Exhibition held each July continues to grow each year with the quality of work impressing all. Over 300 works were exhibited this year in four categories, including the People's Choice Awards. We also celebrated our own internal awards with the Community Division Service Awards presented movie style at Glen Street Theatre on 26 July. Greening Warringah focused attention on our eco environmental messages on 29 July and a Community Grants Ceremony and cheque presentation was held 30 July.

Local Government Week took centre stage 13-19 August with various off-shoots and satellite events involving local councils. Dogs Day Out on 26 August is always a popular event with the community showcasing man's best friend!

September saw our libraries shine with the Festival of Children's Literature showcasing on 15 September.

Development Assessment Services

Financials

September 2012 Quarterly Report by Service Development Assessment

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	955,605	955,605	-	3,427,742	3,427,742	3,427,742
User Charges & Fees	413,838	459,850	(46,013)	1,831,254	1,831,254	1,831,254
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	125,000	125,000	125,000
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	1,369,443	1,415,455	(46,012)	5,383,996	5,383,996	5,383,996
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(922,109)	(893,705)	(28,404)	(3,321,083)	(3,321,083)	(3,320,733)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(25,695)	(49,050)	23,355	(196,200)	(196,200)	(196,200)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(8,996)	(9,246)	250	(35,599)	(35,599)	(35,950)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(78,061)	(79,397)	1,336	(294,904)	(294,904)	(294,904)
Overhead Allocation	(384,057)	(384,057)	-	(1,536,210)	(1,536,210)	(1,536,210)
Total Expenses From Continuing Operations	(1,418,919)	(1,415,455)	(3,464)	(5,383,996)	(5,383,996)	(5,383,997)
Surplus / (Deficit) from Continuing Operations	(49,476)	-	(49,476)	-	-	-

Year to Date Actuals and Annual Forecast

The Deficit from Continuing Operations at the end of the first quarter largely relates to lower than anticipated income principally due to a lower average value of Development Application Fees.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Development Assessment Services**Key Highlights**

During this quarter 453 Applications were submitted for assessment with a value of \$76.7 million and 465 were determined with an average processing time of 29 days. For the same period last year the comparative statistics were 526 submitted at \$151.6 million, and 523 determined at an average of 32 days.

Glen Street Theatre

Financials

September 2012 Quarterly Report by Service Glen Street Theatre

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	397,205	397,205	-	1,102,844	1,102,844	1,102,844
User Charges & Fees	255,900	330,896	(74,997)	1,444,232	1,444,232	1,444,232
Investment Fees and Revenues	-	4,800	(4,800)	19,200	19,200	19,200
Other Revenues	33,148	57,700	(24,552)	324,913	324,913	324,913
Grants and Contributions – Operating Purposes	-	-	-	-	-	-
Grants and Contributions – Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	686,253	790,601	(104,348)	2,891,189	2,891,189	2,891,189
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(233,210)	(274,734)	41,524	(969,412)	(969,412)	(969,412)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(235,476)	(315,007)	79,531	(1,120,915)	(1,120,915)	(1,120,915)
Depreciation and Amortisation	(25,103)	(25,103)	-	(99,853)	(99,853)	(99,853)
Other Expenses	(32,275)	(23,747)	(8,528)	(94,421)	(94,421)	(94,421)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(6,389)	(6,841)	451	(25,905)	(25,905)	(25,905)
Overhead Allocation	(145,170)	(145,170)	-	(580,683)	(580,683)	(580,683)
Total Expenses From Continuing Operations	(677,624)	(790,601)	112,977	(2,891,189)	(2,891,189)	(2,891,189)
Surplus / (Deficit) from Continuing Operations	8,629	-	8,629	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter principally relates to lower than anticipated income which has been fully offset by lower than anticipated expenses.

The lower than anticipated income is principally due to lower attendances at Stop, Rewind, The Flood and Ibunyip which was partially offset by higher than anticipated attendances at Peter Rabbit which was a sell out. The lower overall attendances have also impacted on both Sorries and the kiosk income. This has been offset by associated savings in expenditure.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Glen Street Theatre

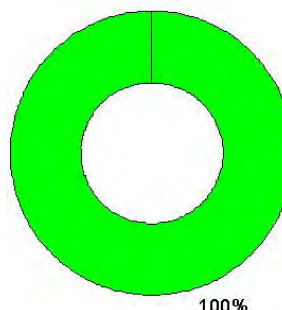


6 Actions on target or completed



0 Actions delayed

Total 6 Actions



All activities are on-target.

Key Highlights

Stage Season

The Main Stage season has seen the presentation of STOP. REWIND and THE FLOOD. STOP. REWIND proved to be a controversial choice of play and many audience members found the language quite confronting and unnecessary. When this production was purchased the Producer had not been completely "up front" about the content and this has been taken up with them. THE FLOOD was very well received, however, audiences for both productions only reached 40% capacity in the current market.

Music at the Glen

The Music at the Glen programme continued down its usual successful path with a sold-out performance of THE ULTIMATE TRIBUTE TO SHIRLEY BASSEY featuring Brunie Riley and a further sold-out performance of A MUSICAL JOURNEY featuring Judy Stone. During the The Music at the Glen audiences were also surveyed about opening Sorlies Bistro for light lunches after concerts. By popular demand Sorlies will be open for all Music at the Glen concerts in 2013 with 80% of respondents in support.

KidsPlay

KidsPlay (family and children programming arm) presented PETER RABBIT which reached 95.8% capacity and I BUNYIP which was critically acclaimed and all attendees had an excellent theatrical experience. However, this production did not reach budget - as we have found with all children's programming unless the production is linked to a "best seller" (e.g. PETER RABBIT) the marketability and popularity of the product proves to be extremely difficult.

Jazz in The Glen

The inaugural JAZZ IN THE GLEN Festival was presented in September and the venue functioned extremely well, providing an outdoor stage space for free performances, as well as programs in the auditorium and Sorlies Bistro combined with wine tastings and light snacks in the foyer. The Festival proved to be self-funding in its first year which augurs well for developing new audiences for future programs.

The Actor's Forum presented a rehearsed playreading of ON GOLDEN POND. A commercial hirer presented ROY ORBISON in concert which was popularly received and our long standing

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Glen Street Theatre

community hirer Stage Artz presented THE EMPEROR'S NEW CLOTHES – there were many happy faces bouncing out of the theatre and into the gardens.

Literary Lunch

The Literary Lunch program included Michael Robotham with his latest novel SAY YOU'RE SORRY and another sold-out lunch with Mark Tedeschi, QC with his novel EUGENIA. As Sorlies Bistro is only licensed for 85 if the bookings are strong we are now able to take another 25 bookings as we do a "foyer feed" of the author's talk and serve a light lunch in the foyer.

Design and Concept Plans for Foyer Upgrade and Landscaping

The services of Mark Hurcum Design Practice Pty Ltd were procured during this quarter and the plans have been developed in consultation with Glen Street and Buildings, Properties and Spatial Information staff and the DA will be submitted to Council on 26 October 2012. The project is being realised with the integrity that was presented to Council and SRG – Community and Culture last year as part of the Glen Street Theatre Master Plan. The community engagement plan that was prepared for this project has met all its milestones to date.

Minor Asset Renewal

To date the Crown Room is being upgraded with a new kitchen facility which will also double as a Green Room for visiting artists both professional and amateur. This area and the surrounding spaces are also being recarpeted for WH&S reasons. During community hires periods, e.g. Ballet Season, there are hundreds of children using these spaces.

Network Wiring

This project has gone out on Request for Quotation with the submission date being the end of September. It is expected work will be undertaken in January when there are no productions in the theatre.

Jazz Festival – inaugural Festival delivered in September 2012.

Sydney Writer's Festival Regional Venue – Glen Street has submitted a proposal to the Sydney Writer's Festival to become a regional venue during the annual Sydney Writer's Festival. We are awaiting their decision.

Sundays in the Glen – Glen Street has a number of activities that will be taking place on Sundays in 2013 and they will be packaged as "Sundays in the Glen".

Information and Library Services

Financials

September 2012 Quarterly Report by Service Information & Library

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	1,455,037	1,455,037	-	5,543,461	5,543,461	5,543,461
User Charges & Fees	57,884	44,218	13,666	240,272	240,272	240,272
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	5,033	19,842	(14,810)	79,400	79,400	79,400
Grants and Contributions - Operating Purposes	-	22,231	(22,231)	88,923	88,923	88,923
Grants and Contributions - Capital Purposes	-	66,600	(66,600)	266,400	266,400	266,400
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	1,517,954	1,607,929	(89,975)	6,218,456	6,218,456	6,218,456
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(975,785)	(953,584)	(22,201)	(3,601,919)	(3,601,919)	(3,601,919)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(98,087)	(152,840)	53,754	(614,507)	(614,507)	(614,507)
Depreciation and Amortisation	(147,843)	(147,843)	0	(591,373)	(591,373)	(591,373)
Other Expenses	(26,817)	(28,959)	2,142	(115,604)	(115,604)	(115,604)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(17,945)	(19,131)	1,187	(72,793)	(72,793)	(72,793)
Overhead Allocation	(305,571)	(305,571)	-	(1,222,260)	(1,222,260)	(1,222,260)
Total Expenses From Continuing Operations	(1,573,048)	(1,607,929)	34,881	(6,218,456)	(6,218,456)	(6,218,456)
Surplus / (Deficit) from Continuing Operations	(55,094)	-	(55,094)	-	-	-

Year to Date Actuals and Annual Forecast

The Deficit from Continuing Operations at the end of the first quarter is principally due to lower than anticipated income relating to timing of the receipt of the State Government Library Grant which has been partially offset by lower expenses due to timing issues.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Information and Library Services

Progress Capital Works and Key Initiatives

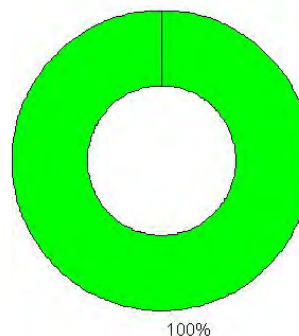


8 Actions on target or completed



0 Actions delayed

Total 8 Actions



All activities are on-target.

Key Highlights

Library Visits

During the quarter 192,784 visited the four Libraries and another 77,645 virtual visits were made to the Library website to use the catalogue, databases on line, hours of opening or to register for attendance at programs. A total of 306,008 items were borrowed by 55,686 active members. These figures remain very consistent with the same period last year except for the continued growth in on line use of the Library website

Rediscovering Reading

Our Library Service participated with public libraries, authors and booksellers throughout 2012 to encourage people to rediscover the *Joy of Reading*. The Festival of Children's Literature program attracted over 1,591 children. It brings children and authors together, to encourage writing and to give children a first opportunity to be published. Children engaged in writing workshops, author and illustrator talks, literary competitions and featured the internationally acclaimed author, Emily Rodda.

New Booking Process

An on line booking application was introduced to enable Library members to book in to program through the Library's website. This service enhances the self sufficiency of Library customers and results in an efficiency saving for staff.

Kimbriki Environmental Enterprises

Financials

September 2012 Quarterly Report by Service Kimbriki Waste & Recycling Centre

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	-	-	-	-	-	-
User Charges & Fees	4,936,875	4,958,720	(21,845)	19,834,880	19,834,880	19,834,880
Investment Fees and Revenues	149,054	127,500	21,554	510,000	510,000	510,000
Other Revenues	657,590	488,965	168,626	1,956,642	1,956,642	1,956,642
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	5,743,519	5,575,185	168,335	22,301,522	22,301,522	22,301,522
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(671,398)	(726,127)	54,731	(2,904,509)	(2,904,509)	(2,904,509)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(2,606,486)	(2,418,719)	(187,767)	(9,674,877)	(9,674,877)	(9,674,877)
Depreciation and Amortisation	(74,379)	(67,500)	(6,879)	(270,000)	(270,000)	(270,000)
Other Expenses	(1,814,130)	(1,798,771)	(15,359)	(7,195,084)	(7,195,084)	(7,195,084)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	-	-	-	-	-	-
Overhead Allocation	-	-	-	-	-	-
Total Expenses From Continuing Operations	(5,166,392)	(5,011,118)	(155,274)	(20,044,470)	(20,044,470)	(20,044,470)
Surplus / (Deficit) from Continuing Operations	577,128	564,067	13,061	2,257,052	2,257,052	2,257,052

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter is tracking higher than budget principally due to higher than anticipated revenue and higher than anticipated expenses.

User Fees & Charges are ahead as a result of higher than anticipated tip fees related to higher tonnage. This has resulted in a consequential increase in waste costs impacting on a higher level of Expenses from Continuing Operations.

There is no anticipated change in the annual Surplus from Continuing Operations at this point in time.

Kimbriki Environmental Enterprises

Progress Capital Works and Key Initiatives

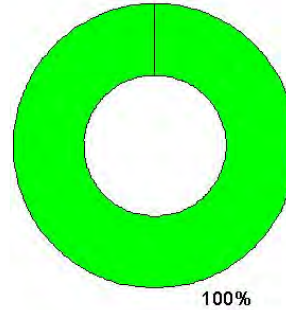


8 Actions on target or completed



0 Actions delayed

Total 8 Actions



All activities are on-target.

Key Highlights

New E-waste recycling initiative

Kimbriki Environmental Enterprises is building a partnership with DHL to develop Kimbriki as the first of 7 e-waste drop-off points in Sydney, to be opened in October. This is part of a national scheme to increase the recycling of television and computer products to 80% by 2021.

Natural Environment

Financials

September 2012 Quarterly Report by Service Natural Environment

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	2,426,814	2,426,814	-	10,115,688	10,115,688	10,115,688
User Charges & Fees	11,405	14,053	(2,648)	52,376	52,376	52,376
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	65,750	23,750	42,000	489,800	489,800	489,800
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	2,503,970	2,464,617	39,353	10,657,864	10,657,864	10,657,864
Expenses From Continuing Operations						
Employee Benefits & Oncoats	(695,307)	(657,064)	(28,243)	(2,339,830)	(2,339,830)	(2,339,830)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(270,435)	(277,123)	6,688	(2,181,428)	(2,181,428)	(2,181,428)
Depreciation and Amortisation	(868,109)	(868,109)	(1)	(3,472,434)	(3,472,434)	(3,472,434)
Other Expenses	(30,420)	(38,480)	8,060	(182,529)	(182,529)	(182,529)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(310,625)	(311,446)	820	(1,232,074)	(1,232,074)	(1,232,074)
Overhead Allocation	(312,396)	(312,396)	-	(1,249,568)	(1,249,568)	(1,249,568)
Total Expenses From Continuing Operations	(2,477,292)	(2,464,617)	(12,675)	(10,657,863)	(10,657,863)	(10,657,863)
Surplus / (Deficit) from Continuing Operations	26,677	-	26,677	-	-	-



Year to Date Actuals and Annual Forecast

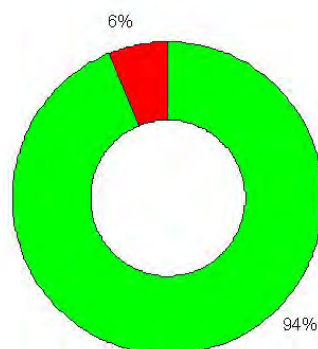
The Surplus/ (Deficit) from Continuing Operations at the end of the first quarter is generally tracking in line with budget with some small variations principally due to timing differences.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Natural Environment

Progress Capital Works and Key Initiatives

	15	Actions on target or completed
	1	Actions delayed
Total	16	Actions



Most actions are on-target, one is behind schedule:

Narrabeen Lagoon Multi-use Trail:

Some delays have been experienced with reaching agreement with the Sydney Academy of Sport. These delays will impact the start date of construction and as such, part of the construction budget has been reforecast for expenditure in 2013-2014, however it is unlikely to substantially affect the overall project delivery.

Accomplishments include the signing of a legal agreement by the Cromer Golf Club on the 27 July 2012. Works were completed at Middle Creek Reserve with the extension of Narrabeen Lagoon Trail and upgrade of reserve and carpark. The concept plan of Stage 2B was finalised and presented to Council. The Federal grant activities are completed with the completion of the signage strategy and installation of signs.

Key Highlights

Coastal management

Council's Coastal Erosion Emergency Action Subplan for Warringah beaches has been certified by the NSW Minister for the Environment, as it meets the requirements under the Coastal Protection Act 1979. It was published in the NSW Government Gazette on 7 September. The Subplan forms an important component of a Coastal Zone Management Plan (CZMP) to be prepared for Collaroy-Narrabeen Beach and Fishermans Beach, which will be used to inform land-use planning, development controls and coastal activities for these beaches. Haskoning Australia Pty Ltd has been commissioned to prepare the CZMP, which will be developed during the next 12 months in consultation with the community.

Stormwater

Process mapping of the Development Engineering referral procedure identified opportunities to streamline the assessment process. The on-site stormwater detention (OSD) checklist and specification were updated, with all stakeholders informed by either presentations to internal stakeholders or letters to external customers. This has resulted in significant reduction in turn around times of Development Engineering referral assessments. A Hoarding Permit application has been developed and implemented.

Education for Sustainability

A range of environmental events and education initiatives have included Threatened Species Day, Rural Fire Service Open Day and a number of school environmental education sessions. The first

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Natural Environment

Progress Capital Works and Key Initiatives

Hilltop to Headland of the season was kicked off with Ranger Stacey at the Brookvale Show which attracted over 15,000 people. National Tree Day on 29 July 2012 was a successful event which promoted Warringah's cycle routes, road safety and greening of and road safety. Around 1,300 trees, shrubs and sedges were planted by more than 159 volunteers.

Bush regeneration

The Friends of the Bush volunteer satisfaction survey was undertaken during August, with over 50 volunteers participating. Preliminary results show that the majority of volunteers are satisfied with the current program.

Bush regeneration contracts are underway with over \$450,000 worth of bush regeneration works occurring across Warringah, including some significant reserves and threatened species. Contractors were engaged to undertake noxious weed control of bitou bush at Long Reef Headland. This is part of the Caring for our Country Bitou Bush grant project worth \$42,000.

Fire management

All major bush fire management zone contracts have been awarded with \$300,000 worth of works currently being undertaken across Warringah. This includes \$150,000 worth of works under the Rural Fire Service (RFS) funding program. An additional grant of \$40,000 was awarded to Warringah Council this quarter by the RFS for fire mitigation works at Jamieson Park.

Feral animals

The Fox Threat Abatement Program was undertaken in August across 5 large bushland reserves with twelve 1080 fox baits taken. Rabbit control was undertaken across 13 reserves with 15 rabbits removed from Council managed reserves.

Parks Reserves And Foreshores

Financials

September 2012 Quarterly Report by Service Parks, Reserves & Foreshores

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	2,486,414	2,486,414	-	9,730,021	9,730,021	9,730,021
User Charges & Fees	52,232	71,444	(19,212)	610,562	610,562	610,562
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	11,236	-	11,236	-	-	5,600
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	4,617	-	4,617	-	-	70,000
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	2,554,499	2,557,858	(3,359)	10,340,583	10,340,583	10,416,183
Expenses From Continuing Operations						
Employee Benefits & OnCosts	(936,594)	(1,051,850)	115,056	(3,810,953)	(3,810,953)	(3,715,953)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(859,137)	(945,383)	86,246	(4,298,536)	(4,298,536)	(4,362,136)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(19,664)	(24,767)	5,103	(116,508)	(116,508)	(116,508)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(107,446)	(109,562)	2,115	(408,818)	(408,818)	(408,818)
Overhead Allocation	(426,495)	(426,495)	-	(1,705,968)	(1,705,968)	(1,705,968)
Total Expenses From Continuing Operations	(2,349,336)	(2,557,858)	208,522	(10,340,584)	(10,340,584)	(10,309,183)
Surplus / (Deficit) from Continuing Operations	205,163	-	205,163	-	-	107,000

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter principally relates to lower than anticipated expenses.

The lower than anticipated expenses relates to lower Employee Benefits & OnCosts due to vacancies, some of which have now been filled and lower than anticipated Materials & Contracts expenditure principally due to timing differences.

Total Income from Continuing Operations has been forecast to increase by \$75,600.

- Other Revenues have been forecast to increase by \$5,600 due to funds received by the Manly Dam War Memorial Trust for the installation of a security system at Manly Dam.
- Grants and Contributions – Capital Purposes have been forecast to increase by \$70,000 due to an additional capital grant to be received from the Metropolitan Greenspace Fund towards the North Narrabeen Masterplan.

Total Expenses from Continuing Operations have been forecast to decrease by \$31,400.

- Employee Benefits and OnCosts are forecast to decrease by \$95,000 due to vacancies noted above. These funds have been reallocated to cricket wicket maintenance contractor expenditure within Materials & Contracts.
- Materials & Contracts have been forecast to increase by \$63,600 comprising \$95,000 reallocated from Employee Costs as noted above, \$5,600 for expenditure associated with the installation of the security system at Manly Dam offset by \$37,000 for the purchase of a special purpose vehicle required for the maintenance of the Narrabeen Lagoon Trail.

Parks Reserves And Foreshores**Financials**

The Surplus/(Deficit) from Continuing Operations has been reforecast to reflect a Surplus for the full financial year of \$107,000. This is a result of the additional \$70,000 Capital Grant and the decrease of \$37,000 in Materials & Contracts for the special purpose vehicle both of which are noted above. This Surplus is therefore restricted in its use and needs to be set aside for these purposes.

Parks Reserves And Foreshores

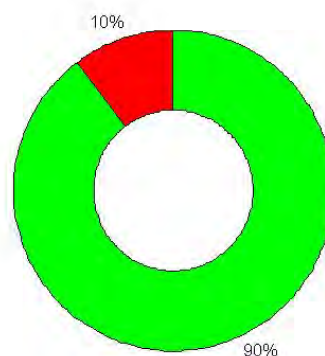


26 Action on target or completed



3 Actions delayed

Total 29 Actions



Most projects are proceeding well, three are behind schedule:

- The new skate facility at St Matthews Farm Reserve:
Design works have been rephased to 2013-2014 as Construction will not commence until 2014-2015. This also helped free up resources to enable completion of the additional sportsfield at Cromer Park.
- Restoration works at Freshwater Rock Pool:
A number of issues with the quality of the contractors concrete work are being addressed by Council. Completion of works is expected early November
- Coastal Lands Plan of Management review:
Other Plan of Management priorities have arisen - the District Park Plan of Management and a plan for the Warringah Aquatic Centre precinct that includes Aquatic Reserve. A decision will be made in December 2012 as to which plans of management will be undertaken in 2012-2013 – i.e. for the Coastal Lands, District Park or the Warringah Aquatic Centre precinct.

Key Highlights

Development of Masterplans

The Masterplan for the Collaroy Accessibility Precinct was adopted by Council . The plan is a major step in creating a safe, open space for the community, and a leading facility for people of all abilities. The Draft Masterplan for North Narrabeen Beach Reserve and Birdwood Park was placed on public exhibition until July 2012. The Draft plan aims to conserve, improve and manage this important area.

Works at Cromer Park

The new synthetic surface at Cromer One was officially opened on 01 July 2012 providing all weather access to this premier field. This is a great addition to Warringah's sporting facilities.

A contract to commence works on fields 3 and 4 at Cromer Park was awarded to Landscape Solutions in August 2012. This will include improved lighting, a new carpark and a new sportsfield

Parks Reserves And Foreshores

by reconfiguring existing fields, to be the first new sportsfield in Warringah for over a decade. The works will complete in time for the winter sports season in 2013.

Ocean Pool Make Overs

The replacement of the large valve at South Curl Curl Pool completed the rehabilitation of the pool. Collaroy Rock Pool was painted. A contract was awarded to Corroseal to refurbish the Freshwater Ocean Pool - the works will include renovations to the stairs and access ramp, installing new showers, a new concrete slab around the pool edge to increase the pool's depth by 30cm. There will also be changes to the channel to the pool pump, to improve functionality of the pump and water quality.

More fun at Dee Why

Warringah's first outdoor ping pong table was installed at Dee Why Beach, with beach-themed artwork by a local artist from Brookvale. Work commenced on the renewal of the playground at Holbom Avenue, Dee Why, for landscaping and to replace old equipment.

Trails at Narrabeen Lagoon

Weekly maintenance of Stage 1 of the Narrabeen Lagoon Trail has commenced. This is a premier location on the northern shore, passing through a beautiful natural area. On the southern shore, a long section of track at Pipe Clay Point has been upgraded, in Jamieson Park.

Roads, Traffic and Waste

Financials

September 2012 Quarterly Report by Service Roads, Traffic & Waste

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	7,510,286	7,703,744	(193,448)	28,021,161	28,021,161	28,021,161
User Charges & Fees	411,936	448,922	(36,986)	1,828,220	1,828,220	1,828,220
Investment Fees and Revenues	8,745	-	8,745	-	-	-
Other Revenues	347,657	-	347,657	1,220,000	1,220,000	1,220,000
Grants and Contributions - Operating Purposes	250,403	221,021	29,382	1,999,622	1,999,622	1,999,622
Grants and Contributions - Capital Purposes	69,750	69,750	-	1,944,049	1,944,049	1,944,049
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	8,598,786	8,443,436	155,350	35,013,052	35,013,052	35,013,052
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(1,225,551)	(1,244,187)	18,636	(4,543,677)	(4,543,677)	(4,543,677)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(4,606,736)	(4,865,798)	259,062	(20,935,200)	(20,935,200)	(20,935,200)
Depreciation and Amortisation	(909,628)	(909,628)	0	(3,639,513)	(3,639,513)	(3,639,513)
Other Expenses	(589,896)	(616,593)	26,697	(2,688,873)	(2,688,873)	(2,688,873)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Venture	-	-	-	-	-	-
Internal Charges	(236,585)	(256,013)	19,428	(1,001,934)	(1,001,934)	(1,001,934)
Overhead Allocation	(551,217)	(551,217)	-	(2,204,855)	(2,204,855)	(2,204,855)
Total Expenses From Continuing Operations	(8,119,613)	(8,443,436)	323,824	(35,013,052)	(35,013,052)	(35,013,052)
Surplus / (Deficit) from Continuing Operations	479,173	-	479,173	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter is due to higher than anticipated income and lower than anticipated expenses.

The lower than anticipated income principally relates to the earlier than anticipated receipt of Bus Shelter advertising income offset by lower than anticipated Domestic Waste Management Charges.

The lower than anticipated expenses principally relate to timing differences.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Roads, Traffic and Waste

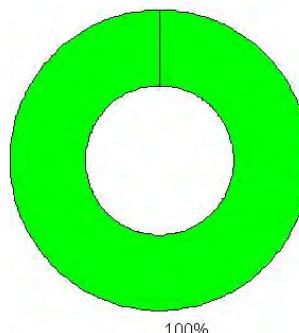


16 Action on target or completed



0 Action delayed

Total 16 Actions



All activities are on-target.

Key Highlights

Road Resurfacing Program

Planning for the new road resurfacing program was finalised. Works also commenced with five jobs completed at Inman Road Cromer; Alexander Street Collaroy; Alfred Street Cromer, Campbell Parade Dee Why and Lagoon Street Narrabeen.

Collaroy Beach Streetscape Work

Streetscape improvement works were completed at Collaroy Beach. This includes replacement of footpath paving and associated street furniture in Pittwater Road between Eastbank Avenue and Fielding Street.

New Footpath

The footpath program commenced with 900 metres of new footpath constructed this quarter. The works were undertaken at the following locations:

- Grevillea Street from Essilia Street to Stella Street and from Aubreen Street to Edgecliffe Boulevard, Collaroy Plateau
- William Street from Short Street to Harbord Road, North Manly
- Narrabeen Street from 7 Narrabeen Street to end of the street, Narrabeen
- Miles Street from Ethel Avenue to Ada Avenue, Brookvale

Traffic Facilities Planning

Planning and design for the Traffic Facilities Program, which includes facilities for pedestrians, cyclists and motorists, was completed. Works will be progressively implemented commencing in early October.

Warringah Traffic Committee meetings were conducted in July, August and September with 58 reports/matters reviewed and actioned. The vacancy for position of Community Bicycle Representative on the Warringah Traffic Committee was advertised and filled.

Roads Safety Program

Funding has been received from the Roads and Maritime Services for a range of road safety programs over the next 12 months. One program that will be new this year will be a Fatigue Education Program. The program started in the build up to the September school holidays and

Roads, Traffic and Waste

included flyers, posters, internal key rings (for fleet staff) and banners which will be placed at strategic locations including petrol stations and surf clubs.

Greening Warringah event took place on the 29 July which celebrated the new bike paths in Cromer in conjunction with and tree planting event for National Tree Day. A cycle maintenance service and road safety information was provided as part of the event. A \$500 prize was also given to the winner of the cycling safety competition.

Cycle Training and Maintenance Workshop was held on 16 September for all age groups to celebrate Bike Week 2012. The event was held at the popular Narrabeen Markets where Council had a stall with local cycleway information and road safety information available to participants in the workshops and those browsing the stall.

A learner drivers course was held on the 26 July and a Child Restraint Checking Day took place in September with over 28 seats checked and fitted. Both days were a great success.

Keeping Our Streets Clean

Over two million waste and recycling bins were emptied this quarter with some 15,787 tonnes of waste collected. As a community we continue to recycle more than we landfill with 53% or 8,367 tonnes recycled.

The Household Chemical Cleanout event was held on the 2-3 September at Warringah Aquatic Centre. This is great opportunity to safely dispose of chemicals that are harmful to our environment with 90 tonnes of paint and hazardous chemicals recovered.

Our Graffiti Program is delivering results in maintaining the appearance of public areas. The Graffiti Audit completed in September showed approximately 77% less graffiti visible (in square metres) in Warringah than at the commencement of the current graffiti removal program three years ago. This is a great result.

Bouquet's were also received for our Waste Education taking first place in the Keep Australia Beautiful, Sustainable Cities award for their Love Food Hate Waste education project.

Finally the Road and Drainage Maintenance completed 1,524 customer requests this quarter.

Strategic Planning

Financials

September 2012 Quarterly Report by Service Strategic Planning

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	648,885	648,885	-	2,341,220	2,341,220	2,341,220
User Charges & Fees	127,512	89,394	38,119	434,068	434,068	434,068
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	73,000	73,000	73,000
Grants and Contributions - Operating Purposes	(1,860)	-	(1,860)	20,000	20,000	20,000
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	774,537	738,279	36,258	2,868,288	2,868,288	2,868,288
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(427,296)	(422,828)	(4,468)	(1,571,104)	(1,571,104)	(1,571,104)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(14,954)	(97,741)	82,786	(435,062)	(435,062)	(435,062)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(5,811)	(5,148)	(663)	(20,050)	(20,050)	(20,050)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(36,622)	(37,305)	683	(141,061)	(141,061)	(141,061)
Overhead Allocation	(175,257)	(175,257)	-	(701,012)	(701,012)	(701,012)
Total Expenses From Continuing Operations	(659,940)	(738,279)	78,339	(2,868,288)	(2,868,288)	(2,868,288)
Surplus / (Deficit) from Continuing Operations	114,597	-	114,597	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter relates to both higher than anticipated income and lower than anticipated expenses.



The higher than anticipated income relates to additional income from s149 Certificates. Although this is trending higher there is insufficient information at this time to make a forecast change for the full financial year.

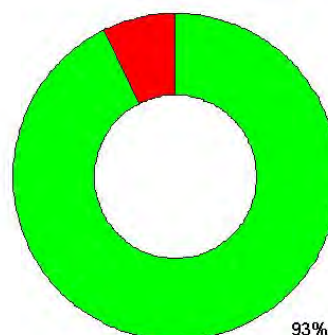
The lower than anticipated expenses are principally due to timing differences.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time.

Strategic Planning

Progress Capital Works and Key Initiatives

	13	Action on target or completed
	1	Action delayed
Total	14	Actions



The majority of actions are on schedule. Initiation of a street life program for Dee Why Town Centre is delayed, due to a wider community engagement phase being undertaken for the Dee Why Town Centre Masterplan, which must precede the street life program.

Key Highlights

'A New Planning System for New South Wales' - Green Paper

A comprehensive submission was made in response to the NSW Government's exhibition of a green paper 'A New Planning System for New South Wales'. The Green Paper is one of a number of papers released as part of a process of reviewing the NSW planning system and focuses on 23 key areas of change. The submission in principle supported the majority of reforms proposed and sought further consultation with the NSW State Government on the development of the new planning system. Council will continue to represent the interest of the community in the review of the Environmental Planning and Assessment Act.

Warringah Aquatic Centre

Financials

September 2012 Quarterly Report by Service Warringah Aquatic Centre

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	574,826	574,826	-	1,681,341	1,681,341	1,681,341
User Charges & Fees	523,297	466,484	56,812	2,202,139	2,202,139	2,202,139
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	50,565	41,037	9,528	187,165	187,165	187,165
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	1,148,487	1,082,147	66,340	4,070,645	4,070,645	4,070,645
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(540,146)	(556,976)	16,830	(2,117,612)	(2,117,612)	(2,117,612)
Borrowing Costs	(634)	-	(634)	-	-	-
Materials and Contracts	(138,174)	(134,635)	(3,540)	(534,906)	(534,906)	(534,906)
Depreciation and Amortisation	(63,713)	(63,501)	(213)	(254,003)	(254,003)	(254,003)
Other Expenses	(181,250)	(124,551)	(36,699)	(356,717)	(356,717)	(356,717)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(10,538)	(9,204)	(1,334)	(34,186)	(34,186)	(34,186)
Overhead Allocation	(193,281)	(193,281)	-	(773,221)	(773,221)	(773,221)
Total Expenses From Continuing Operations	(1,407,736)	(1,082,147)	(25,589)	(4,070,645)	(4,070,645)	(4,070,645)
Surplus / (Deficit) from Continuing Operations	40,751	-	40,751	-	-	-

Year to Date Actuals and Annual Forecast

The Surplus from Continuing Operations at the end of the first quarter is principally due to higher than anticipated income partially offset by higher expenses.

Total Income from Continuing Operations is higher than anticipated due to additional Child and Adult Swim revenue as a result of the closure of Hornsby pool.

Total Expenses from Continuing Operations are higher than anticipated due to higher electricity charges. These charges are anticipated to decrease on the commissioning of the new co-generation plant.

There is no anticipated change in the Surplus/(Deficit) from Continuing Operations at this point in time.

Warringah Aquatic Centre

Progress Capital Works and Key Initiatives



0 Action on target or completed

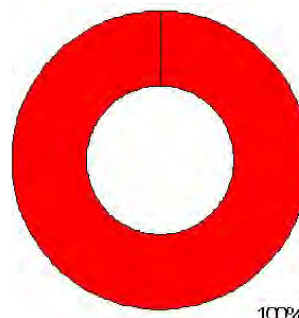


3 Action delayed

Total

3

Actions



Three actions are behind-schedule:

- **Warringah Aquatic Centre (WAC) Cogeneration project:**
 The installation of a cogeneration system has been delayed as additional funds are required and an application has been made to the Department of Climate Change and Energy Efficiency.
- **WAC Conceptual designs and DA:**
 This has taken longer than expected as additional time was allowed for more comprehensive community engagement, between April and September 2012. The results and draft proposals are currently being prepared for presentation in late November. It is anticipated that a decision on this will be made by February of 2013.
- **WAC Disability Access and Renewal:**
 This has taken longer than expected as additional time was allowed for more comprehensive community engagement, between April and September 2012. The results and draft proposals are currently being prepared for presentation in late November.

Key Highlights

WAC Master Planning

A Comprehensive Community Engagement process has been applied and the results and draft proposals are currently being prepared for presentation to Council Staff in late November.

Increased patronage

The closure of Homsby Pool has seen an increase in the number of patrons attending the WAC both for adult and child swimming.

