



AGENDA

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

Tuesday 23 June 2015

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

Malcolm Ryan
Acting General Manager

Issued: 17 June 2015



OUR VISION

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

OUR VALUES

Respect

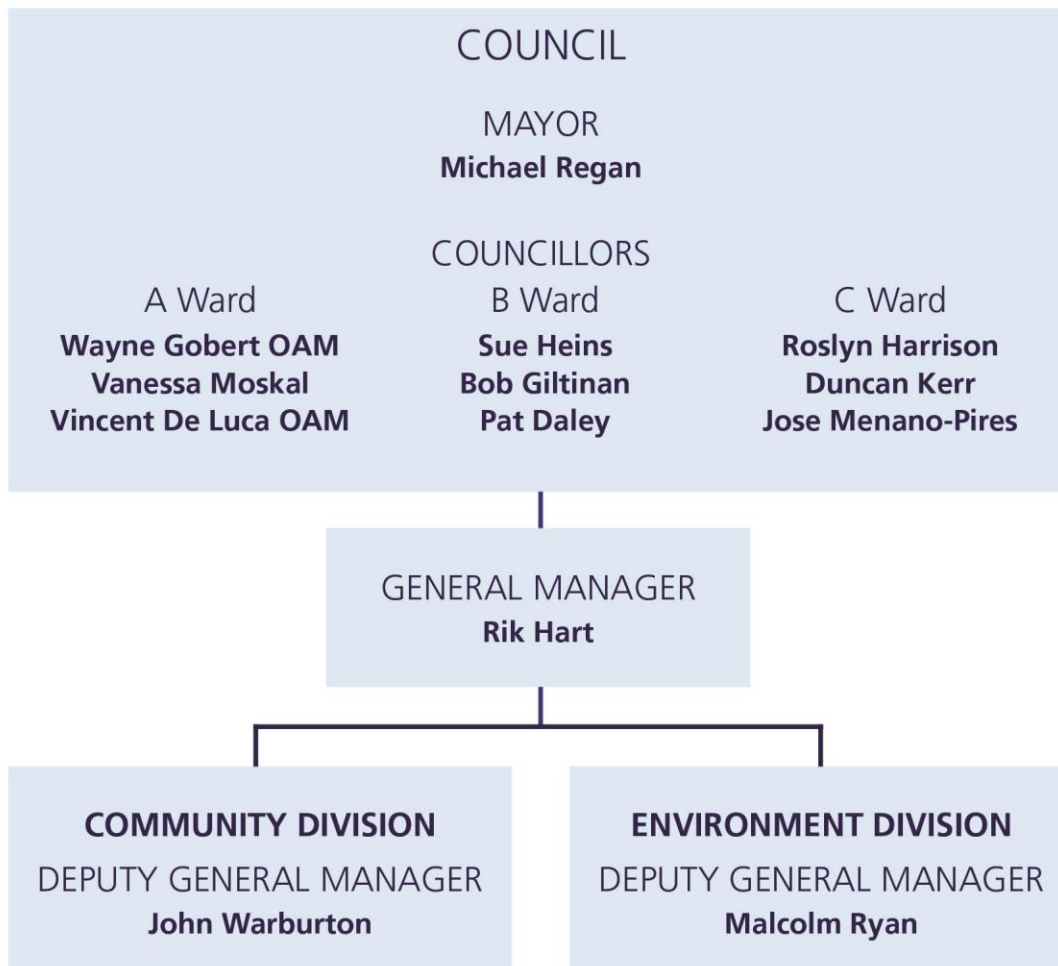
Integrity

Teamwork

Excellence

Responsibility

ORGANISATIONAL STRUCTURE



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 23 June 2015
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 MAY 2015

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 26 May 2015, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

5.0 MAYORAL MINUTES

ITEM 5.1	MAYORAL MINUTE NO 7/2015 - WYATT PARK TENNIS CENTRE - ACKNOWLEDGEMENT OF CONTRIBUTION BY COMMITTEE MEMBERS
TRIM FILE REF	2015/169934
ATTACHMENTS	NIL

BACKGROUND

In 1971, six community members formed a committee and worked with Council staff to establish a four court tennis centre at Wyatt Reserve, Belrose. The committee managed the courts which officially became the Wyatt Park Tennis Centre.

Now after 45 years of dedicated service to the local tennis community, two of the founding members of the committee will retire following the expiry of the lease between Council and the Tennis Centre last year.

Mrs Frances McKenzie and Mrs Janice Steward are the last remaining committee members and have in fact, for the last 21 years, been solely responsible for the management of the Centre.

Warringah is fortunate to have such dedicated volunteers like these wonderful ladies and we are all very much in their debt. They have worked tirelessly to ensure that over the last 45 years, everyone regardless of their age or ability had access and the opportunity to enjoy the game of tennis.

The Wyatt Park Tennis Centre is regarded as one of Warringah's best tennis facilities and this I can say is attributed to the efforts of Mrs McKenzie and Mrs Steward over an incredible number of years who have diligently managed the Centre.

In addition to the thank you function and the plaque that will be placed at the Centre to formally recognise their achievements, I also wish to pay tribute at this meeting to Mrs McKenzie and Mrs Steward.

On behalf of the Warringah Community I thank them for their contribution and wish them the very best in their future endeavours.

RECOMMENDATION

That Council acknowledges and thanks Mrs Frances McKenzie and Mrs Janice Steward for their tireless and dedicated commitment to managing the Wyatt Park Tennis Centre over the last 45 years.



**Michael Regan
MAYOR**

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	MINUTES OF THE SHOROC INCORPORATED BOARD MEETING HELD ON 20 MAY 2015
REPORTING MANAGER	GENERAL MANAGER
TRIM FILE REF	2015/154553
ATTACHMENTS	1 SHOROC Board Meeting Minutes for meeting held on 20 May 2015 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the decisions of the SHOROC Incorporated Board Meeting held 20 May 2015 for the Council's information.

REPORT

The Board of SHOROC Incorporated met at Brookvale on Wednesday 20 May 2015. Minutes from the SHOROC Incorporated Board Meeting are submitted for the Council's consideration.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That the Minutes of the SHOROC Incorporated Board Meeting held 20 May 2015 be noted.

ITEM 6.2	MONTHLY FUNDS MANAGEMENT REPORT MAY 2015
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2015/158279
ATTACHMENTS	1 Application of Funds Invested 2 Councils Holdings as at 31 May 2015 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 May 2015.

Certification – Responsible Accounting Officer

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

REPORT

The following attachments are provided as part of the Report.

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

FINANCIAL IMPACT

The actual investment income to 31 May 2015 is \$2,896,800 which compares favourably to the budgeted income of \$2,887,000 a variance of \$9,800.

POLICY IMPACT

The investment strategy was reviewed by our Investment Advisors Laminar Group Pty Ltd in January 2015. They confirmed that Council continues to maintain a prudent investment strategy and is well placed for the balance of the 2014/15 financial year and indeed beyond.

Performance over the 2014/15 financial year to date, May 2015, is strong having exceeded the benchmark: 3.59%pa vs. 2.69%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing cash flow.

RECOMMENDATION OF GENERAL MANAGER

That:

- A. The report indicating Council's Funds Management position as at 31 May 2015 is noted.
 - B. The 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	19,496,472
	Section 94A Plan Contributions	6,182,161
	Domestic Waste & Unexpended Grants	5,217,318
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.	8,139,937
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	47,348,260
Total		86,384,149

There has been an increase in the investments held of \$4,388,102 which is in line with budgeted movements at this time of year.

Reconciliation of Cash Book

Description	Value (\$)
Council's Cash Book balance	1,901,160
Kimbriki Bank balance	3,246,197

Investments Funds Report - As at 31-May-15

Maturity date	Face Value	Current Yield	Borrower	Standard & Poor's Rating	Current Value
Mortgage Backed Securities Investment Group					
Weighted Avg Life *	Face Value				
22-Aug-22	1,475,036	3.1850	Emerald Series 2006-1 Class A	AAA	1,157,908
	1,475,036				1,157,908
Term Investment Group					
02-Jun-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
03-Jun-15	2,000,000	3.9000	Westpac Banking Corporation Ltd	A1+	2,000,000
08-Jun-15	1,000,000	3.1000	National Australia Bank Ltd	A1+	1,000,000
12-Jun-15	2,000,000	3.8500	Westpac Banking Corporation Ltd	A1+	2,000,000
15-Jun-15	1,000,000	3.5600	ING Bank Australia Limited	A2	1,000,000
19-Jun-15	1,000,000	3.1000	National Australia Bank Ltd	A1+	1,000,000
25-Jun-15	1,000,000	3.6300	National Australia Bank Ltd	A1+	1,000,000
02-Jul-15	2,000,000	3.9000	Westpac Banking Corporation Ltd	A1+	2,000,000
02-Jul-15	1,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	1,000,000
09-Jul-15	1,000,000	3.8500	Westpac Banking Corporation Ltd	A1+	1,000,000
09-Jul-15	1,000,000	3.6400	National Australia Bank Ltd	A1+	1,000,000
20-Jul-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
21-Jul-15	1,000,000	3.6300	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
27-Jul-15	1,000,000	3.8500	Westpac Banking Corporation Ltd	A1+	1,000,000
03-Aug-15	1,000,000	3.5600	Westpac Banking Corporation Ltd	A1+	1,000,000
04-Aug-15	2,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	2,000,000
10-Aug-15	2,000,000	3.8500	Westpac Banking Corporation Ltd	A1+	2,000,000
12-Aug-15	2,000,000	3.7500	Westpac Banking Corporation Ltd	A1+	2,000,000
25-Aug-15	1,000,000	3.6500	National Australia Bank Ltd	A1+	1,000,000
02-Sep-15	1,000,000	3.6500	National Australia Bank Ltd	A1+	1,000,000
08-Sep-15	500,000	3.8900	National Australia Bank Ltd	A1+	500,000
10-Sep-15	1,000,000	3.1000	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
16-Sep-15	1,000,000	3.2000	Members Equity Bank Ltd	A2	1,000,000
21-Sep-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
22-Sep-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
25-Sep-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
29-Sep-15	2,000,000	2.9000	Members Equity Bank Ltd	A2	2,000,000
02-Oct-15	2,000,000	3.5700	Westpac Banking Corporation Ltd	A1+	2,000,000
06-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
12-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
20-Oct-15	1,000,000	3.5100	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
22-Oct-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
26-Oct-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
29-Oct-15	1,000,000	2.9500	National Australia Bank Ltd	A1+	1,000,000
03-Nov-15	1,000,000	3.5000	Bank of Queensland Ltd	A2	1,000,000
09-Nov-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
09-Nov-15	1,000,000	3.0800	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
16-Nov-15	1,000,000	3.2000	Members Equity Bank Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Bank of Queensland Ltd	A2	1,000,000
16-Nov-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
18-Nov-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
01-Dec-15	1,000,000	2.9300	Bank of Queensland Ltd	A2	1,000,000
03-Dec-15	2,000,000	3.5500	Bank of Queensland Ltd	A2	2,000,000
07-Dec-15	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
15-Dec-15	2,000,000	3.5500	National Australia Bank Ltd	A1+	2,000,000
15-Dec-15	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	3.5500	National Australia Bank Ltd	A1+	1,000,000
18-Dec-15	1,000,000	2.9000	Suncorp-Metw ay Ltd	A1	1,000,000
04-Jan-16	1,000,000	3.2100	Commonw ealth Bank of Australia Ltd	A1+	1,000,000
08-Jan-16	1,000,000	3.1300	National Australia Bank Ltd	A1+	1,000,000
11-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
19-Jan-16	1,000,000	2.9300	National Australia Bank Ltd	A1+	1,000,000
29-Jan-16	1,000,000	2.9000	National Australia Bank Ltd	A1+	1,000,000
07-Mar-16	1,000,000	4.0500	National Australia Bank Ltd	A1+	1,000,000
08-Mar-16	500,000	4.0700	National Australia Bank Ltd	A1+	500,000
17-May-16	2,000,000	2.9300	National Australia Bank Ltd	A1+	2,000,000
20-May-16	1,000,000	2.8500	Bank of Queensland Ltd	A2	1,000,000
	67,000,000				67,000,000
Term Investment Group & Cash Deposit Account					
Rollover Date	Face Value	Current Rate	Borrower	Rating	
Cash Account	3,848,188	2.5000	CBA (Business Saver)	A-1+	3,848,188
19-Jun-15	1,000,000	3.5000	CBA Term Deposit Kimbriki 35810609	AA-	1,000,000
10-Aug-15	7,886,709	2.8900	WBC Term Deposit Kimbriki 11-1208	AA-	7,886,709
24-Aug-15	2,466,006	2.8800	WBC Term Deposit Kimbriki 11-4185	AA-	2,466,006
01-May-15	3,025,337	2.4000	CBA Money Market Kimbriki 10162612	AA-	3,025,337
	18,226,241				18,226,241
	86,701,277			Closing Balance:	86,384,149

