



AGENDA

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

Tuesday 25 November 2014

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

John Warburton
Acting General Manager

OUR VISION

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

OUR VALUES

Respect

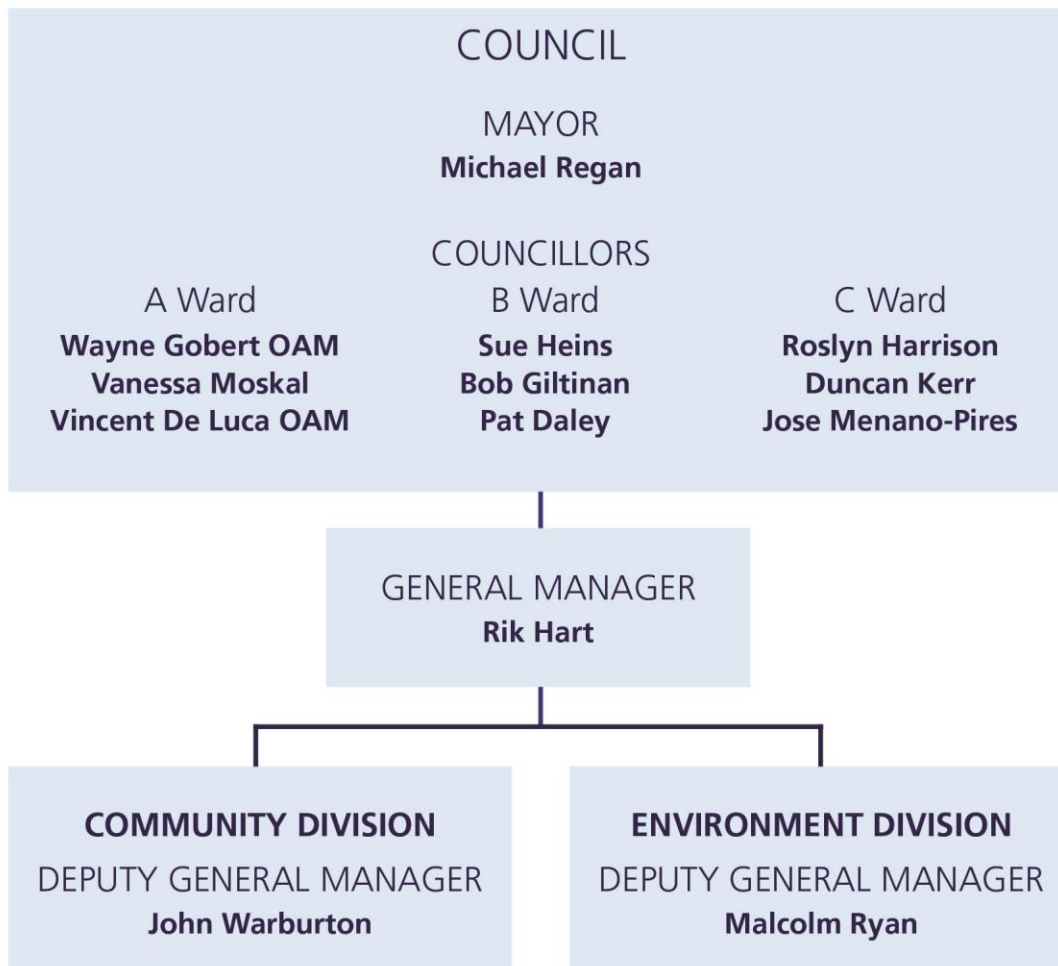
Integrity

Teamwork

Excellence

Responsibility

ORGANISATIONAL STRUCTURE



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 25 November 2014
at the Civic Centre, Dee Why
Commencing at 6:00pm**

ACKNOWLEDGEMENT OF COUNTRY

1.0 APOLOGIES

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Minutes of Ordinary Council Meeting held 28 October 2014

3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

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Nil

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 OCTOBER 2014

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 28 October 2014, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	MINUTES OF THE SHOROC INC EXTRAORDINARY BOARD MEETING HELD 16 OCTOBER 2014
REPORTING MANAGER	GENERAL MANAGER
TRIM FILE REF	2014/334683
ATTACHMENTS	1 Minutes of the SHOROC Inc Extraordinary Board Meeting held 16 October 2014

REPORT

PURPOSE

To report the decisions of the SHOROC Incorporated Extraordinary Board Meeting held on 16 October 2014 (Attachment) for the Council's information.

REPORT

Shore Regional Organisation of Councils (SHOROC) is a partnership between the councils that make up the region of the Northern Beaches from Bradleys Head to Barrenjoey – Manly, Mosman, Warringah and Pittwater councils. SHOROC meets quarterly every year and is led by a Board consisting of the four council's Mayors and General Managers.