Corporate Support Services

Financials

September 2012 Quarterly Report by Service Corporate Support

	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	68,034,258	68,021,425	12,833	13,343,405	13,343,405	13,343,405
User Charges & Fees	961,789	932,251	29,538	2,594,858	2,594,858	2,594,857
Investment Fees and Revenues	1,052,878	1,035,199	17,679	3,402,668	3,402,668	3,402,668
Other Revenues	722,838	588,379	134,460	2,302,346	2,302,346	2,302,346
Grants and Contributions - Operating Purposes	-	-	-	803,000	803,000	803,000
Grants and Contributions - Capital Purposes	842,114	643,493	(1,379)	2,575,000	2,575,000	2,875,000
Gains on disposal of Assets	131,657	46,200	85,457	4,354,703	4,354,703	4,354,703
Total Income From Continuing Operations	71,545,534	71,266,946	278,588	29,375,980	29,375,980	29,675,980
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(4,573,479)	(4,712,686)	139,206	(17,693,329)	(17,693,329)	(17,578,449)
Borrowing Costs	(13,750)	(16,179)	2,428	(308,611)	(308,611)	(308,611)
Materials and Contracts	(2,046,067)	(2,301,083)	255,016	(10,626,209)	(10,626,209)	(10,598,209)
Depreciation and Amortisation	(1,359,207)	(1,403,916)	44,710	(5,615,665)	(5,615,665)	(5,615,665)
Other Expenses	(1,079,680)	(1,080,355)	674	(3,820,887)	(3,820,887)	(3,870,887)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	(503,067)	(173,144)	(329,923)	(692,574)	(692,574)	(692,574)
Internal Charges	989,136	1,025,317	(36,181)	3,945,523	3,945,523	3,945,523
Overhead Allocation	4,006,284	4,006,284	-	16,025,127	16,025,127	16,025,127
Total Expenses From Continuing Operations	(4,579,830)	(4,655,761)	75,931	(18,786,625)	(18,786,625)	(18,693,745)
Surplus / (Deficit) from Continuing Operations	66,965,704	66,611,186	354,519	10,589,355	10,589,355	10,982,235

Year to Date Actuals and Annual Forecast



The Surplus from Continuing Operations at the end of the first quarter is principally due to higher than anticipated income and lower than anticipated expenses related to timing differences.

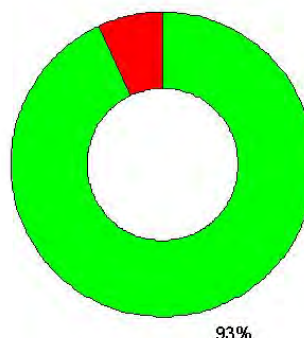
Total Income from Continuing Operations has been forecast to increase by \$300,000 as a result of a Contribution from the Netball Association towards Capital Works currently being undertaken at Curl Curl Sports Centre.

Total Expenses from Continuing Operations have been forecast to reduce by \$92,880. Employee costs have been reduced by \$92,880 to offset additional expenditure required within the Community and Safety Service for Beach Services staff. In addition to this some minor changes have been made between line items. Within IM&T \$22,000 has been reallocated from Employee Costs to Other Expenses for agency costs and \$28,000 from Materials & Contracts to Other Expenses for Data Services.

The Surplus/(Deficit) from Continuing Operations has been reforecast to increase by \$392,880 to reflect a Surplus for the full financial year of \$10,982,235. This is a result of the Contribution from the Netball Association and savings in employee costs to fund the additional amount required within Community & Safety. This Surplus is therefore restricted in its use and needs to be set aside for these purposes.

Corporate Support Services

	40	Actions on target or completed
	3	Actions delayed
Total	43	Actions



Most actions are on-target, three are behind schedule:

- Dee Why Beach viewing tower – The tower is undergoing redesign to ensure the quality of design and minimal visual impact.
- Wheeler Park, Narrabeen, public amenities - The overall design of the project including its location is being re-investigated and will be nominated for 2013-2014 CAPEX programme.
- Fisherman's Beach Surf Rescue Radio building – Council resolved on 24 July 2012 to call upon the Minister for Crown Lands to exercise his powers (s34A Crown Lands Act) to enter into a lease of the Warringah Surf Rescue Building with Surf Life Saving Sydney Northern Beach. Awaiting a decision from the Minister.

Key Highlights

Business Excellence

The development of a 4-year Corporate Strategy was commenced, to provide meaning and direction for the Corporate Plan. The Corporate Strategy has been drafted for review and endorsement by the Leadership Group in preparation for Business Unit Planning and Corporate Planning for FY 2013-2014.

Customer Support Services

The Customer Service Centre has recently implemented a new IP (internet Protocol) telephone system. Though call management data is not yet available, based on trending and referencing to last year, the Call Centre answered 29,500 calls within average 'customer wait time' of 23 seconds.

The Customer Service Centre continues to provide an effective service to the community and for the July - September 2012 quarter, service levels were at 78% which is just under our target of 80%. Our commitment to providing quality service and responding to customer issues in an effective manner remains above our target of 90%. For the July - September 2012 quarter, our 'first contact resolution' rate was 98%.

The Community Database Improvement Program continues to be a priority, and to date over 93,500 records have been updated. The online Request a Service facility has been expanded to offer more service request options. An incremental increase of online Customer Requests has been realised with same day turnaround. The online Customer Satisfaction Survey found that 79% are approving of our service, timeliness and the ability of staff to assist in resolving their enquiry.

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Corporate Support Services

Business and Enterprise Risk

Work has proceeded on the design of the new risk register, including scoping its integration with other business system tools. Workshops have been undertaken with key staff across the business to incorporate their needs. Work has also commenced to align the Enterprise Risk Management Framework with the Internal Audit Program of Works.

Work has been progressing with coordinating a testing program for our highest criticality business functions, using the Business Continuity program of works. We have also been scoping up the various audits that are proposed to be undertaken in 2012-2013, with a focus on financial risks.

Marketing and Communications

The major focus has been developing the next generation website for Council, with an increasing use and development of Social Media promotions and initiatives. There has also been major support of our community engagement programs in developing the Community Strategic Plan.

Human Resources

The WHS Corporate Plan for 2011-2012 has been reviewed and the new plan for 2012-2013 developed in line with our goal for Triple Zero, i.e. zero harm to people, property and the environment. Key result areas relate to prevention of workplace injury and illness and sustainable return to work.

Our commitment for a consistent leadership language and approach continued with another group of managers/ supervisors starting the High Performance Leadership Coaching Program and the first manager/supervisor group completing their 6 month program. To date 81 of our leaders have now participated in this program. Participant feedback to date has been an average satisfaction rating of 8.6 out of 10 by our participants with some saying it has been a life changing experience.

Roll-out of the new 'My Development and Achievements' process was completed, to suit our diverse range of businesses, with all managers/ supervisors and staff receiving training. Individual plans for all staff are currently being developed. Feedback to date has been positive from all levels.

Sustainability gains

Our commitment to sustainability is seeing ongoing improvement in our purchasing of furniture, IT, office and canteen supplies. Over the quarter, over 34% of this expenditure has been on 'Earthsaver' products, much higher than the average 20% of other similar organisations. These include sustainable options such as recycled and Fair Trade products. We also reduce our footprint by consolidating over 80% of our orders to larger orders, reducing the number of small deliveries.

Good Governance

Financials

September 2012 Quarterly Report by Service Good Governance



	YTD Actual \$	YTD Forecast \$	YTD Variance \$	Annual Budget \$	Approved Forecast \$	Current Forecast \$
Income From Continuing Operations						
Rates and Annual Charges	1,466,332	1,466,372	(40)	4,281,903	4,281,903	4,281,903
User Charges & Fees	3,031	2,811	220	10,440	10,440	10,440
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	345,119	345,119	-	3,084,809	3,084,809	3,084,809
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income From Continuing Operations	1,814,482	1,814,302	180	7,377,151	7,377,151	7,377,151
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(468,139)	(440,024)	(28,116)	(1,635,395)	(1,635,395)	(1,635,395)
Borrowing Costs	-	-	-	-	-	-
Materials and Contracts	(164,608)	(149,933)	(14,675)	(808,330)	(808,330)	(808,330)
Depreciation and Amortisation	-	-	-	-	-	-
Other Expenses	(886,350)	(849,734)	(36,617)	(3,438,900)	(3,438,900)	(3,438,900)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest In Joint Venture	-	-	-	-	-	-
Internal Charges	(9,386)	(13,709)	4,323	(50,919)	(50,919)	(50,919)
Overhead Allocation	(360,903)	(360,903)	-	(1,443,608)	(1,443,608)	(1,443,608)
Total Expenses From Continuing Operations	(1,889,387)	(1,814,302)	(75,085)	(7,377,151)	(7,377,151)	(7,377,151)
Surplus / (Deficit) from Continuing Operations	(74,905)	-	(74,904)	-	-	-

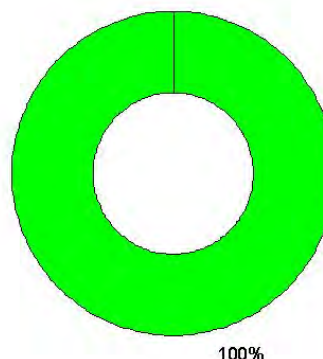
Year to Date Actuals and Annual Forecast

The Deficit from Continuing Operations at the end of the first quarter principally relates to higher than anticipated expenditure principally due to timing differences.

There is no anticipated change in the annual Surplus/(Deficit) from Continuing Operations at this point in time

Good Governance

	12	Actions on target or completed
	0	Actions delayed
Total	12	Actions



All actions are on schedule.

Key Highlights

New Community Strategic Plan Under Development

Work is well underway on developing the new long term plan for Warringah. A range of techniques were used to raise community awareness of the Plan including sending postcards to all Warringah households, speaking to over 1,400 people at shopping centres and other events, six focus groups and telephone survey of 600 residents. The first stage of the engagement closed on 17 September with over 1,500 submissions received as a result of the Youth Survey and postcards. The information is being reviewed and will be published when the second round of engagement commences in November.

Community Engagement

This quarter saw continued support of major community engagement projects, including the development of the Community Strategic Plan, the feasibility study for the WAC and the Glen Street Theatre revitalisation plans.

Additional resource was approved to support community engagement as this was a key driver from the 2012 Community survey. Other research projects included testing community views on collective energy procurement.

Youth Strategy – Consultation

Community engagement for the upcoming Youth Strategy included a comprehensive online Youth Survey. More than 1,000 young people aged between 12 and 24 years completed the survey – which equates to approximately 5% of Warringah's total population in this age group – hereby providing a rich source of information and a benchmark for further studies of a similar nature. The survey found that while young people value and appreciate the lifestyle and natural amenities that Warringah offers, they are also deeply concerned about their future prospects in terms of study and career paths. The Youth Strategy is expected to be launched during Youth Week 6 to 14 April, with a draft going to Council in February 2013 for public exhibition.

Supporting Small Business

Over 50 local businesses attended a small business Expert Panel seminar to celebrate Small Business September 2012 – Northern Beaches. The event was arranged by Warringah and

Good Governance

Pittwater Councils and partnered with the new Small Biz Centre - Northern Beaches College of TAFE - Brookvale.

Sponsorship of 2012 Local Business Awards

We were proud joint major sponsors of the 2012 Local Business Awards to honour business excellence and especially acknowledge the high level contribution of our businesses to the Northern Beaches community. Warringah first 'Business Sustainability Award' was awarded to Chill Mobile Cool Rooms of Brookvale. This award recognises the range of ways businesses can contribute to an environmentally sustainable future.

Our first business video was launched at the Awards to help profile business and economic development in the local area. It featured three Warringah businesses and is available on Councils' website.

Northern Beaches Business Expo

In August 2012 we supported the Northern Beaches Business Expo which is an annual event for businesses in the Northern Beaches District. The Expo was fully booked with over 60 exhibitors and more than 250 visitors. The Expo gives local business people an opportunity to do business and keep it local. It's an opportunity to increase sales, grow business and market products and service on the northern beaches.

Business Seminars

Some 70 businesses attended the northern beaches first export related seminar 'how do you get started, how to write your export plan and where can you find information about international markets'. It featured two local case studies on successfully exporting businesses. The Expo was a partnership with NSW Trade and Investment and the Institute of Export NSW.

Local Government Reform

Council provided a comprehensive submission to the Independent Local Government Review Panel, in response to their consultation paper 'Strengthening Your Community'. This is one of a number of discussion papers to be released over the coming year through the Destination 2036 program of local government reforms. Council's comments were developed from detailed discussions with managers, and represents the unanimous views of the Senior Leadership Group with the support of the Mayor. The submission focuses on solutions to improve how local government operates within and between councils, and improving the roles and function of ROCs and State government. Council supports these reviews of local government and will continue to actively participate in consultations.

Elections and Induction of new Councillors

Local Government Elections were held on 8 September 2012 to elect the Mayor and 9 Councillors. The outcome saw Michael Regan re-elected as Mayor for another term; the elected Councillors are:

Ward A: Crs Wayne Gobert, Vanessa Moskal, Vincent De Luca

Ward B: Crs Sue Heins, Bob Giltinan, Pat Daley

Ward C: Crs Roslyn Harrison, Duncan Kerr, Jose Menano-Pires

The Mayor and Councillors have been undergoing a program of induction tailored to Warringah. This has included our Community Strategic Plan, Budget, local issues, codes of conduct and various administrative matters. To ensure they are well-equipped to serve the community, this has also extended to 3 months training in high-performance leadership, as well as sessions run by SHOROC and the Division of Local Government.

September 2012 Quarterly Report - Additional Financial disclosures

Quarter ending 30 September 2012

Following statements are attached;

- ☐ Consolidated income and expenses budget review statement
- ☐ Income and expense budget review statement by service
- ☐ Capital budget statement
- ☐ Cash & investment statement
- ☐ Financial performance indicators
- ☐ Budget review contract
- ☐ Consultancy and Legal expenses

Warringah Council						
Budget review for the quarter ended - 30 September 2012						
Consolidated Income and Expenses Budget Review Statement						
	Original Budget (000's)	Changes Already Approved By Council (000's)	Approved Forecast (000's)	Recommended changes for Council Resolution (000's)	Current Forecast (000's)	Actual YTD (000's)
Income from Continuing Operations						
Rates & Annual Charges	88,522	-	88,522	-	88,522	88,341
User Charges & Fees	39,346	-	39,346	-	39,346	9,860
Interest & Investment Revenues	3,932	-	3,932	-	3,932	1,211
Other Revenues	7,358	-	7,358	6	7,364	1,880
Grants & Contributions - Operating Purposes	7,243	-	7,243	-	7,243	938
Grants & Contributions - Capital Purposes	4,785	-	4,785	370	5,155	716
Gains on Disposal of Assets	4,355	-	4,355	-	4,355	130
Total Income from Continuing Operations	155,541	-	155,541	376	155,917	103,076
Expenses from Continuing Operations						
Employee Benefits & On-Costs	(56,466)	-	(56,466)	127	(56,339)	(14,718)
Borrowing Costs	(309)	-	(309)	-	(309)	(14)
Materials & Contracts	(54,191)	-	(54,191)	(36)	(54,227)	(11,503)
Depreciation & Amortisation	(14,286)	-	(14,286)	-	(14,286)	(3,534)
Other Expenses	(16,750)	-	(16,750)	(60)	(16,810)	(4,479)
Loss on Disposal of Assets	-	-	-	-	-	-
Share of Interest in Joint Ventures	(693)	-	(693)	-	(693)	(503)
Internal Charges	-	-	-	-	-	-
Overhead Allocation	-	-	-	-	-	-
Total Expenses from Continuing Operations	(142,695)	-	(142,695)	31	(142,664)	(34,751)
Surplus / (Deficit) from Continuing Operations	12,846	-	12,846	407	13,253	68,325

Warringah Council						
Budget review for the quarter ended - 30 September 2012						
Income and Expenses Budget Review Statement by Service						
	Original Budget (000's)	Changes Already Approved By Council (000's)	Approved Forecast (000's)	Recommended changes for Council Resolution (000's)	Current Forecast (000's)	Actual YTD (000's)
Income						
Certification	805	-	805	-	805	201
Children's Services	7,099	-	7,099	-	7,099	1,928
Community & Safety	6,149	-	6,149	-	6,149	1,636
Compliance	5,757	-	5,757	-	5,757	1,334
Corporate Support	29,376	-	29,376	300	29,676	71,546
Cultural Services	991	-	991	-	991	227
Development Assessment	5,384	-	5,384	-	5,384	1,369
Glen Street Theatre	2,891	-	2,891	-	2,891	686
Good Governance	7,377	-	7,377	-	7,377	1,815
Information & Library	6,218	-	6,218	-	6,218	1,518
Kimbriki	22,302	-	22,302	-	22,302	5,744
Natural Environment	10,658	-	10,658	-	10,658	2,504
Parks, Reserves & Foreshores	10,341	-	10,341	75	10,416	2,554
Roads, Traffic & Waste	35,013	-	35,013	-	35,013	8,599
Strategic Planning	2,868	-	2,868	-	2,868	775
Warringah Aquatic Centre	4,071	-	4,071	-	4,071	1,148
Inter Service Eliminations	(1,757)	-	(1,757)	-	(1,757)	(510)
Total Income	155,543	-	155,543	375	155,918	103,074
Expenses						
Certification	(805)	-	(805)	-	(805)	(193)
Children's Services	(7,099)	-	(7,099)	-	(7,099)	(1,863)
Community & Safety	(6,149)	-	(6,149)	(93)	(6,242)	(1,538)
Compliance	(5,757)	-	(5,757)	-	(5,757)	(1,401)
Corporate Support	(18,787)	-	(18,787)	93	(18,694)	(4,576)
Cultural Services	(991)	-	(991)	-	(991)	(252)
Development Assessment	(5,384)	-	(5,384)	-	(5,384)	(1,419)
Glen Street Theatre	(2,891)	-	(2,891)	-	(2,891)	(678)
Good Governance	(7,377)	-	(7,377)	-	(7,377)	(1,889)
Information & Library	(6,218)	-	(6,218)	-	(6,218)	(1,573)
Kimbriki	(20,044)	-	(20,044)	-	(20,044)	(5,166)
Natural Environment	(10,658)	-	(10,658)	-	(10,658)	(2,477)
Parks, Reserves & Foreshores	(10,341)	-	(10,341)	32	(10,309)	(2,349)
Roads, Traffic & Waste	(35,013)	-	(35,013)	-	(35,013)	(8,117)
Strategic Planning	(2,868)	-	(2,868)	-	(2,868)	(660)
Warringah Aquatic Centre	(4,071)	-	(4,071)	-	(4,071)	(1,108)
Inter Service Eliminations	1,757	-	1,757	-	1,757	510
Total Expenses	(142,696)	-	(142,696)	32	(142,664)	(34,749)
Surplus / (Deficit) from Continuing Operations	12,847	-	12,847	407	13,254	68,325

Warringah Council Budget review for the quarter ended - 30 Sept 2012 Capital Budget Statement						
	Original Budget (000's)	Changes Approved By Council (000's)	Approved Forecast (000's)	Recommended changes for Council Resolution (000's)	Current Forecast (000's)	Actual YTD (000's)
Capital Funding						
Rates & Other Untied Funding						
Rates & Other Untied Funding	7,738	1,356	9,094	39	9,133	1,524
Working Capital	3,201	225	3,426	(370)	3,056	375
Depreciation	7,131	(139)	6,992	102	7,094	1,591
Capital Grants & Contributions	2,314	(104)	2,210	391	2,602	173
External Restrictions						
- S94	2,236	11	2,246	(6)	2,241	-
- S94A	4,851	-	4,851	(536)	4,314	623
Internal Restrictions						
- Other	-	-	-	-	-	-
Income from Sale of Assets						
- plant and equipment	3,180	-	3,180	-	3,180	-
- land and buildings	-	-	-	-	-	-
Other	-	-	-	-	-	-
Total Capital Funding	30,651	1,350	32,001	(380)	31,620	4,285
Capital Expenditure						
Plant & Equipment	2,705	-	2,705	-	2,705	941
Office Equipment	1,541	215	1,756	-	1,756	162
Furniture & fittings	-	-	-	-	-	-
Operational Land	-	-	-	-	-	-
Community Land	-	-	-	-	-	1
Land improvements	646	12	658	(6)	652	48
Buildings	10,245	-	10,245	238	10,483	1,192
Other Structures	9,177	1,073	10,251	(737)	9,514	1,054
Roads, Bridges & Footpaths	4,789	-	4,790	48	4,838	439
Stormwater Drainage	1,022	49	1,071	76	1,147	303
Library Books	524	-	524	-	524	145
Other Assets	-	-	-	-	-	-
Total Capital Expenditure	30,651	1,350	32,001	(380)	31,620	4,285

Warringah Council						
Budget review for the quarter ended - 30 September 2012						
Cash & Investments						
	ORIGINAL Budget (000's)	Changes Already Approved By Council (000's)	APPROVED Forecast (000's)	Recommended changes for Council Resolution (000's)	CURRENT Forecast (000's)	ACTUAL YTD (000's)
Total Cash and Investments	76,554	11	70,217	(553)	69,664	92,208
represented by:						
Externally restricted						
Developer Contributions	27,567	11	27,578	(553)	27,025	32,187
Specific Purpose Unexpended Grants	19	-	19	-	19	400
Domestic Waste Management	2,708	-	2,708	-	2,708	671
Total Externally Restricted	30,294	11	30,305	553	29,752	33,259
Internally Restricted						
Deposits, Retentions & Bonds	3,000	-	3,000	-	3,000	4,242
Employee Leave Entitlement	2,355	-	2,355	-	2,355	2,363
Insurance Reserve	1,419	-	1,419	-	1,419	1,141
Compulsory Open Space Acquisition Reserve	625	-	625	-	625	156
Other	2,900	-	2,900	-	2,900	10,583
Total Internally Restricted	10,299	-	10,299	0	10,299	18,484
Total Restricted Cash	40,593	11	40,604	553	40,051	51,743
Total Unrestricted/ Available Cash	35,961	0	29,613	0	29,613	40,465

WARRINGAH COUNCIL
FINANCIAL PERFORMANCE INDICATORS

CASH / LIQUIDITY POSITION

Indicator # 1 - Cash / Liquidity Position - after accounting for external reserves

Indicator Title: Unrestricted Current Ratio

Indicator Definition:
$$\frac{\text{Current Assets less Externally Restricted Current Assets}}{\text{Current Liabilities less Specific Purpose Current Liabilities}}$$

Indicator / Local Government Benchmark:

Greater than 2:1	
Between 1:1 and 2:1	
Less than 1:1	
Successive years > 10:1	

Actual 30 June 2012	Actual 30 Sept 2012	Budget 30 June 2013
3.25	8.37	3.36

Commentary:

Council's liquidity is more than satisfactory. Council can easily pay its debts as they fall due. The high ratio at the end of the first quarter reflects the rates and annual charges having been raised for the full financial year.

OPERATING RESULT

Indicator # 2 - Operating Result - using trend analysis

Indicator Title: Result from Continuing Operations before Capital Grants & Contributions

Indicator Definition: Result from ordinary operations before the receipt of Capital Grants and Contributions ie. Operating Result after depreciation

Indicator / Local Government Benchmark:

Three (3) years of successive surpluses	
Surplus	
Deficit	

Actual 30 June 2012 \$'000	Actual 30 Sept 2012 \$'000	Budget 30 June 2013 \$'000
4,578	12,931	8,061

Commentary:

Council is forecasting a surplus from Continuing Operations before Capital Grants & Contributions for the year ending 30 June 2013.

ASSET RENEWAL EXPENDITURE

Indicator # 3 - Asset Renewal Expenditure

Indicator Title: Asset Renewal Ratio

Indicator Definition:
$$\frac{\text{Capital Renewal Capacity - amount of funds spent on renewing assets (as opposed to maintaining them)}}{\text{Capital Expenditure on Existing Assets/Annual Depreciation}}$$

Indicator / Local Government Benchmark:

1 to 1	
Less than 1:1	

Actual 30 June 2012 \$'000	Actual 30 Sept 2012 \$'000	Budget 30 June 2013
1.54	0.38	1.38

Commentary:

During the first quarter of the financial year Council undertakes the planning and scoping phases of its Capital Works Program. So while capital renewal expenditure is tracking behind depreciation at the end of the first quarter projects are in line with forecast and Council will achieve a positive Asset Renewal Ratio for the full financial year.

Warringah Council Budget review for the quarter ended - 30 September 2012 Budget Review Contracts						
Contractor	Contract detail & purpose	Contract value	Commencement date	Duration of contract	Budgeted (Y/N)	
Toolljooa P/L	Jamieson Park Bush Regeneration and Bush Fire Management Contract	\$57,200	1/07/2012	1 year	Y	
Haskoning Australia P/L	Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fisherman's	\$109,890	28/08/2012	1 year	Y	
Around the Ground P/L	Services for Turf Cricket Wicket and Outfield Maintenance	\$127,050	21/08/2012	3 year+2	Y	
Beaver Air Conditioning services P/L	Services for Air Quality, Air Conditioning Services and Maintenance	\$44,050	27/09/2012	2 year+3	Y	
Landscap Solutions Australia P/L	Cromer Park Upgrade	\$3,126,156	22/08/2012	8/03/2013	Y	
Chris Flemming Building Services P/L	South Curl Curl SLSC Fire Restoration Works	\$161,709	27/08/2012	27/10/2012	Y	
Answer plumbing P/L, Concept Roofing P/L						
Turf Drain	Services of Sandgrooving Sports fields	\$102,696	27/08/2012	1 year	Y	
Terra Australis P/L	Bush Regeneration - Manly Dam (Northern Park)	\$61,600	23/08/2012	1 year	Y	
Toolljooa P/L	Bush Regeneration - Manly Dam (Southern Park)	\$55,000	6/09/2012	1 year	Y	

Warringah Council		
Budget review for the quarter ended - 30 September 2012		
Consultancy and Legal Expenses		
Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	<u>21,165</u>	<u>Y</u>
Legal Fees	<u>157,989</u>	<u>Y</u>

ITEM 6.3	MINUTES OF THE SHOROC INC BOARD MEETING HELD 2 NOVEMBER 2012
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2012/397637
ATTACHMENTS	1 Minutes of the SHOROC Inc Board Meeting Held 2 November 2012

REPORT

PURPOSE

To report the decisions of the SHOROC Incorporated Board Meeting held 2 November 2012 for the Council's information.

REPORT

The Board of SHOROC Incorporated met at Brookvale on Friday 2 November 2012. Minutes from the SHOROC Incorporated Board Meeting are submitted for Council's consideration.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF ACTING GENERAL MANAGER

That the Minutes of the SHOROC incorporated Board Meeting of 2 November 2012 be noted and the recommendations contained therein be ADOPTED.

SHOROC INCORPORATED BOARD MEETING MINUTES

Friday, 2 November 2012, 2-5pm
 SHOROC, Unit 33/42-46 Wattle Road, Brookvale



Board Members Present

Cr Jean Hay	Mayor of Manly, SHOROC President
Cr Michael Regan	Mayor of Warringah, SHOROC Vice President
Cr Peter Abelson	Mayor of Mosman
Cr Jacqueline Townsend	Mayor of Pittwater
Rik Hart	General Manager Warringah Council, SHOROC Treasurer
Mark Ferguson	General Manager Pittwater Council
Viv May	General Manager Mosman Council
Henry Wong	General Manager Manly Council

In attendance

Ben Taylor	Executive Director SHOROC
Margaret Oates	Office and Communications Manager SHOROC
Gary Bigg	Business Manager SHOROC
Anthony Manning (Item 3.2)	Director of Planning and Technical, Health Infrastructure
Vicki Taylor (Item 3.2)	Chief Executive Northern Sydney Local Health District

Item 1 Welcome and apologies

Cr Jean Hay, Mayor of Manly and SHOROC President chaired the meeting and welcomed all those attending. Apologies for lateness received from Cr Peter Abelson, Mosman Mayor and Viv May, General Manager, Mosman.

Item 2 Adoption of 1 August 2012 Board minutes & matters arising

There were no matters arising.

Item 2.0

The Board resolved:

- **To Adopt** the minutes of the 1 August 2012 SHOROC Board meeting.

Moved Cr Michael Regan / Seconded Mark Ferguson
Carried unanimously

Item 3 Advocacy and issues management

3.1 Regional Asset Inventory

<i>Corporate Plan project:</i>	<i>4. Develop Commonwealth and State funding proposal for priority regional assets including asset renewal and maintenance costs</i>
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At the request of the SHOROC Board, SHOROC worked with councils to develop a draft inventory of infrastructure assets of regional significance that could be used as the basis of SHOROC and council advocacy for grant funding. The Board consulted with Councillors on the definition of a Regional Asset, the draft Regional Asset Inventory, and the priority and significance ratings for each regional asset.

The SHOROC Board at its 2 May 2012 meeting resolved:

- To endorse for incorporation in the 2012-16 Corporate Plan a project to develop Commonwealth and State funding proposal for priority regional assets including asset renewal and maintenance costs, with the initial priorities identified by the Board.

Draft SHOROC Regional Assets Inventory and priority listing

The draft Regional Asset Inventory, including a definition of a Regional Asset and the priority and significance ratings for each regional asset is available on request. Regional Assets have been provided with a 'Priority Ratings for Increased Funding/Investment (Rating out of 5 with 1 being the highest priority)' and a draft 'Regional Significance Rating (Rating out of 3, with 1 being the highest level of significance)'.

In summary based on the priority ratings as described above, it is considered the draft highest priority '1' assets for increased funding/investment, in no particular order, are:

- Main Roads
- Key Access Bridges – Spit Bridge and Roseville Bridge
- Bus Network including Mona Vale / Brookvale Bus Depot
- Park and Ride Facilities
- Frenchs Forest Hospital (Future)
- Mona Vale Hospital
- Kimbriki Resource Recovery Centre
- North Head Water Pollution Control Plant

The draft highest priority '2' assets in no particular order are:

- Public wharves and ferries (Manly, Mosman, Palm Beach)
- Brookvale Oval / Stadium
- Warriewood Sewerage Treatment Plant

The *Shaping Our Future* strategy includes the priorities for investment in state-owned transport and health infrastructure. It is recommended the Board members review the draft Regional Asset Inventory and discuss and seek to agree the initial priorities beyond those in *Shaping Our Future* for inclusion in the development of Commonwealth and State funding proposal for priority regional assets including asset renewal and maintenance costs.

Item 3.1 Regional Asset Inventory

The Board resolved:

- To accept in principal the draft Regional Asset Inventory.
- To request that SHOROC work with councils to conduct a spatial analysis of major council assets and facilities in regard to current and future supply and demand and develop a regional and local asset planning document for consideration of the Board.
- That the focus will be initially on council-owned built and recreational assets.
- That the purpose is to develop a decision-making tool to assist future planning of investment, grants and funding for assets as well as potential rationalisation on a regional basis.

Moved Henry Wong / Seconded Cr Michel Regan

Carried unanimously

3.2 3.00pm briefing: Northern Beaches health planning

<i>Corporate Plan project:</i>	<i>1. Health: Continue coordination of Mayor-led lobbying of state and federal government to construct the Northern Beaches Hospital and retain Mona Vale Hospital in a complementary role. Work with state & federal government agencies including NSLHD & HI to support planning & improve health services.</i>
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The construction of the Northern Beaches Hospital and upgrades to Mona Vale Hospital for a long term complementary role are major issues for this region.

Ms Vicki Taylor, Chief Executive of the Northern Sydney Health Network (NSLHD) and Mr Anthony Manning, Director of Planning and Technical at Health Infrastructure (HI) have been invited to attend the Board meeting. Ms Taylor and Mr Manning will brief the Board on regional health planning, particularly progress on the Northern Beaches Hospital and Mona Vale Hospital project planning, and previously committed that the briefing will include concept plans and planning documentation for the Hospitals.

Available on request are:

- the adopted policy of SHOROC and the four member councils in regard to regional health planning
- meeting notes from the 1 August 2012 Board briefing
- correspondence from the Minister for Health regarding the project.

It is considered appropriate that Board members raise issues or ask questions as required to fully understand the project progress in regard to the NSW Government commitment to begin construction in 2013/14 and alignment with SHOROC policy.

Additionally, it is considered key that the following issues should be raised by the Board during the project planning update:

- The request from the Board and agreement by Ms Taylor in November 2011 to provide SHOROC with a copy of the regional Clinical Services Plan, which outlines the roles of each of the region's hospitals in the future, once approved by the Ministry of Health (promised but not received to date).
- The request at the May 2012 and August 2012 Board meeting to provide SHOROC with a critical path overview of the hospital project including timeframes and funding (promised but not received to date).
- The request at the February 2012 Board meeting that the SHOROC Executive Director be appointed to an appropriate project coordination group at inter-agency level for the Northern Beaches Hospital development project (no specific group identified by NSW Health to date).
- The proposed allocation of public and private beds in the planned Northern Beaches Hospital.

It is also noted that Infrastructure NSW's State Infrastructure Strategy recommends that the Northern Beaches Hospital should be delivered as a 'healthcare precinct' combining both public and private service provision in an integrated fashion.

Item listed for discussion.

Discussion notes (Item 3.2 Northern Beaches health planning)

Mr Anthony Manning, Director of Planning and Technical at Health Infrastructure (HI) and Vicki Taylor Chief Executive Northern Sydney Local Health District (NSLHD) attended the Board meeting and provided a briefing on the Northern Beaches Health Services planning in particular the development of the Northern Beaches Hospital and Mona Vale Hospital project planning, and project governance structures.

Mr Manning and Ms Taylor advised:

- The Northern Sydney Clinical Services Plan has now been released and provided to SHOROC. It is available at <http://www.nslhd.health.nsw.gov.au/aboutus/publications.html>
- NSW Government commitments to date include: \$29 million for planning; allocation of \$125 million to commence construction of Northern Beaches Hospital in first term of government; construction of Northern Beaches Hospital Frenchs Forest campus to commence by Q1, 2014 and be opened by 2018; Mona Vale Hospital to continue in complementary role; Manly and Mona Vale facilities to operate as normal until new hospital is operational.
- Transport and infrastructure for the Frenchs Forest site:
 - An Infrastructure Coordination Committee has been established with representatives from HI, NSLHD, Treasury, Dept Planning and Infrastructure to coordinate the planning and design interfaces of the Northern Beaches Hospital and roads/transport infrastructure.
 - Concept designs are being developed for proposed road upgrades, focussing on the Warringah Road/Wakehurst Parkway intersection.
 - Transport for NSW (RMS) is working to put a business case on the required road upgrades to the NSW Government by Christmas 2012.
 - Two entrances are being considered for the Hospital - public entry on Frenchs Forest Road, staff entry on Warringah Road.
- Mona Vale campus of Northern Beaches Hospital:
 - An overview of the services to be provided at the Mona Vale campus of the Northern Beaches Hospital was provided (detail in Clinical Services Plan).
 - Site Masterplanning is currently underway and opportunities are being explored for further services to be provided from this site
- An overview was provided of the planning for regional community health facilities, including; Dalwood – child and family specialist centre, the North community health centre (Mona Vale) and Southern community health centre (TBC).
- Frenchs Forest campus of Northern Beaches Hospital:
 - A market sounding activity is currently underway assessing to what extent the private sector could be involved in the Hospital construction and operation, including Non-clinical support, Clinical support and Clinical services. Options being explored are the public-private co-location model and the full service model (build and operate). Results and recommendations will be provided to the NSW Government at the start of December 2012.
 - A Clinical Reference Group will be formed for clinical input during feasibility stage. Following questions from Cr Jean Hay, Ms Taylor advised SHOROC should be involved in the Public participation committee.
 - Following a question from Mr Viv May, Mr Manning advised that the number of public and private beds will be determined during the market sounding process, and that an announcement will likely be made early in 2013.

Item 3.2 Northern Beaches health planning**The Board resolved:**

- To thank Ms Taylor and Mr Manning for attending and providing their briefing on regional health plans and projects and to request a further briefing at the next Board meeting.

Moved Cr Jean Hay / Seconded Cr Michael Regan
Carried unanimously

3.3 Public transport & road infrastructure

<i>Corporate Plan project:</i>	<i>2. Transport: Continue coordination of Mayor-led lobbying of state and federal government to commit to construct Bus Rapid Transit and identified road upgrades. Work with state and federal government agencies including Transport for NSW to conduct detailed transport planning and improve regional transport.</i>
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The united voice of four councils campaigning for transport infrastructure for the SHOROC region has seen some significant traction in the past few months. The NSW Government has confirmed the feasibility of constructing and delivering a package of Bus Rapid Transit (BRT) measures and the draft NSW Long Term Transport Master Plan and State Infrastructure Strategy include infrastructure improvements for our region for the first time in decades.