* 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

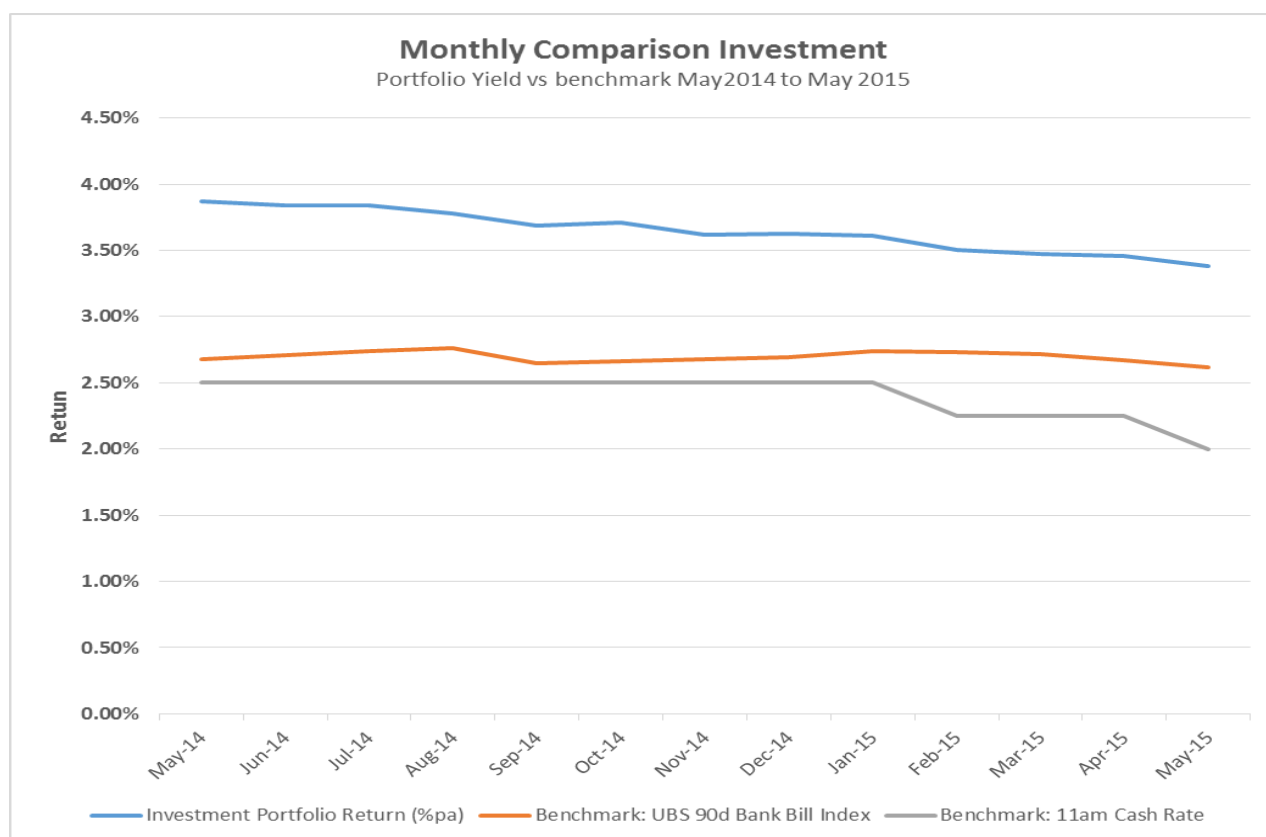
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✗	Council's income from investments did not exceed monthly budget.
Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio 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	3.38%	2.62%	2.00%
3 Months	3.44%	2.67%	2.17%
6 Months	3.51%	2.70%	2.29%
FYTD	3.59%	2.69%	2.38%
12 Months	3.63%	2.70%	2.40%

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

** This benchmark relates to Cash Fund holdings

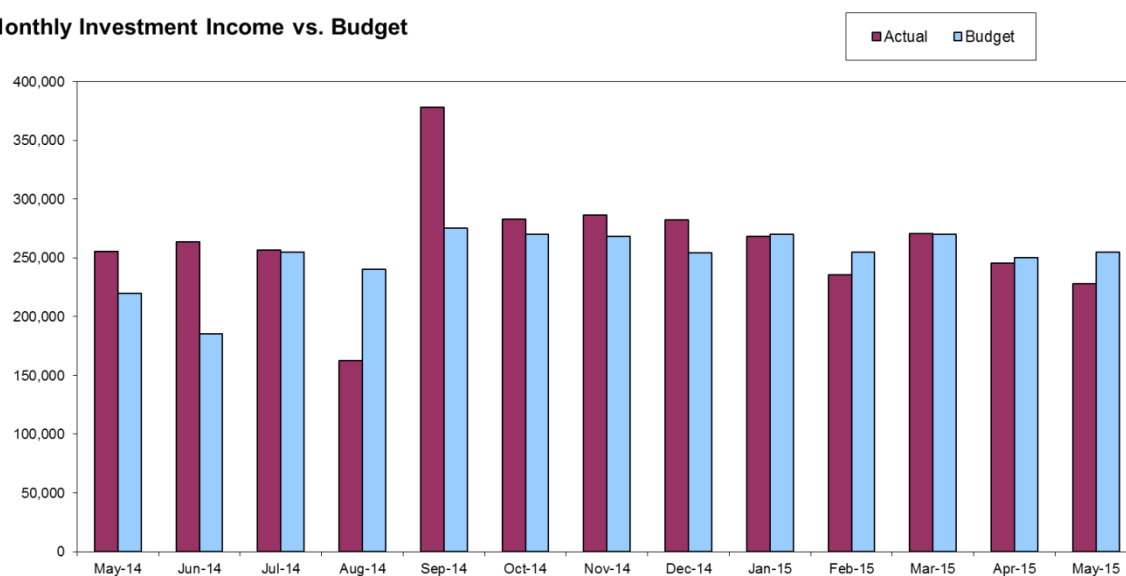


Monthly Investment Income* vs. Budget

	\$ May 15	\$ Year to Date
Investment Income	220,389	2,873,794
Adjustment for Fair Value	7,614	23,006
Total Investment Income	228,003	2,896,800
Budgeted Income	255,000	2,887,000

*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In May we have reflected a fair value increase of \$7,614 in accordance with AASB 139 Financial Instruments: Recognition and Measurement. It is Council's intention to hold these investments to maturity and as such no gain of principal will occur in these circumstances. These investments could have been classified as Held-to-maturity investments upon initial recognition under AASB 139 in which case no fair value adjustment would be required through profit or loss. When these investments reach maturity any fair value adjustment which has been taken up will be written back to the Profit and Loss Account.

Economic Notes

Global

Global economic readings in May continued to indicate growth struggling to gain momentum. In the US, growth had moderated almost to a standstill. In China, growth seems likely to slow on the basis of a weak run of April economic readings. In contrast to the slower growth pace in the US and China, European growth improved and whilst Australia's Q1 GDP report is not due until early June, monthly economic readings improved early in 2015 but it still seems likely that annual GDP growth will slow.

Central banks remain committed to maintaining accommodating policy conditions, although the US Fed is still indicating that it will probably lift its funds rate from near-zero later in the year. The RBA maintains a policy easing bias, but is contingent upon the relative strength of the local data.

US economic readings published in May were still mixed-strength. Non-farm payrolls rebounded in April and the unemployment rate fell. Despite the strong labour market report, however, wages growth was modest. Indicators of US housing activity in April ranged from very strong for housing starts, to very weak for existing home sales. April retail sales were unchanged in the month, and industrial production was disappointingly soft. Previously very strong consumer sentiment took an unexpectedly sharp tumble in May.

All told, it seems that the rebound from the clear weak patch in US economic growth is not likely to be particularly strong. Also, the US inflation picture is becoming muddier. Import prices and producer prices unexpectedly fell in April, but the CPI after taking out food and energy prices, rose. The Fed is watching the data closely to judge when the economy is robust enough to be able to cope with the first interest rate hike. Fed Chair, Janet Yellen, reaffirmed that the Fed is on course to start lifting rates later in 2015, but growth data still needs to be consistently stronger.

In China, the monthly economic readings continued to run more softly than expected, with exports and imports both falling. The run of indicators of domestic spending and activity in China were also soft with retail sales slowing and urban fixed asset investment spending slowing too. The economic readings are consistent with slower economic growth than China's Government is planning and the Peoples' Bank of China followed up its 100 basis point cut in the banks' reserve ratio requirement in April with 25bps rate cuts to its deposit and one-year lending rates in May. The Government has also announced changes making it much easier for local government authorities to borrow for infrastructure projects. The policy easing moves have been substantial and more moves are likely if growth continues to show signs of languishing.

In Europe, performance was mixed among the big four economies in the euro-region with Germany recording about half the pace expected, whereas France and especially Spain, both performed better than expected. More recent monthly economic readings point to patchy progress. Imminent interest payments on Greek debts owed to the ECB and the IMF are also unlikely to be paid without further debt concessions from creditors who remain adamant on the budget changes Greece must make to obtain further concessions. The refusal of Greece to agree to terms remains a potentially disruptive influence on the mildly improving European economic outlook. The European Central Bank continues to work towards supporting European growth, and reaffirming at its latest meeting, its commitment to continue Quantitative Easing at the pace of 60 billion euro of purchases a month through to late 2016.

Domestic

In Australia, housing activity remains strong in Sydney and Melbourne and was assisted further by the RBA's decision to cut the cash rate 25bps to 2.00% at its May policy meeting. Shortly after releasing its quarterly Monetary Policy Statement, the RBA reduced its growth and inflation forecasts, a signal that it retains a bias to cut interest rates further. It also focused on correcting an inaccurate market interpretation of the initial statement accompanying the rate cut that the RBA had called an end to rate cuts. In the minutes of the May meeting and in later comments by senior RBA officials it became plain that the RBA is watching how well household consumption and business investment spending lift to offset the negative influences on growth to determine whether the economy needs more rate cuts. The RBA also recognises there is a fine balancing act with housing so strong in parts where the household sector could become too highly leveraged.

In terms of the regular data reports, March housing finance and home building approvals were both very strong. Retail sales rose, April employment softened and the unemployment rate edged up to 6.2%.

International trade data showed mostly widening trade deficits and are consistent with net exports decreasing GDP growth.

The Government's May budget was a less contractionary affair than the 2014 Budget and contained significant near term boosts for small businesses to encourage them to spend more. While the Budget seems to have been well received, it is unlikely to make a material difference to the RBA's economic forecasts. We view the months in which the RBA reviews its economic forecasts as the most likely for policy change. The next quarterly review is in August and will come after what it is likely to be a soft Q1 GDP report in early June and a low inflation report for Q2 at the end of July. We still see the RBA cutting the cash rate at least one more time with the next 25bps cut to 1.75% most likely occurring at the early August policy meeting.

Portfolio Performance

The investment portfolio return was 3.38% as at May 31 versus the Ausbond bank bill index annual return of 2.62%. The portfolio is currently outperforming the index by 93 basis points on an annual basis which is up from 79 basis points the previous month. The portfolio returned 30bps for the month of May which is 10bps higher than the benchmark. The running yield of the portfolio is 3.36%.

7.0 COMMUNITY DIVISION REPORTS

ITEM 7.1	PROPOSED COMPULSORY ACQUISITION OF COUNCIL COMMUNITY LAND AT WARRINGAH ROAD FRENCHS FOREST BY ROADS & MARITIME SERVICES
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2015/139275
ATTACHMENTS	1 Location plan showing parcels affected by proposed RMS Acquisitions at Warringah Road Frenchs Forest (Included In Attachments Booklet) 2 Plans of proposed RMS Acquisitions at Warringah Road Frenchs Forest (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To consider a proposal by Roads & Maritime Services (RMS) to compulsorily acquire by agreement Council Community Land at Warringah Road Frenchs Forest for its Northern Beaches Hospital Road Connectivity and Network Enhancement Project.

SUMMARY

As part of RMS Services Northern Beaches Hospital Road Connectivity and Network Enhancement Project, it has recently requested the compulsory acquisition by agreement of part of a number of Council owned Community Land parcels along Warringah Road in Frenchs Forest to allow for the commencement of such new works.

FINANCIAL IMPACT

In accordance with the Land Acquisition (Just Terms Compensation) Act 1991, Council will be compensated for the subject land acquired by Roads & Maritime Services as determined by the NSW Valuer General.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council authorises:

- A. Compulsory Acquisition by agreement by Roads & Maritime Services of the Council Community Land at Warringah Road Frenchs Forest as identified, by the legal description below, subject to Roads & Maritime Services paying to Warringah Council compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 within 30 days of the publication of an Acquisition Notice in accordance with this Act.

- | | | |
|----|----------|----------------------|
| 1. | C/361887 | 1,085 m ² |
| 2. | B/36616 | 3,060 m ² |

3.	C/36616	9,260 m ²
4.	12/580560	3,480 m ²
5.	61/631400	435 m ²
6.	1/558009	210 m ²
7.	1/225569	910 m ²
8.	1/245508	200 m ²
9.	D/36616	1,550 m ²
10.	2/437859 (entire lot)	1,277 m ²
11.	11/605161	176 m ²
12.	2/245508	47 m ²
13.	3/245508	17 m ²
14.	3/220541	372 m ²
15.	2/549574	185 m ²
16.	31/715557	470 m ²

B.	The General Manager to execute all documentation necessary in order to give effect to this resolution.
C.	A reduction of the minimum statutory 90 day notice period for the compulsory acquisition to 7 days.
D.	Roads & Maritime Services to access Council's land prior to its compulsory acquisition for its preliminary works subject to any conditions required by Council.

REPORT

BACKGROUND

The Roads and Maritime Services (RMS) Northern Beaches Hospital Road Connectivity and Network Enhancement Project – Stage 1 Environmental Impact Statement states:

Roads & Maritime Services (RMS) is planning to invest \$400 million on road upgrades around the new Northern Beaches Hospital.

Currently about 80,000 vehicles (per day) use Warringah Road between Forest Way and Wakehurst Parkway. This will rise with the growing population in the region and as a result of increased traffic related to the new Northern Beaches Hospital and other developments in the area.

Roads and Maritime Services is planning to deliver vital road upgrades around the new Northern Beaches Hospital in two stages with work scheduled to be completed in time for the hospital opening:

- *Stage 1 would provide essential access to the Northern Beaches Hospital.*
- *Stage 2 would help increase capacity of the road network and reduce congestion.*

These upgrades would ensure the road network is able to keep up with demand and service the community's needs well into the future.

Both stages of the project will be assessed in accordance with Part 5.1 of the Environmental Planning and Assessment Act 1979.

As part of RMS Northern Beaches Hospital Road Connectivity and Network Enhancement Project it has recently requested the compulsory acquisition of part of a number of Council owned Community Land parcels along Warringah Road in Frenchs Forest to allow for such new works.

RMS has indicated it wishes to commence Stage 1 works as soon as October 2015. Consequently, RMS wishes to proceed to acquire the subject Community Land by compulsory process as Community Land is restricted from sale in accordance with the Local Government Act.