The Board of SHOROC Incorporated met on Thursday, 16 October 2014. Minutes from the SHOROC Incorporated Extraordinary 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 Extraordinary Board Meeting held 16 October 2014 be noted.

SHOROC INCORPORATED EXTRAORDINARY GENERAL MEETING MINUTES

Wednesday, 16 October 2014, 1-3pm

SHOROC Board Room, 33/42-46 Wattle Rd Brookvale



Board Members Present

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

In attendance

Ben Taylor	Executive Director SHOROC
Jacqui Fishpool	Communications and Office Manager SHOROC

Item 1 Welcome and apologies

Cr Jacqueline Townsend SHOROC President chaired the meeting and welcomed all Board members.

Item 2 Adoption of 6 August 2014 minutes

RESOLUTION

The SHOROC Board resolved to:

- Defer adoption of the 6 August 2014 Board Meeting minutes until the SHOROC Board Meeting on 26 November 2014.

Moved Henry Wong/seconded Veronica Lee

Carried unanimously

Item 3 Local Government Reform *Fit for the Future* plan

REGIONAL PRIORITY	Strengthen regional model to improve capacity and to respond to NSW Government local government and planning reform agenda.
SHOROC ACTION	Work with NSW Govt to strengthen regional collaboration model as part of local government and planning reform.

SUMMARY

Consideration of the response to the NSW Government's *Fit for the Future* package.

REPORT

Background

The NSW Government announced its Local Government Reform package *Fit for the Future* on 10 September 2014 in response to the Independent Local Government Review Panel and Local Government Acts Taskforce recommendations (available on request).

Announced as a \$1 billion package, funding under the key elements of the package include:

- \$258m in funding for councils who have decided to merge to make the transition.
- \$13m to support local transition committees.
- \$5.3m to establish new regional Joint Organisations (in rural and regional areas).

The package also includes further changes to the local government system, including the Local Government Act, the way the State works with councils and the support that councils receive (available on request).

The reform process

The *Fit for the Future* Blueprint outlines that the process (available on request) involves four stages:

1. Self-assessment
Councils will receive a Self-Assessment tool (October 2014) to help them review their current performance against the *Fit for the Future* criteria.
2. Preparing a roadmap
Councils will need to prepare a roadmap for becoming *Fit for the Future*, taking account of their community's needs and future outlook...and submit it by 30 June 2015.
3. Review
The Expert Panel will review each council's roadmap...and make recommendations to the Minister for Local Government based on its assessment.
4. Implementation
From October 2015 Councils who are *Fit for the Future* (as assessed in Stage 1) will begin to implement their roadmaps.

Council mergers are to be completed by September 2016 and newly formed councils are expected to then provide a plan for how they will meet the other three *Fit for the Future* criteria.

A new Local Government Act will also be in place by September 2016.

***Fit for the Future* criteria**

The Office of Local Government (OLG) has developed a criteria and benchmarks for a *Fit for the Future* council (available on request). The Blueprint outlines that a *Fit for the Future* council is one that is:

- Sustainable
- Efficient
- Effectively manages infrastructure and delivers services for communities
- Has the scale and capacity to engage effectively across community, industry and government.

The Roadmap and support for its preparation

Councils will need to prepare a roadmap for becoming *Fit for the Future* by 30 June 2015.

The Blueprint states:

Shore Regional Organisation of Councils – a partnership of Manly, Mosman, Pittwater & Warringah Councils.

Consideration of scale and capacity will be the starting point, based on the Independent Panel's recommendations. Councils may submit proposals for scale and capacity that are different to the recommendations made by the Panel, so long as they are broadly consistent with the Panel's recommendations. Councils will not need to address the other three criteria until they have made the changes to have the right scale and capacity.

Councils that already have the right scale and capacity, based on the Panel's recommendations, will need to prepare a roadmap for how they will address the other three criteria; sustainability, efficiency and effective services and infrastructure.

The Minister for Local Government and Acting Chief Executive of the OLG advised at the 29 September 2014 *Fit for the Future* information session that proposals for structural reform are required to be agreed by all councils involved in the reform plan.

The OLG will provide the following support:

- A One Stop Shop: Regional Relationship Managers to assist councils.
- Facilitators (funded by OLG) to assist in bringing councils to the table to identify risks, benefits and options for voluntary mergers
- Panel of technical experts (council funded) with skills in financial analysis, asset management and governance, to support councils gaining access to the information and skills
- Structural change expert panel (50/50 funded) for councils that commit to structural change, to provide access to technical advice to explore merger options, undertake due diligence and community consultation to support voluntary merger proposals.

Advice from OLG regarding facilitators sought at the request of Board members is available on request.

Should councils determine to participate in discussions regarding the *Fit for the Future* plan, the existing forums, expertise and resources of SHOROC could be utilised to assist if deemed appropriate.

Regional implications

'Effective regional collaboration' is a key element of strategic capacity as defined by the Independent Review Panel.