This is a critical time as the NSW Government considers the options and priorities for investing in transport infrastructure across the state. SHOROC has made a strong case and there is a need to continue the united push as four councils in order to move from plans and ideas to delivery.

1. Northern Beaches Bus Rapid Transit pre-feasibility report

The NSW Government's Bus Rapid Transit pre-feasibility report was released in July 2012.

Following consideration by the Board at its 1 August 2012 meeting, the Board resolved to provide an initial response to the Minister in line with the SHOROC policy, to develop a formal submission, for subsequent endorsement by member councils prior to submission, and to arrange meetings with local NSW MPs and the Minister for Transport. Subsequent correspondence from the Minister for Transport is available on request.

The SHOROC Board was provided a formal briefing by Transport for NSW on 8 October 2012.

A formal submission has now been developed for consideration of the Board, outlining SHOROC's proposed integrated package of transport solutions and next steps for delivery (document available on request). It has been endorsed by the General Managers and is based on the outcomes agreed by Board members following the meeting with Transport for NSW.

Importantly, this submission focusses on the whole transport system of the region, not just single corridors, and outlines a realistic package of measures required in the short-term and medium-long term as well as the next steps for the coming year to make it happen.

It is also recommended a meeting be arranged with North Sydney, Willoughby and Ku-ring-gai councils to start discussions on the BRT implementation.

It is understood a public consultation forum is planned for the coming months.

2. Warringah Road and Wakehurst Parkway upgrades

The Warringah Road and Wakehurst Parkway upgrades are a critical part of the construction of the Northern Beaches Hospital and have been a significant focus of advocacy by SHOROC.

It is understood a cross-government working group is considering the upgrades currently.

SHOROC is currently seeking a meeting between Board members and the Minister for Planning and Infrastructure and the Minister for Transport or Minister for Roads to seek confirmation and a public commitment to these road upgrades.

A major focus of the submissions on the BRT pre-feasibility report and draft Transport Master Plan is the need for this corridor to be given a higher priority in metropolitan transport planning and for public transport and road upgrades to be delivered as a priority.

3. Draft NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan is the overarching plan for transport in NSW for the next 20 years. A draft Master Plan has been released (summary available on request) with submissions due by 26 October 2012. The Minister for Transport has stated submissions on the draft Master Plan and other major transport issues should be provided by councils through their ROCs.

A formal submission has been developed for Board endorsement (available on request). It is consistent with the BRT pre-feasibility report submission and developed in conjunction with council staff based on the outcomes agreed by Board members following the 8 October 2012 meeting with Transport for NSW.

Due to the timing of local government elections and the Board meeting, the submission needed to be endorsed by the General Managers and SHOROC President and submitted as a draft to Transport for NSW before the closing date. However SHOROC reserved the right to revise its submission should the Board resolve to vary its content.

4. Infrastructure NSW's State Infrastructure Strategy

A further important strategy is the State Infrastructure Strategy (SIS) which has a focus on infrastructure for economic development. Infrastructure NSW (INSW) released its SIS on 3 October 2012 and it includes \$200 million for bus corridor improvements and bridge augmentation in the next 5-10 years and an unfunded Northern Beaches Link (tunnel).

The Premier must reconcile this SIS and the Transport Master Plan and adopt a NSW SIS before the end of 2012. It is considered critical for the future of the BRT and road projects that they are included in the SIS, its five-year Infrastructure Plan and the NSW Budget.

5. Mona Vale Road upgrades

RMS has developed three feasible options for upgrading Mona Vale Road from McCarrs Creek Road to Powder Works Road and is seeking feedback on an options report by 7 December 2012. The options report is available at <http://www.rta.nsw.gov.au/roadprojects/>

It is recommended SHOROC provide a submission supporting the proposed upgrade and advocating for the upgrade to be extended to Mona Vale.

More information

Available on request are:

- the adopted regional transport policy of SHOROC and the member councils
- correspondence from the Minister for Transport
- brief summaries of the BRT pre-feasibility report options, the draft NSW Long Term Transport Master Plan and Infrastructure NSW's State Infrastructure Strategy.

Item 3.3 Public transport & road infrastructure

The Board resolved:

- To note the updates on the Bus Rapid Transit (BRT) pre-feasibility report, draft NSW Long Term Transport Master Plan and State Infrastructure Strategy.
- To endorse the SHOROC Bus Rapid Transit pre-feasibility report submission.
- To agree that a meeting be arranged with North Sydney, Willoughby and Ku-ring-gai councils to start discussions on public transport and road upgrade implementation.
- To endorse the SHOROC draft NSW Long Term Transport Master Plan submission.
- To approve that once the BRT pre-feasibility report submission is formally adopted the SHOROC President write to the Premier, Treasurer, Transport Minister, INSW and local MPs outlining SHOROC's position and proposed next steps and requesting involvement in all the proposed actions.
- To approve that SHOROC provide a submission supporting the proposed Mona Vale Road upgrade and advocating for the upgrade to be extended to Mona Vale.
- To note the BRT Consultation Forum is planned for 30 January 2012 and to request that Office of The Hon Mike Baird MP invite The Hon Jillian Skinner MP to attend.

Moved Henry Wong / Seconded Rik Hart
Carried unanimously

3.4 Meeting with NSW MPs

<i>Corporate Plan project:</i>	<i>5. Arrange meetings between the Board and local NSW MPs on a six-monthly basis and local Commonwealth MPs on an annual basis to discuss key infrastructure funding and other regional issues</i>
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The SHOROC Board meets regularly with local NSW and Commonwealth MP's to discuss key infrastructure funding and other regional issues.

The next six-monthly meeting with local NSW MPs Jillian Skinner MP, Brad Hazzard MP, Mike Baird MP, Rob Stokes MP and Jonathan O'Dea MP is scheduled for Monday 3 December 2012, 7-8.30am in Mosman.

Key issues proposed for the agenda include:

- Transport issues including Bus Rapid Transit (BRT) and road upgrades.
- Health issues including planning for the Northern Beaches Hospital, Mona Vale Hospital and other regional health planning issues.
- Planning structures and mechanisms including the review of the NSW Planning System and the Metropolitan Strategy.
- Independent Local Government Review and review of the Local Government Act.

Item 3.4 Meeting with NSW MPs

The Board resolved:

- To approve the proposed agenda items for the meeting on 3 December 2012 with local NSW MPs Jillian Skinner MP, Brad Hazzard MP, Mike Baird MP, Rob Stokes MP and Jonathan O'Dea MP, with the addition of new item regarding the proposed pedestrian bridge at The Spit.
- To note that Viv May will circulate a briefing note to Board members in regard to the proposed pedestrian bridge at The Spit.

*Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously*

3.5 Planning Reform Green Paper & Metropolitan Strategy

Corporate Plan project:	3. Planning: Participate in the development and provide submissions on NSW planning documents and legislative reviews including NSW 2021, NSW Long Term Transport Master Plan, Metropolitan Strategy, State Infrastructure Strategy, Local Government Review and Planning Legislation Review.
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The NSW Government is conducting major reviews of the NSW Planning System and the Metropolitan Strategy which have significant implications for councils.

1. NSW Planning System Review

The review of the NSW Planning System is currently at the Green Paper stage, with a White Paper to be released shortly. The Green Paper, titled *A New Planning System for New South Wales*, proposed major changes to the planning system particularly in the area of community engagement, a greater emphasis on sub-regional planning and changes to the development assessment process.

SHOROC worked with council Directors/DGMs of Planning to develop a submission and due to the timing of local government elections this submission was endorsed by the General Managers. It is available on request.

The next stage is the White Paper and once this is released it is recommended a draft submission is developed in conjunction with council staff for approval of the Board.

2. Metropolitan Strategy

The NSW Government is also reviewing and updating the Metropolitan Strategy, which it describes as *a framework for Sydney's growth to help plan for housing, employment, transport, infrastructure, the environment and open space*. A discussion paper was released to start the review process and SHOROC provided a submission in June 2012.

At the time of circulation of these papers, the draft Metropolitan Strategy had not yet been released, however a verbal briefing was provided by the Department on major aspects on 10 October 2012.

Once the draft Metropolitan Strategy is released it is recommended a draft submission be developed in conjunction with council staff for approval of the Board.

Item 3.5 Planning Reform Green Paper & Metropolitan Strategy

The Board resolved:

- To note the SHOROC submission on *A New Planning System for New South Wales- Green Paper*.
- To approve that when the Planning System Review White Paper is released SHOROC develop a draft submission in conjunction with council staff for approval of the Board.
- To approve that when the draft Metropolitan Strategy is released SHOROC develop a draft submission in conjunction with council staff for approval of the Board.

*Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously*

3.6 NSW 2021 Regional Action Plans

<i>Corporate Plan project:</i>	<i>3. Planning: Participate in the development and provide submissions on NSW planning documents and legislative reviews including NSW 2021, NSW Long Term Transport Master Plan, Metropolitan Strategy, State Infrastructure Strategy, Local Government Review and Planning Legislation Review.</i>
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In late 2011 the NSW Government released its new State Plan: NSW 2021. Regional Action Plans are being developed to 'localise' NSW 2021 as the two-year action plans to 'focus on the most important actions the NSW Government can take to improve outcomes in each region'.

The SHOROC President provided a submission on the Northern Beaches Regional Action Plan discussion paper earlier in 2012 on behalf of the member councils (available at www.shoroc.com/press-publications), with the major priorities:

- Transport – improving transport to, from and across the region by removing congestion and improving public transport.
- Healthcare – building the Northern Beaches Hospital with Mona Vale Hospital in a complementary role, improving aged care and mental health.
- Growing the local economy.
- Protecting the environment – bushland, beaches and waterways.
- Liveable communities – improving education services, youth services, reducing alcohol-related crime and addressing affordable housing.

Following submissions by Mosman Council and SHOROC it is understood the Mosman Council area is now included in as part of the Northern Beaches Regional Action Plan.

It is understood the Department of Premier & Cabinet (DPC) is working to finalise the NSW 2021 Regional Actions Plans for release in the coming month.

Once finalised, Regional Organisations of Councils will form part of the "Regional Leadership Network" established by the Department of Premier & Cabinet which will be engaged by the NSW Government leadership groups as potential partners in identifying and delivering priority regional service delivery initiatives.

Item 3.6 NSW 2021 Regional Action Plans

The Board resolved:

- To note the update on the development process and governance of the NSW 2021 Regional & Local Action Plans

*Moved Cr Michael Regan / Seconded Mark Ferguson
Carried unanimously*

3.7 Independent Local Government Review Panel

<i>Corporate Plan project:</i>	<i>3. Planning: Participate in the development and provide submissions on NSW planning documents and legislative reviews including NSW 2021, NSW Long Term Transport Master Plan, Metropolitan Strategy, State Infrastructure Strategy, Local Government Review and Planning Legislation Review.</i>
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The Independent Local Government Review Panel as part of its review process has commissioned a research project to develop options and models to enhance collaboration on a regional basis through ROCs.

A letter outlining the research project is available on request.

The letter outlines that the project will include consideration of recent research on ROCs and experience in other jurisdictions, as well as consultation with ROCs.

The outcome of the project will be a report on future options and models to strengthen the role of ROCs in NSW, which will inform the Panel's second discussion paper, *The Case for Change*, which will be released in November 2012.

Item 3.7 Independent Local Government Review Panel

The Board resolved:

- To Note that the Independent Local Government Review Panel as part of its review process has commissioned a research project to develop options and models to enhance collaboration on a regional basis through ROCs.

*Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously*

3.8 NSW ROC Meeting

The next meeting of all NSW ROC Chairs and Executive Directors is tentatively planned for Friday 30 November 2012. These meetings are a useful forum to engage with senior NSW Ministers and Government Executives as well as bodies such as the LGSA and LGMA on issues common to all councils, as well as to engage with other ROCs across NSW.

Item 3.8 NSW ROC Meeting

The Board resolved:

- To note that the next meeting of all NSW ROC Chairs and Executive Directors is tentatively planned for Friday 30 November 2012.
- That Board members will advise SHOROC's Executive Director of any issues they wish to be raised at this meeting.

*Moved Cr Michael Regan / Seconded Viv May
Carried unanimously*

3.9 Regional Development Australia (Sydney)

Following a request from RDA Sydney the SHOROC Board resolved at its 1 August 2012 meeting:

- To Agree that RDA Sydney hold a Committee Meeting at one of the member Council Chambers at 3.00 pm to 5.00 pm on Thursday, 21 February 2013.
- To Agree that the most appropriate council chambers for this to occur will be decided at the November 2012 Board meeting.

The purpose is to “introduce the RDA’s new and recently appointed RDA Sydney Committee Members to the councils in order that its Committee may better understand the key local issues affecting economic development and social equity within the SHOROC area.

Following the Committee Meeting, RDA would like to extend an invitation to the members of SHOROC to join it from 5.00 pm to 6.00 pm.

The letter of request from RDA Sydney is available on request.

Item 3.9 Regional Development Australia (Sydney)

The Board resolved:

- To agree that the RDA Sydney Board will be invited to hold its meeting and subsequent meeting with the SHOROC Board at Warringah Council.

Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously

Item 4 Additional matters raised by councils

4.1 Late Item: Trial Closure of Pearl Bay Avenue (Mosman Council)

Mosman Council briefed the SHOROC Board at its 1 August 2012 meeting on the plan by NSW Roads and Maritime Services (RMS) to conduct a trial closure in the a.m. peak of the right turn into Pearl Bay Avenue, Mosman.

The Board resolved

- To note the advice from Mosman Council regarding the trial closure in the a.m. peak of the right turn into Pearl Bay Avenue and the opportunity for feedback to the RMS during the consultation period.
- To note Warringah Council opposes the trial closure until such time as further consultations are undertaken with Warringah and Pittwater councils and communities.
- To note Pittwater Council has strong reservations about potential increased traffic volumes associated with the trial closure.
- To note Manly Council acknowledges the trial is taking place and reserves its observations until after the trial has been conducted.

A letter outlining Mosman Council’s subsequent resolution is available on request.

It is understood that RMS and Mosman Council have held meetings with Manly, Pittwater and Warringah councils at officer level and that a recommendation will be forthcoming to the Board meeting.

Item listed for discussion

Item 4.1 Trial Closure of Pearl Bay Avenue (Mosman Council)

The Board resolved:

- That the trial closure of Pearl Bay Avenue proceed for a maximum of six months on the basis outlined in the correspondence, subject to RMS having the ability to cancel the trial should it cause extreme disruption.

*Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously*

Item 5 SHOROC project and working group reports

5.1 Kimbriki Sub-Committee

<i>Corporate Plan project:</i>	<i>15. Coordinate and provide secretariat for Kimbriki Sub-Committee</i>
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The Kimbriki Sub-Committee of the SHOROC Board consists of one Councillor and one community representative from each member council, and has been established to:

- Provide input during development of KEE's Business Plan summary, as well as longer-term plans for Kimbriki.
- Consider and advise the SHOROC Board, as required, on major plans, initiatives or developments proposed by KEE.
- Provide a forum for discussion and advice on such further matters as the SHOROC Board determines, including regional waste management strategies and other strategic regional priorities and targets relevant to operations at the Kimbriki Resource Recovery Centre.
- Assist in keeping the SHOROC Board informed of KEE operations.

Due to local government elections the last meeting of the Kimbriki Sub Committee of the SHOROC Board was held on 6 June 2012.

Under the Sub-Committee terms of reference there is a need for the Sub-Committee to be reconstituted after each local government election.

Councils are currently in the process of advising SHOROC of their nominated Councillor and community representatives.

The next meeting of the Kimbriki Sub-Committee has been scheduled for 5-7pm on Wednesday 5 December 2012 to be held at the Kimbriki Resource Recovery Centre.

The agenda will include formal background presentations on KEE, SHOROC and the Sub-Committee, current projects and a review of the Sub-Committee's Terms of Reference prior to the election of a new Chairperson. It is planned that KEE will present their updated Business Plan for input. A call for further agenda items from committee members will be made closer to the meeting date.

Item 5.1 Kimbriki Sub-Committee

The Board resolved:

- To note that the Kimbriki Sub-Committee is being reconstituted following the local government elections, that councils are now identifying their representatives and that the next meeting is scheduled for 5-7pm on Wednesday 5 December 2012
- To approve the proposed agenda items.

*Moved Viv May / Seconded Henry Wong
Carried unanimously*

5.2 Professional Officers Groups

<i>Corporate Plan project:</i>	<p>10. Support council working groups in priority areas including strategic and urban planning, economic development, sustainability and others as required</p> <p>18. Continue to support and work with SHOROC working groups and committees in priority areas including efficiency and effectiveness strategy, procurement, workforce planning, waste management and others as required..</p>
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SHOROC hosts a number of professional officers groups consisting of council staff which enable projects to be progressed, current or emerging issues to be addressed, collaboration, knowledge and information sharing.

Current groups include:

- Urban Planners Group (Malcolm Ryan, Steve Evans, John Carmichael, Stephen Clements). Meet every 2 months.
- Strategic Directions Group (Paul Reid, David Kerr, Di Lawrence, Kathryn Parker). Meet as required.
- Shared Services Project Liaison Group (Paul Reid, David Kerr, Di Lawrence, Chris Barnett). Meet every 1-2 months.
- Procurement Working Group (Peter Baartz, Lisa Neal, Anthony Hewton, Max Glyde). Meet every 2 months
- HR & Workforce planning (Melodie Whiting, Steve Rawe, Marija Savic, John Gilroy). Meet quarterly.
- Climate change adaptation & mitigation (David Bell, Jennifer Pang, Jo Tulau, Belinda Atkins, Monique Needham). Meet quarterly.
- Water Cycle Management (Ben Fallowfield, Melanie Schwecke, Jason Ruszczyk, Michael Galloway, Belinda Atkins). Meet every 2 months.
- Waste management (Tony Walmsley, John Saul, Jeffrey Lofts, Ted Williams). Meet as required on common collection contract project.
- Waste communications (Sally Williams, Belinda Noble, Loani Tierney, Melinda Aitkenhead, Mark Winsor). Meet as required and often in conjunction with Waste management group.
- Local economy, business & tourism. To meet shortly.
- Ad hoc working groups on issues such as the Long Term Transport Master Plan, EP&A Act review submission, Metropolitan Strategy submission, Councillor Induction Seminar.

Minutes from these meetings are brought to the attention of the GMAC and the Board as required or requested by the group

Item 5.2 Professional Officers Groups

The Board resolved:

- To note the update on the current professional officers groups hosted by SHOROC.

Moved Henry Wong / Seconded Cr Michael Regan

Carried unanimously

Item 6 Council Cost Saving & Productivity Program

6.1 Quarterly Cost Savings & Productivity Program report

<i>Corporate Plan project:</i>	<i>11. Continue Council Cost Savings and Productivity Program across councils to deliver \$1,500,000 in annual cost savings & productivity gains in business processes & operations, projects, tendering & procurement.</i>
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Financial sustainability is recognised as one of the biggest challenges faced by NSW councils. Costs are outweighing revenue and councils must continue to seek better ways to do business.

The SHOROC councils identified this as a priority and in 2010 the Board requested SHOROC to manage a program whereby council staff work together to cut costs and to improve efficiency and productivity through regional purchasing, shared services, joint operations and projects, ultimately to improve services for the community.

Collaboration reduces costs for all councils - report on cost & productivity savings

Collaboration gets results and the latest quarterly report identifies that councils have achieved an estimated \$2.1 million in collective productivity gains and cost savings for their councils in only two years through SHOROC, including:

- Bottom-line cost savings (achieve same with less budget)
- Productivity gains (achieve more with same budget).

The majority of these savings are through aggregated tenders where together the councils are taking a significantly higher volume to the market. This results in greater economies of scale for the suppliers, greater competition between suppliers to get the tender, and ultimately a cheaper price for all councils involved.

Estimated Cost & Productivity Savings Summary Q1 2012-13

Council	YTD 2012/13 Total	Total 2010-2012
Mosman	\$ 24,258	\$ 312,768
Manly	\$ 36,583	\$ 345,459
Warringah	\$ 118,966	\$ 755,954
Pittwater	\$ 44,301	\$ 717,346
Total	\$ 224,108	\$ 2,131,528

Estimating the savings of the program has the following purposes:

- to provide a basis to assess and communicate the value of the program
- to ensure the program remains focused on the goal of achieving savings for councils.

The estimated savings reflect some of the value that collaboration between councils creates and is based on various methodologies on a case-by-case basis, such as direct comparison of costs paid, costs avoided or independent expert opinion. Credit for these savings should be shared with all council staff who contribute to this collaboration and actively promote improvements in their councils.

The full quarterly report for the first quarter of 2012-2013, including details of the new and continuing projects and their estimated savings is available on request.

Item 6.1 Quarterly Cost Savings & Productivity Program report

The Board resolved:

- To note the September 2012 quarterly report on the Cost Saving and Productivity Program detailing estimated savings by councils of \$224,108.
- To note the total 2010-2012 savings by councils from the program of \$2,131,528.

*Moved Viv May / Seconded Henry Wong
Carried unanimously*

6.2 Joint Procurement and Projects

<i>Corporate Plan project:</i>	<i>1.1. Continue Council Cost Savings and Productivity Program across councils to deliver \$1,500,000 in annual cost savings & productivity gains in business processes & operations, projects, tendering & procurement.</i>
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The Cost Saving & Productivity Program includes collaborative projects that assist councils improve their financial sustainability and/or services for the community such as joint procurement and other joint projects for the region.

A full list of all the joint procurement and projects that have been delivered to date by collaboration between council and SHOROC staff is available on request.

Current projects

The following joint procurement activities have progressed or have been completed during this quarter:

- Air Quality and Air Conditioner Maintenance tender. Regional tender completed on behalf of Manly, Mosman and Warringah Councils.
- Plant and Equipment Hire tender. Regional panel tender underway on behalf of Manly, Mosman and Warringah Councils.
- Rates Notice and Parking Permit Printing and Distribution tender. Planning underway for regional tender on behalf of Manly, Mosman and Warringah Councils.
- External Audit Services tender. Planning underway for regional tender on behalf of Manly, Mosman and Warringah Councils.

The following joint projects have progressed or have been completed during this quarter:

- Regional Groundwater Investigation. The Water Research Laboratory (UNSW) was engaged by SHOROC to assist Manly, Pittwater and Warringah Councils identify groundwater issues of regional significance as well as identify and prioritise management actions on a regional scale.

Item 6.2 Joint Procurement and Projects

The Board resolved:

- To note the update on Joint Procurement and Projects reported under the Cost Savings & Productivity Program.

*Moved Viv May / Seconded Rik Hart
Carried unanimously*

6.3 Waste management & collection

<i>Corporate Plan project:</i>	<i>14. Continue to manage project planning for a common waste collection service by 2015 in collaboration with council waste, education and engagement staff & KEE.</i>
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A major focus for SHOROC for the coming years is to manage project planning for a common waste collection service by 2015 in collaboration with council waste, education and engagement staff & Kimbriki.

Common Waste Collection System and project management

Following council waste audits and investigations into effective and efficient models of end-to-end waste management, a Regional Common Waste Collection System was adopted by all four councils in 2011 to maximise resource recovery, minimise costs to ratepayers and align with the Alternative Waste Treatment (AWT) facilities planned at Kimbriki.

A SHOROC Waste Working Group has been formed to work with SHOROC on the project, overseen by the General Managers Advisory Committee (GMAC).

The project management timeline for the Common Waste Collection System is available on request. It targets introduction of the system in mid-2015 when it is anticipated the KEE AWT will be operational. Sub-projects discussed in this report are:

1. Regional Waste Collection Services Contract
2. Regional Waste Management Services Business Model Review
3. Community education

1. Regional Waste Collection Services Contract

In October/November 2011 Mosman, Pittwater and Warringah councils resolved that tender specifications be developed and council enter into a combined Regional Waste Collection Services Contract for a term of seven years.

SHOROC in consultation with the Waste Working Group is in the process of engaging a suitably qualified consultant to assist with the development and conduct of the Regional Waste Collection Services tender during 2013.

2. Regional Waste Management Services Business Model Review

In October/November 2011 Mosman, Pittwater and Warringah councils resolved to investigate the value of appropriate business models that could be established for the efficient and cost effective delivery of quality waste services, including a centralised waste management unit.

With the approval of GMAC SHOROC has engaged Pricewaterhouse Coopers (PwC) to assist with this investigation and initial data gathering has begun.

3. Community education

Effective community education will be critical to the successful introduction of the common collection system. It is planned the next phase will be commenced in around mid-2013.

Item 6.3 Waste management & collection

The Board resolved to:

- To note the update on the Common Waste Collection System Project, including the tender development, business model review and timeline for community education.
- To endorse the overall project timeline for the Common Waste Collection System, which plans for introduction of the system in around mid-2015.

*Moved Rik Hart / Seconded Cr Jacqueline Townsend
Carried unanimously*

6.4 Shared Services investigations

<i>Corporate Plan project:</i>	<p><i>12. Investigate delivery of shared and collaborative functions and services on a regional basis and implement where appropriate, for example After Hours Call Centre, ensuring flexibility and adaptability of any governance models established.</i></p> <p><i>21. Investigate alternative governance structures & policies in conjunction with investigation of shared services & manage phased implementation as appropriate.</i></p>
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The financial sustainability of councils across NSW is a major focus of the NSW Government, which has embarked on a significant program of review and reform of local government. This began with Destination 2036 and includes an independent review of local government and a review of the Local Government Act. A major focus is efficient and effective service delivery, including actions to 'Develop options and models to enhance collaboration on a regional basis through ROCs' and 'Develop alternative service delivery business models'.

Following a regional Councillor Forum on this issue, the SHOROC Board decided to take a leadership role, to 'get on the front foot', and resolved to expand the capacity of SHOROC to deliver financial savings for partner councils through investigation and implementation where appropriate of regional shared services.

The councils already have an existing and successful shared service in Kimbriki.

This is about smarter business operations, not a fourth tier of government, and further shared service opportunities exist now that could create significant value for councils.

The General Managers have workshopped and agreed potential shared services to be investigated. The agreed objectives underpinning the investigations are to:

- Improve services for the community and region through increased capacity and efficiency while maintaining individual council service delivery standards.
- Save council funds through greater economies of scale, simplified, streamlined processes and improved resource allocation.
- Generate alternative income by providing commercial services to other councils or businesses.
- Deliver local economic benefits by forming business units to manage currently outsourced services.
- Being 'in control of our own destiny' and levels of service not beholden to other organisations.

The services agreed at this stage for independent business case assessment are below. Investigations are underway for services 1-3, and will follow for services 4-6 in 2013.

1. Waste management services (as reported under item 6.3).
2. Centralised and potentially commercialised call centre, with initial focus on after hours.
3. Centralised procurement and management of goods and services across the region.
4. Centralised and potentially commercialised Development Application assessment (excluding strategic planning, policy and development approval functions).
5. Commercial business unit to provide Compliance & Building Certification Services.
6. Centralised co-ordination of regional coastal zone/catchment management services.

It is important to note these projects are investigations to determine the feasibility of potential shared services and further decision points will follow on whether to proceed to implementation. The ultimate aim is better outcomes for councils and the community through more efficient and effective service delivery.

Item 6.4 Shared Services investigations

The Board resolved:

- To note the update on the investigations of potential shared services.

*Moved Cr Jacqueline Townsend / Seconded Henry Wong
Carried unanimously*

Item 7 SHOROC Administrative Matters

7.1 Review of current work priorities

The SHOROC 2012-16 Corporate Plan approved by the Board states that one of the ways the priorities for SHOROC will be continually reviewed is through "quarterly operational priority reviews to ensure we are honing in on the key projects and priority issues for our region, our councils and our business effectively and efficiently".

SHOROC's current major projects underway are:

- **Health & Transport:** Coordination of the Mayor-led campaign for transport & health infrastructure. This includes meetings with NSW and Commonwealth elected officials, senior bureaucrats and other stakeholders, participating in the NSW Government's Long Term Transport Master Plan Advisory Group and BRT feasibility planning, and providing public statements, input and submissions to appropriate government reviews and strategy/plan development processes.
- **Planning & Reform:** Providing regional submissions and participating in NSW planning and legislative reviews including the Planning Legislation Review, Metropolitan Strategy, Destination 2036 and Independent Local Government Review.
- **Infrastructure:** Advocating for the priority regional infrastructure and services identified by councils to be included in the NSW 2021 Northern Beaches Regional Action Plan for implementation. Developing Commonwealth and State funding proposal for priority regional assets including asset renewal and maintenance costs.
- **Cost Saving & Productivity:** Delivering priority cost savings & productivity projects for councils including coordinating and managing regional tenders, managing business case analysis of potential shared services or commercial services, providing consultancy management for the groundwater project, and working to improve regional collaboration on regional training and HR issues and management.
- **Waste Management:** Coordinating planning for a common waste collection system in collaboration with council staff and KEE including tender preparation work, business case analysis and education. Supporting councils where required in working with Kimbriki Environmental Enterprises on the Kimbriki facility development.
- **Small business & tourism:** Identifying collaborative projects to grow the local economy, supporting small business and collaborating on regional visitor and tourism strategies.
- **'Health of the region' report & sustainability:** Developing the first regional 'health of the region' indicator web report and supporting implementation of projects identified in the regional sustainability strategy *Shaping Our Future Sustainable Future*.
- **Operations & collaboration:** Secretariat for Board, GMAC, Kimbriki Sub-Committee and strategic, operational and projects groups as required. Reviewing operational policies. Facilitating collaboration and knowledge sharing on urban planning, climate change, water cycle management and other matters.

Item 7.1 Review of current work priorities

The Board resolved:

- To endorse the current work priorities identified for SHOROC.

*Moved Henry Wong / Seconded Cr Michael Regan
Carried unanimously*

7.2 2013 Councillor Forum & Board planning

<i>Corporate Plan project:</i>	<i>20. Hold annual Councillor Forum in around February 2013 followed by Board strategic planning session for 2013-14 Operational Plan</i>
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The 2012-16 SHOROC Corporate Plan includes the holding of an annual Councillor Forum in around February 2013 followed by Board strategic planning session to develop the 2013-14 Operational Plan. It is proposed the Forum be held in late February or early March 2013.

This will be the third annual Councillor Forum. The purpose of these Councillor Forums is to focus on the major issues for councils and the region to feed into the Board's planning for SHOROC's Corporate and Operational Plans, which identify the key priorities to be delivered by the SHOROC partnership of councils.

A draft agenda will be developed for GMAC consideration and then endorsement of the Board. GMAC has recommended that in developing the agenda SHOROC should consider engaging a contemporary speaker, inviting the Minister for Local Government, and focusing on the review of the Local Government Act and the Independent Local Government Review Panel.

Item 7.2 2013 Councillor Forum & Board planning

The Board resolved:

- To endorse that the 2013 SHOROC Councillor Forum be planned for February 2013, and that a draft agenda be developed for GMAC and then the Board approval.

*Moved Cr Michael Regan / Seconded Cr Jean Hay
Carried unanimously*

7.3 SHOROC Inc. September 2012 financial report

<i>SHOROC Corporate Plan project:</i>	<i>27. Continue appropriate annual and financial reporting.</i>
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The first quarterly financial report for 2012/13 including the end of year forecast as at 30 September 2012 is available on request.

Item 7.3

The Board resolved:

- To note the 30 September 2012 quarterly financial report for 2012/13.

*Moved Rik Kart / Seconded Cr Peter Abelson
Carried unanimously*

Item 8 General business

8.1 LGA Conference

Item 8.1 LGA Conference

Cr Michael Regan raised the issue of dissatisfaction with the LGA Conference and advised Warringah Council may consider withdrawing its LGA membership and not attending future conferences. Cr Regan sought feedback on the position of the other councils on this matter and their support.

The Board resolved:

- That Cr Michael Regan draft a collective letter to the LGA addressing concerns with the Conference and membership and circulate to the Mayors for their approval and signature.

Moved Cr Michael Regan / Seconded Cr Peter Abelson

For: Cr Michael Regan, Cr Jean Hay, Cr Peter Abelson, Viv May, Henry Wong, Rik Hart

Against: Cr Jacqueline Townsend, Mark Ferguson

Carried

Item 9 Confirm time for next meeting

20 February 2013 3-5pm at the SHOROC Offices.

ITEM 6.4	MINUTES OF THE SHOROC INC BOARD ANNUAL GENERAL MEETING HELD 2 NOVEMBER 2012
REPORTING MANAGER	ACTING GENERAL MANAGER
TRIM FILE REF	2012/397691
ATTACHMENTS	1 Minutes of the SHOROC Inc Board Annual General Meeting Held 2 November 2012

REPORT

PURPOSE

To report the decisions of the SHOROC Incorporated Board Annual General Meeting held 2 November 2012.

REPORT

The Board of SHOROC Incorporated met at Brookvale on Friday 2 November 2012. Minutes from the SHOROC Incorporated Board Annual General Meeting are submitted for Council's consideration.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF ACTING GENERAL MANAGER

That the Minutes of the SHOROC Incorporated Board Annual General Meeting of 2 November 2012 be noted and the recommendations contained therein be ADOPTED.

SHOROC BOARD AGM – 2 November 2012 Page 1

SHOROC ANNUAL GENERAL MEETING

4.30pm on 2 November, 2012

SHOROC, Unit 33/42-46 Wattle Road, Brookvale



DRAFT MINUTES

Board Members Present

Cr Jean Hay	Mayor of Manly, SHOROC President
Cr Michael Regan	Mayor of Warringah, SHOROC Vice President
Cr Peter Abelson	Mayor of Mosman
Cr Jacqueline Townsend	Mayor of Pittwater
Rik Hart	General Manager Warringah Council, SHOROC Treasurer
Mark Ferguson	General Manager Pittwater Council
Viv May	General Manager Mosman Council
Henry Wong	General Manager Manly Council

In attendance

Ben Taylor	Executive Director SHOROC
Margaret Oates	Office and Communications Manager SHOROC
Gary Bigg	Business Manager SHOROC

Item 1 Welcome and Apologies

Cr Jean Hay, Mayor of Manly and SHOROC President chaired the meeting and welcomed all present including the two new Board members. There were no apologies received.

Cr Hay opened the meeting outlining that she has enjoyed the past 12 months as President of SHOROC. Cr Hay noted that all councils had worked very well together during a busy year (including council elections) and that a lot has been achieved particularly in the area of advocacy for transport infrastructure and hospitals and in achieving savings for councils.

Cr Hay thanked Cr Anne Connon and Cr Harvey Rose for the part they played in the previous four years at SHOROC and thanked Ben Taylor, Gary Bigg, Andrea Tattam, Lisa Stevens and Margaret Oates for the great support provided to the Board. Cr Hay commented that she has been a part of SHOROC for nine years and that the current Executive Director Ben Taylor has been outstanding and has done a fantastic job moving SHOROC to a higher level.

Cr Hay also thanked the General Managers for steering SHOROC through GMAC and concluded by thanking the all the Board members for their commitment to achieving results for the region and councils.

Item 2 Minutes of previous meeting**The Board resolved:**

- To adopt the Minutes of the Annual General Meeting held 16 November 2011.

Moved Viv May / Seconded Mark Ferguson

Carried unanimously

Item 3 Election of Office Bearers**Item 3.1 Election of President**

Mr Ben Taylor acted as returning officer and declared all positions vacant.

Nominations were called for the position of President. Cr Jean Hay nominated Cr Michael Regan of Warringah as President. Nomination seconded by Cr Jacqueline Townsend. There were no other nominations and Cr Michael Regan accepted the nomination.

The returning officer duly announced Cr Michael Regan Mayor of Warringah as SHOROC President for the ensuing term.

Cr Regan thanked the Board, indicating that he looked forward to the year ahead. Cr Regan thanked Cr Hay for all her work as President and noted the SHOROC team has been excellent.

Item 3.2 Election of Vice-President

Mr Ben Taylor acted as returning officer.