In accordance with the Land Acquisition (Just Terms Compensation) Act 1991 (LA (JTC) Act), RMS may acquire the subject Community Land with the consent from the Minister for Roads, Maritime and Freight by either:

- Compulsory acquisition by agreement whereby RMS and Warringah Council as land owner, mutually consent to the acquisition under the LA (JTC) Act.
- Compulsory acquisition without landowners consent. This process is a more costly and protracted process for both parties.

Due to RMS's extremely tight timeframe for the completion of this project, it has confirmed that it does not wish to negotiate a purchase price before the compulsory acquisition but would rather proceed with the compulsory acquisition by agreement with the compensation to be paid to Council as affected landowner being determined by the NSW Valuer General in accordance with the LA (JTC) Act.

RMS has also requested that Council agree to a reduction of the minimum statutory 90 day notice period for the compulsory acquisition to 7 days prior to formally gazetting the compulsory acquisition. Additionally, RMS has requested Council agree to a site access permit so that it may access the site sooner if required to undertake preliminary works.

In this instance it is recommended that Council consent to compulsory acquisition by agreement on this basis and a site access permit if required.

Affected Council Community Land Parcels

Legal Description	Acquisition Area / m²
C/361887	1,085
B/36616	3,060
C/36616	9,260
12/580560	3,480
61/631400	435
1/558009	210
1/225569	910
1/245508	200
D/36616	1,550
2/437859 (entire lot)	1,277
11/605161	176
2/245508	47
3/245508	17
3/220541	372
2/549574	185
31/715557	470
Total Area (approx.)	22,734m²

Plans of the subject land are also included as attachments to this report.

Impacts on existing Vegetation and Improvements on Council Land to be Acquired

RMS has prepared and exhibited for consultation Environmental Impact Statements (EIS) for both stages of its Northern Beaches Hospital Road Connectivity and Network Enhancement Project. The EIS outlines the proposed impact of the new road works.

Vegetation – A section of Council Community Land south of Warringah Road between Fitzpatrick Avenue East and Hilmer Street includes Duffy Forest Endangered Ecological Community (DFEEC) which will be impacted by the road widening works. RMS has prepared a Biodiversity Offset Management Strategy as part of its EIS to offset the loss within Warringah. The Biodiversity Offset Strategy makes a commitment to offsetting any residual significant impacts on threatened species, populations and communities, proposes offsetting measures for consideration, and identifies the ongoing process and consultation commitments with regulatory bodies.

Playground at Brickpit Reserve at corner of Bantry Bay Road Frenchs Forest - The existing Council playground at this location will be impacted by the proposed widening of Warringah Road. Consequently, Council has requested RMS fund the relocation of this playground to Council's nearby Akora Reserve at Akora Street (about 500 metres west of Brickpit Reserve).

ITEM 7.2	COMMUNITY LIBRARY FUNDING FOR 2014/15
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2015/143213
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to seek approval to provide the 2014/15 funding allocation to:

- Terrey Hills Community Library - \$20,000
- Booklovers' Club Warringah Incorporated - \$1,370

The funding will assist these community based libraries to purchase books and manage ongoing operational expenses.

SUMMARY

Council provides annual subsidies to these libraries and is seen as a cost effective approach towards delivering basic library services to these localities.

Both Terrey Hills Community Library and Booklovers' Club Warringah Incorporated have made formal application for financial support to continue operations.

FINANCIAL IMPACT

Nil as provided for in 2014/15 Library Services Operations Budget.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council approve the 2014/15 funding allocation of \$20,000 for Terrey Hills Community Library and \$1,370 for Booklovers' Club Warringah Incorporated.

REPORT

BACKGROUND

Terrey Hills Community Library

Terrey Hills Community Library is free to all residents of Warringah and Council gives the library an annual subsidy of approximately \$20,000.

The library was built by Council for the purposes of delivering a range of library services and learning programs for the local community. Library operations is entirely volunteer based and Council provides ongoing technical and infrastructure support, such as telephony and data lines.

Terrey Hills Community Library core operations include:

- A wide selection of fiction/non-fiction; audio books, videos and DVDs;
- Assistance to school children researching projects and;
- Infant learning programs.

Library hours:

Monday and Wednesday: 7:30pm - 8:30pm;

Tuesday and Thursday: 3.30pm - 5:00pm;

Friday: 9:30am -12:30pm and 3:30pm - 5:00pm;

Saturday: 9:30am -12:00pm.

Booklovers' Club Warringah Incorporated

The Booklovers' receive a \$3,000 grant per year from Council as well as \$1,370 from Council's Library budget to offset telephony, rent and administration costs.

The club celebrates over 60 years of service and occupies two (2) rooms at the Tramshed, Narrabeen. As from 1 July 2011, the club has been paying rent for these rooms.

Its operations are entirely volunteer based and offers limited library services for a small annual fee to its members. The Booklovers' prime activity is providing literary speaker presentations and book club readings.

Library hours:

Monday, Tuesday, Thursday and Saturdays only between 10:00am to 11:30am.

FINANCIAL IMPACT

Nil as provided for in 2014/15 Library Services Operations Budget.

POLICY IMPACT

Nil

ITEM 7.3	PUBLIC EXHIBITION OF DRAFT MULTICULTURAL STRATEGY - CULTURALLY DIVERSE WARRINGAH 2015-2020
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2015/146030
ATTACHMENTS	1 Draft Multicultural Strategy - Culturally Diverse Warringah 2015 - 2020 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit the draft Multicultural Strategy – Culturally Diverse Warringah 2015 – 2020 (the draft Strategy).

SUMMARY

The development of a multicultural strategy was identified as a key priority in Council's Operational Plan for 2014/15, which is informed by the long term vision for Warringah – the Community Strategic Plan.

The draft Strategy has been developed following significant research and thorough community engagement and participation. Council consulted with over 800 stakeholders including culturally and linguistically diverse (CALD) groups and individuals, Council staff and service providers.

The draft Strategy identifies themes and strategies over a five year timeframe to assist Council in meeting the needs of CALD residents. Council's endorsement is now sought for wider public exhibition of the draft Strategy.

FINANCIAL IMPACT

The budget for a multicultural strategy was allocated in the 2014/15 budget and has been delivered as programmed. Although the document will be finalised early in the 2015/16 financial year, this will not have any effect on the budget.

POLICY IMPACT

Once finalised, Culturally Diverse Warringah will provide clear strategic direction for Council, and external service providers, to plan and deliver services and assets for people from CALD backgrounds in Warringah.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That the draft Multicultural Strategy – Culturally Diverse Warringah 2015 – 2020 be placed on public exhibition for 28 days.

REPORT

BACKGROUND

With 28.1% of our residents being born overseas, Warringah is home to many culturally and linguistically diverse (CALD) communities which each make a significant contribution to our area. They enrich the broader community, both socially and culturally. However, with increasing cultural diversity, certain challenges arise, and this draft Strategy acknowledges the challenges our CALD population faces.

The draft Strategy aims to inspire a multicultural Warringah: to embrace, acknowledge and celebrate the diversity within our area; to identify those people in our community who may need assistance; and to create an inclusive, vibrant community for all.

To achieve this, six key themes and strategic directions were identified from the consultation and research undertaken in the development of the draft Strategy;

1. Housing
2. Employment, Education and Training
3. Access to Information and Services
4. Identity and Belonging
5. Celebrations and Events
6. Health and Safety

The six key themes play crucial roles in the ability of people from CALD backgrounds to lead fulfilling and meaningful lives and are areas where Council can make significant impacts over the next five years. The draft Strategy not only identifies priority issues, but also outlines strategic objectives to guide Council with specific short and medium term actions to achieve the desired outcomes. The draft Strategy will be implemented in alignment with Council's annual and four-yearly business planning cycles.

CONSULTATION

More than 800 people from various cultural backgrounds were consulted as part of this draft Strategy. A variety of methodologies were chosen including a survey (both online and paper-based), targeted small group face-to-face consultations and larger group forums. Interpreters were made available for various groups to aid in translation.

In addition to consultation with individuals and cultural groups, extensive discussions were also held with service providers including:

- Health services
- Settlement services
- Welfare agencies
- Community support organisations
- Carer support groups
- Education institutions
- Small business sector
- Attendees at cultural festivals and general community events

- Council's Vibrant Connected Communities Strategic Reference Group
- Police
- Internal with libraries, community centres, beach services
- Other councils.

TIMING

Following exhibition, all submissions received will be reviewed and any necessary changes made to the draft Strategy.

It is anticipated that the submissions and the finalised draft Strategy will be reported to Council at the 25 August 2015 meeting.

FINANCIAL IMPACT

The budget for a multicultural strategy was allocated in the 2014/15 budget and has been delivered as programmed. Although the document will be finalised early in the 2015/16 financial year, this will not have any effect on the budget.

POLICY IMPACT

Once finalised, the draft Strategy will provide a long-term guiding document that sets out the overarching strategic directions for people of CALD backgrounds living in Warringah.

ITEM 7.4	2015/16 COMMUNITY GRANTS PROGRAM
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2015/146083
ATTACHMENTS	1 Community Development Grants (Included In Attachments Booklet) 2 Cultural Development Grants (Included In Attachments Booklet) 3 Sporting Groups Capital Assistance Grants (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's approval to allocate the 2015/16 Community Grants in accordance with the recommendations of the three assessment panels.

SUMMARY

A total of \$372,591* has been budgeted for allocation for the 2015/16 Community Grants Program across the three funding streams:

- Community Development Grants - \$105,000
- Community Development Grant (recurrent) commitment from 2013/14 - \$4,591*
- Cultural Development Grants - \$30,000
- Sporting Groups Capital Assistance Grants - \$233,000

In accordance with Council's Grants and Sponsorship Policy, three assessment panels considered the grant applications for the various funding streams. Their recommendations have been collated and presented as attachments to this report for Council's approval. The table below outlines a summary of applications received and those recommended for funding.

Type of grant	Total number of eligible applications	Number of applications recommended for funding	Total recommended funding allocation 2015/16	Budget allocation for 2015/16
Community Development Grants	36	25	\$105,000	\$105,000
Recurrent grant from 2013/14	1*	1* (already committed)	\$4,591* (already committed)	\$4,591*
Cultural Development Grants	14	9	\$30,000	\$30,000
Sporting Group Capital Assistance Grants	3	3	\$185,547	\$233,000
Total 2015/16	54	38	\$325,138	\$372,591

*\$4,591 is already committed to Manly Warringah Pittwater Community Aid Service for the final year of their three year recurrent grant awarded in 2013/14.

FINANCIAL IMPACT

All grant funding is identified in the 2015/16 budgets and, pending Council's adoption of subsequent budgets, funding for recurrent Community Development Grants will be proposed in the 2016/17 and 2017/18 budgets.

- Community Development Grants - A total of \$105,000 is to be distributed amongst 25 groups of which five are recommended for three year recurrent funding which totals \$19,000 in 2016/17 and \$19,000 in 2017/18. An additional \$4,591 is already committed to an existing recurrent funding agreement for 2015/16.
- Cultural Development Grants - \$30,000 is to be distributed amongst nine groups
- Sporting Groups Capital Assistance Grants - \$185,547 is to be distributed amongst three groups
- \$47,453 of unallocated 2015/16 Sporting Groups Capital Assistance Grant funds is to be rolled over to the 2016/17 Sporting Groups Capital Assistance Grants Program.

POLICY IMPACT

The grants process has been administered in accordance with the Grants and Sponsorship Policy (adopted by Council 27 February 2013).

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

- A. That the Community Development Grant funding for 2015/16 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):
1. 2realise Incorporated – 2realise your career. The Northern Beaches Project – \$4,500
 2. Artability, under the auspices of the Northern Beaches Creative Leisure and Learning Inc. – Artability – \$3,000. Recurring funding for 3 years.
 3. Australian Youth Climate Coalition – Switched on Schools Northern Beaches – \$5,000
 4. Disabled Surfers Association of Australia Inc., Sydney Branch - Disabled Surfers "Hands on Day" Collaroy Beach, 2016 - \$3,800
 5. Forest Computer Pals for Seniors Inc. - Forest Computer Pals for Seniors 2016. Equipment update - \$3,000
 6. Grace City Care Incorporated - Community Food care Centre and Café - \$5,000
 7. KYDS Youth Development Service Incorporated - Early intervention mental health outreach activities for Warringah teens and their parents - \$5,000
 8. Literacy Network Manly Warringah Inc. - Providing one to one free tuition for adults living in the Warringah LGA, who struggle with reading, writing and numeracy skills - \$5,000
 9. Manly Community Centre & Services Inc. - The Northern Beaches Volunteering Project - \$5,000. Recurring funding for 3 years.
 10. Manly Drug Education and Counselling Centre - Stop the Supply Campaign (STS) - \$5,000
 11. Northern Beaches Business Education Network Incorporated - Young Women's Work Inspiration (YWWI) - \$5,000. Recurring funding for 3 years.
 12. Northern Beaches Interchange - Peer to Peer Support Networks - \$5,000
 13. Northern Beaches Multiple Birth Club - Best Start program for multiples - \$3,000
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14. Parkrun Inc. - Curl Curl Parkrun - \$1,000. Recurring funding for 3 years.
 15. Peninsula Senior Citizens Toy Repair Group Inc. - Toys for disadvantaged kids at Christmas - \$1,500
 16. Pioneer Clubhouse (SFNSW) - Transport to Support - \$2,000
 17. Rainbow Swim Club - End waiting list - \$5,000
 18. Raise Foundation - Bump, Dee Why - \$5,000. Recurring funding for 3 years.
 19. Relationships Australia - The Boys Shed - \$4,800
 20. Rotary Club of Dee Why Warringah - Mental health first aid courses - \$5,000
 21. RSL Lifecare Limited - Homes for Heroes reconnect - \$5,000
 22. Spanish Community Care Association Inc. - Warringah's Spanish Speakers Hub for Seniors - \$5,000
 23. St Vincent de Paul Society - Warringah Food Van Volunteer Program - \$5,000
 24. Streetwork Incorporated - Kick Start Mentoring Program - \$5,000
 25. Water Skills for Life Inc. - Tibetan Community Swimming & Water Safety Program - \$3,400
- B. That the Cultural Development Grant funding for 2015/16 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):
1. Brush Art 4 Kids – Brush Art 4 Kids – \$5,000
 2. Eramboo World Studies Centre Pty. Ltd – In SITES – \$1,580
 3. Eurofest Cultural and Sporting Association Inc. – Eurofest 2015 Multi-cultural Festival – \$5,000
 4. Manly Panto Inc. - Jack and Jill and The Beanstalk - \$1,000
 5. Northern Beaches Eisteddfod - Northern Beaches Eisteddfod - \$3,000
 6. Polixenni Photography-50 FACES. A photographic portrait series of the northern beaches. - \$5,000
 7. The Manly-Warringah Choir Inc. - Gala 40th Anniversary Concert - \$ 3,420
 8. Tibetan Community of Australia NSW Inc. - Tibet Festival 2016 - \$5,000
 9. Warringah Printmakers Studio Inc. - The Warringah Printmakers Studio Annual Exhibition 2015 - \$1,000
- C. That the Sporting Groups Capital Assistance Grant funding for 2015/16 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):
1. Collaroy Tennis Club – new tennis court fencing at the Collaroy Tennis Centre, Griffith Park – \$36,547
 2. Harbord Devils Junior Cricket Club – four new cricket nets, Harbord Park – \$44,000
 3. Manly Warringah Netball Association – upgrade lighting on up to 11 netball courts at John Fisher Park – \$105,000. Council to manage this project.
- D. That \$47,453 of unallocated funds from the 2015/16 Sporting Groups Capital Assistance Grant Program is rolled over to the 2016/17 Sporting Groups Capital Assistance Grant Program.
-

REPORT

BACKGROUND

The Community Grants Program facilitates a diverse range of services and projects that directly benefit the community and contribute to the quality of life in Warringah.