SHOROC and other NSW ROCs are council-owned entities performing this role (and that of the proposed Joint Organisations) in metropolitan Sydney predominantly focused on regional strategic planning, advocacy and intergovernmental relations. It is vital for the region that this role continues as usual during the local government reform process to ensure delivery of key projects and advocacy as planned.

The Panel recommended that, as consideration is given by councils of potential structural reform, a single regional grouping of councils for northern Sydney be formed to undertake joint sub-regional strategic planning and intergovernmental relations. As such, it is considered discussion regarding the future form of regional collaboration should be included in any future planning undertaken.

RESOLUTION

The SHOROC Board resolved:

- That SHOROC convene a workshop of the three councils identified in the Independent Local Government Review Panel's report, namely Manly, Pittwater and Warringah, to discuss *Fit for the Future* and options for further cooperation in early November.
- That the three councils indicate items not on the workshop Agenda prior to the workshop.
- To invite neighbouring councils to attend.

Moved Cr Peter Abelson/seconded Cr Jacqueline Townsend

For: Cr Jacqueline Townsend, Cr Jean Hay AM, Cr Peter Abelson, Cr Michael Regan, Veronica Lee, Henry Wong, Mark Ferguson

Against: Rik Hart

Carried

Item 4 Northern Sydney Council of Mayors

REGIONAL PRIORITY	Strengthen regional model to improve capacity and to respond to NSW Government local government and planning reform agenda.
SHOROC ACTION	Lead establishment of proposed North Metro Council of Mayors and provide admin Transition SHOROC to new North Metro Council of Mayors at suitable time.

SUMMARY

Update on the progress of formation of the proposed Northern Sydney Council of Mayors.

REPORT

Background

The SHOROC Board resolved at its 7 May 2014 meeting that the SHOROC Board supports the proposed formation of the Northern Sydney Council of Mayors via an MOU and encourages member councils to support the formation of, and participation in, the proposed new group.

Following a number of joint meetings to progress this plan, a meeting of Mayors and their delegates from 10 northern Sydney councils on 11 June 2014:

- Agreed to form the new regional grouping of councils for northern Sydney called the Northern Sydney Council of Mayors.
- Approved the Memorandum of Understanding and Terms of Reference, subject to minor amendments.
- Agreed the Presidents of NSROC and SHOROC act as interim co-chairs for the Northern Sydney Council of Mayors working party for a period of up to two months to enable Hornsby, Warringah and Ku-ring-gai councils to consider formally ratifying the MOU.
- Agreed the next steps, including development of proposed initial priorities by the co-chairs and ROC Executive Directors for consideration at the next meeting to form the basis of the business plan for the Northern Sydney Council of Mayors.

However following this meeting the planned next steps were put on hold pending the release of the NSW Government's local government reform plan. The NSW Government has now released its *Fit for the Future* plan and a meeting of Mayors from councils of northern Sydney has been convened for 14 November 2014.

The NSROC President has written to SHOROC (letter available on request) proposing that the purpose of this meeting be to "share information on what the Fit for the Future package means for northern Sydney and how best we may work together to ensure the final outcome is a positive one".

Comment

There remains a strong case for the formation of this larger regional organisation of councils:

- Aligning the grouping of councils for northern Sydney to NSW Government planning boundaries for land-use, transport, community services, education etc. will enable stronger partnerships with NSW Government agencies and increase the effectiveness of the ROC for member councils in strategic planning and intergovernmental relations.
- A larger grouping will increase the 'voice' for advocacy, and also provide a comparable voice for advocacy to the ROCs of southern and western Sydney.
- The Independent Review Panel
 - identified 'effective regional collaboration' as a key element of strategic capacity and stronger local government
 - recommended that, at the same time as councils consider potential structural reform, a single regional grouping of councils for northern Sydney be formed to undertake joint sub-regional strategic planning and intergovernmental relations (consistent with the scale of the proposed Northern Sydney Council of Mayors).

- There was strong support for the formation of this larger group from local NSW MPs The Hon. Jillian Skinner MP, The Brad Hazzard MP, The Hon. Rob Stokes MP and Mr Jonathan O'Dea MP at the most recent SHOROC leaders forum, and by the Minister for Local Government's Chief of Staff at a meeting with the Executive Director following the release of the *Fit for the Future* plan.

However at this stage it is considered unlikely that this proposal will be able to be progressed significantly unless circumstances change, particularly considering the significance of the NSW Government's local government reform agenda and the associated varying views of NSROC councils regarding the proposal.