Nominations were called for the position of Vice-President. Cr Michael Regan nominated Cr Peter Abelson Mayor of Mosman as Vice-President. Nomination seconded by Cr Jean Hay. There were no other nominations and Cr Peter Abelson accepted the nomination.

The returning officer duly announced Cr Peter Abelson Mayor of Mosman as SHOROC Vice-President for the ensuing term.

Cr Abelson thanked the Board, indicating that he looked forward to the role.

Item 3.3 Election of Treasurer

Mr Ben Taylor acted as returning officer.

Nominations were called for the position of Treasurer. Viv May nominated Mr Rik Hart, General Manager Warringah Council, as Treasurer. Nomination seconded by Mark Ferguson. There were no other nominations and Rik Hart accepted the nomination.

The returning officer duly announced Rik Hart, General Manager Warringah as SHOROC Treasurer for the ensuing term.

Mr Hart thanked the Board, indicating that he looked forward to the role.

Item 4 SHOROC 2011/12 Annual Report

The draft Annual Report on the activities of SHOROC for the year ending 30 June 2012 is available on request. Its content was approved by GMAC on 10 October 2012.

The Board resolved:

- To receive and adopt the Annual Report on the activities of SHOROC for the year ending 30 June 2012.
- To approve circulation of the Annual Report by the Executive Director to all SHOROC Councillors, senior council staff and those involved in SHOROC projects and working groups in 2011-12.

*Moved Henry Wong / Seconded Cr Michael Regan
Carried unanimously*

Item 5 SHOROC Financial Report

An independent audit is required of SHOROC's financial reports under the *Associations Incorporation Act 2009*. The audited financial report from the independent auditor Jacques Stanmore is available on request. The auditors advised it found no issues with SHOROC's financial processes, records or reporting and the report confirms an operating profit of \$6,596 for 2011-12 which will be carried forward in SHOROC reserves as retained earnings.

As a non-profit organisation, the SHOROC Incorporated is required to self-assess its income tax status as income tax exempt or taxable. SHOROC's Executive Director has self-assessed SHOROC Incorporated's income tax status against criteria provided by the ATO and considers it meets the criteria to be classified as income tax exempt. It is a requirement of the Australian Taxation Office that the self-assessment review is approved by the Board. The self-assessment worksheet is available on request.

The Board resolved:

1. To receive and adopt the audited financial reports for the period ending 30 June 2012.
2. To authorise Rik Hart and Viv May to sign the certificate for the annual statement (form 12) to be forwarded to the Fair Trading Office together with financial report and the appropriate fee.
3. To approve the self-assessment of income tax status and authorise the President and Treasurer to sign the *Income tax status review worksheet for self-assessing non-profit organisations*.

*Moved Cr Michael Regan / Seconded Henry Wong
Carried unanimously*

ITEM 6.5	COUNCILLORS REPORT FROM ATTENDANCE AT THE 21ST NSW COASTAL CONFERENCE
REPORTING MANAGER	ACTING GENERAL MANAGER
TRIM FILE REF	2012/398987
ATTACHMENTS	1 Report by Cr Harrison - NSW Coastal Conference in Kiama

REPORT

PURPOSE

To present Councillor Harrison's report following her attendance at the 21st NSW Coastal Conference held 6-9 November 2012 in Kiama NSW.

REPORT

Council's Policy GOV-PL 120 - Policy for the Payment and Re-imbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors includes the following requirement (clause 14, bullet point eight):

"14. What Conferences May Be Attended

- After returning from an approved conference, Councillors shall submit a written report to a full meeting of the Council on the aspects of the conference relevant to Council business and/or the local community."*

Councillor Harrison has submitted her report regarding the NSW Coastal Conference, which can be found as an attachment to this report.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The report has been submitted in accordance with Council's Policy GOV-PL 120 - Policy for the Payment and Re-imbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors.

RECOMMENDATION OF ACTING GENERAL MANAGER

That the report by Councillor Harrison regarding the NSW Coastal Conference 2012 held in Kiama be noted.

Report from Councillor Roslyn Harrison

Coastal Conference – Kiama

7-9 November 2012

The Coastal Conference was a hugely beneficial conference to attend which gave an overview on legislative reform, coastal change over the decades and planning for the future taking into consideration climate change.

Some of the very interesting points raised at the conference that will impact directly on Council include:

NSW Coastal Reform

- The Government will no longer prescribe sea level benchmarks and will delegate this responsibility to each Council area. This means that the Council will be responsible for any consequences of their sea level benchmark and not the Government.
- Residents will now be able to take (temporary) measures to control the protection of their own property eg, sandbagging.

Public Trust Doctrine and the Coast

- Under NSW Legislation beaches are not considered a public asset and therefore the State does not provide funding to protect coastal beaches.
- There are calls for a Public Trust Doctrine to ensure that the public through the State owns these public trust lands and has a responsibility to protect these lands. More importantly the private interests (of private land owners) is subservient to the public trust interest. So preservation and protection remain paramount.

NSW Planning Law Reforms

- Huge concerns lie around the area of 'Streamlined Approvals' if reforms are adopted such as:
 - o the agency concurrency and approval process is removed
 - o rights for developers are enhanced to exceed local standards and seek reviews and spot rezoning.
 - o feeling that if you don't respond to development proposals it is considered an approval by the public.
- Concerns with the proposed amendments to the SEPP (Exempt and Complying Development Codes) 2008 if adopted include:
 - o Many exempt developments will now be allowed under this amendment where residents will not be able to comment.
- Concerns with the 'Standard Instrument' include:
 - o Proposed expansion of additional permitted uses which could apply to hazardous industrial uses in the coastal zone
 - o Developments that would otherwise be prohibited could now be permissible.

Many sessions were held on community engagement and public consultation which Warringah appears to be heading in the right direction in this area. What I liked is how the presenter defined and explained collaboration.

- Contact + cooperation + coordination = collaboration
- Collaboration is the act of creating something that wasn't there before. It is about co-creating a solution and involves shared responsibility, risks and benefits.

Acting in a collaborative way includes:

- Commit to collaborate
- Co-define dilemma
- Co-design process
- Co-create solution and
- Co-deliver action

Summary of community consultation presentations includes:

- Community wants their say, give it to them
- Council MUST be well informed on all issues surrounding the topic of discussion and the impacts of decisions on the communities
- The scale of collaboration should match the scale of decision making
- Have transparent and consistent tools for decision making
- Show your appreciation at every stage.

A range of case studies and data collection talks was presented including :

- Water Quality in the Great Lakes
- Managing Coastal Geotechnical Hazards
- Examination of Coastal and Catchment Flooding Interaction
- A Model Framework for Assessing Risk to Climate Change (Case Study: Narrabeen)
 - o Short term and long term data analysed and a cumulative shoreline location probabilities study was produced to 2050 and 2100. 50% chance of dramatic erosion over the decades.
 - o By using this data looking at both forecasting and hind-casting appropriate planning can be developed to manage the area.
 - o Ground Penetrating Radars (GPR) are used to monitor behaviour underground to add to the overall data.
 - o GPR conducted on three sections of Narrabeen (North, Central, South). In one of the radar readings there was a buried seawall showing how the coastline has changed over time and completely buried the seawall.
 - o The old dune ridges can also be seen which have been planed over for development.
 - o Storms have a major impact on the changes to beach areas.

- 1978 scarp has been recorded and then by using the GPR track the history and changes over time focusing on changes due to storms and monitoring the return of sediment (or not).

One of the most fascinating and enlightening presentations for me was the Groundwater Impacts on a Mostly Closed, Displacement Dominated ICOLL – Curl Curl Lagoon, Sydney.

An ICOLL is a large coastal lake or lagoon that is mostly closed (Intermittently closed and open lake or lagoon). A typical ICOLL has a large central body and is separated by a sandy barrier with an opening that is either open or closed. When open then the water can be mixed with ocean water. When it is displaced there isn't much mixing with ocean water as the ICOLL is nearly always closed. They have a limited tidal exchange and sometimes none at all which means runoff from catchment gets trapped and creates sediment and pollutant problems.

Many of them like Curl Curl are very shallow so wind is stirring the bottom sediment and water quality can be very poor.

The key messages of the Curl Curl case study included:

- Groundwater plays a potentially important role in the hydrodynamic regime of displacement-dominated ICOLLs
- Response of groundwater to climate change around ICOLLs and other estuaries is poorly understood and appreciated from a land use management sense.
- Curl Curl Lagoon is a harsh environment. Rehabilitation of a natural or pristine condition would be impossible.
- Ongoing poor water quality due to the nature of groundwater flow and storm water.
- Manipulation of the waterway to improve water quality would have uncertain outcomes.
- Target source control alternatives to address cause of problem not just the symptom.

I found this conference hugely beneficial and informative and it has given me a greater understanding and background knowledge about issues surrounding the coast and waterways. I have provided a summary of the conference in these notes but I have more detailed notes on all sessions I attended if anyone is interested and would like to see them.

Roslyn Harrison

7.0 COMMUNITY DIVISION REPORTS

ITEM 7.1	SALE OF LAND BETWEEN 3 AND 5 EDGECLIFFE BOULEVARDE COLLAROY PLATEAU
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY & SPATIAL INFORMATION
TRIM FILE REF	2012/355142
ATTACHMENTS	1 Plan of Land 3-5 Edgecliffe Boulevarde

EXECUTIVE SUMMARY

PURPOSE

To confirm a proposal to sell Council Operational Land (formally a portion of unformed road reserve) between 3 and 5 Edgecliffe Boulevarde, Collaroy Plateau.

SUMMARY

In accordance with a Council resolution dated 25 July 2006 regarding this matter; it is proposed to sell the subject land by public auction. The land includes a restrictive covenant over the area on the escarpment for its environmental protection and preservation.

Council's Parks, Reserves & Foreshores Group (PRF) have confirmed that the land has limited potential for use as public open space with alternative areas of open space in close proximity (100-200m) which provide similar or better opportunities for passive use as public open space.

Council's Roads Traffic & Waste Group (RTW) have confirmed pedestrian access between Collaroy Plateau and Collaroy is already available nearby therefore, provision of a pedestrian link in this location would either be unnecessary or a very low priority.

Plans of the subject land are included in the report as Attachments A and B. Council is now in a position to relocate the neighbour's overhead power and telephone services affecting the subject land and proceed to sell the land.

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.

The relocation of services will be met through existing budgets.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council confirm to proceed to dispose of Lot 1 DP 1167116 Edgecliffe Boulevarde, Collaroy Plateau in accordance with its resolution dated 25 July 2006.

REPORT

BACKGROUND

The subject land is located between 3 & 5 Edgecliffe Boulevard, Collaroy Plateau and was the portion of unformed road reserve of Collaroy Street which extends up the Collaroy escarpment and joins Edgecliffe Boulevard at the intersection of Telopea Street. The location of the land is shown in Attachment A of this report.

Council has received various requests from the owners of No. 3 and No. 5 Edgecliffe Boulevard, Collaroy Plateau since the early 1980's regarding the acquisition of the unformed road reserve between the two properties.

In recent years the adjoining owners had approached Council again.

On 27 February 2001, and on 6 March 2001, Council considered the matter where it resolved as follows:

- *That Council make an application to the Department of Land & Water Conservation to close approximately 850m² of unformed road reserve between Nos 3 & 5 Edgecliffe Boulevard, Collaroy Plateau.*
- *Council give consideration to access requirements for the property at 5 Edgecliffe Boulevard.*
- *That Council have reported back the opportunities to dispose of the allotment with or without right of carriageway being granted or portion of the property being sold to adjoining landowners.*

The above resolution was based on a conclusion in the report to Council that the best scenario was to close the road reserve as a single allotment and dispose of the land through a public auction process. A formal valuation of the site was obtained at that time which confirmed this view. The valuation also provided a value for the site based on a scenario of the land being sold to adjoining owners and restricted from development. This value was assessed at a significantly lower amount than the valuation for sale as a single allotment.

Following the Council resolution on 27 February 2001, Council applied to the Department of Lands for road closure of the subject land. As a result of the Department's public notification process, an objection relating to access was received from the adjoining owner at No. 3 Edgecliffe Boulevard (No.3). No.3 objected on the basis that they required a guarantee that Council would dispose of part of the site to them. As this guarantee could not legally be provided they proceeded with their objection. Accordingly, as the objection was valid under the legislation and could not be resolved, Council withdrew its road closure application on 30 August 2001.

Consequently, on 17 December 2002, Council resolved not to proceed with the sale of Road Reserve between 3 and 5 Edgecliffe Boulevard, Collaroy Plateau.

Current Proposal

Following another request by an adjoining property owner to purchase part of the subject land, Council sought independent planning advice regarding the ability to create a separate residential allotment to maximise the sale proceeds from such a site. The advice confirmed that the site is suitable for a residential allotment under the current planning controls.

To resolve any potential access objections from adjoining property owners it was proposed Council create a Right of Way (ROW) to benefit the adjoining property owner at No. 5 to maintain the properties existing vehicular access and turning area across the front of the proposed new lot and also allow a road reserve buffer adjacent to No.3 to maintain its existing pedestrian access rights.

On this basis, the road closure and sale proposal for this land was reported again to Council on 25 July 2006 where Council resolved as follows:

1. *That Council authorise an application for road closure to the Department of Lands under the provisions of the Roads Act 1993 for the unformed road reserve land identified in this report between 3 and 5 Edgecliffe Boulevard, Collaroy Plateau.*
2. *That delegation be granted to the General Manager to authorise and execute any documentation required to facilitate any of the actions contained within this recommendation or Council authorise affixing its Seal to the documentation if required.*
3. *That should the road closure application referred to in item 1 of this recommendation be successful, Council, 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:*
 - a) *Proceed to dispose of the subject land.*
 - b) *Grant delegation to the General Manager to:*
 - i) *Appoint a suitable agent to dispose of the subject land by public auction.*
 - ii) *Set an appropriate reserve price or negotiate a sale price if the property fails to sell at public auction.*
4. *That the sale proceeds be placed in Council's "Road Projects Reserve" in accordance with its "Allocation of Funds Obtained from the Sale of Council Real Property Policy GOV – PL 915" for expenditure on Council's road network in the Collaroy area.*
5. *That the proposed road closure area referred to in item 1 of this recommendation incorporate an appropriate restrictive covenant in respect of escarpment development.*

Following this resolution, Council applied to the NSW Department of Primary Industries - Crown Lands Division (Crown Lands) for the road closure and undertook the statutory notification of the proposal on its behalf in accordance with the Roads Act 1993. Council also undertook stakeholder consultation with adjoining land owners and services authorities to resolve any objections and confirm the proposed new location for the relocation of the existing overhead power and telephone services affecting the subject land.

Proposed Sale of Land

The formal road closure of the subject land was approved and formally gazetted by Crown Lands on 19 August 2011 and Council has received the Certificate of Title for the land. A plan of the lot is included in this report as Attachment B. The land includes a Right of Way in favour of No. 5 and Ausgrid over the existing driveway and turning area. The lot also includes a restrictive covenant to restrict development over the area of escarpment and within the minimum safety requirements from the existing overhead power lines on the southern side of the lot within the road reserve buffer between the subject land and No. 3.

Council is now in a position to relocate the neighbour's overhead power and telephone services affecting the subject land and proceed to sell the land. These costs are covered in existing budgets.

The land is zoned "R2 Low Density Residential" under the Warringah LEP 2011. Therefore, the land is suitable for the development of a single residential dwelling.

Council has obtained independent valuation advice for the subject land.

The report therefore recommends that the previous resolution of 25th July 2006 be confirmed and Council proceed to sell the subject land by public auction.

In accordance with Section 43 of the Roads Act 1993, the subject land is Operational Land and the net sale proceeds are required to be expended on either acquiring land for public roads or for carrying out work on public roads.

Possible Alternative Future Uses for the Subject Land

This matter was due to be considered at the Council meeting on 26 June 2012, however, the report was withdrawn following a request by a concerned resident for Council to investigate alternative future uses for this land.

Prior to reporting this matter to Council, staff considered if this parcel is suitable for either public open space or providing pedestrian access to the lower part of Collaroy Street.

Council's Parks, Reserves & Foreshores Group (PRF) has confirmed that the land has limited potential for use as public open space as it is not easily accessible as a park, primarily due to the existing driveway to number 5 Edgecliffe Boulevard which crosses the front of the land.

Alternative areas of open space are in close proximity (100-200m) which provide similar or better opportunities for passive use as public open space.

Council's Roads Traffic & Waste Group (RTW) has confirmed pedestrian access between Collaroy Plateau and Collaroy is already available nearby via Alexander Street, with a pathway between Alexander and Collaroy Street. Therefore, provision of a pedestrian link in this location would either be unnecessary or a very low priority.

There is sufficient road reserve remaining on the southern side of the subject land to allow for the construction of a public pathway/stairs in future if required.

Consequently, Council's PRF and RTW Groups have no objections to the sale of the land.

Additionally, Council's Natural Environment Unit (NEU) has considered environmental issues regarding this land. NEU has confirmed the land is not covered by the Collaroy Escarpment Reserves Plan of Management. NEU considers this land to be of low conservation priority and having limited value as habitat or wildlife corridor. Therefore, it considers the sale of this land and likely development will not have a significant biodiversity impact.

CONSULTATION

Consultation with the relevant Council Departments has been undertaken with comments noted and contained within the report.

Public consultation was undertaken as part of the road stopping procedures and all concerns addressed that were raised as part of this process.

TIMING

The procedure to sell the property will be commenced once confirmation that the sale of the property has been confirmed by the adoption of the recommendation contained within this report.

POLICY IMPACT

Nil

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.

The relocation of services will be met through existing budgets.



8.0 ENVIRONMENT DIVISION REPORTS

ITEM 8.1	NOTES FROM NARRABEEN LAGOON FLOODPLAIN RISK MANAGEMENT WORKING GROUP HELD 2 AUGUST 2012
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/333546
ATTACHMENTS	1 Notes - Narrabeen Lagoon Floodplain Risk Management Working Group

EXECUTIVE SUMMARY

PURPOSE

To report the notes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) Meeting held on 2 August 2012.

SUMMARY

The Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) is a forum which brings together the expertise and diverse community knowledge needed to address floodplain risk management matters relating to Narrabeen Lagoon and its catchment, including an important role in the preparation of the Narrabeen Lagoon Flood Study, which is currently underway.

The following matters were discussed at the meeting:

- Progress update by consultant on the Narrabeen Lagoon Flood Study
- A report by Foster, Gordon and Lawson on the 1974 storms and their incorporation into the current flood study
- The Northern Beaches Flood Warning and Information Network
- Next meeting

FINANCIAL IMPACT

Nil

POLICY IMPACT

The Working Group fulfils the functions of a Floodplain Risk Management Committee as specified in Appendix D of the NSW Floodplain Development Manual (2005).

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That the Notes of the Narrabeen Lagoon Floodplain Risk Management Working Group Meeting held at Warringah Council on 2 August 2012 be noted.

REPORT

BACKGROUND

The Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) is a forum which brings together the expertise and diverse community knowledge needed to address floodplain risk management matters relating to Narrabeen Lagoon and its catchment. It plays an important role in the preparation of the Narrabeen Lagoon Flood Study which is currently underway.

The NLFRMWG is jointly managed by Warringah and Pittwater Councils. Membership comprises representatives from the elected Councils of Warringah and Pittwater, local community, State Government and Council Officers. Warringah Council has carriage of the administration and chairing of the Group for the year 2012.

This report provides the Notes of the NLFRMWG meeting held on 2 August 2012 chaired by then Cr Dr Conny Harris. A summary of the key issues discussed during this meeting is provided below, and the Notes are provided as Attachment 1.

KEY ISSUES AT MEETING OF 2 AUGUST 2012

- Narrabeen Lagoon Flood Study

A verbal update on the progress of the flood study was given by Darren Lyons from BMT WBM, the consultants engaged to complete the flood study. He advised that the study had now moved onto Stage 4 – Climate Change Analysis. This stage looks at the potential implications of climate change on flooding in Narrabeen Lagoon, the principal factors investigated are sea level rise and increases in rainfall intensity.

Completion of Stage 4 will progress the study to 80% complete, with Stage 5 comprising the compilation of previous stages into a draft report due in October 2012.

- Report by Foster, Gordon and Lawson on 1974 storms

Cr James tabled a report by Foster, Gordon and Lawson on the coastal storms of 1974 and asked for confirmation that it was considered in the Narrabeen Lagoon Flood Study currently being completed by BMT WBM. Darren Lyons assured Cr James that this report was considered both in the current study and the previous Narrabeen Lagoon Flood Study completed in 1990.

- Northern Beaches Flood Warning and Information Network

Pittwater Council advised the Working Group that Manly, Warringah and Pittwater Councils with financial and technical assistance from the OEH had awarded a 5 year contract to Manly Hydraulics Laboratory (MHL) for the Northern Beaches Flood Warning and Information Network program. The project will see the number of rainfall, flow and water level gauges on the Northern Beaches increased to aid in flash flood warning, and be the basis for a long term record of data.

Pittwater Council advised that currently rainfall data is uploaded to the internet within 3 hours of occurring. The new website will be updated with “real-time” data every 15 minutes to the project webpage and therefore allow the identification of areas likely to experience flooding.

- Next Meeting

The then Chair – Cr Dr Harris thanked everyone for their participation and noted that, due to the Council elections, expressions of interest would need to be advertised for community members.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The Working Group fulfils the functions of a Floodplain Risk Management Committee as specified in Appendix D of the NSW Floodplain Development Manual (2005).



Notes

Narrabeen Lagoon Floodplain Risk Management Working Group

Held in the Guringai Room, Warringah Council, Civic Centre,
725 Pittwater Road, Dee Why on

2 August 2012

Meeting commenced at 5:10 pm



Narrabeen Lagoon Floodplain Risk Management Working Group							
Established:	17 January 2011						
Function:	An advisory body to Warringah and Pittwater Councils in the development, implementation and review of the Narrabeen Lagoon Flood Study, Floodplain Risk Management Study and Floodplain Risk Management Plan.						
Administration:	This Working Group is administered jointly between Pittwater Council and Warringah Council on the basis of a 12 month cycle.						
Composition / Membership as at establishment:	<p>Voting:</p> <ul style="list-style-type: none"> • Pittwater Council – Mayor (or delegate) • Two (2) Pittwater Councillors • Warringah Council – Mayor (or delegate) • Two (2) Warringah Councillors • Four (4) Citizen Members: <ul style="list-style-type: none"> – Two (2) Pittwater residents – Two (2) Warringah residents <p>Non Voting:</p> <ul style="list-style-type: none"> • State Government Representatives including: <ul style="list-style-type: none"> – Department of Environment, Climate Change and Water – Department of Planning – Industry and Investment NSW (including Fisheries) – Land & Property Management Authority – NSW National Parks & Wildlife Service – Sydney Maritime – State Emergency Service – Sydney Academy of Sport & Recreation – Sydney Metropolitan Catchment Management Authority – Sydney Water Corporation • Stakeholder Representatives including: <ul style="list-style-type: none"> – Environmental groups – Local industry representatives – Flood affected residents – Recreational groups <ul style="list-style-type: none"> • Director, Urban and Environmental Assets (Pittwater) – Mr Chris Hunt • Deputy General Manager Community & Environmental Services (Warringah) – Mr Malcolm Ryan 						
Quorum:	Four (4) members of the Working Group including at least one (1) Councillor from Pittwater and one (1) Councillor from Warringah Council are present, two (2) Citizen and/or Stakeholder representatives (including at least one (1) citizen member from each Warringah and Pittwater LGA).						
Reporting Procedures:	Minutes reported to Council for consideration.						
Responsible Business Unit:	Natural Environment						
Meetings	Meetings are held as required – quarterly at 5:00pm on Thursday evenings.						
Council Members Appointed:	<table> <tr> <td>Cr Rose (Pittwater)</td><td>Cr Harris (Warringah)</td></tr> <tr> <td>Cr James (Pittwater)</td><td>Cr Ray (Warringah)</td></tr> <tr> <td>Cr Townsend (Pittwater)</td><td>Cr Falinski (Warringah)</td></tr> </table>	Cr Rose (Pittwater)	Cr Harris (Warringah)	Cr James (Pittwater)	Cr Ray (Warringah)	Cr Townsend (Pittwater)	Cr Falinski (Warringah)
Cr Rose (Pittwater)	Cr Harris (Warringah)						
Cr James (Pittwater)	Cr Ray (Warringah)						
Cr Townsend (Pittwater)	Cr Falinski (Warringah)						

Narrabeen Lagoon Floodplain Risk Management Working Group

Members of the Working Group*¹ namely

Warringah Council Members

Cr Dr Conny Harris (Chairperson)
Cr Michelle Ray
Cr Jason Falinski

Citizen Representatives

Mr David Loomes (Warringah)
Mr Spiro Daher (Pittwater)

State Government Representatives

NSW Office of Environment and Heritage (OEH)
NSW Department of Planning & Infrastructure
NSW National Parks & Wildlife Service
NSW Department of Primary Industries (Fisheries)
NSW Department of Primary Industries (Catchments and Lands)
Sydney Water
Sydney Academy of Sport and Recreation
Sydney Metropolitan Catchment Management Authority
NSW Roads and Maritime Services
State Emergency Service Sydney Northern Region

And the following Council Advisors

Deputy General Manager Environment (Warringah)
Director Urban and Environmental Assets (Pittwater)

are requested to be in attendance.

Copies to:

Mayor Warringah Council – Cr Michael Regan
Group Manager Natural Environment (Warringah Council) – Mr Todd Dickinson
Environmental Strategy Manager (Warringah Council) – Mr Adrian Turnbull
Floodplain Management Officer (Warringah Council) – Mr Duncan Howley
Floodplain Management Officer (Warringah Council) – Ms Valerie Tulk
Manager – Catchment Management & Climate Change (Pittwater Council) – Ms Jennifer Pang
Principal Officer – Floodplain Management (Pittwater Council) – Ms Debbi Millener

All other Councillors are free to attend as Observers and are invited to do so and to engage in discussion, but not in voting in any matter before the Working Group.

¹ The name "Narrabeen Lagoon Floodplain Risk Management Working Group" was adopted by Pittwater council on 2 August 2010. The name "Narrabeen Lagoon Floodplain Risk Management Community Working Group" was adopted by Warringah Council on 24 August 2010. As a result, the term "community Working Group" is interchanged with "working group" for Warringah Council's administrative purposes.

Attendance:

Warringah Council Members

Cr Dr Conny Harris (Chairperson)
Cr Michelle Ray (from 5:31 during Item 4.2)

Pittwater Council Members

Cr David James
Cr Jacqui Townsend

Citizen Representatives & Stakeholder Representatives

Mr Phillip Oswald (Pittwater)
Mr Spiro Daher (Pittwater)

State Government Representatives

Mr Greg Davis (Office of Environment and Heritage)

And the following Council Advisors

Mr Todd Dickinson (Warringah)
Mr Adrian Turnbull (Warringah)
Mr Duncan Howley (Warringah)
Ms Debbi Millener (Pittwater)
Ms Denise Regan (Warringah – Minute taker)

In attendance

Mr Darren Lyons – Consultant – BMT WBM
Mr Josh Eggleton – Consultant – BMT WBM

The Chair advised there was not a quorum for the meeting as a Warringah Citizen Representative and/or Stakeholder representative was not present and under the Terms of Reference two (2) Citizen and/or Stakeholder representatives (including at least one (1) citizen member from each Warringah and Pittwater LGA were required to form a Quorum. Therefore, the meeting information cannot be minuted, rather it will be received and noted.

Narrabeen Lagoon Floodplain Risk Management Working Group

1.0 APOLOGIES

- Mr Norm Nikolich - Sydney Water
- Mr Marcel Green - NSW Department of Primary Industries (Fisheries)
- Mrs Joy Gough - Narrabeen Lakes Sailing Club
- Mr Tony Pinelli - State Emergency Service - Sydney Northern Region
- Mr David Loomes - Warringah Council Citizen Representative
- Mr Paul Hackney - Warringah Council Citizen Representative

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Nil

3.0 CONFIRMATION OF MINUTES

That the Minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group Meeting held on 7 June 2012 be confirmed as a true and accurate record of that meeting.

Notes from the Working Group

That the information be noted.

4.0 WORKING GROUP BUSINESS

4.1 Narrabeen Lagoon Flood Study

Submitted by Warringah Council

Proceedings in brief:

A verbal update was given by Darren Lyons from BMT WBM. The Working Group was reminded that he had presented the Draft Interim Report Stage 3 of the Narrabeen Lagoon Flood Study and he could confirm that they had now moved to Stage 4 - Climate Change Analysis of the Study. He advised they were looking at the potential implications of climate change on Narrabeen Lagoon, with the two principal factors to cause flooding being potential sea level rise and an increase in rainfall intensity. There are resultant parameters which need to be modelled as a result of the climate change scenarios, these are; higher initial ocean water elevation, higher sand berm elevation and an increase in lagoon initial water level.

Mr Lyons advised that a meeting had been held with staff from both Councils this week with good outcomes. Completion of Stage 4 will see 80% of the study completed with Stage 5 summarising the findings. The complete draft report is due in October 2012.

Notes from the Working Group

That the information be noted.



Narrabeen Lagoon Floodplain Risk Management Working Group**4.2 Narrabeen Lagoon Flood Study 1990***Submitted by Cr David James***Proceedings in brief:**

Cr James asked the Chair to invite BMT WBM representatives to stay for this item and they agreed to do so.

Cr James tabled the report by Foster, Gordon and Lawson on the Sydney storms in May and June 1974 and asked for confirmation that this important piece of information was part of the current flood study. Mr Lyons confirmed that it had not only been considered as part of this flood study but the earlier one as well. He assured Cr James that the current model for the 1% ocean event matches very closely the 1974 event level.

Mr Lyons referred to the Flood Risk Management Guide: incorporating Sea Level Risk Benchmarks in Flood Risk Assessments (NSW Government Department of Environment, Climate Change and Water, August 2010) which incorporates sea level rise benchmarks in flood risk assessments.

There was discussion about the link between the entrance condition and potential flooding of Narrabeen Lagoon.

Notes from the Working Group

That the information be noted.

Following this item Mr Lyons and Mr Eggleton left the meeting.

4.3 Northern Beaches Flood Warning and Information Network*Submitted by Pittwater Council***Proceedings in brief:**

Ms Millener from Pittwater Council advised that Pittwater Council on behalf of Warringah and Manly Councils and the Office of Environment & Heritage (OEH) had awarded a 5 year contract to Manly Hydraulics Laboratory (MHL) for the provision of the Northern Beaches Flood Warning and Information Network program. The project will see the current 7 rainfall and 8 water level gauges upgraded to include 20 rainfall, 14 water level and 5 flow gauges on the Northern Beaches. Ms Millener advised that more gauges would be located in the west of the LGA's to capture rainfall events early.

The Working Group were shown the new website and Ms Millener advised that currently rainfall data is uploaded to the internet within 3 hours – the new website will be updated with “real-time” data i.e. every 15 minutes to all Councils and the public to view actual weather and therefore identify areas likely to experience flooding.

See <http://new.mhl.nsw.gov.au> to review website.

Notes from the Working Group

That the information be noted.



Narrabeen Lagoon Floodplain Risk Management Working Group

5.0 GENERAL BUSINESS

Nil

6.0 NEXT MEETING

The Chair thanked everyone for their participation in this very effective forum and requested that the next meeting be scheduled for Thursday 6 December 2012 at 5pm.

As this was the last meeting before the Council elections on 8 September it was noted that expressions of interest would need to be advertised for community members.

Cr James reiterated that this Working Group had a very important function and should continue.

Cr Dr Harris raised the matter of the next Floodplain Management Conference and requested that the Working Group be notified of the details. Ms Millener advised that the next Conference was being held in May next year in Tweed Heads. Information for this conference can be found on www.floodplainconference.com

There being no further business the meeting concluded at 5.51pm.



ITEM 8.2	SYDNEY COASTAL COUNCILS GROUP - MINUTES
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/330601
ATTACHMENTS	1 Minutes of Sydney Coastal Councils Group - 16 June 2012

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Ordinary Meeting of the Sydney Coastal Councils Group held 16 June 2012.

SUMMARY

An Ordinary Meeting of the Sydney Coastal Councils Group (SCCG) was held on 16 June 2012 at the City of Sydney Council. Cr Kirsch represented Warringah Council at the meeting. Todd Dickinson (Group Manager Natural Environment) and Daylan Cameron (Senior Environment Officer – Natural Hazards) also attended the meeting.

Matters discussed relevant to Warringah Council included the following:

- Marine and Foreshore Biodiversity awareness and appreciation strategy
- Presentation by The Hon. Robyn Parker MP – NSW Minister for the Environment
- Reforms to coastal management in NSW
- SCCG Forum: "Boundaries And Barriers: Managing The Intertidal Zone"

The next meeting of the SCCG will be held as follows:

- Saturday 8 December 2012 at the City of Sydney Council (AGM)

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Sydney Coastal Councils Group meeting held 16 June 2012, and the resolutions be noted.

REPORT

BACKGROUND

The Sydney Coastal Councils Group (SCCG) meetings are held quarterly and minutes are available through the Councillor portal. During the term of the last Council, Warringah Council delegates on the SCCG included Cr Harris and Cr Kirsch. Further information on the SCCG and its activities is available at www.sydneycoastalcouncils.com.au

DISCUSSION

An Ordinary Meeting of the Sydney Coastal Councils Group (SCCG) was held on 16 June 2012 at the City of Sydney Council. Cr Kirsch represented Warringah Council at the meeting. Todd Dickinson (Group Manager Natural Environment) and Daylan Cameron (Senior Environment Officer – Natural Hazards) also attended the meeting.

Matters discussed relevant to Warringah Council included the following:

Marine and Foreshore Biodiversity Committee

The first meeting of the SCCG Marine and Foreshore Biodiversity Committee occurred on 6 June 2012. Mr Phil Colman reported the outcomes of the meeting and noted that the group had considered a broad range of issues including:

- The Coastal Ambassadors Program in which Pittwater Council has secured financial support to take the model outreach program with Surf Life Savers across the State.
- The Establishment of “Friends of Cabbage Tree Bay”.
- The commissioning of a gap analysis on marine biodiversity in the foreshore zone.
- Various potential partnership activities with NSW Fisheries.

The Goal of the ‘SCCG Marine and Foreshore Biodiversity Committee’ is to increase scientific knowledge of foreshore biodiversity to support and inform Member Councils in the sustainable management of intertidal areas.

Summary of possible future activities include:

- Collation of information (possibly through a consultancy) from Member Councils, SCCG and relevant scientific literature to provide a gap analysis.
- Identification of opportunities to address relevant issues through education and awareness raising, waste and cleansing, NRM, climate change and compliance in Councils, Fishcare Officers, Coastcare Groups and work with the “Coastal Ambassadors” program.

The SCCG resolved that the Committee prepare a report for the December 2012 meeting to include a draft activity framework and definition of key tasks, including a proposed work program.

Presentation by The Hon. Robyn Parker MP – NSW Minister for the Environment

The Minister provided delegates with a presentation including:

- The establishment and make-up of the Coastal Ministerial Taskforce
- The make-up of the supporting Expert Panel to include: Prof Bruce Thom, Assoc. Prof Ron Cox, Darrel O’Toole, Cr Kevin Schreiber (Sutherland Council) and Christina Subbon (PWC)

The Taskforce is addressing issues including:

- Coastal Zone Management Plans
- Coastal Hazard Studies
- Current and future coastal hazards
- Mapping issues
- How to deal with cross Local Government boundary issues
- Roles of government agencies and councils
- Working with the insurance industry
- Engaging with Councils and communities on ways forward

The Minister invited questions which included the following:

Q: Coastal Ministerial Taskforce consideration of the NSW Sea Level Rise benchmarks?

A: NSW Chief Scientist reporting to taskforce.

Q: Scientific rigor about shooting in National Parks

A: Government is looking at the Victorian example, making sure best practice is developed, no dogs allowed and will be regulated with ranger involvement.

Q: Significant concerns about sell off of Cronulla Fisheries Research Centre and will the Minister guarantee public access to the whole site?

A: This issue is under Minister Hodgkinson's portfolio.

Q: What is the Local Government consultation process for the Coastal Reforms?