In order to determine which organisations should receive funding, each application is first checked for eligibility, and then assessed by an assessment panel. Each panel is made up of one relevant Council officer, three independent community members and one non-voting Council administration officer.

Each application is assessed against four criteria:

1. Project merit
2. Community development and participation
3. Organisational capacity
4. Project budget

The individual scores from each panel member were tallied. The administration staff then ranked the applications based on their scores. Following that, the panel members met to discuss the applications and came to a consensus on which applications they were recommending for funding.

The recommendations from each panel are detailed in the attachments.

Community Development Grants:

Community Development Grants fund evidence-based community initiatives which align to objectives outlined in Council's Community Strategic Plan, Youth Strategy, Creative Strategy and Healthy Ageing Strategy (Living Well Warringah) to address community issues. The grants fund projects that build community capacity, community connectedness and develop a sense of place.

In this stream, funding is available either as one off (one-year) or recurrent (three years) up to a maximum of \$5,000 per year with a funding pool of \$105,000 for 2015/16.

Thirty-seven (37) applications were received requesting a total of \$165,165. One application was deemed ineligible as the organisation was not incorporated and was unable to find an incorporated organisation to auspice them. Community gardens are also eligible for funding under this stream however no applications were received.

Of the 36 eligible applications, only those that most closely aligned with Council's strategic objectives were recommended for funding. A total of 25 applications were recommended for funding of \$105,000. Of these, five organisations were also recommended for three year recurrent funding totaling \$19,000 in 2016/17 and \$19,000 in 2017/18.

An additional \$4,591 is already committed to Manly Warringah Pittwater Community Aid Service for the final year of their three year recurrent funding awarded in 2013/14. This is for their project called "Culturally and Linguistically Diverse Project for most under supported groups in Warringah."

Cultural Development Grants

Cultural Development Grants fund evidence-based cultural initiatives which enable artists, musicians, performers and communities to develop and participate in a variety of arts and cultural activities that reflect the cultural diversity and capacity of Warringah and celebrate a sense of place.

In this stream, funding is available as one off (one-year only) up to a maximum of \$5,000 per year with a funding pool of \$30,000 for 2015/16.

Fourteen (14) applications were received requesting a total of \$56,249. Only those that most closely aligned with Council's strategic objectives were recommended for funding. A total of nine applications were recommended for funding of \$30,000.

Sporting Groups Capital Assistance Grants

Sporting Groups Capital Assistance Grants aim to improve Warringah's sport and recreation facilities and to enhance the opportunities for sport, recreation and physical activity.

In this stream, Council will reimburse up to 50% of expenditure on the development of Warringah's sport and recreation infrastructure, with a total funding pool of \$233,000 available in 2015/16. Contributions are generally based on reimbursement of expenditure associated with the project.

Five applications were received requesting a total of \$227,730. Two applications were ineligible due to not having the required approvals for their projects. All three eligible applications aligned with Council's strategic objectives and all three were recommended for funding – Collaroy Tennis Club, Harbord Devils Junior Cricket Club and the Manly Warringah Netball Association. It is also recommended that Council manage the netball project, to upgrade netball court lights at John Fisher Park, as specific expertise is required given the potential contaminated land issues at John Fisher Park.

As not all the 2015/16 funding was allocated, it is recommended that the remaining \$47,453 be rolled over to the 2016/17 Sporting Groups Capital Assistance Grants Program.

Other Grants

It is important to note that in addition to the above grants, at the commencement of the financial year, a total of \$67,014 will be transferred to Warringah's surf clubs in accordance with the Beach Safety Policy as follows:

- \$13,268 – Surf Life Saving Sydney Northern Beaches Branch
- \$46,746 – nine clubs each receive \$5,194
- \$7,000 – Warringah Surf Rescue

CONSULTATION

Applications were open for submission from 1 April - 1 May 2015. The program was widely promoted across various channels including The Manly Daily, website advertising, social media, direct contact to identified stakeholders via email networks, posters in Council customer service points. Two workshops titled 'How to Write Winning Grant Applications' were held on 5 and 23 March for community groups/organisations seeking funding. Over 100 representatives attended these three hour workshops.

TIMING

Following this meeting, grant applicants will be notified of the outcome of their application in writing. Successful grant recipients will be sent funding agreements in July 2015 and once signed, funding will be allocated as outlined in these agreements.

FINANCIAL IMPACT

All grant funding is identified in existing 2015/16 budgets and, pending Council's adoption of subsequent budgets, funding for recurrent Community Development Grants is available in the 2016/17 and 2017/18 budgets.

- Community Development Grants – A total of \$105,000 is to be distributed amongst 25 groups, of which, five are recommended for three year recurrent funding which totals \$19,000 in 2016/17 and \$19,000 in 2017/18. An additional \$4,591 is already committed to an existing recurrent funding agreement for 2015/16.

- Cultural Development Grants - \$30,000 is to be distributed amongst nine groups
- Sporting Groups Capital Assistance Grants - \$185,547 is to be distributed amongst three groups
- \$47,453 of unallocated 2015/16 Sporting Groups Capital Assistance Grant funds is to be rolled over to the 2016/17 Sporting Groups Capital Assistance Grants Program.

The Panel's recommended funding allocations are detailed as follows:

- Community Development Grants – Attachment 1
- Cultural Development Grants – Attachment 2
- Sporting Groups Capital Assistance Grants – Attachment 3

POLICY IMPACT

The grants process has been administered in accordance with the Grants and Sponsorship Policy.

8.0 ENVIRONMENT DIVISION REPORTS

ITEM 8.1	ADOPTION OF THE DEE WHY SOUTH CATCHMENT FLOODPLAIN RISK MANAGEMENT PLAN
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2015/141124
ATTACHMENTS	1 Dee Why South Catchment Floodplain Risk Management Plan (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council adoption of the Dee Why South Catchment Floodplain Risk Management Plan (June 2015).

SUMMARY

Warringah Council has prepared a Floodplain Risk Management Plan (FRMP) for the Dee Why South Catchment which includes parts of the suburbs of Dee Why and Narrabeena.

The FRMP guides the management of the floodplain into the future and is based on the outcomes of the investigations undertaken in the Dee Why South Catchment Flood Study (adopted in 2013) and Dee Why South Catchment Floodplain Risk Management Study (adopted in 2014).

During the community consultation period from 1 May to 29 May 2015, letters were sent to approximately 4,700 properties, 2 drop-in information sessions were held, letters were hand delivered to business owners and operators in the vicinity of Oaks Avenue and information was displayed at the Civic Centre as well as each of Council's libraries. There was comprehensive community use of the project webpage. Three submissions were received; one submission was supportive of the approach, another was concerned about the current level of flood risk in Dee Why and whether the proposed measures are enough, and another questioned the need for expenditure on floodplain management at all.

It is noted that the detailed design of the stormwater pipes in Oaks Avenue is continuing to ensure that the designs for the Dee Why Town Centre infrastructure works can continue as quickly as possible.

FINANCIAL IMPACT

Implementation of the Dee Why South Catchment Floodplain Risk Management Plan will be undertaken within Council's existing floodplain management and stormwater works programs. The capital cost of the new stormwater pipes in Oaks Avenue has been estimated at approximately \$1.2 million, however this is a preliminary estimate. Following detailed design it is likely that the project cost will differ from that outlined above.

POLICY IMPACT

The FRMP has been undertaken in accordance with the NSW Floodplain Development Manual. The Warringah Development Control Plan 2011 will be amended to include separate classifications and development controls for flooding and overland flow in Dee Why.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Adopt the Dee Why South Catchment Floodplain Risk Management Plan (June 2015).
 - B. Continues the detailed design of the stormwater pipe in Oaks Avenue given its high priority and the need to integrate with upcoming Dee Why Town Centre infrastructure works.
 - C. Commences the process to amend the Warringah Development Control Plan 2011 to include separate classifications and development controls for mainstream flooding and overland flow for Dee Why.
-

REPORT

BACKGROUND
NSW Government's Flood Prone Land Policy and Council's Obligations

Under the NSW Government's Flood Prone Land Policy, the management of flood affected land is the responsibility of local government. The State Government subsidises flood mitigation works to alleviate existing problems, and provides specialist technical advice to assist Councils to undertake their floodplain management responsibilities.

The NSW Government's Flood Prone Land Policy provides:

- A framework to ensure the sustainable use of floodplain environments;
- Solutions to flooding problems; and
- Means of ensuring new development is compatible with the flood hazard.

The Flood Prone Land Policy provides for technical and financial support by the State Government through five (5) recommended sequential stages. These are described below, and this report refers to Step 4 of the process.

Table 1 - State Government Flood Prone Land Management steps

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
1. Formation of a committee: forum for discussing technical, social, economic and environmental issues.	The Dee Why South Catchment Flood Study Working Group was formed to advise and oversee the completion of the Floodplain Risk Management Plan. Membership consists of representatives of the Office of Environment & Heritage (OEH), the State Emergency Service (SES), Warringah Chamber of Commerce, Warringah Councillors, Environmental Group and Community Members.
2. Flood Study: determines the nature and extent of the flood problem and is publicly exhibited upon completion.	Completed and adopted in 2013.
3. Floodplain Risk Management Study: Evaluates management options for the floodplain in respect of both existing and proposed development and is publicly exhibited upon completion.	Completed and adopted in 2014.
4. Floodplain Risk Management Plan: Involves preparation of a formal plan to guide Council's management of the floodplain, using information from the flood study and Floodplain Risk Management Study, and formal adoption by Council after a period of public exhibition.	The Floodplain Risk Management Plan commenced in January 2015. It involved the following: <ul style="list-style-type: none"> • Description of existing catchment and flooding characteristics • Description of options selected for implementation

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
	<ul style="list-style-type: none"> Preparation of an implementation program of the recommended options. <p>Public exhibition has now closed and three submissions were received. One submission was supportive of the approach, another was concerned about the current level of flood risk in Dee Why and whether the proposed measures are enough, and another questioned the need for expenditure on floodplain management at all.</p>
5. Implementation of the Plan: construction of any recommended flood mitigation works to protect existing development, and the use of Local Environmental Plans to ensure that new development is compatible with the flood hazard.	<p>The implementation of the plan will be staged according to the priority of options and the resources available in the floodplain management and stormwater works programs.</p>

Why undertake a FRMP for the area?

The Dee Why South Catchment Floodplain Risk Management Study (2014) investigated a number of floodplain management options. A number of options investigated in the Study achieved reductions in flood risk whilst still being within Council's financial constraints. The FRMP will set the future strategic direction for the management of flood prone land in the Dee Why South Catchment through the recommendation of floodplain management options (both structural and non-structural) for implementation.

Due to the identified high flood risk and future of Dee Why as a regional residential and commercial centre, the Dee Why South Catchment FRMP was deemed a high priority.

Implementation Program

The FRMP outlines an implementation program for the recommended measures. This program outlines the options recommended, description of the action required, costs of the option and the relative priority.

Each option is classified in one of four categories:

- High priority
- Medium priority
- Low priority
- Ongoing action

This classification of the options will guide the staging of their implementation, with high priority actions likely to be investigated further as an immediate priority, whereas medium and low priority actions will be implemented as budget and resources allow. Ongoing actions are actions which will start/continue on a regular recurring schedule. The draft implementation program is outlined below in Table 2.