It is recommended that the best course of action at this point is to:

- Continue to strengthen the collaboration between councils and ROCs on a more informal basis until such time as council plans regarding the *fit for the Future* plan become clearer by:
 - Agreeing with the NSROC proposal that the purpose of the 14 November 2014 meeting is to "share information on what the Fit for the Future package means for northern Sydney and how best we may work together to ensure the final outcome is a positive one".
 - Proposing at the meeting of 14 November 2014 that the Northern Sydney Council of Mayors is formed informally as regularly convened forum for information sharing on *Fit for the Future* and collaboration of councils across northern Sydney, and that the SHOROC and NSROC Presidents and Executive Directors meet on a regular basis to collaborate on strategic planning and advocacy.
- Incorporate consideration of the future form of regional collaboration in any discussions regarding local government reform, noting that the Independent Panel recommended that, at the same time as councils consider potential structural reform, a single regional grouping of councils for northern Sydney be formed to undertake joint sub-regional strategic planning and intergovernmental relations.

RESOLUTION

The SHOROC Board resolved to:

- Note the letter from NSROC regarding the 14 November 2014 meeting of Mayors and General Managers of councils of northern Sydney.
- Agree with the NSROC proposal that the purpose of the 14 November 2014 meeting is to "share information on what the *Fit for the Future* package means for northern Sydney and how best we may work together to ensure the final outcome is a positive one".
- Agree that the SHOROC Board continues to support the proposed formation of a Northern Sydney Council of Mayors as a larger regional grouping of councils for northern Sydney as a key element of stronger local government.
- Agree the focus of the proposed Northern Sydney Council of Mayors is strategic planning, advocacy and intergovernmental relations, noting this focus and the planned scale aligns with the recommendations of the Independent Review Panel and the new subregional planning grouping for northern Sydney.
- Propose at the meeting of 14 November 2014 that the Northern Sydney Council of Mayors is formed informally as regularly convened forum for information sharing on *Fit for the Future* and collaboration of councils across northern Sydney, and that the SHOROC and NSROC Presidents and Executive Directors meet on a regular basis to collaborate on strategic planning and advocacy.
- Note that the Independent Review Panel recommended a single regional grouping of councils for northern Sydney be formed to undertake joint sub-regional strategic planning and intergovernmental relations at the same time as councils consider structural reform.
- Agree to write to NSROC to advise of the SHOROC Board's resolution.

Moved Cr Jean Hay AM/seconded Cr Michael Regan

Carried unanimously

Item 5 Confirm time and date of next meeting

Next ordinary meeting: 26 November 2014 2-4pm.
Annual General Meeting: 26 November 2014, 4-6pm

ITEM 6.2	MONTHLY FUNDS MANAGEMENT REPORT OCTOBER 2014
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2014/345248
ATTACHMENTS	1 Application of Funds Invested 2 Council's Holdings as at 31 October 2014 3 Investment Portfolio at a Glance 4 Monthly Investment Income vs. Budget 5 Economic Notes

REPORT

PURPOSE

To report the balance of investments held as at 31 October 2014.

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 October 2014
3. Investment Portfolio at a Glance
4. Monthly Investment Income vs. Budget
5. Economic Notes

FINANCIAL IMPACT

The actual investment income to 31 October 2014 is \$1,080,571 which compares favourably to the budgeted income of \$1,040,000 a variance of \$40,571.

POLICY IMPACT

The investment strategy was reviewed by our previous Investment Advisors Prudential Investment Services Corporation in July 2014. 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, October 2014, is strong having exceeded the benchmark: 3.76%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 the:

- A. Report indicating Council's Funds Management position as at 31 October 2014 be noted.
 - B. Certificate of the Responsible Accounting Officer be noted and the report adopted.
-

Application of Investment Funds	Description	Value (\$)
Restricted Funds:		
Externally Restricted	Section 94 Old Plan	21,343,987
	Section 94A Plan Contributions	5,096,058
	Domestic Waste & Unexpended Grants	5,657,314
Internally Restricted Reserves	Held to ensure sufficient funds are available to meet future commitments or specific objectives. Employee Leave Entitlements, Bonds & Guarantees, Compulsory Open Space Land Acquisitions, & Insurance.	9,159,541
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	48,325,130
Total		89,582,030

There has been a decrease in the investments held of \$7,246,889, which is in line with budgeted movements at this time of year.

Reconciliation of Cash Book

Description	Value (\$)
Council's Cash Book balance	506,285
Kimbriki Bank balance	1,014,533