A: The Taskforce and OEH will work with the LGSA and all other interested groups. SCCG clearly identified as a group of interest.

Q: Will the Government consider banning single use plastic bags?

A: The Government supports a national approach and a national review paper is expected shortly.

Q: Concerns expressed of any water down of Sea Level Rise benchmarks and that councils need certainty and these to be in "black and white" to avoid contest and legal challenge with well heeled coastal developers.

A: As the Taskforce is made up of 5 ministers it allows for considerations across portfolios and consideration of other related reviews underway – such as the planning review.

Q: Will the Government provide further support to high tide photographic events which result in strong community participation and engagement?

A: The Government will consider supporting future events of this type.

Q: Any changes to pollution licences and regulation?

A: The Group should invite Barry Buffier (new Chairman of the NSW EPA) to address a future SCCG meeting on reviews of the licensing framework.

Q: Significant concerns about the loss of technical expertise within State Government regarding coastal management and the need for Councils to request / compete for additional funds from State Government to commission consultants.

A: The Minister acknowledged this serious issue and this is also being considered by the Ministerial Task Force.

Reforms to Coastal Management in NSW

Delegates resolved to write to the Minister:

- Thanking her for attendance and generous time answering questions of delegates;
- Supporting multi council cross-boundary assessments of coastal hazards;
- Highlighting the cost shifting outcomes of the coastal reforms in terms of consultant engagements and increased focus on councils and private property owners doing assessments, and solely paying for potential mitigation solutions;
- Addressing the need to reintroduce the 7F coastal zoning provisions or something similar and better linking the coastal management planning process with the NSW strategic land use planning processes;
- Seeking information in terms of who will be the suitably qualified and accredited replacement for the Hon. Bob Debus as Chair of the NSW Coastal Panel.

SCCG Forum: "Boundaries and Barriers: Managing the Intertidal Zone"

Information was provided to Delegates on the SCCG Forum titled '*Boundaries and Barriers: Managing the Intertidal Zone*'. The aim of the Forum was to provide clarification of the roles and responsibilities of Local Government and the legislation that applies to Crown Land, the challenges present in roles of enforcement, strategies in improving Council relationships with communities and user groups, and expectations of Council under fisheries legislation. The forum covered a broad range of issues with presentations from leading experts and practitioners in the field.

Presentations included:

- Clarifying roles and responsibilities of Local Government in foreshore management
- Crown lands management
- Role of enforcement – challenges and opportunities
- Fisheries Legislation
- Working with community groups
- Spear fishing management
- Dog management (provided by Liz Romer of Warringah Council)
- Foreshore boat storage

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

SYDNEY COASTAL COUNCILS GROUP Inc.
MEMORANDUM

MEMO TO:	Councillor Brian Troy Ms Cathy McMahon Councillor Wendy McMurdo Councillor Michael Hutchence Dr Ross McPherson Councillor Rochelle Porteous Councillor Michele McKenzie Mr Ryann Medei Councillor Barbara Aird Councillor Cathy Griffin Mr Stephen Clements Councillor Denise Wilton Councillor Warren Yates Ms Belinda Atkins Councillor Veronique Marchandau Councillor Andrew Robjohns Mr Peter Massey Councillor Jacqueline Townsend Councillor Bob Grace Mr Paul Hardie Councillor Margaret Woodsmith Councillor Geoff Stevenson Ms Bronwyn Englaro Councillor Lesa de Leau Cllr Shane O'Brian / Cllr Joe Awada) Ms Alexandria Vandine / Ms Madeline Hourihan Councillor Peter Towell Mr Ian Drinnan / Dr Guy Amos Councillor Di Tornai Mr Chris Derksema Councillor Dr Christina Kirsch Councillor Dr Conny Harris Mr Denise Regan Councillor John Wakefield Councillor Prue Cancian Ms Emily Scott / Mr Corey Fox Councillor Wendy Norton Councillor Lynne Saville Ms. Nicola Faith Councillor Nicola Grieve Councillor Susan Jarnason Mr Chris Munro / Mr Sam Badalati Emeritus Prof. Bruce Thom AM Mr Phil Colman Mr George Cotis Ms Shirley Colless Mr George Copeland Dr Judy Lambert AM c.c. Cr. Keith Rhoades AFSM	Botany Bay Council Botany Bay Council Hornsby Council Hornsby Council Hornsby Council Leichhardt Council Leichhardt Council Leichhardt Council Manly Council Manly Council Manly Council Mosman Council Mosman Council Mosman Council North Sydney Council North Sydney Council North Sydney Council Pittwater Council Pittwater Council Pittwater Council Randwick Council Randwick Council Randwick Council Rockdale Council Rockdale Council Rockdale Council Sutherland Council Sutherland Council City of Sydney Council City of Sydney Council Warringah Council Warringah Council Warringah Council Waverley Council Waverley Council Waverley Council Willoughby Council Willoughby Council Willoughby Council Woollahra Council Woollahra Council Woollahra Council Honorary Member Honorary Member Honorary Member Honorary Member Honorary Member NSW LGSA
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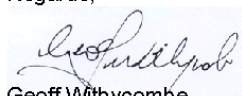
SUBJECT: Please find attached the Minutes and Actions from the Sydney Coastal Councils Group Inc. Ordinary Meeting hosted by the City of Sydney on Saturday 16 June.

DATE OF MEMO: 25 June 2012 Memom2-12

Please find attached the Minutes and Actions from the Sydney Coastal Councils Group Inc. Ordinary Meeting hosted by the City of Sydney Council on Saturday 16 June.

Delegates resolved that due to the Local Government Elections (8 September) the SCCG would have only 3 meetings in 2012 with the AGM meeting to be moved to the December meeting. The next SCCG meeting will be held on 8 December 2012.

Regards,



Geoff Withycombe
 Regional Coastal Environment Officer / Executive Officer

LIST OF ACTIONS FROM THE ORDINARY MEETING 16 JUNE 2012

The table below is intended to provide delegates with a summary of the meeting. Actions for delegates to complete prior to the next meeting have been highlighted in bold

Item	Action	By whom	Due By
5.0	Business Arising <ul style="list-style-type: none"> Sydney Harbour Councils The SCCG EO report back to the SCCG on outcomes of the Sydney Harbour Council meeting once it is held. SCCG – City of Sydney Hosting Contract The EO continue to chase a meeting with the City of Sydney, Executive Officer, with the aim of reviewing and renewing the existing hosting contract. Governance of Sydney Waterways The EO and Prof Thom to report back at next meeting on outcomes of meeting with Roads and Maritime Services, Dept. of Planning and Crown Lands Marine and Foreshore Biodiversity awareness and appreciation strategy. (Mr. Phil Colman) The Committee prepare a report for the next meeting to include a draft activity framework and definition of key tasks and including proposed work program(s). 	EO EO / Chair EO / Prof Thom Phil Colman / CPO	8 December ASAP 8 December 8 December
6.2	Correspondence from the last meeting <ul style="list-style-type: none"> NSW Coastal reforms SCCG await response from the Minister for Planning regarding the referral issues of seawalls and dwellings and seek that these issues again be revisited as part of the NSW Planning system reforms for consider as 'integrated development' status. SCCG Mapping and Responding to Coastal Inundation The internal Launch forum be held as soon as possible. 	SCPO / Chair EO	ASAP ASAP
7	Presentation – The Hon. Robyn Parker MP The Hon. Robyn Parker MP be thanked for her attendance and presentation.	ALL	16 June
8.1	Renewal of the SCCG City of Sydney Hosting Contract <ol style="list-style-type: none"> The Chair and the EO continue to seek a meeting with the City's Executive Office with a view of obtaining some certainty on the current hosting arrangements. 	Chair / EO	ASAP
8.2	Staff Performance reviews and Employment Contracts <ol style="list-style-type: none"> Staff be thanked and congratulated on securing their employment contracts. 	Stephen Rachael Ian	16 June
9.1	NSW Reforms to Coastal Management in NSW <ol style="list-style-type: none"> The SCCG write to the Minister as outlined above: (ie) <ul style="list-style-type: none"> <i>Thanking her for attendance and generous time answering questions of delegates,</i> <i>Support the ideas for cross council boundary assessments of coastal hazards,</i> <i>Address the cost shifting outcomes of the coastal reforms in terms of consultant engagements and increased focus on councils and private property owners doing assessments, and solely paying for potential mitigation solutions,</i> 	EO / Chair	ASAP

Item	Action	By whom	Due By
	<ul style="list-style-type: none"> Addressing the need to reintroduce the 7F coastal zoning provisions or something similar and more generally better linking the coastal management planning process with the NSW Strategic and landuse planning processes. Seeking information in terms of who will be the suitably qualified and accredited replacement for the Hon. Bob Debus as Chair of the NSW Coastal Panel. Addressing potential concerns regarding the increased commercialisation of National Parks and the concerns about potential user conflicts with shooting, with delegates seeking assurances from the Minister that any type of feral animal control will be undertaken humanly, 		
9.2	SCCG Capacity Building Program and Engagements Report		
	1) Delegates to make recommendations on any additional capacity building activities / forum topics for 2012 - 2013.	ALL	Ongoing
	2) The Secretariat define and promote dates of all SCG events via their web site and internal intranet.	CPO	ASAP
	3) workshop outcomes be considered by the Secretariat in consultation with the Executive for action prior to the election.		
	4) A letter of thanks be sent to all SCCG delegates for their contributions over the last election period.		
	Delegates workshop – “Reflections of 4 years on the SCCG”	EO / Executive	July / August
	1) workshop outcomes be considered by the Secretariat in consultation with the Executive for action prior to the election.	EO / Chair	July
	2) A letter of thanks be sent to all SCCG delegates for their contributions over the last election period.		
9.4	“Becoming Social” (new social media project		
	1) Representatives consider nominations for membership of the project Steering Committee.	ALL	< 3 July
	2) The SCPO report back to the next meeting on project progress.	SCPO	8 December
9.5	Plastics in the Marine Environment / Plastic Parking and Infringement Tickets		
	1) The draft Good Practice Guidelines be distributed to Member Councils for their utility.	SCPO	June
9.6	SCCG Technical Committee Report		
	1) Delegates support the recommendations of the Technical Committee made 19 April 2012 (confirmed by poll) that:	TC	2013
	I. the Technical Committee meet for one day four times per year (instead of 6 times/year);		
	II. two Technical Committee meetings be held at a central location and two meetings be held at a different Member Council location and combined with a field trip.	TC	2013
10	Submission - Independent Scientific Audit of Marine Parks in NSW		
	1) the SCCG draft submission on the Review of the Independent Scientific Audit of Marine Parks in NSW be considered	ALL	16 June
	2) Delegates provide any additional comment to finalise the submission by 28 June	ALL	28 June
	3) The CPO consider delegates' feedback and finalise the submission for delivery to the Scientific panel by 30 June, 2012.	CPO	30 June
11.2	SCCG Operational Budget Estimates 2012 – 2013		
	1) the SCCG Executive Committee be charged with finalizing the SCCG Operating budget.	EO / Executive	ASAP
12	General Business		
	1) SCCG sign the CRC for Low Carbon Living Participant's Agreement.	Chairperson	16 June
12.4	Next Meeting		
	1) The next meeting be held at City of Sydney Council (pending confirmation) on 8 December (12 noon).	ALL	8 December

Minutes2-12

SYDNEY COASTAL COUNCILS GROUP Inc.
MINUTES OF THE ORDINARY MEETING
HELD ON SATURDAY 16 JUNE, 2012
AT CITY OF SYDNEY COUNCIL CHAMBERS

IN ATTENDANCE

Cr. Brian Troy	Botany Bay Council
Cr. Wendy McMurdo	Hornsby Council
Cr. Cathy Griffin	Manly Council
Cr. Warren Yates	Mosman Council
Cr. Veronique Marchandean	North Sydney Council
Mr. Paul Hardie	Pittwater Council
Cr. Geoff Stevenson	Randwick Council
Cr. Peter Towell	Sutherland Council
Cr. Dr. Christina Kirsch	Warringah Council
Mr. Todd Dickinson	Warringah Council
Mr. Daylon Cameron	Warringah Council
Cr. Prue Cancian	Waverley Council
Cr. Wendy Norton	Willoughby Council
Cr. Lynne Saville	Willoughby Council
Cr. Nicola Grieve	Woollahra Council
Cr. Susan Jarnason	Woollahra Council
Mr. Geoff Withycombe	SCCG
Mr. Stephen Summerhayes	SCCG
Ms. Rachael Buzio	SCCG
Dr. Ian Armstrong	SCCG
Prof. Bruce Thom AM	Honorary Member
Mr. Phil Colman	Honorary Member
Mr. George Cotis	Honorary Member
Hon. Robyn Parker MP	Minister for the Environment (for presentation)
Ms. Melinda Murray	Office Environment & Heritage (for presentation)

1. OPENING

The meeting opened at 12.40pm. Cr. McMurdo (Chairperson) welcomed delegates and the Minister for the Environment, the Hon. Robyn Parker MP to the meeting.

2. APOLOGIES

Cr. Jacqueline Townsend	Pittwater Council
Cr. Dr. Conny Harris	Warringah Council
Dr. Judy Lambert AM	Honorary Member
Mr. George Copland	Honorary Member

Resolved that the apologies be received and noted.

Councils not represented at the meeting
Leichhardt, Rockdale, and City of Sydney Councils.

3. DECLARATION OF PECUNIARY INTERESTS

Resolved that there was no declaration of pecuniary interests.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of the SCCG held on 17 March 2012 at Willoughby City Council.

Resolved that the Minutes of the Ordinary Meeting of the SCCG held on 17 March 2012 at Willoughby City Council be confirmed.

4.2 Minutes of the Technical Committee Meeting of the SCCG held on 8 March 2012 hosted by Leichhardt Council

Resolved that the Minutes of the Technical Committee Meeting of the SCCG held on 8 March 2012 at Leichhardt Council be received and noted.

4.3 Minutes of the Technical Committee Meeting of the SCCG held on 19 April 2012 hosted by Willoughby City Council

Resolved that the Minutes of the Technical Committee Meeting of the SCCG held on 19 April 2012 at Willoughby City Council be received and noted.

5. BUSINESS ARISING

Business arising from minutes other than those items listed below in Reports.

- **Sydney Harbour Councils**

The EO noted that the Sydney Harbour Councils has not meet and therefore discussion with this group on potential membership opportunities with the SCCG has not advanced.

- **Hosting Contract**

No news has been received from the City of Sydney.

- **Governance of Sydney Waterways**

The meeting between Roads and Maritime Services, Dept. of Planning and Crown Lands has not yet occurred. Prof Thom to work with the Secretariat to convene this meeting and report back to the next meeting.

- **Marine and Foreshore Biodiversity awareness and appreciation strategy. (Mr. Phil Colman)**

The first meeting of the Marine and Foreshore Biodiversity Committee occurred on 6 June. Mr Colman was asked to report back on outcomes.

Mr Colman noted that the group had considered a broad range of issues including:

- The Coastal Ambassadors Program in which Pittwater Council has secured financial support to take the model outreach program with Surf Life Savers across the State.
- The Establishment of "Friends of Cabbage Tree Bay".
- The commissioning of a gap analysis on marine biodiversity in the foreshore zone.
- Various potential partnership activities with NSW Fisheries.

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The Goal of the 'SCCG Marine and Foreshore Biodiversity Appreciation Committee' is to increase scientific knowledge of foreshore biodiversity to support and inform Member Councils in the sustainable management of intertidal areas.

Summary of possible activities:

- Information collation (possibly through a consultancy) from Member Councils, SCCG and relevant scientific literature to provide a gap analysis.
- Identify opportunities to address relevant issues through education and awareness raising, waste and cleansing, NRM, climate change and compliance in Councils, Fishcare Officers, Coastcare Groups and work with the "Coastal Ambassadors" program.

Resolved that the Committee prepare a report for the next meeting to include a draft activity framework and definition of key tasks and including proposed work program(s).

All other actions addressed and or covered in the Agenda.

6. CORRESPONDENCE

6.1 Sent and Received Correspondence

Resolved that the circulated "sent" and "received" correspondence be received and noted.

6.2 SCCG correspondence from the last meeting

a) NSW Coastal reforms

- *SCCG again write to the Minister for Planning regarding the referral issues of seawalls and dwellings seeking that these issues again be revisited as part of the NSW Planning system reforms to be considered as 'integrated development' status.* - The SCCG is awaiting a response.
- **Plastic Parking Tickets / 'Plastics in the Marine Environment'** - Addressed in item 9.5.

b) NSW Reforms to Coastal Management in NSW - see Item 9.1.

c) SCCG 'Mapping and Responding to Coastal Inundation' project - update report (not complete)

- *The SCCG formally write to General Members informing them of the project outcomes and providing them with their final inundation maps prepared by the CSIRO.*

The EO noted that this action has not been advanced as he is scoping the provision of legal advice to be incorporated with the maps. Also the fact that stage 3 has not been finalised by the CSIRO. This final project stage is to be provided to Councils with a resource kit to assist councils in planning communication for their communities about climate change impacts in relation to sea level rise. The kit brings together information from a variety of sources so councils can select information that suits their level of exposure to sea level rise as well as tools and processes of communicating with their specific community.

The SCCG is also still working with the CSIRO to facilitate an internal launch forum that will review all the three stages providing both technical and non technical information to attendees. At this time all materials will be provided formally to Member Councils for their utilisation.

Resolved that:

- 1) the SCCG correspondence from last meeting be received and considered.
- 2) The internal Launch forum be held as soon as possible.

7. PRESENTATION –

The Hon. Robyn Parker MP, NSW Minister for the Environment.

“New Government’s environmental directions and considerations for NSW coastal zone management”

(Presentation Slides Attached)

Proceedings in Brief

The Chairperson again welcomed and thanked the Minister for her attendance at the meeting. The Chair also welcomed Melinda Murray from the Office of Environment and Heritage.

The Minister provided delegates with a presentation including:

- The establishment and make-up of the Coastal Ministerial Taskforce
- The make-up of the supporting Expert Panel to include: Prof Bruce Thom, Assoc. Prof Ron Cox, Darrel OToole, Cr Kevin Schreiber (Sutherland Council) and Christina Subbon (PWC)
- The Taskforce is addressing issues including:
 - Coastal Management Plans
 - Coastal Hazard Plans
 - Current and future coastal hazards
 - Mapping issues
 - How to deal with cross Local Government boundary issues
 - Roles of government agencies and councils
 - Working with the insurance industry
 - Engaging with Councils and communities on ways forward
- Coastal National Parks – driving visitation to national parks and improve park visit experiences. There are 35 million park visits per year; very significant ecotourism with the Government looking to increase volunteer opportunities.
- Shooting in National Parks was clarified to include no shooting in metropolitan national parks nor in wilderness areas. The Government is currently talking to Victoria regarding their program and aims to allow controlled shooter access to assist with feral animal control. Park contractors removed 25,000 feral animals from park areas last year.
- A focus making advances to IT with a new departmental web site and launch of WilderQuest: <http://www.wilderquest.nsw.gov.au/> which has won app of the week and other environment education awards and the release of the Wild About Whales” App <http://www.wildaboutwhales.com.au/>
- The waste levy review is progressing.
- The Government is looking into options in regards to Container Deposit Legislation (CDL).

The Minister invited questions which included:

- Taskforce consideration of the NSW Sea Level Rise benchmarks - NSW Chief scientist reporting to taskforce.
- CDL – NSW government is currently considering all options and supports a national response
- Scientific rigor about shooting in National Parks – looking at the Victorian example, make sure best practice is developed, no dogs allowed and will be regulated with ranger involvement.

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- Significant concerns about sell off of Cronulla Fisheries Research Centre and will the Minister guarantee public access to the whole site – this issue is under Minister Hokinson's portfolio.
- Further commercialisation of national parks and their facilities. The Minister to get back to Woollahra Council on potential additional uses for Gap Park,
- What is the Local Government consultation process for the Coastal reforms. The Taskforce and OEH to work with the LGSA and all other interested Group. SCCG clearly identified as a group of interest.
- Banning single use plastic bags. The Government supports a national approach and a national review paper is expected shortly.
- Concerns expressed of any water down of Sea Level Rise benchmarks and that councils need certainty and these to be in "black and white" to avoid contest and legal challenge with well heeled coastal developers. As the Taskforce is made up of 5 ministers it allows for considerations across portfolios and into other related reviews underway – such as the planning review.
- The potential to further support the high tide photographic event which resulted in strong committee participation and engagement and that future events of this type should be further supported by the Government.
- Pollution licences and regulation – The Minister suggested the Group invite Barry Buffier new Chairman of the NSW EPA to address a future SCCG meeting on reviews of the licencing framework.
- Significant concerns about the loss of technical expertise within State Government regarding coastal management and the need for Councils to request / compete for additional funds from State government to give to consultancies. The Minister acknowledged this serious issue and this is also being considered by the Ministerial Task Force.

The SCCG Chair again thanked the Minister for her attendance and for staying so long to answer all the questions.

Resolved that:

- 1) the presentation be heard and considered at the meeting.
- 2) The Hon. Robyn Parker MP be thanked for her attendance and presentation.

8. ADMINISTRATIVE MATTERS**8.1 Renewal of the SCCG City of Sydney Hosting Contract**Proceedings in Brief

The EO noted that at the last meeting it was resolved that:

Resolved that the Chair and the EO seek a meeting with the City's Executive Office with a view of obtaining some certainty on the current hosting arrangements.

The EO has attempted to secure a meeting with the Executive Officer of the City of Sydney with no luck to date. This will be followed up again.

Resolved that:

- 1) The report be received and noted.
- 2) the Chair and the EO continue to seek a meeting with the City's Executive Office with a view of obtaining some certainty on the current hosting arrangements.

8.2 Staff Performance Reviews and Employment Contracts

Proceedings in Brief

The EO provided a brief update on staff performance reviews and employment contract provision.

It was noted that all staff have recently undergone performance assessments as per their offers of employment. The EO noted that all staff have done extremely well with positive outcomes. As a result of these assessments the staff have been offered their respective employment contracts. It was noted that Stephen and Rachael, have been provided with a 3 year contract with Dr Ian Armstrong remaining on a 12 month employment contract to implement the grant funded "Coastal Adaptation Pathways" program.

The EO and delegates thanked and congratulated the SCCG Staff.

Resolved that

- 1) the report be received and noted.
- 2) Staff be thanked and congratulated on securing their employment contracts.

9. REPORTS

9.1 NSW Reforms to Coastal Management in NSW

Proceedings in Brief

Delegates were referred to the correspondence to and from the Minister arising out of the last meeting.

The Group wrote to the Minister noting:

- Support of the review process and noting SCCG key issues of concern (from previous consultation and submissions)
- Seeking details of the Task Force Terms of Reference
- Seeking details of consultation processes with relevant stakeholders

The Minister's response attached to business papers was considered.

Delegates then discussed the Minister's presentation and various issues raised that they wished further addressed.

Initial discussion focused around plastics, CDL and shooting in national parks however after some discussion it was agreed to focus this initial response communication on a key area of focus for the SCCG being the coastal reform agenda.

Delegates resolved to write to the Minister:

- Thanking her for attendance and generous time answering questions of delegates,
- Support the ideas for cross council boundary assessments of coastal hazards,
- Address the cost shifting outcomes of the coastal reforms in terms of consultant engagements and increased focus on councils and private property owners doing assessments, and solely paying for potential mitigation solutions,
- Addressing the need to reintroduce the 7F coastal zoning provisions or something similar and more generally better linking the coastal management planning process with the NSW Strategic and landuse planning processes.
- Seeking information in terms of who will be the suitably qualified and accredited replacement for the Hon. Bob Debus as Chair of the NSW Coastal Panel.

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- Addressing potential concerns regarding the increased commercialisation of National Parks and the concerns about potential user conflicts with shooting, with delegates seeking assurances from the Minister that any type of feral animal control will be undertaken humanly,

Resolved that:

- 1) The report be received and noted.
- 2) The SCCG write to the Minister as outlined above.

9.2 SCCG Capacity Building Program and Engagements ReportProceedings in Brief

The SCCG CPO provided the meeting with a brief review of:

- Next SCCG Forum: "*BOUNDARIES AND BARRIERS: MANAGING THE INTERTIDAL ZONE*"
– 14 August – Customs House

The SCCG forum seeks to provide clarification of the roles and responsibilities of Local Government and the Legislation that applies to Crown Lands, the challenges present in roles of enforcement, strategies in improving Council relationships with communities and user groups, expectations of Council under fisheries legislation and more. This forum will cover a broad range of issues with presentations from leading experts and practitioners in the field.

Presentations planned include:

- Clarifying roles and responsibilities of Local Government in foreshore management
- Crown lands management
- Role of enforcement – challenges and opportunities
- Fisheries Legislation
- Working with community groups
- Spearfishing management
- Dog management
- Foreshore boat storage
- Workshops including:
 - "Challenges of enforcement"
 - "Education and outreach to user groups"
 - "Building better partnerships across agencies"

Invitations will be sent to the Member Councils and other relevant stakeholders next week.

- **SCCG Capacity Building Activities 2012 - 2013**

The CPO referred delegates to the report in the business papers. Additional forums planned for 2012 identified by the SCCG annual survey include: 'Marine Management', and 'Coastal Vegetation and Conservation'. Other forums to be run in 2102 include 'Valuing Sydney' Beaches' and 'Mapping and Responding to Coastal Inundation', as well as outcomes of the SCCG CAPs projects.

Resolved that:

- 1) The report be received and considered.
- 2) Delegates to make recommendations on any additional capacity building activities / forum topics for 2012 - 2013.
- 3) The Secretariat define and promote dates of all SCG events via their web site and internal intranet.

9.3 SCCG Coastal Adaptation Pathway Projects

(Presentation slides attached)

Proceedings in Brief

Dr Ian Armstrong (Project Officer, Climate Change Adaptation) referred delegates to the update report in the business papers. Ian presented details of the progress of the three CAP projects:

- 1) "Prioritising Coastal Adaptation and Development Options for Local Government";
- 2) "Demonstrating Climate Change Adaptation of Interconnected Water Infrastructure Project";
- 3) "Assessment and Decision frameworks for Existing Seawalls".

Final Interim Reports in relation to each project have been sent to DCCEE. Final Reports will be prepared and submitted in due course.

Two reports from the consultants relating to the multi-criteria analysis (MCA) project have been received and will be distributed to delegates and Councils shortly for comment.

In relation to the seawalls project, a number of reports are with technical reviewers for consideration and will also be distributed for input.

SCCG delegates were encouraged to assist engage and ensure participation of relevant council personnel as the projects finish up heading towards August. A schedule of end of project forum and events will be developed and forwarded to member Councils and specifically SCCG delegates.

Ian's presentation summed up some of the issues that are coming out of all the projects and some of the learnings that might help us move forward, including learning from others both in the past and from other disciplines.

Uncertainty is often identified as a key limiting factor for making decisions in climate change, but uncertainty has always been an issue and we have managed to develop a civilisation, sometimes turning uncertainty into opportunity. Given that part of the uncertainty now is that the underlying planetary processes are unknown or undefined "certainty" might mean a spurious sense of confidence (precision rather than accuracy). One of the early references identified the outcome of the planning process as moving towards "commitment" rather than certainty; the idea also that decisions need to be "robust" rather than certain.

Behind all this is the need to state clearly the assumptions our decisions are based on, the knowledge we used, and paths we have taken. Monitoring and evaluation then informs us about the process as well as the outcomes: "are we doing things right?" and "are we doing the right thing?" This provides the learning environment which informs about the triggers or thresholds we need to provide signals to adaptation, and about our own 'getting of wisdom' (or not?).

Resolved that the report be heard and considered.
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DELEGATE WORKSHOP - "REFLECTIONS OF 4 YEARS ON THE SCCG"

The NSW Local Government elections will occur on 8 September 2102 meaning this is last SCCG meeting in this current term. As a result there will be changes to the member Councils' delegates. The Secretariat facilitated a workshop seeking insight from delegates regarding:

- What they have enjoyed about being a delegate
- What they see have been the main advantages / challenges of SCCG representation
- How the SCCG could encourage direct participation of the next group of Councilors
- What sort of briefings and / or promotions the SCCG might think about to encourage active councilors to join the SCCG.

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Post-it note responses were filled out and collated. Outcomes to be considered by the Secretariat in consultation with the Executive prior to the election.

The Chair and EO thanked all delegates for their contributions to the SCCG over the last 4 years with delegates resolved to write to members thanking them for their contributions. A special thanks for long term executive members Clr Woodsmith (Randwick) and Clr Marchandau (North Sydney) will also be given.

Resolved that

- 1) workshop outcomes be considered by the Secretariat in consultation with the Executive for action prior to the election.
- 2) A letter of thanks be sent to all SCCG delegates for their contributions over the last election period.

9.4 "Becoming Social" – SCCG's new social media project

Proceedings in Brief

The SCPO informed delegates that the SCCG has recently secured a NSW Environmental Trust to complete the Becoming Social – social media project. This project develops upon the previous SCCG social media project "Coastal Connections"

http://www.sydneycostalcouncils.com.au/Project/Coastal_Connections.

The project aims to equip Local and State Government policy makers with the skills and knowledge to utilise social media as a relationship and policy development tool to engage, consult and educate coastal communities in relation to local and regional coastal environmental issues.

Nominations for Steering Committee membership were encouraged from representatives possessing skills, knowledge and/or experience in relation to any one or more of the areas listed in the expertise matrix provided.

Resolved that:

- 1) The SCPO's report be received and considered;
- 2) Representatives consider nominations for membership of the project Steering Committee.
- 3) The SCPO report back to the next meeting on project progress.

9.5 Plastics in the Marine Environment / Plastic Parking and Infringement Tickets

Proceedings in Brief

At the Full Group meeting on 17 March 2012, the SCPO reported on his investigations regarding the nature of machine printed tickets and alternative solutions. These investigations are to underpin a previous resolution of the Full Group that the SCCG write to Member Councils highlighting the impacts of plastic parking and infringement tickets and alternatives (viz. meeting on 3 December 2012).

Manufacturers have been tardy in responding to inquiries and those responses that have been received have been inadequate. Thus, the opportunity presented itself to prepare a Good Practice Guideline for Member Councils, identifying parking management solutions which reduce or eliminate *in situ* printed parking and infringement tickets and providing guidance on environmentally sustainable ticket materials. This will form the basis of the letter above.

The SCPO has prepared a draft Good Practice Guideline which was presented. The good practice guideline aims to translate sustainability objectives into an action plan, tiered according to the particular council's policies and strategies. The Guideline is based upon concepts of sustainability (as well as obligations under the *Local Government Act* and Councils' usual policies etc.) and thus can be

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employed to underpin factsheets which the Group may be called upon produce in the future. The Guideline identifies parking management solutions which reduce or eliminate *in situ* parking and infringement tickets and providing guidance on environmentally sustainable ticket materials.

The draft Guideline was considered by the Technical Committee at their meeting on 14 June with the recommendation the Full group endorse the document for distribution to member Councils.

The SCPO also informed delegates of the development of the research collaboration with Earthwatch Institute Australia and Sydney Institute of Marine Science to quantify the amount and type and impact marine debris in Sydney together with investigating clean and proactive management activities. A formal research proposal is being prepared together with a partnership MOU for consideration.

Resolved that:

- 1) The report be received and considered.
- 2) The draft Good Practice Guidelines be distributed to Member Councils for their utility.

**Reports 9.6 – 9.12
FOR INFORMATION ONLY
(pending inquiry)****9.6 Technical Committee Report**Proceedings in Brief

Delegates were directed to the report within the business papers.

The EO informed delegates coming from the April TC meeting that staff indicated their preference for 4 whole day meetings / year replacing the 6 half day meetings. To confirm this recommendation across all member councils, the Secretariat did an online poll that resulted in 90% supporting the recommendation.

The SCPO noted that the reasoning provided by the TC included:

- although meetings are expressed as 'half a day', they inevitably consume the whole day once travel etc., has been factored in
- there are numerous agenda matters with minimal time for lengthy or incidental discussion
- a bi-monthly update for some projects is unnecessary which consumes valuable time
- with greater workloads and responsibilities, it is increasingly difficult for representatives to attend a meeting every two months, especially when a Member Council has more than one representative keen to attend
- that this be trialled for 2013.

The EO noted that if supported by the Full Group the quarterly TC meetings will be held between full groups meetings with the Secretariat also taking advantage of more working group type forums to pursue projects and programs.

Resolved that:

- 1) the report be received and considered;
- 2) Delegates support recommendations of the Technical Committee made 19 April 2012 (confirmed by poll) that:
 - i) the Technical Committee meet for one day four times per year (instead of 6 times/year);
 - ii) two Technical Committee meetings be held at a central location and two meetings be held at a different Member Council location and combined with a field trip.

9.7 Beachwatch Program Update

Resolved by the Beachwatch Advisory Committee representative that: the report on Beachwatch and Harbourwatch Programs be received and noted.

**9.8 (a) Sydney Metropolitan Catchment Management Authority's Report
(b) Hawkesbury Nepean Catchment Management Authority's Report**

Resolved that the reports be received and noted.

9.9 NSW Department of Industry and Investment's Aquatic Biosecurity Report

Resolved that the report be received and noted.

9.10 SCCG Grant Programs Update Report

Proceedings in Brief

The report included in the business papers includes details of: a) Current SCCG grant programs underway b) Recent unsuccessful grant applications and c) Recently submitted grant applications (2011). The CPO will provide further details on above if requested by delegates. Delegates were informed that the SCCG just secured a small Green Space grant to advance the Walking Coastal Sydney smart phone app.

Resolved that the report be received and considered.

9.11 Key Activities Report for February / March – June 2012

Resolved that the SCCG Key Activities Report for February / March – June 2012 be received and noted.

10 SCCG SUBMISSION

(Slides attached)

• **“Review of the Independent Scientific Audit of Marine Parks in NSW”**

The CPO reviewed the draft SCCG submission prepared in consultation with the SCCG Technical Committee and the Secretariat. The CPO led a discussion to confirm the SCCG responses and finalise the submission.

Resolved that:

- 1) the SCCG draft submission on the Review of the Independent Scientific Audit of Marine Parks in NSW be considered
- 2) Delegates provide any additional comments to finalise the submission by 28 June
- 3) The CPO consider delegates' feedback and finalise the submission for delivery to the Scientific panel by 30 June, 2012.

11. TREASURER'S REPORT

11.1 Financial Statements for period 30 June 2011 – 31 March 2012

Proceedings in Brief

The EO referred delegates to the Profit and Loss Statement noting the **\$1,277,045 SCCG income**. The EO noted that this has been a fantastic result for 2012 however with current state of NSW and Commonwealth budgets, grants of such size for the SCCG were not expected any time soon.

Resolved that the financial statements for the period 30 June 2011 – 31 March 2012 be received and adopted.

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11.2 SCCG Operational Budget Estimates 2012 – 2013 (to be tabled at the meeting following consideration of the SCCG Executive Committee – **PENDING**)

Resolved that the SCCG Executive Committee be charged with finalising the SCCG Operating budget.

12. GENERAL BUSINESS

- **Cooperative Research Centre for Low Carbon Living**

The SCPO provided an update on the CRC, in particular, the fact that formal approval to participate in the entity (s. 358 of the *Local Government Act*) has been provided on behalf of the Minister for Local Government. In addition, the Participants Agreement has been finalised and Full Group approval was sought. On 3 May 2012, the SCPO participated in the 'engaged communities' workshop to advance the needs and requirements of Member Councils (to supplement a written list of key activity areas previously submitted to the project chairman). The workshop sought input regarding desired outcomes, research needs and priorities, how to demonstrate CO₂ savings, relevant projects and desired progress indicators.

SCPO sought support from the meeting for the SCCG to sign the 'Participant Agreement' for the SCCG. This recommendation was endorsed.

Resolved that that SCCG sign the CRC for Low Carbon Living Participant's Agreement.

12.1 2012 Meeting dates / Next Meeting

Delegates resolved that due to the Local Government Elections (8 September) the SCCG would have only 3 meetings in 2012 with the AGM meeting to be moved to the December meeting. Remaining 2012 meeting dates are:

- Saturday 8 December 2012 at 12 noon (AGM) (City of Sydney)

12.2 Items for Press Release

Resolved that no items identified for press release.