Table 2 – Implementation program for actions identified in the Plan

Option	Description	Estimated cost		Priority
		Capital	Annual	
Increase drainage capacity in Oaks Avenue	A large diameter pipe is proposed to run the length of Oaks Avenue, connecting into the main box culvert opposite 33 Oaks Avenue.	\$1,158,473*	\$1,900	High
Underground storage tank/s at Redman Road	Tank/s would be located along the main overland flow path in Redman Rd and would require large underground pits to intercept flow upstream of the tank. Design and construction challenges could significantly increase the estimated capital cost.	\$3,014,900*	\$21,000	High
Planning instrument amendments	Amend the Warringah Development Control Plan to include separate classifications and development controls for mainstream flooding and overland flow in Dee Why.	N/A	N/A	High
Public awareness and education	Review Northern Beaches Flood and Coastal Storms Education Strategy at the end of the current Strategy period (2012-2017)	\$0	\$5,000	High
Flood Warning System	At the end of the current contract (2017) review potential actions: - Live webcam streaming of lagoon entrances for entrance management - Potential for public opt-in to lagoon water level text messages - Improve speed of data publication on webpage and review reliability of system and potential improvements	\$30,000	\$7,000	High
Information transfer to the SES	Quarterly meetings to be held between Northern Beaches Councils and NSW SES Sydney Northern region to transfer data obtained through the floodplain risk management process.	N/A	N/A	Ongoing
Flood proofing guidelines	Seek funding assistance from the NSW Office of Environment and Heritage to prepare flood proofing guidelines. Amend the DCP to create a statutory requirement for existing premises undergoing interior development.	\$15,000	\$1,500	Low
Event Data Collection	Routine data collection following a flood event	\$5,000	\$5,000	Ongoing

* The costs for the floodplain management options are preliminary estimates based upon a concept design and include the physical estimate of the works. The estimates do not include costs of design, approvals, project management and contingency. Following detailed design it is likely that the project cost will differ from that outlined above.

Proposed Mitigation Works

Increase Drainage Capacity in Oaks Avenue

The highest priority action and the structural option that offers significant reductions in flood damages whilst still having a cost within Council's budgetary constraints, is the installation of a stormwater pipe in Oaks Avenue. Currently there are no underground stormwater pipes west of Woolworths on Oaks Avenue; the installation of a pipe to reduce flooding on the road is a logical option for Council to implement.

Council has undertaken a concept design of the option and results indicate that the pipe will substantially reduce the flood risk within Oaks Avenue. The stormwater pipe is intended to be installed from Pittwater Road and connect into the existing box culvert that traverses Oaks Avenue outside 33 Oaks Avenue (Woolworth's site).

The box culvert that traverses Oaks Avenue has recently been identified as being in poor condition. An options report has suggested that the most feasible remedial solution is to replace the damaged sections of culvert, which are exclusively located beneath the Oaks Avenue roadway. It is proposed to incorporate the replacement of the damaged sections of culvert with the installation of the stormwater pipe in Oaks Avenue.

A preliminary layout is outlined in Figure 1



Figure 1 – Preliminary outline of the stormwater works in Oaks Avenue

Detailed design of the stormwater works in Oaks Avenue is recommended to continue. Further information on the works will be presented as it becomes available.

Underground Storage Tanks at Redman Road

This option is considerably more expensive than the works in Oaks Avenue; however preliminary estimates indicate that it produces major flooding benefits on Pittwater Road. Discussions have commenced with the State Government, as the asset owner of Pittwater Road, to determine

whether there is the potential for State funding and implementation of the option. Without State Government support, the option is unlikely to be affordable within Council's existing resources.

Planning Instrument Amendments

Following adoption of the Plan it is proposed to differentiate between mainstream and overland flow flooding in Dee Why and apply different development controls depending on the nature of the flooding. As the drainage system throughout Dee Why is predominantly piped, the primary cause of flooding is likely to be overland flows as opposed to overflows from creeks and watercourses (mainstream flooding). Development controls in Dee Why will be applied to areas reclassified as being subject to "overland flow" to reduce the potentially onerous floor level controls.

The proposed revised categories of flooding are outlined below:

Flood	Streamflow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or flooding associated with overland flow before it enters a principal watercourse.
<u>Mainstream flooding:</u>	Inundation of normally dry land occurring when water overflows the natural or artificial banks of a principal watercourse (which may now be in a modified condition by being piped, channelised or diverted).
<u>Overland flow:</u>	Inundation by runoff flowing across the land surface before it enters a principal watercourse. This includes areas where runoff which exceeds the capacity of a piped drainage system flows overland along alternative flow paths which do not follow the drainage lines. Exclusively within this category, land is considered to be flood affected if the flow depth is <u>greater</u> than 0.3 m or experiences <u>high hazard</u> when the flow depth is <u>greater</u> than 0.15 m.

It is proposed to amend the DCP for Dee Why to reflect the above changes and apply flood related development controls that are appropriate at managing the flood risk from either mainstream flooding or overland flows.

Community Awareness Actions

The Northern Beaches Flood Warning System is a joint partnership between Pittwater, Warringah and Manly Councils in collaboration with the NSW OEH and the Bureau of Meteorology. The five-year objective is to develop a basic flash flood warning system for the region's community by the strategic installation of rainfall, water level and flow gauges.

There are a number of potential improvements to this system such as remote monitoring of lagoon entrances, allowing residents to receive SMS flood alerts and improving the responsiveness of the flood warning website developed for the project. These potential improvements will be examined at the end of the current contract period in 2017.

The NSW SES, Manly, Warringah and Pittwater Councils developed the Northern Beaches Flood and Coastal Storms Education Strategy in 2012. The strategy has been developed to outline a plan for the agencies to raise awareness of the mechanism and potential impacts of natural hazards and encourage appropriate emergency response behaviours. It lists a series of actions to be undertaken by the organisations within the 2012-2016 period. A number of improvements to this strategy were outlined in the Dee Why FRMP; these will be assessed in collaboration with the partner agencies.

CONSULTATION AND TIMING

As per Council resolution 071/15, public exhibition of the draft FRMP for Dee Why South Catchment took place from 1 May to 29 May 2015. Opportunities for the community to participate in the review of the document included the following:

- A letter was sent to approximately 4700 home owners within the extent of the Probable Maximum Flood, inviting them to provide feedback on the Plan.
- Posting of the draft Plan on the project web site, with a link from Council's web site
- Community Engagement email to interested residents and groups
- Displays in the Customer Service foyer of the Civic Centre, and all Council libraries
- Advertisements in the Council Notices section of The Manly Daily
- Two drop-in information sessions
- Hand delivery of letters to 200 business owners and operators in the vicinity of the proposed new stormwater pipes.

During the public exhibition period the webpage received 131 site visits by 115 individual visitors, and there were 299 page views with 60 document downloads in total. A total of 3 submissions were received during the public exhibition period. These are outlined below and are not considered to warrant changes to the draft FRMP.

Table 3 – Community feedback and how it has been addressed

Community response	Amendment to final FRMP
Any flood management plan is a good use of ratepayer's money	Comments are noted, no amendments to the FRMP are considered necessary.
There is a high level of flood risk in Dee Why and more should be done to mitigate this risk	Comments are noted, no amendments to the FRMP are considered necessary. Including actions in the Plan which are beyond Council's financial capacity would reduce their likelihood of implementation. The current actions recommended offer significant reductions in flood hazard whilst still being within Council's existing resources.
What a waste of money, if it rains things get wet	Comments are noted, no amendments to the FRMP are considered necessary. Council is committed to managing flood risk throughout Warringah as required by the NSW Flood Prone Land Policy.

FINANCIAL IMPACT

Implementation of the Dee Why South Catchment Floodplain Risk Management Plan will be undertaken within Council's existing floodplain management and stormwater works programs. The capital cost of the new stormwater pipes in Oaks Avenue has been estimated at approximately \$1.2 million, however this is a preliminary estimate. Following detailed design it is likely that the project cost will differ from that outlined above.

POLICY IMPACT

The FRMP has been undertaken in accordance with the NSW Floodplain Development Manual. The Warringah Development Control Plan 2011 will be amended to include separate classifications and development controls for flooding and overland flow in Dee Why.

ITEM 8.2	GARAGE SALE TRAIL
REPORTING MANAGER	GROUP MANAGER ROADS TRAFFIC & WASTE
TRIM FILE REF	2015/063928
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To advise of the outcome of participation in the national Garage Sale Trail (GST) on Saturday 25 October 2014 and make a recommendation regarding future participation.

SUMMARY

Council resolved at its meeting on 26 August 2014 to participate in the 2014 GST at a cost of \$6,000 and to continue to run the Second Hand Saturday (SHS) program.

Warringah first participated in the GST in 2011 on a trial basis at a direct cost of \$10,000 plus staff time. That year 56 garage sales were registered. Council subsequently decided at its meeting of 24 November 2011 to implement SHS rather than continue participating in GST.

However, in March 2014, GST Foundation approached Council to participate in the 2014 GST at a cost of \$12,500, (later reduced to \$6,000). With this reduced offer Council could participate in GST in 2014, as well as run the SHS project with reduced promotional effort. The number of councils participating in GST had grown from 14 in 2011 to 112 in 2013 and GST explained that they were now better organised and the events much improved.

For the 2014 GST, Warringah had only 37 registered household garage sales - a 34% reduction compared to 2011. SHS had 100 registered sales during 2014.

At this time, GST does not appear to offer value for money as an educational event or in reducing waste.

FINANCIAL IMPACT

The cost of participating in GST in 2014 (\$6,000) was covered by the Waste Education budget primarily by reducing promotion of SHS. It is believed these funds would produce better value for money if directed to other waste education projects such as promoting SHS or running workshops or organised/targeted visits to Kimbriki.

POLICY IMPACT

Both GST and SHS align with Council's Environmental Sustainability Strategy and Regional Waste strategy for developing and implementing educational and promotional programs that incorporate the principles of reducing waste.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council not participate in the Garage Sale Trail and continue to run the Second Hand Saturday program.

REPORT

BACKGROUND

The Garage Sale Trail (GST) Foundation is the organisation that instigated and co-ordinates the annual GST. The GST Foundation aims to create interest in holding a garage sale on the same day each year to help promote reuse and sustainability. The first national GST was held in 2010.

In 2011 Warringah Council participated in GST at a cost of \$10,000 paid to the GST Foundation, plus in-house costs of approximately \$3000. This resulted in 56 garage sales across Warringah. The value for money of the event and the motives and associations of the organising body were debated in Council in 2011 and at its meeting of 24 November 2011, Council decided to implement an independent Second Hand Saturday (SHS) program at approximately the same cost, rather than continue with the GST.

The SHS program encourages residents to hold a garage sale at their home on the weekend before their General Clean Up. The SHS program commenced on 14 April 2012 and in the first full year 148 households had a garage sale and in 2014 107 households had a garage sale.

The GST Foundation have developed a determined marketing campaign and in March 2014 approached Council to participate in the 2014 GST at a cost of \$12,500. When questioned by staff regarding the value for money of participating in GST previously, GST Foundation agreed to a rate of \$6,000 for 2014, (the approximate cost to maintain the SHS program). This cost was met from the waste education budget, with reduced promotional effort for SHS.

GST explained that the number of Councils participating had grown from 14 in 2011 to 112 in 2013, and that they have learned from the past and are better organised and the events are much improved.

It was felt the growing participation and publicity of GST could have an impact on residents, reminding them to reuse and recycle where possible and also raise awareness of the SHS program, helping to educate the public on the need to reduce landfill. Consequently Warringah Council participated in the 2014 GST.

The event attracted 37 registered household garage sales. This is considered a poor response and represents a 34% reduction compared to 2011.

Participating in the GST has shown not to be value for money, has not invigorated the SHS program and has not had an impact on reducing quantities of waste presented for general cleanup collections.

SHS attracted 107 garage sales in 2014, requires minimal staff time, and costs approximately \$6,000 - \$8,000 per annum. It provides residents with the chance to reduce what goes to landfill from each of their bulky goods clean ups.

Investing the cost of participating in GST in alternative waste education and promotion projects, such as promoting SHS or running workshops or visits to Kimbriki, would be expected to provide better value for money for Council and produce better results in avoiding and minimising waste.

If residents want to participate in Garage Sale Trail independently, they could still do this directly in 2014 whether or not Council participated. Council can also direct residents to the GST website via the Mayor's Message or similar low cost promotion without participating in running of the event.

CONSULTATION

At a meeting with GST, staff discussed the problems with the previous trial and the perceived value for money of participation. GST explained that the event had grown and the organisation had learned much in the past few years and resolved many previous issues.

Only 37 households participated in GST in Warringah in 2014.

TIMING

The GST event is held once per year in October. SHS runs every Saturday and is offered to residents the Saturday before each general clean up.

FINANCIAL IMPACT

The cost of participating in GST in 2014 was covered by the Waste Education budget. It is believed these funds would produce better value for money if directed to other waste education projects.

POLICY IMPACT

Both GST and SHS align with Council's Environmental Sustainability Strategy and Regional Waste strategy for developing and implementing educational and promotional programs that incorporate the principles of reducing waste.

ITEM 8.3	JOESANDRA DRAFT VOLUNTARY PLANNING AGREEMENT AND EXPLANATORY NOTE
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2015/146289
ATTACHMENTS	1 Joesandra draft Voluntary Planning Agreement (Included In Attachments Booklet) 2 Warringah Development Assessment Panel Minutes - 12 November 2014 (Included In Attachments Booklet) 3 Warringah Development Assessment Panel Report - 12 November 2014 (Included In Attachments Booklet) 4 Independent valuation (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek endorsement of a voluntary planning agreement and explanatory note (draft VPA) between Joesandra Pty Limited and Warringah Council, relating to 341 - 343 Condamine Street, Manly Vale, for public exhibition.

SUMMARY

On 24 July 2014, Joesandra Pty Limited (the Applicant) lodged DA2014/0828 (DA) with Council for demolition works and the construction of a four storey shop top housing development, consisting of a shop, residential apartments and associated car parking and landscaping. The DA was unanimously refused by the Warringah Development Assessment Panel (WDAP) (Attachment 2) at the 12 November 2014 WDAP meeting.

Prior to the determination of the DA by WDAP, the Applicant lodged a Class 1 Appeal on 22 September 2014. As a result of the Court process to date and the contention raised by Council, the applicant amended the building's design to address Council's concerns and has offered to enter into a voluntary planning agreement (VPA) with Council. The offer relating to the draft VPA is to:

1. Dedicate land along the western boundary of the site in order to facilitate the road widening of Somerville Place, Manly Vale.

The draft VPA has been prepared by the Applicant's solicitor and in the opinion of Council staff, is ready for public exhibition.

The Class 1 Appeal will be determined by the NSW Land and Environment Court and is not the subject of this report. The assessment of the draft VPA is a separate and independent process to which this report relates.