Investments Funds Report - As at 31-Oct-14

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	1,605,385	3.0750	Emerald Series 2006-1 Class A	AAA	1,252,198
	1,605,385				1,252,198
Term Investment Group					
05-Nov-14	1,000,000	3.7500	Westpac Banking Corporation Ltd	A1+	1,000,000
05-Nov-14	1,000,000	3.7500	National Australia Bank Ltd	A1+	1,000,000
12-Nov-14	2,000,000	3.7600	National Australia Bank Ltd	A1+	2,000,000
25-Nov-14	2,000,000	5.7000	National Australia Bank Ltd	A1+	2,000,000
26-Nov-14	1,000,000	3.8500	Bank of Queensland Ltd	A2	1,000,000
02-Dec-14	2,000,000	3.8000	Bendigo & Adelaide Bank Ltd	A2	2,000,000
08-Dec-14	500,000	3.6000	Suncorp-Metway Ltd	A1	500,000
10-Dec-14	2,000,000	3.9000	Members Equity Bank Ltd	A2	2,000,000
16-Dec-14	2,000,000	3.7700	National Australia Bank Ltd	A1+	2,000,000
16-Dec-14	1,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	1,000,000
06-Jan-15	1,000,000	3.7500	Rural Bank Ltd	A2	1,000,000
09-Jan-15	1,000,000	3.6900	National Australia Bank Ltd	A1+	1,000,000
12-Jan-15	2,000,000	3.8500	Members Equity Bank Ltd	A2	2,000,000
20-Jan-15	1,000,000	3.8500	Members Equity Bank Ltd	A2	1,000,000
22-Jan-15	1,000,000	3.7200	National Australia Bank Ltd	A1+	1,000,000
22-Jan-15	1,000,000	3.5000	National Australia Bank Ltd	A1+	1,000,000
05-Feb-15	2,000,000	3.8000	Members Equity Bank Ltd	A2	2,000,000
09-Feb-15	1,000,000	3.6500	Westpac Banking Corporation Ltd	A1+	1,000,000
19-Feb-15	2,000,000	3.8000	Members Equity Bank Ltd	A2	2,000,000
23-Feb-15	1,000,000	3.8500	Credit Union Australia Ltd	A2	1,000,000
03-Mar-15	2,000,000	3.7500	National Australia Bank Ltd	A1+	2,000,000
10-Mar-15	500,000	3.6600	St George Bank Limited	A1+	500,000
19-Mar-15	1,000,000	3.6300	Commonwealth Bank of Australia Ltd	A1+	1,000,000
26-Mar-15	1,000,000	3.6000	Commonwealth Bank of Australia Ltd	A1+	1,000,000
30-Mar-15	1,000,000	3.5000	Westpac Banking Corporation Ltd	A1+	1,000,000
02-Apr-15	1,000,000	3.6000	National Australia Bank Ltd	A1+	1,000,000
02-Apr-15	1,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	1,000,000
07-Apr-15	1,000,000	3.6100	National Australia Bank Ltd	A1+	1,000,000
13-Apr-15	1,000,000	3.5500	Bank of Queensland Ltd	A2	1,000,000
20-Apr-15	1,000,000	3.5600	ING Bank Australia Limited	A2	1,000,000
22-Apr-15	1,000,000	3.6500	Bank of Queensland Ltd	A2	1,000,000
29-Apr-15	1,000,000	3.5400	St George Bank Limited	A1+	1,000,000
05-May-15	1,000,000	3.6000	National Australia Bank Ltd	A1+	1,000,000
05-May-15	1,000,000	3.6300	National Australia Bank Ltd	A1+	1,000,000
11-May-15	2,000,000	3.5600	ING Bank Australia Limited	A2	2,000,000
22-May-15	2,000,000	3.6300	Westpac Banking Corporation Ltd	A1+	2,000,000
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
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
25-Jun-15	1,000,000	3.6300	National Australia Bank Ltd	A1+	1,000,000
02-Jul-15	1,000,000	3.5500	Westpac Banking Corporation Ltd	A1+	1,000,000
02-Jul-15	2,000,000	3.9000	Westpac Banking Corporation Ltd	A1+	2,000,000
09-Jul-15	1,000,000	3.6400	National Australia Bank Ltd	A1+	1,000,000
09-Jul-15	1,000,000	3.8500	Westpac Banking Corporation 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
09-Mar-15	500,000	3.8900	National Australia Bank Ltd	A1+	500,000
02-Oct-15	2,000,000	3.5700	Westpac Banking Corporation Ltd	A1+	2,000,000
09-Mar-15	1,000,000	4.0500	National Australia Bank Ltd	A1+	1,000,000
09-Mar-15	500,000	4.0700	National Australia Bank Ltd	A1+	500,000
	72,000,000				72,000,000
Term Investment Group & Cash Deposit Account					
Rollover Date	Face Value	Current Rate	Borrower	Rating	
Cash Account	2,761,999	2.6000	CBA (Business Saver)	A-1+	2,761,999
19-Jun-15	1,000,000	3.5000	CBA Term Deposit Kimbriki 35810609	AA-	1,000,000
14-Jan-15	7,766,116	3.4700	WBC Term Deposit Kimbriki 11-1208	AA-	7,766,116
04-Nov-14	2,405,495	3.4400	WBC Term Deposit Kimbriki 11-4185	AA-	2,405,495
01-Nov-14	2,396,222	2.4000	CBA Money Market Kimbriki 10162612	AA-	2,396,222
	16,329,832				16,329,832
	89,935,217			Closing Balance:	89,582,030