12.3 Agenda items for the next SCCG meeting

- **Roads and Maritime Services NSW**

Resolved that delegates suggest additional agenda items including presentations for the next SCCG meeting (AGM) proposed for Saturday 8 December 2012 starting at 12 noon.

12.4 Next Meeting

Resolved that the next meeting of the Group be held on Saturday 8 December 2012 at the City of Sydney (pending confirmation).

Cr. Wendy McMurdo closed the meeting thanking delegates for their participation.

The meeting closed at 4.34pm.

Confirmation of Minutes:
/ /

ITEM 8.3	RESPONSE TO COMPLIANCE AND ENFORCEMENT POLICY
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2012/312974
ATTACHMENTS	1 Compliance and Enforcement Policy

EXECUTIVE SUMMARY

PURPOSE

To advise Council of the results of the exhibition of the Compliance and Enforcement Policy.

SUMMARY

The Compliance & Enforcement Policy PDSPL- 120 was authorised by Council on 14 February 2006 and was reviewed and amended on 13 October 2007.

An Internal Audit Report of Council's Response to Noise Complaints Referred to Environmental Health & Protection, dated 12 August 2011, stated the Compliance & Enforcement Policy is "*significantly out of date*" and "*reads more like a procedural manual than policy*".

Accordingly, a new draft Compliance and Enforcement Policy (Policy number E-PL 120) was drafted and at its meeting of 26 June 2012 Council resolved:

- A. *That the draft Compliance and Enforcement Policy be placed on public exhibition for a period of 28 days.*
- B. *That following the exhibition period, the Compliance and Enforcement Policy and any public submissions, be referred back to Council for consideration.*

The Compliance and Enforcement Policy was publicly exhibited from 1 July 2012 to 7 August 2012 with no submissions received.

FINANCIAL IMPACT

Nil

POLICY IMPACT

This is a review to replace the current policy to best practice and align Council's policy with the Model Policy, NSW Ombudsman (2002).

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That the revised Compliance and Enforcement Policy E-PL 120 be adopted.

REPORT

BACKGROUND

The Compliance and Enforcement Policy PDSPL – 120 was adopted by Council on 14 February 2006 and was reviewed and amended on 13 October 2007. The policy is currently overdue for review.

An Internal Audit Report of Council's Response to Noise Complaints Referred to Environmental Health & Protection, dated 12 August 2011, stated:

"The Compliance and Enforcement Policy, which is available on Council's website, is significantly out of date (including references to legislation and Council's values) and reads more like a procedural manual rather than a policy."

The report also stated:

"This policy was last reviewed and amended on 13 October 2007 and due for review in October 2009."

The policy is in need of revision and update in several areas:

- At 42 pages long, it reads more like a detailed procedural manual rather than a policy
- It tries to provide definitive lists of high risk areas but in doing so may exclude new and emerging risks
- Council's stated values are out of date
- Quoted references (including references to various legislation) are out of date
- Director and Manager titles are out of date and inconsistent; eg. Director Planning & Development Services, Director Planning & Assessment Services.

It was noted that this policy is available on Council's website; therefore, it is essential that it is kept current, especially from public perception viewpoint and in accordance with Council's values: e.g. "Excellence".

All of the matters raised by the Internal Auditor have been addressed in the draft policy.

The draft policy is based on the "Enforcement Guidelines for Councils" and "Model Policy" published by the Office of the NSW Ombudsman in 2002, with additional considerations as to the operational services provided at Warringah Council.

The draft policy focuses on outcomes, while providing up-to-date and clear direction that will be useful for both staff and the public. The policy will assist Council in acting promptly, consistently and effectively with regard to compliance matters and promotes fairness and integrity.

The draft policy provides better options for staff to use the appropriate action considering the individual circumstance of each case in which to gain compliance. Each case is considered based on its own individual merits. The "Enforcement Guidelines for Councils" NSW Ombudsman, June 2002 states:

"Councils have discretion in deciding whether to take enforcement action in response to evidence of unlawful activity."

Council subsequently resolved on 26 June 2012:

- A. *That the draft Compliance and Enforcement Policy be placed on public exhibition for a period of 28 days.*
- B. *That following the exhibition period, the Compliance and Enforcement Policy and any public submissions, be referred back to Council for consideration.*

CONSULTATION

The attached draft Compliance and Enforcement Policy (Policy number E-PL 120) has been reviewed by staff, Leadership Group, Internal Ombudsman and Council's Corporate Lawyer.

The draft policy was placed on public exhibition from 7 July 2012 to 7 August 2012.

An advertisement was placed in the Manly Daily's Warringah Update on 7 July 2012 and placed on Council's website.

The draft Compliance and Enforcement policy was also placed in hard copy in all Council libraries and at the Council's offices.

There were no external submissions received.

There are no major changes to the attached draft policy from the exhibited version. Two changes are proposed following further review by staff:

- i) Under the first dot point in Section 6 (page 3), the word "trivial" was removed and replaced with "level of impact". This change was made to provide more clarity regarding the seriousness of a breach, and;
- ii) Under Section 12 the date to be reviewed was changed to November 2014. It previously stated October 2013. Policies are due to be reviewed every 2 years.

FINANCIAL IMPACT

Nil

POLICY IMPACT

This is a review to replace the current policy to best practice and align Council's policy with the Model Policy, NSW Ombudsman (2002).

**Policy No. E-PL 120****Compliance and Enforcement Policy**

1. Title

Warringah Council Compliance & Enforcement Policy

2. Principles

This policy aims:

- To ensure that Council's regulatory functions are exercised consistently and without bias, in accordance with legislation;
- To assist Council's officers to respond promptly, consistently and effectively to complaints of unlawful activity, and undertake proactive investigation of unlawful activity, in accordance with the law;
- To provide information for all stakeholders about Council's position in relation to the enforcement of compliance with legislation, including the circumstances which will be taken into account when assessing different enforcement options; and
- To ensure that Council's officers exercise their discretion in relation to unlawful activity in an appropriate manner and that Council's resources to deal with unlawful activity are appropriately allocated and in a manner consistent with the public interest.

3. Application

This policy applies to the management and investigation of unlawful activity, and any enforcement action required in relation to unlawful activity, within the Warringah local government area for which Council is the appropriate regulatory authority. The unlawful activity to which this policy applies includes, without limitation, unlawful activity in relation to development, pollution, food safety, public health, parking and companion animals.

Whilst it is intended that the principles in this policy will have general application, there may be cases where the particular circumstances justify departure from these principles.

This policy is based on the Model Policy contained in the document entitled *Enforcement guidelines for councils* published by the NSW Ombudsman in June 2002 (Ombudsman's Guidelines).

***Note: Status of policy**

For the avoidance of doubt, this is not a local orders policy for the purpose of section 159 of the Local Government Act 1993.

4. Responsibilities

All Council staff who deal with unlawful activity are responsible for implementing this Policy.

Relevant Council officers are to be given appropriate delegations in relation to unlawful activity.

All complaints alleging unlawful activity shall be logged in Council's electronic records system as soon as practicable upon receipt and directed to a responsible officer in the appropriate section.

Council officers responsible for the investigation of a matter shall keep a full and complete record of their actions, including reasons for decisions made in relation to an investigation.

Policy/OMS No.

Council or its officers generally have discretion whether or not to investigate or take enforcement action and, if so, how to do so. The issue of discretion is relevant to various Sections of this policy and is addressed specifically in Section 8.

5. Investigating unlawful activity

All complaints to Council regarding unlawful activity will be reviewed to determine whether the matter requires investigation. Council may also undertake proactive investigation of unlawful activity.

Priority will be given to matters where there is an imminent threat to health, life or property.

Further enquiries or investigations may not be appropriate where:

- The matter has already been investigated and resolved or it has been determined that no further action will be taken in the absence of new information;
- Council has no power in relation to the matter or is otherwise not the appropriate authority to investigate the matter. In relation to such matters it may be appropriate for Council to bring the matter to the attention of the appropriate regulatory authority or the nominated Private Certifying Authority*;
- The activity is identified as being lawful without the need for an investigation; or
- Such enquiries or investigations would be contrary to the public interest or policy considerations.

***Note: Private Certifying Authorities**

NSW Legislation permits a private certifier to assume certain statutory responsibilities to ensure compliance with the conditions of a development consent if they are nominated certifier (ie, the principal certifying authority). For developments under construction in respect of which a principal certifying authority other than Council has been appointed, complaints relating to the construction of the approved development should be directed to the relevant Principal Certifying Authority.

When considering whether a complaint or issue warrants investigation Council officers may consider a range of factors including:

- Is the activity having a significant detrimental effect on the environment or a risk to public safety?
- Is the complaint premature?
- Is the complaint trivial, vexatious or frivolous?
- On the basis of the information available, is the activity permissible without consent or approval?
- If the activity is permissible with consent/approval, is there a consent/approval in place and have conditions of consent been complied with? Or has an application been lodged to regularise the matter?
- What is the extent of delay between events referred to by the complaint and the notification to Council and reasons given for such delay?
- Have there been previous complaints about the subject premises or this person or organisation?
- Does the complaint have special significance in relation to existing enforcement priorities?
- Given the particular circumstances of the complaint, are there significant resource implications in relation to any investigation and any subsequent enforcement action?
- What is the severity of the impact on the amenity of the community?

Policy/OMS No.

- Overall, is it in the public interest to investigate the complaint?

Where a decision is made to not investigate a complaint, this decision should be recorded by the responsible officer together with reasons for the decision. The complainant should be advised of the decision

6. Taking enforcement action

After conducting an investigation and determining that there is sufficient evidence to determine that an offence has occurred beyond reasonable doubt, officers should consider all relevant circumstances of the individual case to determine whether to take enforcement action or recommend that enforcement action be taken (in accordance with relevant delegations), and the level of enforcement action that is appropriate.

The circumstances for consideration to determine whether and, if so, what enforcement action (including prosecution) is appropriate and in the public interest include:

- The seriousness of the breach, including whether the breach is merely technical or level of impact;
- When the unlawful activity was carried out and for how long, including whether the breach is continuing;
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- The need for general and specific deterrence;
- Whether the breach can be easily remedied;
- Any particular circumstances of hardship affecting the complainant or the person who is the subject of the complaint;
- Any mitigating or aggravating circumstances;
- Any prior warnings that have been issued to the person or previous enforcement action taken against the person;
- Whether Council has created an estoppel situation;
- Whether any requisite consent would have been granted if it was sought;
- Whether the person in breach shows or has shown contrition;
- Whether there is a draft planning instrument that would make any unauthorised use lawful;
- The degree of culpability of the alleged offender;
- Whether an educative approach would be more appropriate than a coercive approach;
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- The prospects of success if the proposed enforcement action were challenged in court;
- What action would be proportionate and reasonable;
- Any precedent which may be set by not taking enforcement action;
- The availability and efficacy of any alternatives to prosecution;
- Whether the offender had been dealt with previously by non-prosecutorial means;
- Whether the breach is a continuing or second offence;

Policy/OMS No.

- Whether the issue of Court orders are necessary to prevent a recurrence of the offence;
- The length of time since the alleged offence;
- The age, physical or mental health or special infirmity of the alleged offenders or witnesses;
- Whether there are counter-productive features of the prosecution;
- The likely outcome in the event of a conviction having regard to the sentencing options available to the court;
- Whether the consequences of any conviction would be unduly harsh or oppressive;
- Whether proceedings are to be instituted against others arising out of the same incident;
- Whether the action will result in people becoming homeless.

Enforcement action (including prosecution) will not be undertaken for an improper purpose and will not be influenced by:

- a) Any matter that would constitute unlawful discrimination against a person;
- b) Personal empathy or antipathy towards a person; and
- c) Political affiliations or any other association.

7. Options for dealing with confirmed cases of unlawful activity

Council will endeavour to use the most appropriate action based on the individual circumstances of each case.

Where an investigation has been undertaken and it is considered that there is sufficient evidence to determine that an offence has occurred beyond reasonable doubt, a number of approaches may be considered for dealing with the incident. These may be subject to, among other things, the powers provided under the governing legislation. The approaches which Council may consider when considering what action to take include, but are not limited to:

- No action
- Referral to an appropriate external enforcement body
- Verbal warnings
- Written warnings, including formal cautions
- Seek voluntary compliance in order to regularise the matter (eg, through undertakings)
- Alternative methods of resolution, such as mediation
- Issuing of Notices and Orders
- Penalty Infringement Notices
- Civil proceedings in Court
- Criminal proceedings in Court
- Contempt proceedings in Court
- Council undertaking the requisite work and recovering the cost of doing so.

Policy/OMS No.

The above options are not necessarily mutually exclusive although the effect of section 127(7) of the *Environmental Planning and Assessment Act 1979* should be considered in determining appropriate action. Accordingly, the appropriate strategy will depend on the individual circumstances of the case and an escalating approach may be appropriate.

Officers who issue penalty notices under the *Fines Act 1996* must have regard to the guidelines issued by the Attorney General under section 19A(3) of the *Fines Act 1996* entitled *Caution Guidelines under the Fines Act 1996* in deciding whether to give a person a caution for a penalty notice offence.

All decisions to take enforcement action (including all decisions to commence civil proceedings or prosecution) shall be made in accordance with the relevant delegations and appointments. Despite an officer's recommendation that enforcement action be taken, no prosecution or other proceedings must be commenced by Council unless Council's Manager responsible for Compliance and Council's lawyers are of the opinion that it is appropriate to do so having to the matters in section 6 including the prospects of success and the public interest.

Enforcement action will be monitored and a decision made in relation to what action to take in relation to non-compliance.

8. Discretion

8.1 General

The NSW Ombudsman's Guidelines provide guidance for the use of discretion

8.2 Whether to prosecute

The NSW Director of Public Prosecutions (DPP) provides guidance in their document *Prosecution Policy and Guidelines* as does the Environment Protection Authority of NSW's *EPA Prosecution Guidelines* (EPA Guidelines)

8.3 Directions by Council

Where legislation confers a power on authorised officers, as distinct from on the Council itself, the power is vested by the legislation in the authorised officer and must be exercised by that officer.

The Council, as a matter of law, may not lawfully direct the exercise (or non-exercise) of the power. This is because (by way of contrast with other Council powers) the statutes (such as those creating penalty notices) do not vest the power in Council or its General Manager to be delegated to the officers, but vest the primary power in the officers themselves.

8.4 Coercive powers

One area where the exercise of discretion has particular importance is where Council officers have been given coercive powers of investigation. Coercive powers include the power to require a person to answer questions and the power to require a person to provide information and/or records in relation to a matter properly the subject of an investigation.

Coercive powers of investigations are given under various statutes including the *Protection of the Environment Operations Act (Chapter 7)* and the *Environmental Planning and Assessment Act (Division 1A of Part 6)*.

9. Responding to complainants

It may not be appropriate to discuss the details and outcomes of an investigation with anyone, including the persons originally lodging the complaint. Confidentiality of information will be dealt with in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

Policy/OMS No.

10. Representations on action

All representations by persons to whom a Penalty Infringement Notice has been issued, must be made to the State Debt Recovery Office (SDRO). Where the SDRO does not have the authority to determine the matter, the representations will be referred to Council's Adjudication Panel for review and recommendation back to the SDRO. Any representations directly received by Council will be forwarded to the SDRO and the person making the representation informed of this action.

11. Adjudication Panel (AP)

An AP will be convened in accordance with the Charter stipulated in APPENDIX A of this policy in order to:

- a) Ensure openness and transparency in the decision making process with regard to Penalty Infringement Notice (PIN) appeals and representatives.
- b) Ensure a balanced assessment is made against each representation to a PIN and that State Guidelines and Council Policies are consistently and fairly considered and applied;
- c) Ensure consistent outcomes on PIN matters

12. Authorisation

This Policy was authorised by Council on XXXXXXXX

This Policy will be reviewed in October 2014

13. Who is responsible for implementing this policy?

Group Manager Development & Compliance Services

14. Document owners

Group Manager Development & Compliance Services

15. File number

2011/243080

16. Definitions

For the purpose of this policy, the following defined terms have been used:

Council:	means Warringah Council
Unlawful activity:	means any activity or work that has been or is being carried out: <ul style="list-style-type: none"> • Contrary to the terms and conditions of a development consent, approval, permit or licence; • Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land; • Without a required development consent, approval, permit or license; or • Otherwise contrary to legislation (including a legislative provision regulating a particular activity or work), and includes alleged unlawful activity.
legal advice:	means legal advice received from Council's Corporate Lawyer or external legal advisors appointed by Council for that purpose.
Penalty Infringement Notice (PIN):	means a penalty or fine, also known as an "on the spot fine" issued in lieu of prosecution for an offence and in accordance with the New South Wales Self Enforcing Infringement Notice (SEIN) System.

Policy/OMS No.

APPENDIX A
ADJUDICATION PANEL CHARTER

1. Functions of the Adjudication Panel (AP)

The functions of the AP are to:

- (a) To undertake a review of representation made to the NSW State Debt Recovery Office (SDRO) in response to Penalty Infringement Notices (PIN's) issued by Council;
- (b) Make determinations on PIN's issued by Council. Determinations available to the AP include:
 - (i) cancelling the PIN
 - (ii) cancelling the PIN and issuing a formal caution
 - (iii) requiring the PIN to stand
 - (iv) seeking additional or clarifying information
- (c) Undertake a review of all PIN's commenced by Officers but voided before being issued.
- (d) Provide advice to compliance teams in relation to regulatory matters

2. Matters available for consideration by the AP in determinations

In making determinations on PIN's issued by Council the APC may consider the following:

- (a) The provisions of Council's Compliance & Enforcement Policy
- (b) Was the PIN lawfully issued?
- (c) Are there any reasonable mitigating or aggravating factors to consider in the circumstances of the individual case?
- (d) Did the Issuing Officer act professionally, lawfully and in accordance with Council policies and standard procedures?
- (e) Has the offence been proven beyond a reasonable doubt?
- (f) Can the matter be adequately defended in a Court of Law?

3. Meeting Practices

- (a) A meeting of the AP will consist of two (2) members with full voting rights. Each member attending a meeting shall have one vote.

The Panel to consist of the following roles:

Panel	Alternate
Group Manager Development & Compliance Services	Manager (Environmental Health & Protection, Regulatory Compliance, Building Certification & Fire Safety, or Development Compliance) NB: Alternate not to review any item generated from their own team
Corporate Lawyer/Legal Officer	Deputy General Manager Environment

- (b) Proceedings of the AP shall be by way of a closed meeting for the purposes of undertaking the AP functions.
- (c) Determinations and any relevant decision of the AP shall be made by unanimous votes of members present at a meeting.
- (d) Outcomes and decisions made will be recorded in Council's electronic records management system and forwarded to SDRO for determination.

ITEM 8.4	36 FRENCHS FOREST ROAD EAST, FRENCHS FOREST - REVIEW OF DETERMINATION DA2011/1457 FOR ALTERATIONS AND ADDITIONS TO AN EXISTING BUILDING AND USE OF PREMISES AS AN OFFICE PREMISES AND HOUSING
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2012/380596
ATTACHMENTS	1 WDRP Minutes 10 October 2012 2 WDRP Report 10 October 2012 Item 3.1

EXECUTIVE SUMMARY

PURPOSE

To review and determine a Category 3 (WLEP 2000) Development Application (DA2011/1457) which the applicant has applied for through a Review of Determination.

SUMMARY

The original Category 3 Development Application was reported to WDAP with a recommendation for refusal by staff and the refusal was supported by WDAP. The DA was refused under the General Manager's Delegations. The applicant lodged a Review of Determination, with amendments to the proposal, and this was reported to the Warringah Development Review Panel (WDRP) with a recommendation of refusal by staff. A Review of Determination cannot be determined by anyone subordinate to the person who made the original determination. As the original was determined by the General Manager, this review can only be determined by Council. WDRP recommended approval of the proposal which is contrary to staff's recommendation. Council must consider the findings of an independent public hearing (WDRP) as to whether the proposal is consistent with the Desired Future Character of the WLEP2000.

The WDRP recommendation is supported for approval, as this finding is a lawful recommendation based on the facts and circumstances of this case.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That Development Application REV2012/0100 for alterations and additions to an existing building and use of premises as an office premises and housing on land at Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest be approved subject to the conditions No. 1-18 as set out in the Minutes of the Warringah Development Review Panel dated 10 October 2012 in Attachment 1 of this report.

REPORT

BACKGROUND

A comprehensive report detailing the proposal and staff's recommendations, and the findings of the Warringah Development Review Panel's public hearing are found in the attachments.

CONSULTATION

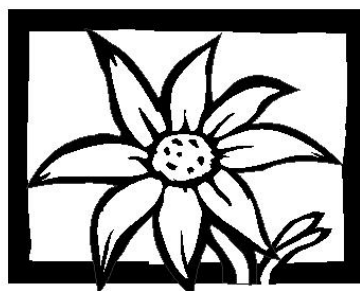
Consultation has occurred in accordance with the Warringah DCP and is detailed in the attached reports.

POLICY IMPACT

Nil

FINANCIAL IMPACT

Nil



Warringah Council

**Minutes of
Warringah Development
Review Panel Meeting
held on
Wednesday
10 October 2012**

Time: 6.05pm
Location: Warringah Council Chambers,
725 Pittwater Road, Dee Why

2012/2

Minutes of Development Hearing and Assessment Panel Meeting held on 10 October 2012

ATTENDANCE:

Panel Member

Kevin Hoffman, Chairperson

Steve Kennedy, Urban Design Expert

Sue Hobley, Environmental Expert

Alan Linnell, Community Representative

Advisors

Steve Findlay, Development Assessments Manager (ENV)

Teresa Gizzi, Senior Development Assessment Officer (ENV)

Alex Keller, Senior Development Assessment Officer (ENV)

Minute Secretary

Cathie Arkell, Development Panel Coordinator (ENV)

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

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Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

1 APOLOGIES

Nil

2 DECLARATION OF PECUNIARY INTEREST

Nil

3 REPORTS OF WDAP

3.1	36 Frenchs Forest Road East, Frenchs Forest - Review of DA2011/1457 for Alterations and Additions to an Existing Building and Use of Premises as an Office Premises and Housing
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**REV2012/0100
DA2011/1457**

Application Details

Review of DA 2011/1457 for alterations and additions to an existing building and use of premises as an office premises and housing

Site Description

Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the WDAP Meeting.

Proceedings in Brief

During the inspection of the site the Panel was only able to view the property from the exterior as no access was granted to the interior of the house-like structure. It was noted that there were substantial trees within the front setback, there was a picket fence to the street frontage on Frenchs Forest Road East and a hedge behind the picket fence. In the centre of the frontage was the entry driveway, which gave a full view of the house. On either side of the driveway behind the hedges were crushed red gravel hard stand areas. There was an existing carport on the right hand side of the building in the side setback, and it is intended in the current application that it contain two tandem car spaces. In the current proposal the only car space within the front setback would be on the left hand side of the property.

The Panel formed the opinion that the development as seen from Frenchs Forest Road East would appear somewhat like the other houses along the street. Indeed compared to the house on the opposite corner of Harmston Street and Frenchs Forest Road East the existing site appeared much more of a residential character. The house referred to at No. 38 Frenchs Forest Road East had Color Bond fencing on both street frontages, a large two storey house and no visible landscaping as seen from the street. Other properties nearby to the subject lot, namely No.32 and No.32A, which were narrow lots, had largely concrete paving within the front yard due to driveway accesses. Further to the east along Frenchs Forest Road East were the two Medical Practices, approved sometime in the past by Council. The more recent one appeared as a residential dwelling, the other one apparently approved sometime in the 1950s looked more commercial. Just beyond these two Medical Centres was the neighbourhood shopping centre.

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

As described in the application across the street was the industrial development with trees along the street boundary and carparking within the front setback of the industrial buildings. One of the other matters of interest to the Panel was that Frenchs Forest Road East at this point forms a zone boundary between the residential and the industrial area. Taking this overall streetscape and setting into account, the proposal would fit into the visual character of the residential area and provided its use did not become overtly commercial, it would have little impact on the character of the residential locality.

The Desired Future Character for the B1 Frenchs Forest Road East Locality under the Warringah Environmental Plan 2000 was considered by the Panel and it was concluded that as a Category 3 use this proposal in its reduced form compared to the original application would not be incompatible with the Statement. The landscape open space being increased, parking facilities have been relocated so as to have less visual impact, the provision of carparking was adequate for the use as proposed. The applicant put that there had been an expert engineering report from a Mr Jack Hodgeson Engineer, dated 31 July 2012 submitted to Council. The applicant said that this report indicated that there was no necessity for an On Site Stormwater Detention System.

The Panel concluded that dealing with stormwater on the site should be possible with appropriate conditions and the Council Engineer should review that Engineering Report and determine whether or not on site detention is still required, and if it is required formulate appropriate conditions.

Inside the house which the Panel was not able to inspect, the proposal had moved the commercial uses to the Frenchs Forest Road East frontage of the proposal. This was due to the intended operator residing at the premises for some time. He discovered that traffic noise and the noise of trucks delivering to the industrial area at all hours of the day and night, created noise disturbances that mitigate against using that side of the house for residential purposes. In doing this, the area intended to be used for commercial purposes had also been reduced and thus the intensity of use. The proposed staffing had also been cut by one.

Whilst this application is to be dealt with under the Warringah LRP 2000, and permitted the use subject to approval, the new Warringah Local Environmental Plan 2011 made any similar uses prohibited in the new residential zoning. As a result any approval of this application would not form a precedent for strip commercial expansion along this side of Frenchs Forest Road East.

Bearing these matters in mind the Panel came to the conclusion that the Section 82A Review of DA 2011/1457 for alterations and additions to an existing building and use of premises as an office premises and housing on land at Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest should be resolved in its approval subject to appropriate conditions. The conditions shall be provided in draft to the Panel for inclusion in its recommendation.

DECISION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

That Development Application REV2012/0100 for alterations and additions to an existing building and use of premises as an office premises and housing on land at Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest to be approved subject to the following conditions:

CONDITIONS OF CONSENT

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
1 - Rev C	28/5/2011	Tom Simmat and Associates Architects Pty Ltd
2 - Rev C	28/5/2011	Tom Simmat and Associates Architects Pty Ltd
3 - Rev C	28/5/2011	Tom Simmat and Associates Architects Pty Ltd
4 - Rev C	28/5/2011	Tom Simmat and Associates Architects Pty Ltd

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

e) The development is to be undertaken generally in accordance with the following conditions.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

2. Limitations on Occupancy (Business Consultancy Only)

This consent only authorises the use of the office component of the building for the purposes of a business consultancy practice and only in that area as detailed in the approved plans.

Any variation to the approved land use will require the submission to Council of a new development application or modification of this consent.

Reason: To ensure compliance with the terms of this consent. (DACPLB03)

3. No Approval for any Signage

No approval is granted under this Development Consent for signs and State Environmental Planning Policy No. 64). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage. (DACPLB06)

4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (c) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) In the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) In the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (d) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

5. General Requirements

- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- a. 7.00 am to 5.00 pm inclusive Monday to Friday,
- b. 8.00 am to 1.00 pm inclusive on Saturday,
- c. No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- d. 8.00 am to 5.00 pm Monday to Friday only.

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

Minutes of the Warringah Development Assessment Panel Meeting held on 10 October 2012

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

FEES / CHARGES / CONTRIBUTIONS

6. Bonds (Security Bond)

A bond (determined from cost of works) of \$500.00 and an inspection fee in accordance with Councils Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection)

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate protection of Councils infrastructure. (DACENZ01)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

7. Trees and / or Landscaping

In order to protect and enhance onsite vegetation and trees the following applies to the development site:

Existing trees which must be retained

All trees not indicated for removal on Site Plan		
Drawing Number	Dated	Prepared By
1 Rev C	28/5/2011	Tom Simmat and Associates Architects Pty Ltd

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site. (DACLAC01)

8. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

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- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'***
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

9. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- a) Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- b) Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- c) Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

10. Building Certificate for Unauthorised Works on site

An application for a Building Certificate is to be lodged and approved for all unauthorised works onsite.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To regularise aspects of the unauthorised development. (DACPLC15)



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CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

11. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLA03)

12. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

13. Fire Safety Matters

At the completion of all works, including upgrading works for 'Egress and Essential Services' required as part of this consent, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

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Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000. (DACPLF07)

14. Completion of Landscaping

The landscape works, as generally shown on the approved plan (Drawing 1, Rev C, dated 28.5.2011) are to be completed prior to the issue of the Occupation Certificate.

Plantings are to comprise predominantly of the native groundcovers, shrubs and trees in a suitable density to produce effective softening and screening of the carparking areas.

Reason: To ensure a suitable landscape treatment is provided.

15. Allocation of Spaces

Car parking spaces provided shall be provided, made accessible and maintained at all times. The spaces shall be allocated as follows:

Two (2) - Residential

One (1) - Commercial (Office)

Car-parking provided shall be used solely in conjunction with the uses contained within the development. Each car parking space allocated to a particular unit / tenancy shall be line marked and numbered or signposted to indicate the unit / tenancy to which it is allocated.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure that adequate parking facilities to service the development are provided on site. (DACPLG01)

16. Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Note: The following Standards and Codes applied at the time of determination:

- (a) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003 - Plumbing and drainage – Stormwater drainage
- (b) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003/Amdt 1 - 2006 - Plumbing and drainage – Stormwater drainage
- (c) National Plumbing and Drainage Code.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

17. Hours of Operation

The hours of operation (inclusive) are to be restricted to:

Monday to Fridays: 7.30am to 6.00pm
Saturdays: 9.00am to 5.00pm
Sundays and Public Holidays: Closed

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Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.
(DACPLG08)

18. Maximum Number of Staff

A maximum number of three (3) staff are to be on-site at any one time.

Reason: To ensure compliance with the terms of this consent.

Voting 4/0

The Independent Public Hearing concluded at 6.30pm

Meeting Concluded 9.15pm

Kevin Hoffman
Chairperson



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3.1	36 Frenchs Forest Road East, Frenchs Forest - Review of DA2011/1457 for Alterations and Additions to an Existing Building and Use of Premises as an Office Premises and Housing
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**SECTION 82A (EP&A ACT) REVIEW OF DETERMINATION
ASSESSMENT REPORT**

Assessment Officer:	Shaylin Moodliar
Address / Property Description:	Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest
Proposed Development subject of review	Alterations and additions to an existing building and use of premises as an office premises and housing
Development Application No.	DA2011/1457
Review of Determination Application No:	REV2012/0100
Application Lodged:	7 th August 2012
Plans Reference:	DA1-DA5 (Revision C-dated 25/05/2011) and prepared by Tom Simmat & Associates Architects
Amended Plans:	Not Applicable
Applicant:	Tomasy Pty Ltd
Owner:	K C Simmat, F G Simmat
WLEP 2000 Locality:	B1 Frenchs Forest East
WLEP 2000 Category:	Category 1 – Housing Category 3 – Office premises
Proposed Variations to Controls (Clause 20)	YES (Front Building Setback and Landscaped Open Space – not supported)
WLEP 2011 Zoning:	R2 – Low Density Residential
WLEP 2011 Consistency with Zoning Objectives:	NO
WLEP 2011 Permissible or Prohibited Land Use:	Commercial Premises <u>Office Premises</u> (Prohibited) Residential Accommodation <u>Dwelling House</u> (Permitted with Consent)
Variations to Development Standard (Clause 4.6):	NO
Referred to ADP:	NO
Referred to WDAP/WDRP:	YES – The original application was refused by WDAP
Referred to JRPP:	NO
Land and Environment Court Action:	NO

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SUMMARY

Submissions:	Nil
Assessment Issues:	Desired Future Character, Front Building Setback, Landscaped Open Space, Clause 15/Schedule 15 of WLEP 2000, WLEP 2011, streetscape, car parking, vehicular access and stormwater management, Objects of the EPA Act.
Recommendation:	Refusal
Attachments:	Site and Elevation Plans

LOCALITY PLAN (not to scale)



Subject Site:	Lot 591, DP 843492, 36 Frenchs Forest Road East, Frenchs Forest
Public Exhibition:	The subject application was publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 5 adjoining land owners and occupiers for a period of 14 calendar days commencing on 17 August 2012 and being finalised on 4 September 2012. Furthermore, the application has been advertised within the Manly Daily on 18 August 2012 and a notice was placed upon the site.
	No submissions were received as result of the notification.

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SITE DESCRIPTION

The subject site is legally described as Lot 591, DP 843492 and is commonly known as No.36 Frenchs Forest Road East.

Full details of the site and surrounding properties are contained in the original report.

RELEVANT SURROUNDING LAND USES

Full details of relevant surrounding land uses are contained in the original report.

RELEVANT BACKGROUND

Full details of the background to this subject site are contained in the original report.

The most recent and relevant background pertaining to this Section 82A proposal are as follows:

- On 11 April 2012, Warringah Development Assessment Panel (WDAP) adopted the recommendation for refusal of Development Application No.DA2011/1457 for Alterations and Additions to an Existing Building and Use of Premises as an Office Premises and Housing for the following reasons:
 1. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the Desired Future Character statement for the B1 Frenchs Forest Road East Locality under *Warringah Local Environment Plan 2000*.
 2. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the General Principles of Development Control under *Warringah Local Environment Plan 2000*, including:
 - a) Clause 63 Landscaped Open Space,
 - b) Clause 71 Parking Facilities (visual impact),
 - c) Clause 74 Provision of Car Parking,
 - d) Clause 75 Design of Car Parking Areas; and
 - e) Clause 76 Management of Stormwater.
 3. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with the Front Building Setback and Landscaped Open Space Built Form Controls applying to the B1 Frenchs Forest Road East Locality under *Warringah Local Environment Plan 2000*.
 4. Pursuant to Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, the subject site is not considered suitable for the proposed development as the in terms of streetscape compatibility, car parking provisions and stormwater management.
 5. Pursuant to Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the objects of the Act in that it will result in a disorderly and ad-hoc planning outcome.
- On 19 April 2012 the applicant was advised Warringah Development Assessment Panel (WDAP) adopted the recommendation for refusal of Development Application No.DA2011/1457 for Alterations and Additions to an Existing Building and Use of Premises as an Office Premises and Housing.

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- On 7 August 2012, the current Section 82A Review of Determination No.REV2012/0100 was lodged with Council and is the subject of this assessment report.
- On 19 September 2012, the subject site was inspected which revealed the use of the building as an office premises has ceased and currently is in existence as a dwelling house.

PROPOSED DEVELOPMENT

Section 82A Amendments

The proposed changes to the original Development Application for alterations and additions to an existing building to carry out certain works and the use of premises as part office premises and part dwelling consist of the following:

A. Office Component

- A reduction in the size of the offices to incorporate two (2) offices approximately 39 square metres in size (including the meeting room).
- A reduction of one (1) permanent staff with no more than three (3) permanent staff with casual staff required on an as-needs (temporary) basis.
- There is no proposed change to the hours of operation of the office which are proposed to remain as follows:
 - Monday to Fridays: 7.30am to 6.00pm
 - Saturdays: 9.00am to 5.00pm
 - Sundays and Public Holidays: Closed

B. Dwelling Component

- Apart from the re-configuration of the rooms, there is no change to the composition of the rooms which will incorporate one (1) bedroom, two bathrooms, living room, dining room and kitchen/laundry.
- There is no proposed change the conversion of the existing laundry and toilet to disabled access bathroom.
- There is no proposed change to install a new vehicular sliding gate to Frenchs Forest Road East elevation.
- There is no proposed change to install photo-voltaic collectors on the roof.
- Re-location of the three (3) parking spaces to utilise the existing single garage with two (2) tandem car parking spaces along the eastern boundary and a single hardstand car space within the Frenchs Forest East street frontage surfaced in crushed tiles.

C. Matters Deleted from Proposal

The following was originally proposed under DA2011/1457 and is deleted from the Review of Determination application:

- Deletion of the proposed installation of two (2) rainwater tanks to the eastern elevation of the building adjoining bedroom 1 which is now proposed to be used as a meeting room.

AMENDMENTS TO THE SUBJECT APPLICATION

There were no amended plans submitted as part of this Section 82A application since its lodgement.