FINANCIAL IMPACT

Nil. Council's costs relating to the preparation and valuation of the draft VPA will be paid for by the Applicant.

POLICY IMPACT

The draft VPA is in accordance with the Voluntary Planning Agreements Policy PL 600 VPA.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council endorse the draft voluntary planning agreement and explanatory note between Joesandra Pty Ltd and Warringah Council, so that the draft voluntary planning agreement and explanatory note may be placed on public exhibition for a period of 28 days.

REPORT

BACKGROUND

Location

The site is located at 341-343 Condamine Street, Manly Vale, which faces Condamine Street to the East, King Street to the North and backs onto Somerville Place to the West.

See the cross hatched area below for an aerial view of the site.



DA2014/0828

Joesandra Pty Ltd (The Applicant) lodged DA2014/0828 (DA) on 24 July 2014, for 341-343 Condamine Street, Manly Vale. The DA sought consent for demolition works and the construction of:

- 24 residential apartments,
- 182m² shop,
- basement level residential car parking for 27 vehicles,
- ground floor commercial car parking for 11 vehicles and
- site works.

The application was reported to the Warringah Development Assessment Panel (WDAP) with a Recommendation for Refusal. The panel decided unanimously to refuse the application for the reasons outlined within the Recommendation (See Attachment 3). In summary, the development was considered to result in unsatisfactory built form and amenity impacts.

Class 1 Appeal

Prior to the determination of the DA by WDAP, a Class 1 appeal was lodged by the Applicant on 22 September 2014 under the *Environmental Planning & Assessment Act 1979*.

As a result of the Court process to date and the contentions raised by Council, the applicant has made substantial amendments to the design of the development and has also offered to dedicate land along the western boundary of the site by way of a VPA. The dedication of the land will facilitate the road widening of Somerville Place, making it trafficable in both directions.

Voluntary Planning Agreement

The parties to the draft VPA are Joesandra Pty Ltd and Warringah Council.

The draft VPA sets out the material public benefits that the Applicant will provide under the VPA. The offer relating to the VPA is to dedicate 23.47m x 2.3m of land along the western boundary of the site in order to facilitate the road widening of Somerville Place, Manly Vale.

The VPA has been prepared by the Applicant's solicitor and has been reviewed by Council staff and Council's lawyers. The draft VPA is compliant with Council's Voluntary Planning Agreements Policy, the *Environmental Planning & Assessment Act 1979* (Act) and the *Environmental Planning & Assessment Regulation 2000*.

POLICY IMPACT**Voluntary Planning Agreements Policy (the Policy) – PL 600 VPA**

The Policy was adopted by Council at its Ordinary Meeting on 26 August 2014 and outlines the circumstances in which Council would consider a VPA and specific objectives / fundamental principles governing the use of the VPA.

The relevant provisions of the Policy are addressed as follows:

Clause 14 – What are the mandatory requirements of a Voluntary Planning Agreement?

The draft VPA meets the requirements under section 93F (3) (a) – (g) of the *Environmental Planning and Assessment Act 1979*.

Development Contributions under this deed are not to be taken into consideration in determining a development contribution under section 94 or section 94A of the Act.

Clause 15 – Explanatory Note

The Explanatory Note is a plain English summary of the draft VPA and is attached to the draft VPA.

Clause 17 – Principles underlying the use of Voluntary Planning Agreements

The draft VPA agreement is directed towards a proper and legitimate purpose, as the planning benefit will allow for Somerville Place, Manly Vale to be trafficable in both directions.

The planning benefits have a direct relationship to the site.

Clause 18 – What matters will Council consider?

The draft VPA is consistent with the Policy as it provides a positive planning outcome for the people of Warringah by allowing Somerville Place, Manly Vale to be trafficable in both directions. Without the lane dedication, the northern end of Somerville Place would remain one way.

Clause 19 – What will Council require to be provided under the VPAs?

The proposed public benefits within the draft VPA are consistent with the potential public benefits outlined in Attachment C of the Policy.

Clause 24 – Probity

The process of assessment of the draft VPA by Council staff is consistent with the requirements of the Policy.

The Development Assessment and Compliance team have managed the Court process of the DA.

In accordance with Section 38 of the Policy, the public benefits under the draft VPA have been assessed by an independent valuer under the direction of Council's Building Property and Spatial Information team. The draft VPA is now being managed by Strategic Planning.

Clause 25 – Public notification of VPAs

If Council endorses the draft VPA, the VPA will be placed on public exhibition for 28 days.

Public exhibition will include exhibition of the draft VPA at Customer Service, notification in the Warringah Update section of the Manly Daily, a dedicated Your Say Warringah page and letter notification to the notification area that was used for the DA and to those people who made a submission to the DA. Submissions will be encouraged via email, eServices and mail.

Council staff will review the submissions received during the public exhibition period and report the submissions and draft VPA to Council.

Clause 38 – How will Council value development contributions under a Voluntary Planning Agreement?

The draft VPA is considered to offer a public benefit by:

- Dedicating a strip of land to Council for the purpose of making Somerville Place, Manly Vale trafficable in both directions

Council's Building Property and Spatial Information section arranged for an independent valuation of the public benefit (Attachment 4). The independent valuer has valued the land to be dedicated to Council at \$165,000. It is considered that the overall benefit is reasonable in terms of the improved accessibility for the community and the financial value of the land.

A thorough review of the contents of the draft VPA has revealed that the amount of public benefit offered in quantitative and qualitative terms is considered to be a demonstrable return for the community and provides a positive planning outcome, which is consistent with the requirements of the Policy.

CONCLUSION

The draft VPA is compliant with the Policy, the *Environmental Planning & Assessment Act 1979* (Act) and the *Environmental Planning & Assessment Regulation 2000*.

The development contribution is a demonstrable public benefit, provides a positive planning outcome for the people of Warringah and is in accordance with the objects of the Act.

The draft VPA is now ready for public exhibition.

CONSULTATION

If endorsed by Council, the draft VPA will be placed on public exhibition for 28 days as required by legislation.

TIMING

It is anticipated that the amended plans for the Class 1 Appeal will be placed on public exhibition concurrently with the draft VPA.

A time estimate cannot be placed on when the Class 1 Appeal will be determined as it is subject to the NSW Land and Environment Court's timetable.

Following the public exhibition of the draft VPA and a review of submissions received during the public exhibition period, the draft VPA will be reported back to the August or September 2015 meeting of Council.

FINANCIAL IMPACT

In accordance with the Policy the draft VPA does not seek any concessions in relation to the payment of Section 94A Contributions.

Council's costs relating to the preparation and valuation of the draft VPA will be paid for by the Applicant.

ITEM 8.4	ADOPTION OF WARRINGAH DEVELOPMENT CONTRIBUTIONS PLAN 2015
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2015/138350
ATTACHMENTS	1 Draft Warringah Development Contributions Plan 2015 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

For Council to adopt the draft Warringah Development Contributions Plan 2015.

SUMMARY

At the Council Meeting held on 28 April 2015 Council resolved to place the draft Warringah Development Contributions Plan 2015 (draft Plan) on public exhibition for a period of 31 days to invite public comment.

The draft Plan was on public exhibition from 2 May 2015 to 1 June 2015. No submissions from the public were received during this period. In addition, no changes have been made to the scheduling or funding of relevant projects in Delivery Program 2015-2019 or Operational Plan 2015/16. Consequently no changes have been made to the draft Plan.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopts the Warringah Development Contributions Plan 2015.

REPORT

BACKGROUND

At the Council Meeting held on 28 April 2015, Council resolved to place the draft Warringah Development Contributions Plan 2015 (draft Plan) on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

This report informs Council of the outcome of the public exhibition and to recommend that Council adopt the draft Plan.

CONSULTATION OUTCOMES

Council is required to exhibit development contribution plans for a minimum period of 28 days. The draft Plan was exhibited for 31 days from 2 May 2015 to 1 June 2015, meeting the requirement.

The draft Plan was exhibited at the following locations:

- Civic Centre, Dee Why
- Yoursay Warringah website

During the exhibition period, the Yoursay Warringah website for the project received 70 visitors. No submissions were received.

Alignment with Delivery Program 2015-2019 and Operational Plan 2015/16

The current Warringah Section 94A Development Contributions Plan 2014 was amended in April 2015 to bring forward the works at Melwood Oval to the 2014/15 financial year amounting to \$1,010,500. The project is currently underway and the funds will be expended in accordance with the amended 2014 Plan.

The Delivery Program 2015-2019 and Operational Plan 2015/16 (the 2015/16 Budget) had proposed for these works to be undertaken during 2015/16. An adjustment to the 2015/16 Budget will now be required to reflect this change which will be undertaken as part of the September 2015 Quarterly Budget Review. No change is required to be made to the draft Warringah Development Contributions Plan 2015 as the bringing forward of the project was taken into account in the preparation of 2015 Draft Plan.

Aside from Melwood Oval, the draft Plan reflects the Section 94 and Section 94A funds allocated to capital works in the 2015/16 Budget. The relevant projects have not changed since the draft Plan was presented at the 28 April 2015 Council Meeting.

Implementation

If adopted by Council, the draft Plan will come into effect on 1 July 2015. All Development Applications and Complying Development Certificates that satisfy the relevant criteria and that are lodged on or after this date will be subject to the provisions of the draft Plan.

To ensure that all legislative requirements are met, Council must undertake the following:

- As required by Section 94EA (4) of the Environmental Planning and Assessment Act 1979, after approving a Contributions Plan, provide the Minister with a copy of the Section 94A Contribution Plan.
- Publish a notice in the Manly Daily on 27 June 2015, stating a commencement date of 1 July 2015.

TIMING

Subject to Council approval, the draft Plan will commence on 1 July 2015.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.5	SECONDARY DWELLINGS IN TERREY HILLS AND DUFFYS FOREST
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2015/145036
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To support the initiation of a Planning Proposal to allow internal or attached Secondary Dwellings in the RU4 – Primary Production Small Lot zone.

SUMMARY

On 25 November 2014, a report was presented to Council regarding the potential for allowing Secondary Dwellings in Terrey Hills and Duffys Forest. The report identified a number of possible impacts on the character and environment of the area, as well as on Council services. Council resolved to consult with the Rural Fire Service, Sydney Water and National Parks and Wildlife Service regarding the possible environmental impacts associated with the proposal.

Consultation with the agencies has been completed and no objections were raised regarding the proposal. However, the submissions noted that upgrades to infrastructure (e.g. roads and water supply) may be needed in the long term if the proposal is implemented. These possible impacts do not prevent Council from initiating a Planning Proposal. The impacts may be investigated in the post-Gateway period, in accordance with the Planning Proposal process.

FINANCIAL IMPACT

Post-Gateway activities (e.g. advertisement and additional reports) may result in costs to Council. These costs can be funded from the existing operational budget.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Prepare a planning proposal to allow development of internal and attached Secondary Dwellings in the RU4 – Primary Production Small Lot zone.
 - B. Forward the Planning Proposal to the Department of Planning and Environment seeking Gateway Determination.
-

REPORT

BACKGROUND

At its meeting on 29 April 2014, Council considered a Mayoral Minute regarding affordable housing and Secondary Dwellings. In response, Council resolved to prepare a short report to:

- A. *Investigate the appropriateness of allowing Secondary Dwellings in the RU4 Primary Production Small Lots land use zone in Terrey Hills and Duffys Forest*

At its meeting on 25 November 2014, a report was presented to Council with the findings of that investigation. In response, Council resolved to:

- C. *Consult with the New South Wales Rural Fire Service, Sydney Water and New South Wales National Parks and Wildlife Service regarding their views about the potential environmental impacts associated with allowing Secondary Dwellings in RU4 zones within Duffys Forest and Terrey Hills.*

This report responds to the resolution.

Feedback from NSW State Government Agencies

The Rural Fire Service, Sydney Water and National Parks and Wildlife Service (NPWS) were requested to comment on the proposal and were provided with the information previously reported to Council. Submissions were received from all three agencies. No objections were raised. However, the possible impacts of an increased population on infrastructure were noted. The results are summarised below:

Sydney Water

- Additional development may require water infrastructure upgrades
- Water supply needs will be reassessed if planning controls change in the area
- No wastewater infrastructure is available in the area, with no plans to supply in the future

Rural Fire Service

- Additional development may require either water infrastructure upgrades or on-site water tanks
- Recommendation for a traffic study focusing on evacuations be completed before planning controls change in the area

National Parks and Wildlife Service

- No specific concerns regarding the proposal
- Requests that existing controls regarding development next to NPWS land be enforced

Development Potential

A desktop review of the RU4 zoned land in Terrey Hills and Duffys Forest has been undertaken in order to assess the appropriateness of allowing Secondary Dwellings in the zone.

Currently, all RU4 zoned land is located in Terrey Hills and Duffys Forest. The objectives of this zoning in Warringah Local Environmental Plan 2011 (WLEP 2011) seek to 'enable primary industry' and that such land uses are 'low intensity'. While dwellings are permitted, the objectives also seek to 'maintain the rural and scenic character of the land.'

As of the 2011 Census, the suburbs of Terrey Hills and Duffys Forest contained 1,153 dwellings, with approximately 300 dwellings in RU4 zone areas. Based on this, approximately 300 Secondary Dwellings could theoretically be built, if the proposal was enacted. This estimate assumes that no Secondary Dwellings currently exist, and no restraints exist on the lots.

If the proposal has a 100% take up rate, the dwelling densities for Terrey Hills and Duffys Forest may increase from 0.16 dwellings to approximately 0.20 dwellings per hectare (25% increase). An estimated occupancy of 1.8 people per dwelling is anticipated, as per a 2003 Landcom study of Secondary Dwellings. Based on this finding, the change could increase the population by 540 people, from 3,421 to 3,961 (15.7% increase).

Assessment of Impacts

Impacts to costs, services and infrastructure related to the proposal have been identified. Overall, the potential impacts are not severe enough to rule out the preparation of a Planning Proposal.