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

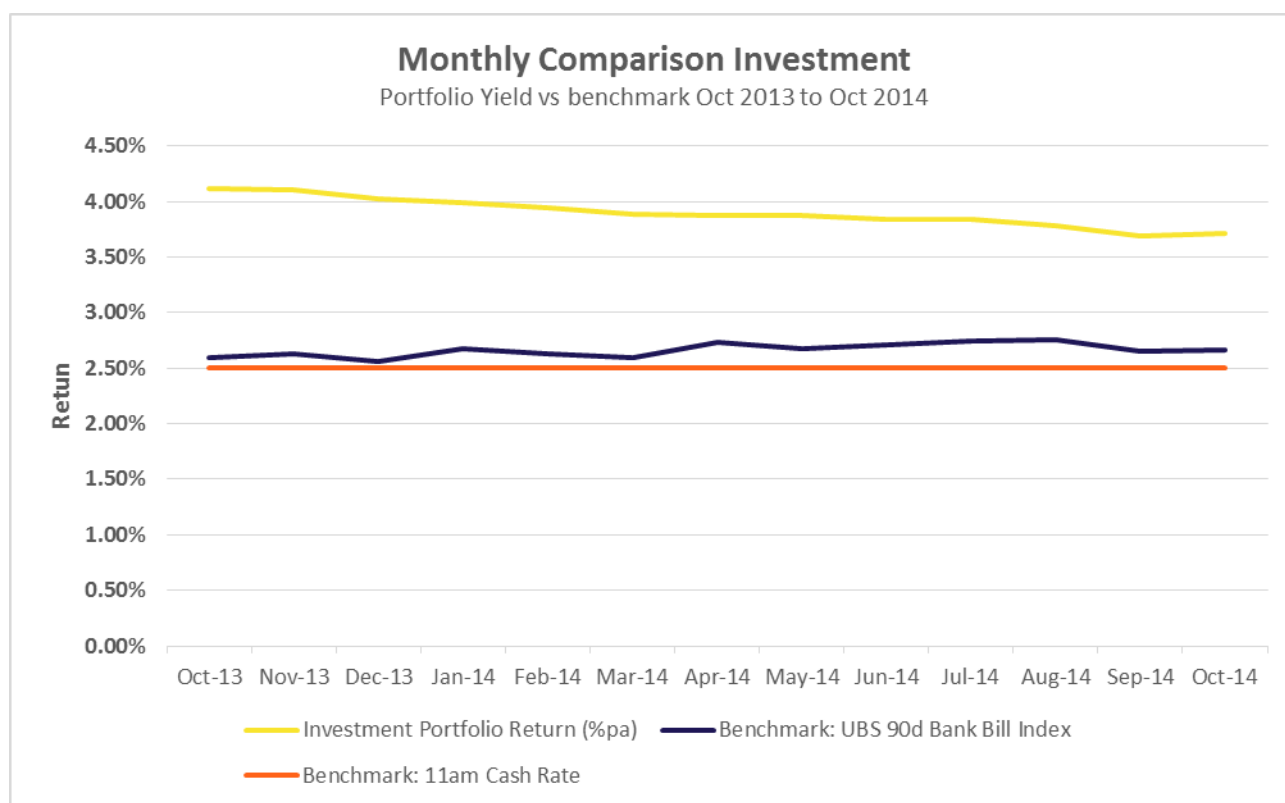
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio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

Investment Performance vs. Benchmark

	Investment Portfolio Return (%pa)*	Benchmark: UBS 90d Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	3.71%	2.66%	2.50%
3 Months	3.73%	2.69%	2.50%
6 Months	3.79%	2.71%	2.50%
FYTD	3.76%	2.69%	2.50%
12 Months	3.88%	2.67%	2.50%