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STATUTORY CONTROLS

- a) Environmental Planning and Assessment Act 1979
- b) Environmental Planning and Assessment Regulation 2000
- c) Local Government Act 1993
- d) SEPP 55 – Remediation of Land
- e) SEPP (Infrastructure) 2007
- f) Warringah Local Environment Plan 2000 (WLEP 2000)
- g) Warringah Local Environment Plan 2011 (WLEP 2011) – Draft WLEP 2009 at the time of the original Development Application No.DA2011/1457
- h) Warringah Section 94A Development Contributions Plan
- i) Warringah Development Control Plan

PUBLIC EXHIBITION

The subject application was publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 5 adjoining land owners and occupiers for a period of 14 calendar days commencing on 17 August 2012 and being finalised on 4 September 2012. Furthermore, the application has been advertised within the Manly Daily on 18 August 2012 and a notice was placed upon the site.

No submissions were received as result of the notification.

MEDIATION

Has mediation been requested by the objectors?	No
Has the applicant agreed to mediation?	N/A
Has mediation been conducted?	N/A

LAND AND ENVIRONMENT COURT ACTION

No court action has been commenced in relation to the current application.

REFERRALS

External Referrals

Referral Department	Comments Received
Ausgrid (formerly Energy Australia)	<p>The application was referred to Ausgrid in accordance with Clause 45 of <i>State Environmental Planning Policy (Infrastructure) 2007</i>.</p> <p>No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended. In this regard, the subject application is considered to satisfy the provisions of Clause 45 SEPP Infrastructure.</p>
Aboriginal Heritage Office	<p>The Aboriginal Heritage Office has reviewed the proposal and has provided the following comments:</p> <p><i>"There are known Aboriginal sites in the Frenchs Forest area. No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of unrecorded Aboriginal sites.</i></p> <p><i>Given the above, the Aboriginal Heritage Office considered that there are no Aboriginal heritage issues for the proposed development.</i></p>

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Referral Department	Comments Received
	<p><i>Should any Aboriginal sites be uncovered during earthworks, works should cease and Council and the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council should be contacted".</i></p> <p>Comment: The correspondence from the Aboriginal Heritage Office will be incorporated into the conditions of consent if the application is worthy of approval.</p>

Internal Referrals

Referral Department	Comments Received
Development Engineer	<p>Council's Development Engineer has reviewed the proposal and provided the following comments:</p> <p><i>"The site of this proposed development has previously had an approval for alterations and additions in 2006 which were constructed and completed.</i></p> <p><i>In accordance with the guidelines within part 5 of Council's On Site Stormwater Detention (OSD) checklist the exemption for extensions less than 50m2 only applies to the first approved extension.</i></p> <p><i>As there has been a considerable increase in the impervious area on the site between the completed works in 2006 and those proposed with the current application, OSD is required for this application.</i></p> <p><i>As OSD is required but no OSD design has been submitted with the review, Development Engineers cannot support the application."</i></p> <p>Comment: The concerns raised by Council's Development Engineers are further addressed under Clause 76 - Management of Stormwater of this report. The applicant maintains that the proposal does not require OSD on the basis that the additions do not exceed 50 square metres. However, based on the advice from Council's Development Engineers, OSD is in fact required. Given that inadequate provision is made for the management of stormwater and insufficient information has been provided with the application, the proposal cannot be properly assessed which is included as one of the reasons for refusal.</p>
Traffic Engineer	<p>Council's Traffic Engineer has reviewed the proposal and provided the following comments:</p> <p><i>"As per advice provided for DA2011/1457, the traffic generated by this site will be minimal and will have no significant adverse impacts on the existing road network.</i></p> <p><i>Three (3) parking spaces have been provided which is sufficient for the proposed use.</i></p> <ul style="list-style-type: none"> - 2 are required for the residential dwelling; and - 1 for the office space (1 space per 40m2) <p><i>This is an assessment of the number of spaces only. The location and aesthetics of the car parking areas are not considered in this reply.</i></p> <p><i>It is not possible for all vehicles to enter and exit the site in a</i></p>

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Referral Department	Comments Received
	<p><i>forward direction. This is considered acceptable only for residential dwellings and category 1 driveways."</i></p> <p>Comment: The application details the provision of 3 car spaces: with two (2) spaces for the dwelling (one garage and one tandem space) situated within the eastern side setback, and; one (1) for the office, situated within the front setback area. The office car space is able to satisfy the manoeuvring requirements by Council's Traffic Engineer. Should this application be approved, all recommended conditions would be included within the notice of determination.</p>
Landscape Assessment Officer	<p>Council's Landscape Assessment Officer has reviewed the Section 82A proposal and has raised no objection to the proposed development, subject to conditions in relation to tree retention and protection.</p>
Building Assessment & Compliance	<p>Council's Building Assessment and Compliance Officer has reviewed the application and raised no objections, subject to a number of conditions recommended to be included in the consent if the application is approved.</p> <p><i>"The proposal involves the Change of Use of the existing residential premises to a Class 4 (Residential Portion) and Class 5 (Office portion) under the provisions of Part A3 of the Building Code of Australia). A review has been undertaken for general BCA and Access issues as required by Section 93/94 of the Environmental Planning and Assessment Regulation 2000.</i></p> <p><i>It is considered that the building is suitable for the use (if approved by 'Development Assessments') and therefore some upgrading in terms of the existing structural and fire issues will be required at this time to provide adequate access, and egress in a safe manner whilst also providing adequate early warning to building occupants."</i></p> <p>Comment: Should this application be approved, all recommended conditions would be included within the notice of determination/consent.</p>

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

Section 82A – Review of Determination

Under Section 82A of the Act, an applicant may request Council to review a determination of a development application, other than for a complying development, integrated development, designated development or a determination made by Council in respect to an application by the Crown. The development application does not fall into any of these categories, therefore the applicant may request a review.

In accordance with Section 82A of the Act, the request for the review must be made within 6 months after the date of determination. The application was determined on 19 April 2012 and the notice of determination was issued on the same date. The request to review was lodged on 7 August 2012 and to be considered by WDRP on 10 October 2012, which is within the 6 months from the date the request for the review was made.

Section 82A(4)(c) provides that the Council may review a determination if in the event that the applicant has made amendments to the development described in the original application, the consent authority is satisfied that the development, as amended, is substantially the same as the development described in the original application.

The amendments to the proposal are outlined in the 'Proposed Development' section of this report.

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In relation to the issue of substantially the same, in Michael Standley and Associates Pty Ltd v North Sydney Council [1997] NSW LEC 190 (5 December 1997) Justice Stein noted;

'There are, of course, differences between the building as sought to be modified and the approved development. The question is, however, whether these differences result in a building which could no longer be described as "substantially the same development". The mere fact that there are differences does not mean that the proposal is necessarily one which is not substantially the same as the approved development.'

As differences between the schemes and plans are minimal, a consideration of whether the development is substantially the same should focus on whether there are sufficient similarities to reasonably conclude the development is substantially the same.

A review of the original and amended plans has found the following similarities between the two schemes;

- The extent of the impact of the development within the site is similar to that considered in the original application.
- A reduction in the size of the offices to incorporate two (2) offices approximately 39 square metres in size (including the meeting room).
- A reduction of one (1) permanent staff with no more than three (3) permanent staff with casual staff required on an as-needs (temporary) basis.
- The extent of landscaped open space on the site has been improved to that considered in the original application.
- Apart from the re-configuration of the rooms, there is no change to the composition of the rooms which will incorporate one (1) bedroom, two bathrooms, living room, dining room and kitchen/laundry.
- Re-location of the three (3) parking spaces to utilise the existing single garage with two (2) tandem car parking spaces along the eastern boundary and a single hardstand car space within the Frenchs Forest East street frontage surfaced in crushed tiles.
- The floor levels of the development are unchanged.
- The hours of operation of the office are similar to the original application.
- The height, bulk and scale of the development are similar to the original application.
- There is no proposed change the conversion of the existing laundry and toilet to disabled access bathroom.
- There is no proposed change to install a new vehicular sliding gate to Frenchs Forest Road East elevation.
- There is no proposed change to install photo-voltaic collectors on the roof.
- The Section 82A proposal will delete the proposed installation of two (2) rainwater tanks to the eastern elevation of the building adjoining bedroom 1 which is now proposed to be used as a meeting room.

It is considered that there are fundamental similarities which result in the essence of the amended scheme being substantially the same as the original scheme. Accordingly, it is considered that the proposal satisfies the requirement of Section 82A (4) (c) of the Act.

Warringah Local Environmental Plan 2011 (Draft WLEP 2009 at the time of the original determination)

Definition: Office premises and Dwelling Houses

Land Use Zone: R2 Low Density Residential

Permissible or Prohibited: Prohibited (Offices) and Permissible (Dwelling Houses)

The original Development Application No.DA2011/1457 was lodged with the Council on 15th November 2011. This was after the exhibition of the Draft WLEP 2009 and prior to the making of WLEP 2011 on 9 December 2011.

The use of part of the building as office premises is a prohibited development under the provisions of WLEP 2011.

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REV2012/0100**Assessment of Amended Proposal**

The following assessment considers whether the amended proposal submitted with the Section 82A application has satisfactorily addressed the reasons for refusal of Development Application No.DA2011/1457:

- 1. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the Desired Future Character statement for the B1 Frenchs Forest Road East Locality under Warringah Local Environmental Plan 2000.**

Comment: The modified proposal will still not be characterised by detached style housing in a landscaped setting as the proposal does not incorporate a landscaped front setback as it will predominately be occupied as hard surfaced commercial car parking and driveway areas. The applicant has stated that there is an improvement to the landscaping within the front yard, which is concurred with to the extent that landscaped areas have been increased, however, the predominance of hard surfaced (i.e. crushed tiles) car parking and driveway over landscaping remains a distinctive feature of the proposal and is contrary to the character outcome envisaged by the DFC.

The use of the premises as commercial offices within a residential area is not considered to be a "complementary and compatible use" as defined under WLEP 2000. The proposed use of part of the dwelling as offices will introduce a use which is inconsistent with the adjoining and surrounding residential land uses. The established amenity of the locality provides for open streetscapes with dwelling houses located in a landscaped setting with a curtilage of gardens and trees and car parking facilities (garages and carports) generally behind the front building setback. The established amenity of the locality also provides a visual outlook towards the street where the views from the front windows of dwellings are not obscured. In this regard, the offices will dominate the front of the building and there will be no residential component interfacing with the street.

Although, it is acknowledged that the amended proposal provides additional landscaping within the Frenchs Forest Road East Front Setback area, the amended proposal still detracts from an open and landscaped presentation to the street. Overall, the loss of landscaped opportunities in the front setback diminishes the quality of the landscaped settings of the street.

The site is not located within a local retail centre and is approximately 170 metres west of the local retail centre at "Skyline Shops" which is also located on Frenchs Forest Road East. Allowing 'offices' outside local retail centres has the potential to undermine and hence compromise the role of the local retail centre, which would ordinarily accommodate and provide for office floorspace to serve the local area. Essentially, it does not represent an 'orderly' development of land, as it effectively 'rezones' the site under the guise of Category 3 development to commercial use outside of a local retail centre. For this reason, it is considered the proposal has the potential to compromise the role of the nearby local retail centre. This aspect of the proposal is contrary to the DFC.

There are no significant alterations or new building works required for the proposed office use, however this is due to the fact that the works have largely been carried out without approval. When the front setback area is developed with a concrete and crushed tile driveway and car parking spaces, it will not be characterised by landscaped front gardens consistent with other dwellings in the locality, due to the fact that the car parking and driveway will occupy the majority of the front garden area to Frenchs Forest Road East which, will not only reduce the overall landscaped open space provision to less than 40% of the subject site, but also result in a predominance of car parking and hard surfaced driveway over soft landscaping which is contrary to the character outcome envisaged by the DFC.

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In light of the above, concerns relating to the inconsistency of the proposal with the Desired Future Character statement have not been addressed and this issue should remain as a reason for refusal.

2. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the General Principles of Development Control under *Warringah Local Environment Plan 2000*, including:

a. Clause 63 Landscaped Open Space

Comment: Although the Section 82A proposal improves the provisions of landscaping on the site, the amended proposal does not provide adequate landscaped open space for the following reasons:

- The quantum and location of landscaping in the front setback area of the building to Frenchs Forest Road East will not maintain or enhance the streetscape character of the site in a manner consistent with the requirements of the DFC for the B1 Locality,
- The proposed triangular landscaped "pockets" within the front setback area to Frenchs Forest Road East will not enable the establishment of appropriate plantings that are of a size, location, scale and density to adequately soften and screen the extent of hard paving, parked cars and extent of driveway area, and
- The remaining landscaped area will not adequately facilitate water management including on-site detention and the infiltration of stormwater.

Furthermore, the proposal provides 150 square metres of landscaped open space which is deficient by 48 square metres having regard to the minimum requirements of 40% of the site area under the Landscaped Open Space Built Form Control.

In this regard, the concerns regarding the landscaped open space have not been satisfactorily addressed and this issue should remain as a reason for refusal.

b. Clause 71 Parking Facilities (visual impact)

Comment: The amended proposal lessens the visual impact of the parking facilities, by reducing the number of car parking spaces within the front setback from 3 to 1, however, the provision of 1 car parking space and associated hard surfaced driveway (i.e. concrete and crushed tiles) within the front setback area of the site will be visually dominant and excessively consumes the front garden areas of the property and results in a predominance of hard paving and car parking over soft landscaping which will have a negative visual impact when viewed from Frenchs Forest Road East.

Although the amendments to the plans lodged as part of the Section 82A review have improved this situation to some extent, by relocating car parking to the existing garage and carport in a tandem parking arrangement and increasing the extent of landscaping in the front setback, the overall outcome is still not sufficiently compatible with the streetscape character of residential properties in this locality which is typically complying front setbacks and open streetscapes with parking facilities behind the 6.5m front building line.

In this regard, the concerns regarding the visual impact of car parking facilities have not been satisfactorily addressed and this issue should remain as a reason for refusal.

CA/Env/10533
REV2012/0100**c. Clause 74 Provision of Car Parking**

Comment: The applicant has reduced the size of the offices to less than 40 square metres where 1 car space per 40 m² of GFA is required for the office premises and 2 car spaces are required for the dwelling component of the application.

One car space is provided in the form of a hard surfaced (i.e. crushed tiles) car parking space within the front setback area to Frenchs Forest Road East. It is intended that the existing single garage be used as a secondary car parking space. Also, the existing single carport structure in front of the garage is to remain unchanged.

Therefore, a minimum of 3 spaces is required for the proposed use of part of the residential building as office premises. The proposal provides for 3 car parking spaces for the subject site, which complies with the carparking provisions.

As such, in light of the above, the issue relating to the provision of car parking has been satisfied by reducing the size of the offices within the building and, therefore, Clause 74 'Provision of Car Parking' should be deleted as a reason for refusal.

d. Clause 75 Design of Car Parking Area

Comment: Despite an improved visual impact of the parking facilities under the amended proposal, the siting of a car parking space within the front setback area of the site will visually dominate the sites frontages and consume the front garden areas of the property and result in a predominance of hard surfaced paving (i.e. crushed tiles) and car parking over soft landscaping which will have a negative visual impact when viewed from Frenchs Forest Road East.

In this regard, the concern regarding the design of the car parking area has not been satisfactorily addressed and this issue should remain as a reason for refusal.

e. Clause 76 Management of Stormwater

Comment: Council's Development Engineers have reviewed the Section 82A proposal and have raised concerns in relation to the stormwater management on this site. The engineer's comments are as follows:

"The site of this proposed development has previously had an approval for alterations and additions in 2006 which were constructed and completed.

In accordance with the guidelines within part 5 of Council's OSD checklist the exemption for extensions less than 50m² only applies to the first approved extension.

As there has been a considerable increase in the impervious area on the site between the completed works in 2006 and those proposed with the current application, OSD is required for this application.

As OSD is required but no OSD design has been submitted with the review, Development Engineers cannot support the application."

The applicant maintains that the proposal does not require OSD on the basis that the additions do not exceed 50 square metres. However, based on the advice from Council's Development Engineers, OSD is in fact required. Given that inadequate provision is made for the management of stormwater and insufficient information has been provided with the application, the Section 82A proposal is not supported on this basis.

In this regard, the concern regarding the management of stormwater has not been satisfactorily addressed and this issue should remain as a reason for refusal.

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3. **Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the Front Building Setback and Landscaped Open Space Built Form Controls applying to the B1 Frenchs Forest Road East Locality under Warringah Local Environment Plan 2000.**

a. Front Building Setback Built Form Control

Comment: The amended proposal involves car parking on a 2.1-3.5 metres setback from the Frenchs Forest Road East boundary (primary frontage) and on a 2.9 metre setback from Harmston Avenue (secondary frontage).

Technically, the amended proposal is compliant with the 6.5m front building setback control in that the building itself is setback 7.6 metres from Frenchs Forest Road East and 5.8 metres from Harmston Avenue. However, the front building setback control also states:

*'The front building setback area is to be landscaped and **generally free of any structures, car parking or site facilities other than driveways, letterboxes and fences.***

The applicant has provided crushed tiles for the office car space and part of the access driveway instead of the original pebble carspaces located within the front building setback area which is required to be soft landscaped apart from a driveway.

The placement of the proposed car parking space within the front setback area along Frenchs Forest Road East will not create a sense of openness when viewed from Frenchs Forest Road East. In essence, the front setback area will consist largely of hard surfaced areas used for car parking and access rather than being generously landscaped to create a front garden which is compatible with other front gardens in the locality. It is considered that the proposed hard surfaced office car space when occupied by a vehicle will detract from a sense of openness in the Frenchs Forest Road East streetscape.

The amended proposal's hard surfaced car parking areas and driveway areas will significantly reduce opportunities for adequate landscaping within the front building setback area which is commensurate with the size of the building and extent of hard paved car parking and driveway areas. It is acknowledged that the non-compliant element of the proposal is not building per se, rather it is open and uncovered car parking within the front building setback areas, however such an outcome will unreasonably impact on the streetscape.

The extent of hard surfaced parking areas and access driveway areas to accommodate the required commercial and residential car parking reduces the front garden to triangular landscaped pockets along the Frenchs Forest Road East boundary. The resultant provision of soft landscaping does not maintain sufficient areas to allow for planting which would preserve the overall character of the front garden for the subject site nor the broader landscape character of the street.

In light of the above, this issue relating due to detrimental impacts on the streetscape and the loss of residential character associated with inappropriate treatment of the Front Building Setback has not been satisfactorily addressed and this issue should remain as a reason for refusal.

b. Landscaped Open Space Built Form Control

Comment: The amended proposal results in a landscaped open space provision of 30% (150.485 m²) of site area, which excludes all areas less than 2m in width and length. It is noted that when all soft landscaped areas (including areas less than 2m in width and length) are included in the calculation, the proposal is still deficient, being 34.7% (172m²) of the site area.

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It should be noted that a previous DA for alterations and additions in 2006 provided landscaping for 54% of the site. Since then, unauthorised works have resulted in a reduction of the landscaped open space to what is currently provided, which is approximately 25% of the site. Further, insufficient information with regard to the management of stormwater on the site has been provided to satisfy drainage requirements and to adequately assess the application.

The levels of soft landscaping within the front yard will cause a loss of landscape amenity, openness and compatibility with other adjoining and nearby residential properties which is inconsistent with the character outcome envisaged by the DFC.

The provision of triangular pockets of landscaping adjacent Frenchs Forest Road East is an improvement to the current situation, however, the establishment of landscaping remains insufficient to properly and adequately screen and soften the car parking, access driveway and building.

In light of the above, this issue relating to non-compliance with the Landscaped Open Space provisions has not been satisfactorily addressed and this issue should remain as a reason for refusal.

4. **Pursuant to Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, the subject site is not considered suitable for the proposed development as the in terms of streetscape compatibility, car parking provisions and stormwater management.**

Comment: The extent of hard surfaced parking areas and access driveway areas to accommodate the required commercial and residential car parking reduces the front garden to triangular landscaped pockets along the Frenchs Forest Road East boundary. The resultant provision of soft landscaping does not maintain sufficient areas to allow for planting which would preserve the overall appearance of the front garden for the subject site nor the broader landscape character of the locality and is not supported due to detrimental impacts on the streetscape and the loss of residential character.

The applicant has reduced the size of the offices to less than 40 square metres where 1 car space per 40 m² of GFA is required for the office premises and 2 car spaces are required for the dwelling component of the application. A minimum of 3 spaces is required and provided for the proposed use of part of the residential building as office premises. As such, this issue relating to Clause 74 Provision of Car Parking has been addressed and is not included as a reason for refusal.

The applicant maintains that the proposal does not require OSD on the basis that the additions do not exceed 50 square metres. However, based on the advice from Council's Development Engineers, OSD is in fact required. Given that inadequate provision is made for the management of stormwater and insufficient information has been provided with the application, the Section 82A is not supported.

In this regard, the concerns regarding the suitability of the site in relation to the management of stormwater and streetscape compatibility have not been satisfactorily addressed and these issues should remain as reasons for refusal.

5. **Pursuant to Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the objects of the Act in that it will result in a disorderly and ad-hoc planning outcome.**

Comment: In order to assess whether the proposal achieves consistency with the housing requirements of the R2 Low Density Residential objectives of WLEP 2011, a gross floor space ratio of the residential part and the office part must be considered. In this regard, the gross floor area of the offices is approximately 39m² (including the meeting room which is part of the office use).

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Given the above, the commercially related use of the site is approximately one-third of the gross floor area of the building and the housing related use is two-thirds. To enable the occupation of the building as office premises would undermine the strategic planning intention for the site, which has been identified as primarily "residential" as evidenced by the R2 zoning applying to the site under the WLEP 2011 with the exception of other 'permissible' uses in the zone.

The amended proposal does not fully achieve this objective through the provision of one (1) bedroom given that a significant portion of the floorspace will be occupied for offices. The residential component is reduced to one bedroom which is not compatible manner in which dwellings are occupied in this locality.

The strategic planning undertaken as part of the recently gazetted WLEP 2011 (December 2011) ensures the growth in the number of developments for commercial premises within Warringah Council is controlled, manageable and sustainable. Varying the aims and objectives of the WLEP 2011 without careful consideration of the strategic planning for the locality/zone will contribute to uncontrolled and uncoordinated development within the locality/zone.

After a review of similar existing land uses and operating businesses along Frenchs Forest Road East, it was found that none of them were approved under WLEP 2000. The medical centres operating within the vicinity of the subject site have either been granted approval for their use prior to the implementation of WLEP 2000 or are currently operating without Council approval.

It cannot be reasonably argued that generic office premises provide facilities or services to meet the "**day to day**" needs of the occupants of surrounding and nearby residential areas, as stated in the R2 Low Density Residential objective, unlike a "**complementary and compatible use**" might. To be consistent with this objective, it would be reasonable to assume that to enable any other land use, that particular land use must pass the test of being a compatible and complementary land use. Furthermore, establishing a prohibited land use (under WLEP 2011) within a predominantly residential neighbourhood (being northern side of Frenchs Forest Road East) would not achieve the low density residential zone objectives.

The revised proposal generally maintains a low density residential environment as viewed from both the Frenchs Forest Road East and Harmston Avenue streetscapes as the changes are not substantial in terms of built form. However, the proposal includes the use of part of the building as an office premises and, as indicated above, is considered to be incompatible with the residential character of the area. Despite maintaining a low density residential environment, the proposal does not provide sufficient landscaped settings which would satisfy this low density residential zone objective.

The applicant's justification for the Section 82A proposal is that the site has been previously used as business premises, however, that previous use as an office was unlawful. Also, the applicant states that the site is conveniently located for office premises. It is agreed that the site is well located for the intended use, being on a bus route and opposite the business locality/zone. Notwithstanding this locality has had a number of business type developments approved in the past due to them being complementary and compatible with the surrounding residential areas, this proposal is simply a straight office use which is inappropriate in a residential precinct and should be located in a business locality/zone.

In this regard, the concern regarding the Section 82A proposal's inconsistency with the objects of the Act, in that it will result in a disorderly and ad-hoc planning outcome, has not been satisfactorily addressed and this issue should remain as a reason for refusal.

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SCHEDULES

Schedule 15 - Statement of Environmental Effects

The applicant has submitted a revised Statement of Environmental Effects, prepared by prepared by Denis Smith of Tomasy Pty Ltd dated August 2012, which addresses each part of Schedule 15. The following discussion is provided having regard to these provisions:

Consideration	Proposed
(1) Summary of the Statement of Environmental Effects (SEE)	<p>A Statement of Environmental Effects (SEE) has been submitted with the application.</p> <p>Comment: It is agreed that the statement submitted addresses all relevant planning controls.</p>
(2) Consistency of the proposal with the desired future character statement and general principles of development control established by the plan.	<p>The applicant has addressed the consistency of the proposal with the Desired Future Character Statement for the B1 Locality and the General Principles of Development Control in the Statement of Environmental Effects. In summary, the applicant has concluded that the proposal is consistent with the DFC Statement for the B1 Locality and the development is also consistent with the general principles as contained in Part 4 of the WLEP 2000.</p> <p>Comment: An assessment of the amended proposal with all the relevant controls in WLEP 2000 is detailed in this report and has determined that the proposal is inconsistent with the DFC and a number of GP's.</p>
(3) Objectives of the proposed development.	<p>The applicant has advised that the primary objective of the proposed development is:</p> <p><i>"As a result of the previous development application being refused by Council, the client has reconsidered their position and substantially amended the proposed to be more compliant with WLEP 2000 and to the objectives of the WLEP 2011. In this regard the client has separated the residential accommodation from the office space and substantially increased the landscaping for the development."</i></p> <p>Comment: The objective of the development is considered to have been sufficiently discussed and documented throughout the SEE.</p>
<p>(4) An analysis of feasible alternatives.</p> <p>(including (a) Consequences of not carrying out the development and (b) Justification for the development)</p>	<p>The applicant has addressed the feasible alternatives to the proposal. The reason why the applicant has stated that the development is necessary, is summarised as follows:</p> <p><i>"The subject site was selected as it had been used for some time as business premises...it is important for Council to recognise and take into consideration that the land immediately opposite the subject site is located within a business park type locality which is known as G4 Rodborough Road."</i></p> <p>Comment: The justification for the development is that the site has been previously used as business premises, however, such a use was conducted unlawfully. Also, that the site is conveniently located for office premises. The proposal seeks to regularise the use of the site as office premises along with a component of residential accommodation.</p> <p>It is agreed that the site is well located for the intended use, being on a bus route and opposite the business locality/zone. However, this locality has had a number of business type developments approved in the past due to them being complementary and compatible with the surrounding residential areas, whereas this is simply a straight office use which is inappropriate in a residential precinct and should be located in a business locality/zone.</p>
(5) Development and context analysis.	<p>The SEE submitted with the application provides a detailed description of the proposed development and the context of the development.</p> <p>Comment: The SEE has provided an appropriate description of the development and an analysis of the context of the subject site.</p>
(6) Biophysical, economic and social considerations and the	<p>The applicant has stated there are no adverse environmental impacts associated with the development.</p>

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Consideration	Proposed
principles of ecologically sustainable development.	<p>The SEE states that the proposal will provide a further enhanced valuable service to the business employment centre opposite the site which further reinforces the economic and social benefits to not only the business but also the existing and future patrons to the locality.</p> <p>Comment: The proposal is not considered to involve adverse impacts in relation to the biophysical and social considerations and the principles of ecologically sustainable development. However, the approval of office use, which is not a complementary and compatible use, within a residential locality has the potential to erode the amenity of the residential area and have a negative impact on the viability and future growth and contribution of the local retail centre.</p>
(7) Measures to mitigate any adverse effects of the development on the environment	<p>The applicant has stated there are no adverse environmental impacts associated with the development. The SEE has indicated that mitigation measures for the proposal are as follows:</p> <p>The traffic generation from the proposal will not present any unsatisfactory traffic capacity or safety implications along Frenchs Forest Road East. Appropriate internal design complying with the BCA and fire regulations.</p> <p>Comment: Mitigation measures are contained within the SEE in relation to waste management and disposal and hours of operation of the office premises. However, the impacts of the proposal in terms of streetscape impacts, traffic associated with the office component (staff, couriers, visitors, customers etc) and loss of residential character have not been adequately mitigated.</p>
(8) Other approvals required	<p>The subject development does not constitute integrated development pursuant to the provisions of the <i>Environmental Planning and Assessment Act 1979</i>. No other approvals are therefore required to enable the proposal to proceed.</p>

It is considered that the amended Statement of Environmental Effects prepared in response to the provisions of Clause 15/Schedule 15 adequately addresses the relevant matters, despite the assessment and conclusions made in the SEE not being concurred with in relation to the DFC, impacts and justification for the Section 82A proposal.

CONCLUSION

The Section 82A proposal has been reviewed and the application assessed having regard to the reasons for refusal and the previous assessment in relation to Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No 55 – Remediation of Land, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, State Environmental Planning Policy (Infrastructure) 2007, Warringah Local Environmental Plan 2000, Warringah Local Environmental Plan 2011, Warringah Development Control Plan and the relevant codes and policies of Council. This assessment has taken into consideration the submitted plans, the revised Statement of Environmental Effects (dated August 2012), and all other documentation supporting the application.

The amended plans submitted with the Section 82A application have attempted to resolve the issues forming the basis of the reasons for refusal of Development Application No. DA2011/1457. In this regard, the size of the office premises has been reduced which has lessened the car parking requirements and correspondingly, the applicant reduced the number of spaces and increased the amount of landscaping within the front setback area. Despite these changes and improvements, the critical concerns relating to inconsistencies with the Desired Future Character (DFC) Statement of the B1 Frenchs Forest East Locality and a number of General Principles of Development Control as contained in Part 4 of Warringah Local Environmental Plan 2000 have not been satisfactorily addressed and these remain as the main concerns with regards to the proposal.

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With respect to the Category 3 matters, consideration has been given to the applicants Schedule 15 Statement, the DFC Statement for the B1 Locality and the relationship of the Category 3 use to the context of the site, the residential locality and other surrounding land uses. In summary, it is found that the amended proposal is inconsistent with the DFC statement for the B1 Locality in that the proposed commercial office use is not a complementary and compatible development, as prescribed by WLEP 2000, and in fact constitutes a use which should be located within a business locality/zone or local retail centre. In simple terms the office use should not be located in a residential area. The approval of such a use within a residential area has the potential to erode the amenity of the area and have a negative impact on the streetscape and the residential identity of the area. Moreover, the proposal constitutes disorderly and ad-hoc planning and is contrary to the aims and objectives of the Act and the LEP.

The assessment of the amended application has determined that the proposal remains deficient in respect to provisions for stormwater management. This previous reason for refusal has not been appropriately addressed in this review. Therefore, the application is unsupportable for this reason and so this also constitutes a reason for refusal.

The application is subject to the savings provisions of WLEP 2011 and therefore should be assessed under WLEP 2000. However, it has been found to be inconsistent with the objectives of the R2 Low Density Residential Zone in which the proposal (i.e. office premises) is a prohibited land use under WLEP 2000.

The impacts of the proposal in terms of streetscape impacts, traffic associated with the office component (staff, couriers, visitors, customers etc) and loss of residential character have not been adequately addressed or measures put forward on the management and mitigation.

The applicant has reduced the size of the offices to less than 40 square metres where 1 car space per 40 m² of GFA is required for the office premises and 2 car spaces are required for the dwelling component of the application. A minimum of 3 spaces are required and 3 spaces have been provided by the applicant for the proposed use of part of the residential building as office premises. As such, this issue relating to Clause 74 Provision of Car Parking has been addressed and is not included as a reason for refusal.

The application was notified to adjoining and surrounding properties and no submissions were received in response to the Section 82A notification.

Finally, the Warringah Development Assessment Panel (WDAP) raised specific concerns regarding a lack of physical separation (i.e. isolation) between the office premises and the residential accommodation within the building. It is noted that this issue has not been adequately addressed within the amended proposal.

Accordingly, the Section 82A proposal cannot be supported as the proposal fails to achieve compliance with the relevant planning provisions. Accordingly, the recommendation of this report is that Warringah Development Review Panel maintains the reasons for refusal of the application, with the exception of the matters relating to compliance with car parking.

RECOMMENDATION (SECTION 82A REFUSAL)

That Section 82A Review (REV2012/0100) of Determination of Development Application No.DA2011/1457 for alterations and additions to an existing building for use as office premises and a dwelling on land at Lot 591, DP 843492, No. 36 Frenchs Forest Road East, Frenchs Forest be refused for the following reasons:

1. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the Desired Future Character statement for the B1 Frenchs Forest Road East Locality under *Warringah Local Environmental Plan 2000*.

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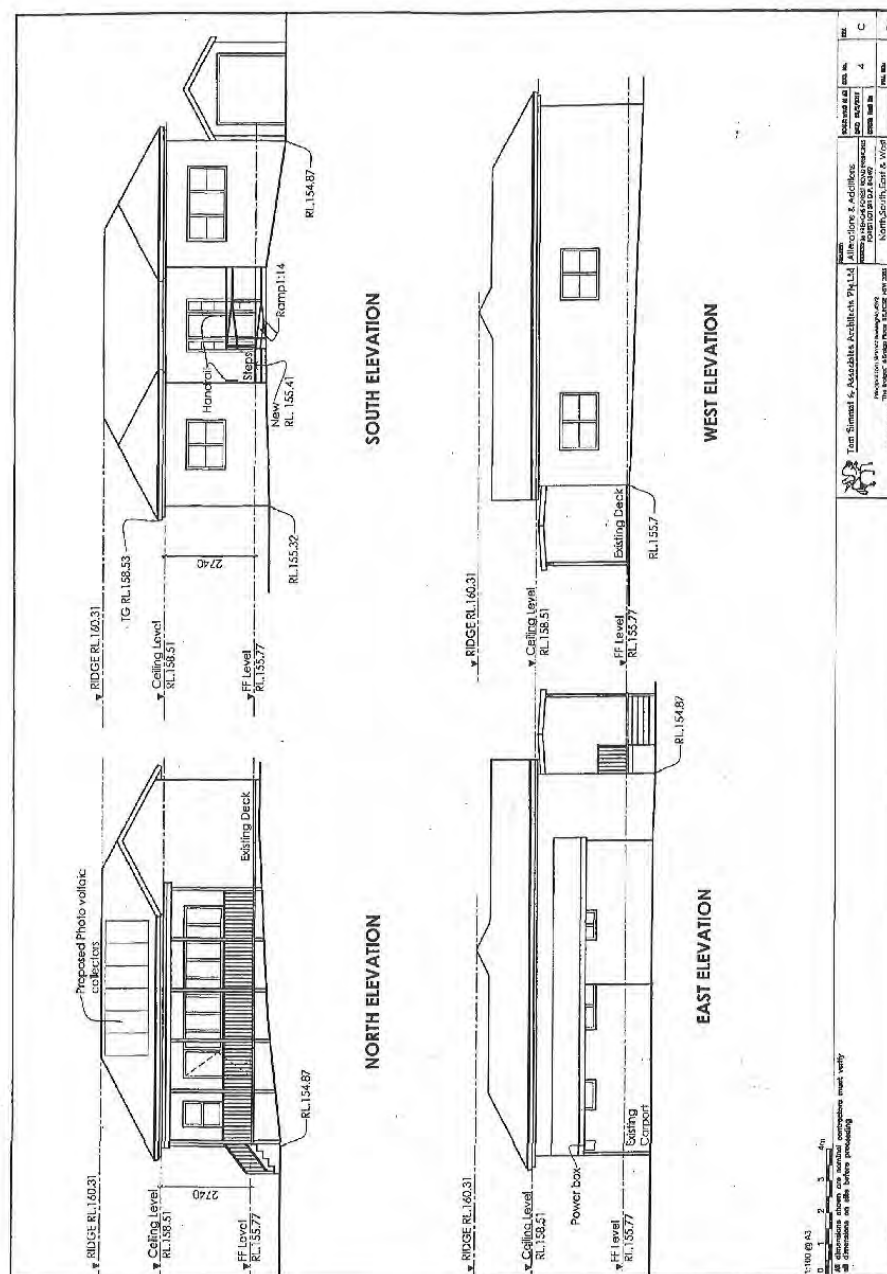
2. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the General Principles of Development Control under *Warringah Local Environment Plan 2000*, including:
 - a. Clause 63 Landscaped Open Space,
 - b. Clause 71 Parking Facilities (visual impact), and
 - c. Clause 76 Management of Stormwater.
3. Pursuant to Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with the Front Building Setback and Landscaped Open Space Built Form Controls applying to the B1 Frenchs Forest Road East Locality under *Warringah Local Environment Plan 2000*.
4. Pursuant to Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979*, the subject site is not considered suitable for the proposed development in terms of streetscape compatibility and stormwater management.
5. Pursuant to Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the objects of the Act in that it will result in a disorderly and ad-hoc planning outcome.