NSW State Government Agency Considerations

The feedback from NSW Government agencies does not preclude Council from submitting a Planning Proposal for Gateway Determination. The Rural Fire Service and Sydney Water have both indicated that water supply infrastructure may be an issue. However, both agencies have indicated that this issue is not urgent and can be addressed as planning controls change.

The Rural Fire Service's concern regarding evacuation of the area in case of emergency and suggestion to undertake a targeted traffic study investigating this issue is acknowledged. The traffic study may be undertaken as part of a post-Gateway assessment. This approach aligns with the aims of the Department of Planning and Environment's (Department) *Guide to Preparing Planning Proposals*, the document outlining the Planning Proposal process.

With regard to concerns raised by the NPWS, it is recommended that the proposal be limited to Secondary Dwellings that are attached to or internally constructed with existing homes. Normally, Secondary Dwellings in Warringah may be built as detached structures. This type of development may lead to negative environmental impacts in terms of clearing land and runoff affecting NPWS land. However, attached and internal Secondary Dwellings are more likely to conform to the 'maintain the rural and scenic character of the land' objective of the RU4 zone land, with lower environmental impacts.

Council Considerations

From a Council perspective, the proposal is likely to result in a marginal net loss in terms of service supply and revenue. The additional population will increase demand for Council services in the area (e.g. parks, inspections, waste collection, etc.). Revenue generation will not completely offset additional costs, as fees do not cover the costs associated with the services and rates will not increase based on the proposal. Section 94A contributions are unlikely to generate significant revenue, as Secondary Dwelling construction is unlikely to breach the \$100,000 threshold required to levy contributions.

While the proposal could lead to a 15.7% increase in the population within the suburbs, the area is well supplied with recreation choice such as playgrounds and National Parks. Terrey Hills Community Centre services the local population suitably, and bus lines in the area connect the suburbs to other regional centres. Additional impacts to Council services and local infrastructure are likely to be low, spread over time and absorbed into standard patterns of growth.

Overall, the magnitude of the loss of Council service and revenue is expected to be low due to the limited scope of the proposal. The likely result is a limited take up over an extended period of time, based on the ability and desire for land owners to develop.

Next Steps

Council may prepare a Planning Proposal to allow internal/attached Secondary Dwellings to be constructed in RU4 – Primary Production Small Lot zones. Once prepared, the Planning Proposal will be delivered to the Department for Gateway Review. The output of this process is a Gateway Determination, which is delivered to Council. Gateway Determinations contain a number of conditions that must be met in order for a Planning Proposal to result in an amendment to WLEP 2011.

Upon receipt of the Gateway Determination, Council staff will undertake the conditions of the Gateway Determination. This would include further consultation with the community and relevant government agencies as well as investigations into potential impacts (e.g. a traffic report). The result of this process will be reported to Council, with a recommendation as to whether an amendment to WLEP 2011 should be pursued.

CONCLUSION

In response, the following is concluded:

- Allowing Secondary Dwellings in RU4 zones may allow for an additional 300 dwellings in Terrey Hills and Duffys Forest, housing 540 people
- It is recommended that the proposal be limited to internal and attached Secondary Dwellings to mitigate environmental impacts
- The proposal is likely to result in marginal additional costs for Council due to limited ability to generate revenue in relation to the proposal
- The proposal is likely to result in marginal impacts to local infrastructure and Council services due to the limited potential for additional population
- A Planning Proposal may be prepared and submitted to the Department for Gateway Review
- Further assessment of impacts relating to the proposal will be investigated upon receipt of a Gateway Determination

FINANCIAL IMPACT

Post-Gateway activities (e.g. advertisement and additional reports) may result in costs to Council. These costs can be funded from the existing operational budget.

POLICY IMPACT

Nil

ITEM 8.6	PUBLIC EXHIBITION OF THE DRAFT WARRINGAH BUSH FIRE PRONE LAND MAP
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2015/138748
ATTACHMENTS	1 Guide For Bush Fire Prone Land Mapping (2014) (Included In Attachments Booklet) 2 Draft Warringah Bush Fire Prone Land Map 2015 (Included In Attachments Booklet) 3 Draft Bush Fire Prone Land and Buffer Modifications Map (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's approval to exhibit the Draft Warringah Bush Fire Prone Land Map 2015.

SUMMARY

Warringah Bush Fire Prone Land Map 2010 (current map) was certified in November 2010 by the Commissioner of the Rural Fire Service (RFS), following consultation with Council and the community. The map identifies land that is at risk from bush fire attack and acts as a trigger for consideration of planning and development controls for affected land. The Environmental Planning and Assessment Act 1979 requires the map to be reviewed, with new maps prepared, every five years.

Council, in partnership with the NSW Rural Fire Service (RFS) has prepared a draft Warringah Bush Fire Prone Land Map 2015 (draft map) for the Warringah Local Government Area to replace the current map. The process for creation of the draft map is provided by the RFS's Guide for Bush Fire Prone Land Mapping (2014).

Public exhibition of the draft map will inform affected residents of proposed changes as well as allow Council and the RFS to engage with the public regarding the risks of bush fires.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council place the draft Warringah Bush Fire Prone Land Map 2015 and supporting documentation on public exhibition for a period of at least 28 days.

REPORT

BACKGROUND

In August 2002, the Rural Fires and Environmental Assessment Legislation Amendment Act 2002 (Amendment Act) came into effect. The Amendment Act amended both the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Rural Fires Act 1997. The purpose was to ensure the protection of people, property and the environment against bush fires.

The Amendment Act requires councils to submit a Bush Fire Prone Land Map (BFPLM) for certification by the Commissioner of the NSW Rural Fire Service (RFS). The Amendment Act also requires a review of the map every 5 years. Council's Warringah Bush Fire Prone Land Map 2010 (current map) was certified in November 2010, prompting the need for this review.

The purpose of a BFPLM is to identify land that is at risk from bush fire attack (Bush Fire Prone Area). It also acts as a legislative trigger for additional planning and development controls on Bush Fire Prone Land. Development on this land must comply with the requirements of RFS's Planning for Bushfire Protection (2006). This document outlines the required bush fire protection measures required for development in a Bush Fire Prone Area, such as Asset Protection Zones and emergency access. A BFPLM is also used to give effect to the Building Code of Australia's Australian Standard AS 3959-2009 'Construction of Buildings in Bush Fire Prone Areas'.

The EP&A Act also requires the information contained in a BFPLM to be made available to the public. Section 146 of the EP&A Act requires councils to make BFPLMs available for public inspection during normal office hours. Section 149 of the EP&A Act requires Council to identify if a parcel of land is located in a Bush Fire Prone Area. Council communicates this information through a Section 149 Certificate. The public access to BFPLMs allows owners, potential owners and other interested parties to be aware of the level of risk associated with a property.

Methodology

The draft Warringah Bush Fire Prone Land Map 2015 (draft map) has been prepared according to the specifications of the RFS's Guide for Bush Fire Prone Land Mapping 2014 (Guide). The Guide defines the type and quality of vegetation that is included on BFPLMs and the methodology for preparation and has been provided at Attachment 1. The review was comprised of an analysis of satellite photography, site visits and historical research, following the Guide's methodology.

It is noted that the methodology for classifying Vegetation Category 1 and Category 2 was amended from the previous version of the document in 2006. The result has been a classification system that takes vegetation type, size and structure into account when assessing a vegetated area. Table 1 describes the requirements for each Vegetation Category.

Table 1: Vegetation Category Type Definitions

Category	Vegetation Types	Size of Vegetated Area	Remnant and Short Fire Run Inclusions
Vegetation Category 1	Forest, woodlands, heaths (tall and short), forested wetlands and timber plantations	Greater than 1 hectare Or Less than 1 hectare, if within 100 metres of Category 1, or 30 metres or Category 2	Combined area of 2.5 hectares, if areas are within 30 metres of each other
Vegetation Category 2	Grassland, freshwater wetlands, semi-arid woodlands, arid shrublands and	Greater than 1 hectare Or Less than 1 hectare, if within 100 metres of Category 1, or 30	Areas less than 100 metres from Category 1 Vegetation or 30 metres from Category 2

	rainforests	metres or Category 2	Vegetation
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The Guide also identifies several areas that are excluded from the BFPLM. These areas are exempt from Vegetation Category 1 or 2 classifications:

- i. Single areas of vegetation less than 1 hectare in area and greater than 100 metres separation from other areas of Category 1 or Category 2 vegetation;
- ii. Multiple areas of vegetation less than 0.25 hectares in area and not within 30 metres of each other;
- iii. Strips of vegetation less than 20 metres in width, regardless of length and not within 20 metres of other areas of Category 1 or Category 2 vegetation;
- iv. Areas of "Managed grassland" including grassland on, but not limited to, grazing land, recreational areas, commercial/industrial land, residential land, airports/airstrips, maintained public reserves and parklands, commercial nurseries and the like;
- v. Areas of managed gardens and lawns within curtilage of buildings;
- vi. Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.
- vii. Managed botanical gardens;
- viii. Agricultural lands used for annual and/or perennial cropping, orchard, market gardens, nurseries and the likes are excluded;
- ix. Mangroves.

A Bush Fire Prone Vegetation Buffer is then applied around the area identified as Vegetation Category 1 or 2. The buffer is 100 metres for Vegetation Category 1 and 30 metres for Vegetation Category 2. This buffer represents land that would be at risk from bush fire attack, with research showing that 85% of house loss due to bush fire occurs within 100 metres from bushland.

The resulting draft map has been provided at Attachment 2.

Proposed Changes

A comparison map between the current map and draft map has been provided at Attachment 3. The comparison map shows land that has been added or removed as part of the review process. Changes can be grouped into three categories:

- *Minor boundary adjustments:* Updates to satellite imagery have allowed Council to review the border of Vegetation Category 1 and 2 land on the current map. This review has identified small changes resulting from development, clearing or revegetation.
- *Large Vegetation Removals:* Certain parcels of land are categorised as Bush Fire Prone Area, although they have been cleared and/or developed. This includes the future site of the Northern Beaches Hospital, as well as subdivisions built in the last five years. These sites have been removed from the draft map.
- *Exemption Removals:* Council has identified a number of areas of vegetation that are excluded from being mapped as Bush Fire Prone Area. This is due to changes made with the release of the 2014 Guide. Council has approached the RFS regarding the proposed exemptions and has received support.

Results of Initial Review

The draft map has identified 10,933 hectares of Bush Fire Prone Area and includes 11,047 properties across Warringah. It is noted that if any portion of a property is included as a Bush Fire Prone Area, the entire property is classified as bush fire prone

Table 2 summarises the differences between the current map and draft map. Table 3 summarises the changes that were made as a result of the initial review.

Table 2: Summary of Differences between Warringah Bush Fire Prone Land Map 2010 and Draft Warringah Bush Fire Prone Land Map 2015

	Bush Fire Prone Land (ha)	Total number of bush fire prone properties
Warringah Bush Fire Prone Land Map 2010	11,025	11,851
Draft Warringah Bush Fire Prone Land Map 2015	10,933	11,047
Net Difference	-92	-804

Table 3: Summary of proposed changes to Warringah Bush Fire Prone Land Map 2010

	Bush Fire Prone Land (ha)	Bush fire prone properties
Additions to Map	8	2
Removals from Map	100	806

Development Controls

As noted above, development on properties that are located in a Bush Fire Prone Area is subject to additional development and planning controls. This includes compliance with Planning for Bushfire Protection (2006), Building Code of Australia as well as documentation in Section 149 certificates.

In addition to these controls, the RFS's 10/50 Vegetation Clearing Entitlement Area is triggered by inclusion in a Bush Fire Prone Area. The Entitlement Area is governed by the RFS and allows clearing of land in specific circumstances. Currently, the Entitlement Area is aligned to land designated as a Bush Fire Prone Area.

The controls above are currently in effect on the 11851 properties in a Bush Fire Prone Area on the current map. Pending certification of the draft map, the additional controls will no longer apply to the 806 properties proposed to be removed from the Bush Fire Prone Area. Given the nature of the 2 properties proposed to be added to the map (a substation and an access road), the additional controls are unlikely to significantly impact development potential.

CONSULTATION

Public exhibition of the draft Warringah Bush Fire Prone Land Map 2015 is necessary to ensure members of the community are aware of the risks of bush fire prone areas. A public exhibition period of 28 days is proposed, targeting community members affected by changes in the draft map. In addition, a campaign targeted to community members in unchanged areas will educate them regarding bush fire risks.

Exhibition is proposed to begin in July 2015. Consultation methods will include:

- Letters sent to owners and residents of land on Warringah Bush Fire Prone Land Map 2015 and those affected by proposed changes
- Displays in the Customer Service foyer of the Civic Centre
- Advertisements in The Manly Daily
- Public information and education sessions with the RFS

NEXT STEPS

Submissions received during the exhibition period will be assessed by Council and RFS staff. Submissions that recommend land to be removed or added to the draft map will be prioritised for site visits and possible amending of the BFPLM. An amended BFPLM and submission summary will be presented back to Council by October 2015 for adoption.

The adopted map will be forwarded to the NSW RFS Commissioner for certification. Following certification, Section 149 Certificates will be amended to reflect the change and publically available maps will be updated.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.7	REPORTING VARIATIONS TO DEVELOPMENT STANDARDS - STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS AND CLAUSE 4.6 OF WARRINGAH LOCAL ENVIRONMENTAL PLAN
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2015/114486
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To report to Council variations to development standards granted under State Environmental Planning Policy No.1 – Development Standards (SEPP 1) or under Clause 4.6 of the Warringah Local Environment Plan 2011 as required by the NSW Department of Planning and Environment.

SUMMARY

During the period 1 January 2015 to 31 March 2015, the following variations were granted:

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

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Note the State Environmental Planning Policy No.1 variations granted to development applications between 1 January 2015 to 31 March 2015
 - B. Note the Clause 4.6 variations under the Warringah Local Environment Plan 2011 granted to development applications between 1 January 2015 to 31 March 2015.
-

REPORT

SEPP 1 Variations Granted

No SEPP 1 variations were granted between 1 January 2015 and 31 March 2015 inclusive.