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

** This benchmark relates to Cash Fund holdings

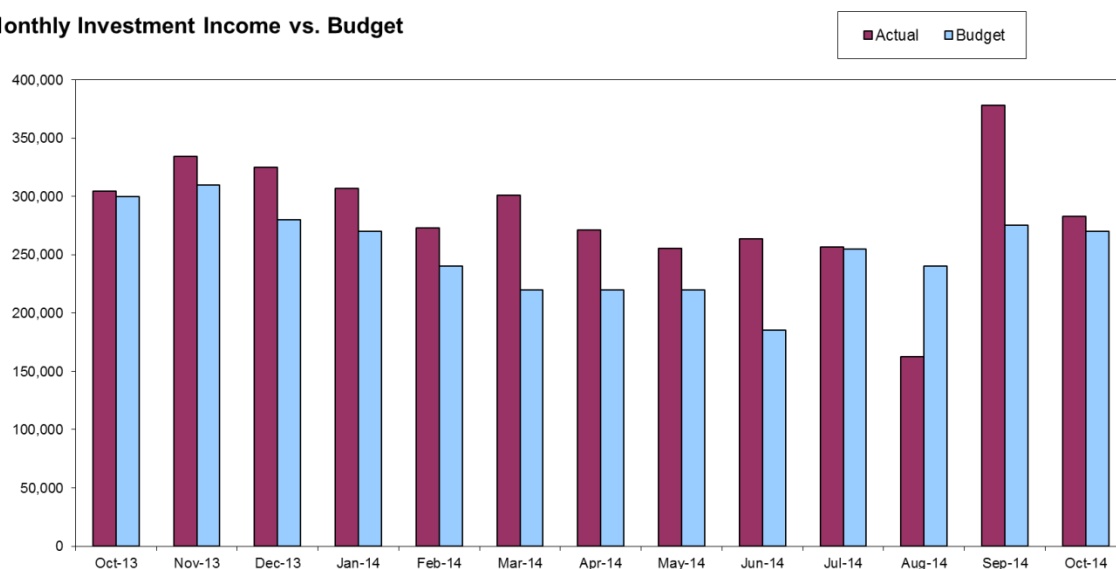


Monthly Investment Income* vs. Budget

	\$ Oct 14	\$ Year to Date
Investment Income	282,911	1,093,623
Adjustment for Fair Value	(3)	(13,053)
Total Investment Income	282,909	1,080,571
Budgeted Income	270,000	1,040,000

*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In October we have reflected a fair value decrease of \$3 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

US economic readings through October have mostly been quite firm. The unemployment rate fell from 6.1% in August to 5.9% in September, the lowest reading since mid-2008 before the onset of the global financial crisis. Indicators of housing activity also mostly took a more positive turn in September with existing home sales up 2.4% and new home sales up 0.2%. Housing starts in September rose by a stronger-than-expected 6.3%.

Despite the continuing expansion in US economic activity, inflation remained low. The September Consumer Price Index (CPI) showed annual inflation stable at 1.7% annually. The minutes of the Federal Reserve's (Fed's) September policy meeting surprised in the sense that the members of the committee showed uniform concern about how less robust global economic growth prospects could compromise relatively firm US economic growth prospects. The sense that the Fed may take longer than previously expected to lift interest rates was reinforced by the speeches of several senior Fed officials after the minutes were released.

In China, the world's second biggest economy, data released through October also had a more positive tone than expected, on balance. Inflation in China remained very low with the CPI up only 1.6% annually in September, well below the Peoples' Bank's (PBOC's) target of 3.5%.

Domestic

In Australia, monthly business and consumer sentiment readings weakened, but most of the official monthly economic readings were stronger through September. Retail sales rose in July by 0.4%, consolidating a 0.6% lift in June. Home building approvals lifted by 2.5% in July and continue to point to booming housing construction. August employment provided the biggest surprise, rising by 121,000, the biggest monthly gain on record, attributed partly to issues with the rotation of the labour force survey providing too big a reading of part-time employment. Even going backwards a little, the Q2 GDP report was not quite as soft as widely feared coming in at +0.5% q-o-q, +3.1% year on year. However, with Australian national income growing much more slowly than output and soft industrial commodity prices keeping growth in national income restrained, concern remains that GDP growth will be comparatively soft over the next year or so.

One part of the economy that is showing signs of too much strength is housing activity, more specifically, investor housing demand in Sydney and Melbourne. The RBA used its quarterly Financial Stability Review to reiterate a message that housing demand is unbalanced, and while this is unlikely to undermine the stability of Australian financial institutions it may lead to weakness in spending in the economy when house prices eventually fall and/or lending interest rates rise. The RBA says that, together with APRA, it is examining measures to contain investment housing demand although, it seems unlikely that the RBA would countenance the considerable distortions that might arise if it were to actively pursue macro-prudential controls.

Most of the Australian economy still seems to need interest rates at current rates or lower, and we expect this need to continue to dominate monthly discussion of monetary policy – much as it has over the past year when the cash rate has been steady at 2.50%. Our view remains that it will probably be a year, at least, before the RBA sees a need to lift the cash rate. However, we do expect the RBA to continue to issue blunt warnings to investors in the housing market not to become over-committed at a time when house prices appear to be over-inflated.

Portfolio Performance

Council's investment portfolio posted a return of 3.71%pa versus the benchmark return of 2.66%. This represents an increase in the return of 2 basis points compared to last month. The increase in weighted average yield is a result of a reduction in the size of the investment portfolio by \$7.4 million - effectively increasing the weighting of the longer dated higher yielding term deposits. Rollover rates achieved on new investments are actually lower as margins offered by the banks continue to be reduced as the full implementation of the new liquidity standards approaches.