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ATTACHMENT

Elevation Plan



ITEM 8.5	CONTINUATION OF WEEKLY DOG FAECES COLLECTION AT MELWOOD OVAL
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2012/382460
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek a decision from Council whether to continue the weekly dog faeces clean up at Melwood Oval at a cost of \$88 per week, when sport is being played at this location.

SUMMARY

When a trial of unleashed dog exercise was undertaken at Melwood Oval, Council agreed to pay a contractor up to \$99 for a weekly clean up of any uncollected dog faeces prior to the weekend sports. This was in response to concerns by the sporting club of irresponsible dog owners not cleaning up after their dogs.

Following the successful trial in September 2010, Council voted to continue this service and review it after a further 12 months.

The contract is currently still continuing with an average of 14 dog faeces being cleaned up at this location per week.

Council needs to decide whether to continue this service for the benefit of the sporting clubs, cease the service based on trying to ensure more responsible dog ownership or remove the availability of off leash exercise from Melwood Oval.

FINANCIAL IMPACT

Cost of service: approximately \$4,000 per annum for a further 12 months.

POLICY IMPACT

Nil

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That:

- A. Council continue with the Melwood Oval weekly dog faeces clean-up service for 12 months in order to collect additional data and consult with stakeholders.
 - B. Staff report back to Council within 12 months in order to review continuation of the service and/or use of the park as an off-leash dog area.
-

REPORT

BACKGROUND

From March 2010 – September 2010 a trial of four new unleashed dog exercise areas was undertaken, and in November 2010 all were adopted as permanent off leash exercise areas.

Melwood Oval was one of the new sites which was adopted based on “restricted hours” access. This site was the most contentious due to the strong dog lobby group for the unleashed exercise area while opposing the trial were the sporting groups. The oval is used for soccer and cricket, and users were against the trial due to concerns of that dog owners would not remove their dog faeces.

As a solution Council agreed to a weekly dog faeces clean up service at a cost of approximately \$99 per week for the duration of the six month trial.

At the November 2010 meeting it was recommended that Council discontinue the clean up service so that responsibility for cleaning up after the dogs remained with the owners. However Council resolved at that meeting:-

“That Council designate the following areas as additional unleashed dog exercise areas:

Currie Road, Forestville just before the entrance to Forestville Park, Truman Reserve, Cromer, Beacon Hill Oval, Beacon Hill (restricted Hours) and Melwood Oval, Forestville (restricted hours), maintaining the dog faeces removal service for Melwood Oval for a further 12 month period, with a review of this removal service after this time.”

TIMING

This service is currently continuing. The cost is approximately \$88 per week with the exception of when sport is not being held due to wet weather or school holidays. The total cost to Council is under \$4,000 per year.

CURRENT SITUATION

Council staff requested the contractor to count the number of dog faeces collected at each weekly visit for a number of months.

The total number collected weekly varied from 6 to 25 with a mean of 13.7.

This continues to highlight the issue of irresponsible dog owners not cleaning up after their dog as per the requirement to under the Companion Animals Act 1998.

Council Rangers undertake regular patrols at Melwood Oval, however there is always a high compliance rate of faeces collection when Rangers are visible.

Melwood Oval is the only off leash area which has this clean up service. Allambie Oval, Beacon Hill Oval, Terrey Hills Oval and Truman Reserve are the other sporting fields where restricted hours unleashed dog exercise is permitted.

FINANCIAL IMPACT

The cost of this service is \$88 per week though is not done during school holidays or when there are wet weather sport cancellations. This comes to a total of under \$4,000 per year.

ITEM 8.6	GRANTS AND SPONSORSHIP POLICY - PROPOSED AMENDMENTS
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/373697
ATTACHMENTS	1 Mayoral Minute No 18/2011 - Waiving of DA Fees for Not-For-Profit Sporting and Community Organisations 2 Proposed Amendment to Grants and Sponsorship Policy

REPORT

PURPOSE

To approve exhibition of amendments to the Grants and Sponsorship Policy allowing waiving of Development Application fees for Not-For-Profit Sporting and Community organisations in limited circumstances.

BACKGROUND

The Grants and Sponsorship Policy provides a framework for providing financial and in kind support to local community organisations and other groups delivering projects and events that provide social, economic or environmental benefits to the Warringah community. It was adopted by Council on 13 December 2011 and replaced a number of policies administering individual grant programs.

The Policy was developed in part in response to a Mayoral Minute (No 18/2011) - *Waiving of DA fees for Not-For-Profit Sporting and Community* adopted by Council on 26 July 2011 (included as attachment 1). The scope of support envisaged in the Mayoral Minute is not fully reflected in the Policy. Specifically the Mayoral Minute provided that sporting and not for profit community groups may be eligible for:

1. Up to a maximum of \$5,000 to assist in preparing plans for lodgement of a development application - engaging architects, preparing concept plans for new or expended public facilities; and
2. Successful applicants for grant funding also have the development application fees waived.

The Policy currently provides a maximum of \$5,000 for successful applicants under the Development Assessment and Architectural Services Grants Program for 1 and 2 above.

Application of the Policy

Since its adoption the Policy has been applied by Council in awarding additional funding for the grant programs for 2011-2012 (additional funding voted by Council) and 2012-2013. The grant programs were awarded on 26 June 2012, two successful applicants for the Development Assessment and Architectural Services grant program were:

- Forest Hills Pony Club - fees with plans and approvals for clubhouse extension for Forest Hills Pony Club at JJ Melbourne Hill reserve - \$5,000
- Forest Rugby Club - fees for plans to upgrade lighting at Melwood Oval - \$4,580

Both groups lodged development applications and paid the fees (Forest Hills Pony Club \$1,614.20 and Forest Rugby Club \$624.15).

PROPOSED AMENDMENTS

Minor amendments are proposed to the Policy to ensure it accurately reflects the intent of Mayoral Minute No18/2011. The changes will entitle successful applicants to a reimbursement of cost incurred in preparing applications for improvement to facilities on public land up to \$5,000 and the waiving of a development application fees. These changes are shown at Attachment 2, additions are underlined and deletions are in strike through.

FINANCIAL IMPACT

The financial impact will not be significant. Groups are only eligible for fee waiver for a development application if they receive a grant under the Development Assessment and Architectural Services Grants Program. If following exhibition the Policy is amended, a total of \$2,238.35 will be reimbursed.

POLICY IMPACT

The proposed amendments be place on exhibition in accordance with the policy on Policy Development and Management.

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That the:

- A. Proposed amendments to the Grants and Sponsorship Policy allowing the waiving of development application fees for successful applicants to the Development Assessment and Architectural Services Grants Program be placed on public exhibition.
 - B. Results of the exhibition be reported back to Council.
-

Mayoral Minute

Draft Agenda deadline is 12 noon Thursday, 12 days prior to Council meeting

Report Title: **Mayoral Minute No 18/2011
WAIVING DA FEES FOR NOT FOR PROFIT SPORTING
AND COMMUNITY ORGANISATIONS**

EDMS Link:

Council Meeting Date: **26 July 2011**

**Notification of interested parties
required?** **YES / NO / NA**

Report written by: **Nicki Adams, Executive Co-ordinator**

Signature

Date

Reporting Manager: **[Title only]**

Signature

Date

Director: **[Title only]**

Signature

Date

Key Consultation:

Has consultation taken place with the following?

Corporate Lawyer **YES / NO / NA**

Reviewed by General Manager:

Signature

Date

Approved by Mayor:

Signature

Date



NA/SDS/9876

Linked to EC01750

**5.3****Mayoral Minute No 18/2011
Waiving of DA fees for Not-For-Profit Sporting and Community
Organisations**

Our Sporting and not-for-profit community groups provide a service to our community and most of these groups are managed by volunteers who give selflessly of their time. Many of them do not have the time to be dealing with the processes and complexities of designing and building facilities as well as finding the time to raise additional funds for the projects.

The purpose of this recommendation is essentially to encourage high quality designs of our public facilities, and take the pressure off our local groups.

The waiving of the initial costs of the planning fees will be provided to organisations but Council will also assist with the engagement of architectural services and ensure the local community are consulted as part of the process and are involved in the design concepts.

There would be an expectation from Council that the community organisation engage from the beginning of the design stage of their project with their local neighbours and the cost of this consultation process can be absorbed by the grant. The grant would also assist with the cost of the final design drawings from the architects once a concept is agreed to by the community.

Finally it is hoped that this process will ensure clubs and groups who are considering expanding their facilities to look at more sustainable and uniquely designed buildings that will also service the organisation's needs into the future.

Funds to a maximum of \$5,000 would be available to sporting and not-for-profit community organisations to build and/or extend public buildings/ facilities to cover all pre-DA fees and any architectural service fees.

That successful applicants to the grant funding, also be eligible for the cost of fees for a DA be waived.

Funding totalling \$25,000 per annum to be made available. This funding will commence in the current financial year if an increase in the budgeted annual surplus is identified in the quarterly reporting process and will then be included as a budget item in subsequent years.

The appropriate mechanism to deliver this outcome is a Council policy that would consider the issues raised above in it's development.

RECOMMENDATION

- A. That a policy, which includes for providing financial support for not for profit sporting and community organisations as stated above, be prepared for Council's consideration and exhibition.
 - B. That \$5,000 from the budget surplus be made available to prepare the draft policy.
-



**Michael Regan
MAYOR**

Warringah Council Policy

Policy No. PL 011 Grants

Grants and Sponsorship Policy

1. Purpose of Policy

To support and encourage local community organisations and other organisations to deliver projects and events that provide social, economic or environmental benefits to the Warringah Community through the provision of grants and sponsorship.

2. Policy Statement

The Policy provides the framework for an equitable, open and orderly process for providing assistance to the community. It allows for greater accessibility to funding and ensures transparency around the provision of financial assistance across Warringah. It also provides for greater recognition of the contribution Council makes to supporting organisation that contribute to improving the social, economic or environmental fabric of Warringah.

Financial support is provided across five programs with the level of funding set annually through the Strategic Community Plan and Budget. The Programs facilitate a diverse range of services and projects that directly benefit the community and contribute to the quality of life in Warringah.

The provision of grants and sponsorships is a mechanism for Council to further the directions highlighted in the Strategic Community Plan, Social Plan, Economic Development Plan, Environment and Sustainability Strategy and Cultural Plan. The contribution of the community organisations to developing, coordinating and managing these activities is recognised and respected.

3. Grants, Sponsorship and Donations

A grant is money or goods provided to recipients through formally recognised programs for a specific purpose and outcome.

Grants involve a competitive process where applications are assessed against a set of criteria and funding is determined against:

- quality of the application
- merit of the project
- available funding

Sponsorship is financial or value in-kind support for an event, project, service or activity, in return for agreed commercial and other benefits. It is a business transaction that involves an exchange that has a measurable value to each party in commercial, communication or philanthropic terms.

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A Sponsorship involves a financial contribution where there is a direct cost to Council in providing the service and the fees are waived or income foregone. This applies to services such as cleansing and waste, development applications, health inspections, life guard services, Warringah Aquatic Centre, Glen Street Theatre and parking. Value in kind sponsorship is a service where there is no direct cost to Council but the opportunity cost of earning income is foregone such as hiring of parks and community centres.

Sponsorship is valued at the price which would have been charged if financial or in-kind assistance was not available.

Donations are not supported as they are discretionary with no agreed outcome or expected return.

4. General Eligibility Requirements

Who can apply generally?

To be eligible for funding or support, an organisation must:

- offer a project or service in Warringah, or primarily for the Warringah community (minimum of 75% participants from the LGA)
- be not-for-profit (see exception in 5 of the *Sponsorship and Discretionary Grant Program*)
- be an incorporated body or be ~~auspiced~~ (sponsored) by one.

Who can't apply?

The following will be ineligible to apply for grants:

- Individuals
- Government or semi-government organisations
- Public and private education institutions i.e. primary, secondary and independent schools, or tertiary institutions
- For profit businesses (see exception in 5 for Sponsorship and Discretionary Grant Program)
- Political parties
- Industry peak bodies or organisations that as part of their charter do not provide a direct community benefit;
- Applicants that have outstanding rates or other debts to Council
- Applicants that have not acquitted previous grants.

Only one successful application is eligible per organisation within a 12 month period, with the exception of successful applications under the Development Assessment and Architectural Services Grants Program (Section 11). Successful applicants under this program are also entitled to waiving of Development Application fees for the proposed works under the Sponsorship and Discretionary Grants Program.

Support for this Policy is also not available for recurrent bookings. These limitations This is to ensure money is available to as many organisations as possible and that no organisation becomes dependent on Warringah Council for its continued existence.

Ineligible activities

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The following activities are ineligible for funding:

- Events for fundraising purposes where proceeds will be provided to a third party
- Events/projects of a political nature or incorporate political activities
- Events operated for commercial purposes (see exception in 5 for Sponsorship and Discretionary Grant Program)
- Events/projects that are overtly religious, could be perceived as divisive within the community and unable to demonstrate wider community benefit.
- Day-to-day operational funding for an organisation, including staff wages and insurances
- Projects which begin before Grants or Sponsorship is awarded (no assistance will be awarded retrospectively)
- Payment of debts
- Recurrent or ongoing projects
- Projects considered the core responsibility of other levels of government
- Events or activities in competition or conflict with Council
- Funding for prize money
- Projects that duplicate existing services or programs unless there is a demonstrated need
- Projects that directly contravene existing Council policy.

5. Exceptions to General Eligibility - Who Can Apply?

Applications for the Sponsorship and Discretionary Grant Program can be made by organisations that satisfy the General Eligibility OR by organisations that operate for profit. Organisations operating for profit may apply provided:

- they have an appropriate business registration including that of a sole trader,
- offer a project or event in Warringah Council, or primarily for the Warringah community (minimum of 75% participants from the LGA) or where the economic and other benefits largely accrue to the LGA, and
- project or event must have economic or broad community benefit.

6. Grant Categories, Funding Available, Approval and Administration

Funding is available for a wide range of projects under the following Programs:

Program	Funding available	Frequency	Approval process
Cultural Development Grants	Up to \$5,000	Annual	Approved by Council
Community Development Grants			
• One-off	Up to \$5,000	Annual	Approved by Council
• Recurrent	Based on need, merit of the application and funding available	Annual	Approved by Council
Infrastructure – Sporting Groups	Matching funding	Annual	Approved by

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Capital Assistance Grants	based on need, merit of the application and funding available		Council
Infrastructure - Development Assessment and Architectural Services Grants	Up to \$5,000	Annual	Approved by Council
Sponsorship and Discretionary Grants	Revenue forgone and negotiated case by case	Annual and ad hoc	Approved by Council

Applications for grants and sponsorship will be considered by staff and referred to Council for determination. The funding available is the maximum available for an applicant from the Program. The number of applications and the value of grants and sponsorships awarded will be at Council's discretion, reflecting the strength of the applications as well as the level of funding set annually through the Strategic Community Plan and Budget.

7. Assessment Criteria and Administration

All applications will be initially assessed against stage one criteria:

- Provided in writing with sufficient detail to make a detailed assessment
- Applicant meets the General Eligibility Requirements – where applying for the Sponsorship and Discretionary Grants Program may also meet the Exceptions to General Eligibility
- Allowing sufficient time before a decision is required
- Not in conflict with legal requirements
- Not controversial
- Not likely to adversely affect Council's image
- The applicant hasn't been successful in an application under this Policy in the last 12 months subject to the exception referred to under General Eligibility Requirements (Section 4) above.

If the proposal fails to meet these criteria, a letter of refusal will be sent outlining the reasons.

Once the initial assessment is completed successfully, the application will be assessed in detail against the stage two criteria:

A. Project Merit

The activity is well planned and will contribute to diversity, excellence and innovation, whilst addressing Warringah Council's Strategic Goals, including Council's Social Plan, Cultural Plan and/or Recreational Strategy, with minimal environmental impact.

B. Community Development and Participation

There are well developed strategies for engaging and building the capacity of the Warringah community. This is demonstrated by:

- A well developed, evidence based understanding of the needs and expectations of the targeted community and/or audience; and

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- Strategies to meet the needs and expectations of the targeted community, increase opportunities for people who are not currently engaged, or who are only minimally engaged; and/or
- Appropriate measures to assess the success of these strategies and to integrate knowledge gained into future strategies.

And

The project effectively meets *one or more* of the policy directions below:

- Stimulates community, cultural and/or sports development in Warringah; and/or
- Provides opportunities for participation as creators, participants and audiences for *one or more* of the following:
 - Aboriginal & Torres Strait Islander people
 - Older people over 55 years
 - People from culturally and linguistically diverse (CALD) backgrounds
 - People with a disability, including those with HIV/AIDS
 - Women, children and families including men
 - Young people
- Builds community capacity, connectedness and sense of place.

C. Organisational Capacity

The applicant has:

- Aims and objectives which support the aims of the Grants Program
- The experience and expertise to deliver the activity effectively and efficiently
- A Board or Management Committee* that is appropriate to the needs of the organisation
- A history of appropriate financial management, including where relevant, previous Council funding
- Satisfactorily acquitted any previous Council funding (where relevant).
In exceptional circumstances Council may decide to fund an application that does not have a Board or Management Committee in place.

D. Project Budget

The proposed budget:

- Is cost effective
- Includes income and expenditure targets that are realistic and achievable
- Includes adequate provision for insurance and other liabilities
- Extent to which alternative and complementary funding sources have been explored or secured

Administration

All successful applicants will be required to enter into a contract before any grant funding can be released and before the project can commence. This contract will detail:

- The description of the project/activity for which funding is being provided
- The amount of cash funding to be received and the details of any value in kind support
- Specific performance criteria for each project – these should be provided when applying and can then be negotiated prior to the final signing of a contract
- Payment schedule

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- Deadline for the submission of the project acquittal.

8. Cultural Development Grants Program

The Program provides one-off cultural development grants for projects and programs that make a positive contribution to Warringah Community's quality of life whilst addressing Council's Strategic Goals, including the Cultural Plan. Applicants need to be a not-for-profit organisation and meet the General Eligibility Requirements.

Grants are available to organisations up to a maximum of \$5,000

The objectives of the program are:

- enhance existing cultural services and activities and develop new cultural services and activities;
- introduce cultural considerations as an integral part of the management and development of Warringah's natural and built environment;
- foster an informed literate and skilled community as the basis of an involved, productive and creative community;
- conserve and enhance Warringah's cultural heritage in its physical and social manifestations;
- establish partnerships for cultural development with the community, Council, the private sector, and with other local governments and government agencies, and to integrate culture into Council's Corporate Planning strategy; and
- demonstrate the current and potential economic benefits of cultural development to the local economy.

9. Community Development Grants Program

The Warringah community benefits from the work of local community organisations. These organisations enrich the lives of many in the community through the provision of community based services, resources, events, projects, experiences and activities. This Program provides one-off and recurrent grants for not-for-profit organisations that meet the General Eligibility Requirements. Initiatives funded align to Council's Social Plan goals and address community issues by building community capacity, community connectedness and by developing a sense of place.

The objectives of the Program are:

- support community projects, events and activities occurring within the Warringah Local Government Area.
- foster or provide new services, initiatives and resources which address the needs of the local community.
- improve awareness and use of community services and resources.
- create opportunities which develop the knowledge, skills and confidence of community members.
- encourage increased participation in local community and cultural activities, building a greater sense of community.
- contribute to a vibrant community life in Warringah.

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One-off grants are provided for specific projects, and are limited to a maximum of \$5,000 per application. Recurrent grants may be provided for a fixed period of up to three (3) and the amount provided is based on need, merit of the application and funding available.

10. Sporting Groups Capital Assistance Grants Program

The Program provides one-off grants to sporting groups for matching funding for the construction of new or expanded facilities on sports grounds owned by the Crown or Council. Applicants need to be not-for-profit organisations developing facilities on Crown or Council land and meet the General Eligibility Requirement. Matching funding for up to 50 percent of expenditure is available.

The objectives of the program are:

- to support fund raising efforts of volunteers that manage the sporting groups clubs
- increase the availability of sporting facilities for use by the community to participate in sport, recreation and physical activity,
- improve the safety of sporting facilities for users, and
- improve opportunities for community groups to access sporting facilities.

Applicants that are successful under this grant program will also have the Development Application fees for the proposed works waived under the Sponsorship and Discretionary Grants Program (section 12)

11. Development Assessment and Architectural Services Grants Program

The Program provides one-off grants to assist community groups and sporting clubs engage architects, prepare concept plans for new or expended public facilities in consultation with local neighbours and lodge development application. Applicants need to be not-for-profit organisations developing facilities on Crown or Council land that meet the General Eligibility Requirements. A maximum of \$5,000 per organisation is available.

The objectives of the program are:

- to encourage high quality designs of our public facilities,
- take the pressure off our local community and sporting groups in designing public facilities
- to engagement the local neighbours early in the design concept
- to consider sustainable and uniquely designed buildings that will service the organisation's needs into the future.

12. Sponsorship and Discretionary Grants Program

Council sponsors local community organisations (General Eligibility Requirements) and organisations operating for profit (Exception to the General Eligibility Requirements) to provide support to large and small events in Warringah. These events range from sports to cultural events that build capacity for the community and promote local economic development.

Sponsorship provides financial or value in-kind support to organisations providing tangible and measurable commercial benefits to Council and the community. The purpose of the sponsorship program is to help promote a strong and involved community by helping support successful local events and activities.

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A Sponsorship will involve a financial contribution from the grants program where there is a direct cost to Council in providing the service - fees are waived or income foregone. This applies to services such as cleansing and waste, development applications, health inspections, life guard services, Warringah Aquatic Centre and Glen Street Theatre where staff costs are incurred. It also applies to loss of regular income for instance where metered parking spaces are allocated to an event.

Value in-kind sponsorship is a service where there is no direct cost to Council and a financial contribution is not obtained from the grants program as a result of foregoing the opportunity of earning income for hiring of parks and community centres. Value in-kind sponsorship may be provided along side sponsorship involving a financial contribution in situations where the income from hire of the park is foregone as well as the cleaning and waste removal associated with the event.

Sponsorship is valued at the price which would have been charged if financial or in-kind assistance was not available.

The value of the sponsorship of any one event will be determined following an assessment of the economic and other benefits estimated to arise from the event.

Sponsorship benefits in return for a financial or value in-kind contribution may include featuring Council's logo in project signage, promotional material or advertising, site or exhibition space, public acknowledgements in speeches and media materials, invitations to participate in the opening ceremony, or including materials in information packs.

Council will only engage in sponsorship where it will assist in achieving the following outcomes:

- supports Outcomes in Council's Strategic Community Plan and related plans including the Social Plan, Economic Development Plan, Environment and Sustainability Strategy and Cultural Plan
- increases the effectiveness of Council's strategic programs
- communicates key messages to target audiences
- enhances Council's public image and reputation.

Council will not sponsor the following:

- recurrent bookings
- events where a financial contribution from the grants program is required and there is insufficient funds in the program.
- activities that compromise public confidence
- initiatives and/or events which compete or conflict with Council activities
- individual or political parties
- organisations or events where the sponsorship fee would be used to provide sponsorship or grants to third parties.

Council's preference is to receive and decide applications annually; however it will receive and consider applications throughout the year.

13. Complimentary or Concession Admission to the Warringah Aquatic Centre

Complimentary or concession admission to the Warringah Aquatic Centre is provided to a range of groups and individuals to promote equity of access and as a means of marketing and promoting

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the Centre or programs offered at the Centre. Admission to this Centre will be administered under Operational Management Standard, Warringah Aquatic Centre (OMS 004 WAC).

14. Authorisation

This Policy was adopted by Council on 13 December 2011.
It is effective from 14 December 2011.
It is due for review on 14 December 2014.

15. Amendments

Nil

16. Who is Responsible for Implementing this Policy?

Group Manager Marketing and Communications
Group Manager Buildings, Property and Spatial Information
Group Manager Parks, Reserves and Foreshores
Group Manager Community Services

17. Document owner

Deputy General Manager Environment

18. Related Council Policies

- a) Pricing Policy
- b) Corporate Sponsorship Policy
- c) ICAC Sponsorship in the public sector, May 2006
- d) Warringah Aquatic Centre (OMS 004 WAC)



ITEM 8.7	DELEGATION OF PLAN-MAKING DECISIONS
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/382833
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement of the delegation for the making of draft LEPs to be given to the General Manager and senior staff.

SUMMARY

The NSW Government has made amendments to the Environmental Planning and Assessment Act, 1979 to provide Council's delegation to make Local Environmental Plans (LEPs). Previously this function could only be carried out by the Minister for Planning or Senior Department of Planning Officers.

FINANCIAL IMPACT

There will be additional administrative work required to implement the delegations. Once adopted a review of the external Planning Proposal fees will be undertaken to ensure that costs of any new process are able to be recovered from applicants.

POLICY IMPACT

Delegations registers will need to be updated should Council accept the delegations.

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER ENVIRONMENT

That:

- A. In accordance with Section 381 of the Local Government Act, Council delegate to the General Manager, Deputy General Manager Environment and Group Manager Strategic Planning the powers delegated by the Minister for Planning and Infrastructure for plan-making under Section 59(2), (3) and (4) of the Environmental Planning and Assessment Act, 1979.
 - B. The Council write to the Minister for Planning and Infrastructure to formally accept the plan-making delegations under Section 59(2), (3) and (4) of the Environmental Planning and Assessment Act, 1979.
-

REPORT

BACKGROUND

In late October 2012, the Minister for Planning and Infrastructure wrote to the General Manager advising of changes to the delegations for plan-making under the Environmental Planning and Assessment Act, 1979.

Planning Circular PS 12-006 "delegations and independent reviews of plan-making decisions" was issued by the Director General of the Department of Planning and Infrastructure on 29 October 2012 and provides guidance as to the delegations that Council is able to use in the making of minor Local Environment Plans (LEP).

The Minister has delegated the following plan-making powers to councils;

- (a) To make – and determine not to make – an LEP under Section 59(2) and (3) of the Environmental Planning and Assessment Act, 1979.
- (b) To defer inclusion of certain matters in an LEP under Section 59(3) and
- (c) To identify which matters must be considered and which stages of the plan-making process must be carried out again prior to resubmission (Section 59(4)) if the Council defers the proposal or if a matter is deferred from the LEP.

IMPACT OF THE CHANGES

By providing delegation to Council for plan-making, the time to make draft LEPs will be shortened considerably. Historically the under-resourcing of plan-making by the Department of Planning has led to long lead times between Council endorsing a draft LEP and it finally being made by the Minister. The delegation of the functions under Section 59 will allow council officers to have a greater control of timing and delivery of minor local planning matters.

There will be a minor impact on councils with some additional work required to manage a draft LEP to completion. This additional increase will be absorbed within the Strategic Planning budget and through a revision of fees for external planning proposals in the 2013/14 budget.

TIMING

If adopted the delegations for plan-making can commence immediately.

POLICY IMPACT

Council's delegations register will need to be updated for the relevant positions that are affected.

FINANCIAL IMPACT

There will be additional administrative work required to implement the delegations. Once adopted a review of the external Planning Proposal fees will be undertaken to ensure that costs of any new process are able to be recovered from applicants.

10.0 NOTICES OF MOTION

ITEM 10.1	NOTICE OF MOTION NO 30/2012 COMMUNITY LIAISON VOLUNTEERS
TRIM FILE REF	2012/397744
ATTACHMENTS	NIL

Submitted by: Councillor Wayne Gobert OAM

MOTION

That Council produces a scoping report on ways Council may develop a volunteer support unit to further enhance connection and community engagement.

BACKGROUND FROM COUNCILLOR WAYNE GOBERT OAM

Several agencies and governmental bodies have developed volunteer units to supplement permanently employed staff in the field of community and customer engagement. Examples are often located at airports and working with tourism bodies. The Sydney Olympics provided an iconic example. I note our determination to further connect and involve our community and region, and budgetary restrictions. Creation of a volunteer unit could greatly enhance our capacity to engage and provide a source of meaningful volunteer work and service for residents of all ages.

FUNDING SOURCE

I have been advised by staff that this motion can be carried out within current operational budget.

ITEM 10.2**NOTICE OF MOTION NO 31/2012
REGIONAL CULTURAL HUBS - WAY AHEAD****TRIM FILE REF****2012/397754****ATTACHMENTS****NIL**

Submitted by: Councillor Wayne Gobert OAM

MOTION

That Council explore a way ahead for creation of Regional Cultural Hubs at:

- A. Dee Why; and that consideration be given to an Exhibition/function centre, state of the art Library, Art Gallery and Heritage Centre being components of the Dee Why Hub.
 - B. Glen Street; and that consideration be given to providing for a collocated state of the art library, enhanced theatre, exhibition space, and dining and entertainment hub and that the funding for this project be considered as part of the 2013/2014 budget process for capital allocation.
-

BACKGROUND FROM COUNCILLOR WAYNE GOBERT OAM

Warringah has an enviable and advanced reputation for its sporting facilities. However there is a lack of facilities for Cultural events. These will provide hubs for a range of community events and learning; by providing homes and venue for a broad spectrum of activities. Several regional areas are exemplars of these types of hubs. Equal emphasis is to be given to the eastern western boundaries of Warringah.

FUNDING SOURCE

I have been advised by staff that Part A can be carried out within current operational budget as part of the Dee Why Town Centre redevelopment. Part B does require additional funding and I propose that this be considered as part of the 2013/14 budget process.

ITEM 10.3	NOTICE OF MOTION NO 32/2012 90TH ANNIVERSARY OF NORTH CURL CURL SURF LIFE SAVING CLUB
TRIM FILE REF	2012/402288
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

- A. That Council acknowledges:
- a. That on 3 November 1922, North Curl Curl Surf Life Saving Club (NCCSLSC) was founded;
 - b. Those members who have been awarded Life Membership of NCCSLSC in honour of their outstanding service to the North Curl Curl Surf Life Saving Club and surf life saving:
 - i. Deceased: R. Agnew, K. Aldridge, P. A. Aldridge, B. K. Andrews, K. Broomham, J. Bulmer, W. M. Carroll, C. Duff, H. G. Foden, C. R. Furro, H. C. Grew, T. A. Grew, R. Harris, C. Hirsch, H. J. Huston, O. J. Kennedy, P. Mets, G. O'Brien, R. Saunderson, W. Spradley, M. J. Sullivan, R. Swift and J. O. Wilson,
 - ii. G. Bruce, L. Bulmer, J. R. Duff, J. P. Duff, W. Eady, W. Geoghegan, C. Hagon, A. Hudson, P. Kember, R. Lambert, N. Langthorne, K. D. Martin, D. Murray, J. Newton, D. O'Brien, R. Porter, L. Saunderson, B. Smith, K. Smith, C. Stoneman, K. Stoneman, R. Watson, A. N. Wye and S. Wye.
- B. That Warringah Council congratulates North Curl Curl Surf Life Saving Club on its 90th Anniversary.
-

FUNDING SOURCE

There is no financial impact on Council therefore a funding source is not required.

ITEM 10.4	NOTICE OF MOTION NO 33/2012 90TH ANNIVERSARY OF DEE WHY LADIES AMATEUR SWIMMING CLUB
TRIM FILE REF	2012/402302
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

- A. That this Council acknowledges:
- a. That on 24 September 1922 13 women came together to establish the Dee Why Ladies' Amateur Swimming Club (DYLASC).
 - b. Those members who have been awarded Life Membership of DYLASC for their outstanding service to DYLASC and swimming: Mrs Louise Higginbotham, Miss Mabel Bailey, Mrs I. Holburn, Mrs A. Stutchbury, Mrs Isa Wye, MBE, OAM, Mrs Jean Gee, OAM, Mrs Nora Morrison, Mrs Mary Morrison, Mrs M. Hart, Mrs Marjorie Smith, OAM, Mrs J. Anderson, Mrs Margaret Duesbury, Mrs Josie Homan, Mrs Barbara Hopping, Mrs Shirley Horner, Mrs Margaret McGlone, Mrs Marion Robertson, Mrs Esme Roberts, Mrs Denise Clarke, Mrs Lois Clarke, Mrs Winifred Gammie and Mrs Sue Coltman.
- B. That Warringah Council congratulates Dee Why Ladies Amateur Swimming Club on its 90th Anniversary.
-

FUNDING SOURCE

There is no financial impact on Council therefore a funding source is not required.

ITEM 10.5	NOTICE OF MOTION NO 34/2012
	100TH ANNIVERSARY OF DEE WHY SURF LIFE SAVING CLUB
TRIM FILE REF	2012/402373
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

- A. That this Council acknowledges:
- a. That on 12 October 1912, a meeting took place on Dee Why Beach that ultimately led to the formation of Dee Why Surf Life Saving Club (DYSLSC).
 - b. Those members who have been awarded Life Membership of DYSLSC for their outstanding service to DYSLSC and surf life saving: Anderson, Peter* 1938, Andrew, Douglas 1965, Andrew, Jeffrey 1985, Arday, John 1984, Bailey, Arthur* 1930, Beard, Len* 1954, Boyt, George* 1942, Burke, Barry* 1982, Burke, Richard 1965, Chad, Nelson* 1970, Chad, Reg* 1964, Crisp, Bill* 1921, Dempster, George* 1925, Dempster, Jim* 1929, Ewing, Jock* 1949, Ewing, John 1972, Gale, Frank* 1944, Gee, William 1991, Haggett, Steve 2007, Hand, Thomas 1976, Higginbotham, E* 1925, Hopping, Max* 1950, Ingram, Anthony 1998, Lang, David 2004, Lock, Dick* 1932, Loton, Alf* 1940, Martin, Raymond 1992, Miller, Horrie * 1931, Moran, Stephen 2000, Moran, Tom* 1933, Moroney, Tom* 1927, Pitt, Barrie 1962, Quinn, Martin 2008, Radford, Bill* 1960, Ralph, Harry* 1928, Rees, Ivor 2009, Richardson, Bruce 2006, Rose, J* 1915, Swadling, Noel* 1939, Thew, E. * 1918, Thomas, Ern* 1923, Thoroughgood, John* 1989, Turner, Lal* 1931, Willows, Joseph* 1951, and Wiltshire, A.* 1933. * Denotes deceased.
- B. That Warringah Council congratulates Dee Why Surf Life Saving Club on its 100th Anniversary.
-

FUNDING SOURCE

There is no financial impact on Council therefore a funding source is not required.

13.0 CONFIDENTIAL MATTERS – CLOSED SESSION

RECOMMENDATION

- A. That, on the grounds and for the reasons stated below, the Council resolve into Closed Session to receive and consider the items identified as Confidential and listed on this Agenda as:

Item 13.1 RFT 2012 / 052 Major Works for Brookvale Occasional Care Centre

Matters to be Discussed During Closed Session - Section 10D

Item 13.1 RFT 2012 / 052 Major Works for Brookvale Occasional Care Centre

Grounds on which Matter Should be Considered in Closed Session – Section 10A(2)

Item 13.1 10A(2)(d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

Reason Why Matters are being considered in Closed Session – Section 10B

To preserve the relevant confidentiality, privilege or security of such information.

- B. That pursuant to Section 10A Subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Closed Session on the basis that the items to be considered are of a confidential nature.
- C. That the closure of that part of the meeting for the receipt or discussion of the nominated item or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information.
- D. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as Confidential and be withheld from access by the press and public, until such time as the reason for confidentiality has passed or become irrelevant because these documents relate to a matter specified in section 10A(2).
- E. 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.
-