Clause 4.6 Variations Granted

The following applications had a Clause 4.6 variation granted between 1 January 2015 and 31 March 2015 inclusive.

App No.	Address	Proposal	Clause 4.6 Development Standard	% of Variation	Determined by
DA2014/1069	3 Larmer Place Narraweena	Residential - Alterations & additions	4.3 Height of buildings	15.29	Delegated Authority
DA2014/1048	3 Coastview Place Freshwater	Residential - Single new detached dwelling	4.3 Height of buildings	17.6	Delegated Authority
Mod2014/0225	56-58 Glen Street Belrose	Commercial/Retail/Office	4.3 Height of buildings	55.6	Delegated Authority
DA2014/1131	84 Parkes Road Collaroy Plateau	Residential - Single new detached dwelling	4.3 Height of buildings	3.29	Delegated Authority
DA2014/1150	15 Coolabah Crescent Forestville	Residential - Single new detached dwelling	4.3 Height of buildings	5.16	Delegated Authority
DA2014/1184	24 Urunga Street North Balgowlah	Residential - Alterations & additions	4.3 Height of buildings	1.76	Delegated Authority
DA2014/1207	34 Wyuna Avenue Freshwater	Residential - Alterations & additions	4.3 Height of buildings	3.41	Delegated Authority
DA2014/1244	31 Arnhem Road Allambie Heights	Residential - Alterations & additions	4.3 Height of buildings	5.7	Delegated Authority
DA2014/1258	41 Heather Street Wheeler Heights	Residential - Alterations & additions	4.3 Height of buildings	0.5	Delegated Authority
DA2014/1288	9 Grasmere Crescent Wheeler Heights	Residential - Single new detached dwelling	4.3 Height of buildings	5.9	Delegated Authority
DA2014/1315	66 Alfred Road Narraweena	Residential - Single new detached dwelling	4.3 Height of buildings	6.49	Delegated Authority
DA2014/1303	11 Fairport Street North Curl Curl	Residential - Single new detached dwelling	4.3 Height of buildings	6.28	Delegated Authority
DA2014/1311	23 Maroa Crescent Allambie Heights	Residential - Alterations and additions	4.3 Height of buildings	3.29	Delegated Authority
DA2014/1347	55 Anzac Avenue Collaroy	Residential - Alterations & additions	4.3 Height of buildings	4.7	Delegated Authority

Mod2014/0296	18 Nenagh Street North Manly	Residential - Alterations & additions	4.3 Height of buildings	5.8	Delegated Authority
Mod2014/0287	61 Carawa Road Cromer	Commercial - Alterations and Additions	4.3 Height of buildings	9.42	Delegated Authority
Mod2014/0294	51 Bushey Place Dee Why	Residential - Alterations & additions	4.3 Height of buildings	2.3	Delegated Authority

ITEM 8.8	AMENDMENTS TO THE 2015/16 COUNCIL MEETING CYCLE
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2015/149101
ATTACHMENTS	NIL

REPORT

PURPOSE

To seek Council's endorsement to amend the Council Meeting cycle in August and February annually.

REPORT

On 26 November 2013 Council adopted the amended Code of Meeting Practice which states that:

Ordinary Meetings of Council will be held monthly on the fourth Tuesday of each month commencing at 6.00pm, with the exception of

- a) *January and July, where no meeting will be held;*
- b) *February, where a meeting will be held on the second and fourth Tuesday of the month and*
- c) *December, where the meeting will be held on the third Tuesday of the month.*

Two amendments to the current Ordinary Council Meeting cycle are being proposed as follows:

- An additional meeting to be held on the first Tuesday in August each year to allow finalisation of the audit and lodgment of the Draft Annual Financial Statements with the Office of Local Government by 31 August.
- A reduction of meetings held in February to only one meeting to be held on the third Tuesday in February.

The existing Council Meeting cycle provides for two meetings held in February on the second and fourth Tuesdays. Historically it was deemed necessary to have two meetings in February following the Christmas/New Year break and delegated authority to the Mayor during this time. However in recent years the number of items that needed to be dealt with in February has not exceeded the standard number of items held within a month and therefore does not require two meetings to be held.

This complies with the Local Government Act 1993, Section 365 that states:

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

Council's Code of Meeting Practice must be updated each time there is a change to the Council Meeting cycle therefore we propose that the following wording be updated in the Code of Meeting Practice which removes the need to update a policy following each change as agreed by Council:

Ordinary Council meetings will generally be held monthly on the fourth Tuesday commencing at 6:00pm or as resolved otherwise by Council

Dates and times of each meeting are published on Council's website.

As this is considered to be a minor amendment to the Code of Meeting Practice it is not deemed necessary to publicly exhibit these changes which can be approved by the General Manager.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Amend the Council Meeting schedule as follows:
 - a. February - One Ordinary Meeting to be held on third Tuesday in February
 - b. August - Additional Ordinary Meeting to be held on first Tuesday in August
- B. Delegate authority to the General Manager to update the Code of Meeting Practice with the following minor amendment:

“Ordinary Council meetings will be generally held monthly on the fourth Tuesday commencing at 6:00pm or as resolved otherwise by Council.

Dates and times of each meeting are published on Council’s website”

ITEM 8.9	ALTERNATIVE PROCUREMENT - JOHN FISHER PARK NETBALL LIGHTING
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2015/162860
ATTACHMENTS	NIL

REPORT

PURPOSE

To seek Council approval to engage Musco Lighting Pty Ltd via alternative procurement to construct stage two of the Netball Lighting upgrade project.

REPORT

It was recommended in an earlier report that Council approve the Grant Application from Manly Warringah Netball Association (MWNA) to upgrade the lighting on courts 11-16 and 21-25, and that Council undertake the work on behalf of MWNA. Musco Lighting undertook the first stage of works last financial year and has provided the quote to MWNA for the proposed new works.

It is necessary that Musco be appointed to undertake the works proposed in the MWNA application. A holistic design was prepared by Musco for the MWNA for lighting of courts 11 – 25, courts 17-20 were constructed last financial year. Musco are the only supplier capable of installing the proposed lighting upgrades to complement already completed works. This includes that by making use of the lighting poles installed in stage 1 on courts 17-20 only ten new poles will be added rather than potentially 16. This offers significant savings to both Council and the MWNA. In addition Musco are familiar with the challenging sub surface conditions of the site. The lighting being installed will be compliant with Australian Standards and ten year warranty and maintenance program.

The quotation from Musco has been reviewed and they have demonstrated that the price for providing lighting to 11 courts offers good value for money. Council is also satisfied with the previous performance of this contractor on other projects including stage 1. There are no conflicts of interest in providing this recommendation.

FINANCIAL IMPACT

None. Council's \$105,000 contribution to this project has been budgeted for in CN 5881 – Sporting Clubs Capital Assistance Program. A separate Capital Works project will be created for the Capital Contribution to be received from MWNA. According to the agreement the Sporting Club Capital Assistance Grant Terms and Conditions and cost overruns are borne by the successful applicant not Council.

POLICY IMPACT

None. This project supports key outcomes of the John Fisher Park Plan of Management, Sportsfield Plan of Management, Recreation Strategy, Environmental Sustainability Strategy and the Parks, Reserves and Foreshores Asset Management Plan.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That:

- A. Council exercise its authority under Section 55 (3) of the Local Government Act and
-

approve an alternative procurement process for the provision of the upgrade of lighting at John Fisher Park Netball Courts 11 – 16 and 21 - 25 as it believes a less satisfactory result would be achieved by inviting tenders.

- B. Authority be delegated to the General Manager to enter into negotiations with Musco Lighting Pty Ltd for the upgrading of the John Fisher Park Netball Courts 11 – 16 and 21 - 25 and if successful to execute all necessary documentation to give effect to this resolution.
-

10.0 NOTICES OF MOTION

ITEM 10.1	NOTICE OF MOTION NO 15/2015 - BOAT SHED KIOSK DEE WHY
TRIM FILE REF	2015/169059
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

1. That Council notes:
 - a. Delivery trucks are still attending the Dee Why Boat Shed at times causing nuisance to residents eg 12.15am, 3.45am, and 6am.
 - b. Garbage collection trucks are also causing nuisance to residents and the pick up point has resulted in vandalism with kids taking card board boxes out of the bins placed on the street to use them to surf down the grass hill and resulting in rubbish left on the street and reserve.
 - c. The lessee of the Boat Shed and residents agree that the garbage collection point should be relocated and Council build a Bin Hide on the on the vacant concrete slab at street level of Oaks Avenue, Dee Why.
 - d. Mr Malcolm Ryan's advice that the current DA consent does not restrict delivery times and Dr John Warburton's advice that the private commercial operations of the Beach Shed use a private garbage service so Council has no contractual control over pickup times.
2. That Council requests the General Manager to formally write to the lessees of the Kiosk requesting:
 - a. They contact their private garbage collection company requesting an undertaking that collections are between the hours 9am and 8pm.
 - b. They undertake in writing to ensure deliveries to the Boat Shed are between the hours 6am and 8pm.
3. That Council requests:
 - a. The General Manager to investigate proposals by residents and the lessees of the Boat Shed regarding alternate place for garbage storage and collection.
 - b. Requests the General Manager to furnish a short Report to the next meeting of Council regarding these matters and including any responses to correspondence sent by the General Manager.

FUNDING SOURCE

I have been advised by staff that this motion can be carried out within current operational budget.

Supporting Images





11.0 QUESTIONS ON NOTICE

ITEM 11.1	QUESTION ON NOTICE NO 13/2015 - EXPENDITURE ON STAFF LEADERSHIP/DEVELOPMENT PROGRAMS
TRIM FILE REF	2015/169712
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What is the total amount of expenditure over the past year on Staff Leadership/Development programs?

ITEM 11.2	QUESTION ON NOTICE NO 14/2015 - EXPENDITURE ON REMOVING RANGER'S BENEFITS
TRIM FILE REF	2015/169727
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What is the total amount of expenditure over the last year on industrial relations matters (eg changing of award, removal of certain benefits etc) pertaining to Warringah Council Rangers?

ITEM 11.3	QUESTION ON NOTICE NO 15/2015 - STAFF BONUSES
TRIM FILE REF	2015/169740
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What is the total amount of expenditure over the last year on Warringah Council Staff bonuses for Group Managers and above following staff meeting Key Performance Indicators?

12.0 RESPONSES TO QUESTIONS ON NOTICE

ITEM 12.1	RESPONSE TO QUESTION ON NOTICE NO 10/2015 - EXPENDITURE ON COUNCIL AMALGAMATION CAMPAIGN
TRIM FILE REF	2015/152513
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In the last year what is the total amount of expenditure incurred (including staff overtime, advertising, brochures, marketing strategies, meetings, public stalls, surveys etc) expended on the one Northern Beaches Council amalgamation campaign?

RESPONSE

Council did not run an “amalgamation campaign”.

The NSW Government mandated broad community engagement and consultation on the Fit for the Future local government reform program. The cost of the broad scale community engagement was \$190,279.71, which equates to \$1.23 per head population. The community engagement also included the economic modeling of five different reform options. The community engagement resulted in over 4,100 respondents providing feedback on their preference for local government reform on the northern beaches. In addition, over 1,300 community members were engaged at public information stalls; more than 200,000 people reached via social media and; the entire northern beaches community reached via the Manly Daily.

- 74% of Warringah residents prefer the creation of a Northern Beaches Council.
- 70% of all northern beaches residents prefer the creation of a Northern Beaches Council.
- 20% prefer the status quo of three separate councils.
- 3% supported splitting the northern beaches.

ITEM 12.2**RESPONSE TO QUESTION ON NOTICE NO 11/2015 -
COMMUNITY CONSULTATION ON PUBLIC PRIVATE
PARTNERSHIP REGARDING LAND FORMERLY KNOWN AS
THE NORTH MANLY TENNIS CENTRE AND NOW WARRINGAH
RECREATION CENTRE****TRIM FILE REF****2015/152515****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Noting that sporting groups were invited to a meeting with Council Staff and proponents of a public/private partnership regarding land previously known as the North Manly Tennis Centre and now the Warringah Recreation Centre and surrounding land, will Council inform residences in the surrounding area by direct mail of the proposal outlined to sporting groups and them given opportunity to be properly consulted?

RESPONSE

There are no proposals being progressed for a public private partnership on the land formerly known as the North Manly Tennis Centre, now the Warringah Recreation Centre. Any proposal or development on this land would only be progressed after the District Park Plan of Management, (currently out for public comment as per council resolution), had been finalised and would need to be permissible within this plan.

Any proposal would also then be subject to the appropriate level of community consultation relevant to the type of project.

ITEM 12.3	RESPONSE TO QUESTION ON NOTICE NO 12/2015 - ENVIRONMENTAL IMPACT REPORT REGARDING LAND NEAR WARRINGAH AQUATIC CENTRE PROPOSED TO BE LEASED FOR PUBLIC/PRIVATE PARTNERSHIP
TRIM FILE REF	2015/152516
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Noting Warringah Council's John Warburton's statement at the last Council meeting that an Environmental Impact Study/Report would be required as part of the Development Application process but after Warringah Council calls for expressions of interest/tenders for a Public/Private Partnership and lease over the land, should any Environmental Impact Statement indicate environmental significance of the land will Warringah Council terminate any agreement/lease over the land?

RESPONSE

Council officers are currently engaging a consultant to conduct an environmental assessment of the land proposed for lease. This will assist in determining the size and built form that will be possible in the proposed lease space and will be used to advise any lease documents released through the Request for Tender.

13.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

- A. That, in accordance with the requirements of Section 10 of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
- a Item 13.1 RFT 2015/031 - Consider Tender Submissions - Engagement of an Agent for the Sale of "Site A" on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993]; and commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].
- This report discusses commercially sensitive information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would disclose commercially sensitive information
- b Item 13.2 RFT 2015/036 - Tender for Management of the Wyatt Park Tennis Centre on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].
- This report discusses sensitive tender information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would disclose sensitive information.
- B. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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