Council's portfolio remains extremely conservative with the largest exposure of 60% to Westpac and NAB term deposits across a broad spectrum of maturities to meet cash flow requirements.

There was no change in the capital value of Emerald 2006-1A, the only non term deposit investment currently in the portfolio.

ITEM 6.3	TRUST FOR THE ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND
REPORTING MANAGER	EXECUTIVE LEGAL COUNSEL
TRIM FILE REF	2014/355555
ATTACHMENTS	1 Deed

EXECUTIVE SUMMARY

PURPOSE

To obtain Council's approval to affix the Council Seal to the Deed Poll establishing the Trust for the Acquisition of Environmentally Sensitive Land which is required to amend the original Trust Deed.

SUMMARY

On 10 November 2009, Council resolved to establish a Trust Fund for the acquisition of environmentally sensitive land. Contributions to the Trust Fund would be tax deductible. Unbelievably, it has taken five years for the Commonwealth to consider final approval of the Trust. It now requires minor amendments to the Trust Deed Poll which will also require the affixation of the Council Seal and signature by the Mayor and General Manager.

FINANCIAL IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That Council authorise the Mayor and the General Manager to sign the attached Deed Poll to amend the Deed establishing the Trust for the Acquisition of Environmentally Sensitive Land which includes minor amendments as advised by the Commonwealth Government; and affix the Council Seal.

REPORT

BACKGROUND

At its meeting on 10 November, 2009, Council resolved to establish a fund to receive donations for the acquisition of environmentally sensitive land.

After receiving legal advice, a letter was sent to the Minister on 10 May, 2010 explaining the Council decision and seeking approval for the establishment of the fund.

In July 2010, the Department of Local Government sought further particulars from Council to demonstrate that the proposal is in the public interest and requested that Council specifically address the criteria set out in the Department's Circular to Councils 07-49.

FINANCIAL IMPACT

Council has already allocated \$50,000 for the process of establishing the fund and obtaining all of the necessary approvals.

POLICY IMPACT

If approved by the Minister, the trust fund has the potential to enhance and supplement Council's statutory functions and responsibilities under the Local Government Act 1993, The Environmental Planning and Assessment Act 1979 and the Threatened Species Conservation Act 1995.

DEED AMENDING TRUST

WARRINGAH COUNCIL


MatthewsFolbigg
Lawyers

Matthews Folbigg Pty Ltd
"The Barrington" Level 7, 10-14 Smith Street Parramatta 2150
PO Box 248 Parramatta 2124 - DX 8233 Parramatta
T 9806 7476 | F 9689 3494 | E jboland@matthewsfolbigg.com.au

DEED AMENDING TRUST

THIS DEED POLL is made the _____ day of _____ 2014

PARTIES

WARRINGAH COUNCIL

Civic Centre, 725 Pittwater Road, Dee Why NSW 2099 ("Trustee")

BACKGROUND

- A. By Deed of Settlement made the 25th day of January 2013 (the "Trust Deed") John Raymond Boland settled upon the Trustee a sum of \$50 to establish a trust for the protection and enhancement of the natural environment or a significant part of the natural environment within the Local Government area of the Trustee. Such Trust is known as the "Warringah Council Trust for the Acquisition of Environmentally Sensitive Land".
- B. The Trustee wishes to amend the terms of the Trust in the manner specified in the operative part of this Deed Poll and in accordance with the provisions of Clause 16 of the Trust Deed.
- C. The Department (now called the Department of the Environment) has consented to the amendment of the Trust Deed referred to in Recital B in accordance with the requirements of Clause 16.1(d) of the Trust Deed.

OPERATIVE PART

1. DEFINITIONS AND INTERPRETATION

- 1.1 Unless the context of this Deed Poll otherwise expressly requires, in this Deed Poll the words and expressions defined in the Trust Deed shall have the same meanings ascribed to them in the Trust Deed.
- 1.2 The rules of interpretation expressed in the Trust Deed shall apply to this Deed Poll.

2. AMENDMENT OF TRUST DEED

- i) Clause 23(b) of the Trust Deed is omitted and replaced by the following subclause:
- A. *"(b) where appropriate enter into Conservation Agreements with the Minister for the purposes provided for under subsections (a), (e1), (e2) and (e3) of Section 69C(1) of the National Parks and Wildlife Act 1974 (NSW) provided that a Conservation Agreement for the purposes of subsection (e3) must not be entered into if it relates to the matters referred to in subsections (b), (c) and/or (d) of Section 69C(1)."*

3. RATIFICATION

- ii) In all other respects the Trustee ratifies the provisions of the Trust Deed.

EXECUTION**Executed as Deed**

The Common Seal of WARRINGAH
COUNCIL was hereunto affixed on the
day of 2014 pursuant to a
resolution of the Council passed on the
day of 2014:

Mayor

General Manager

7.0 COMMUNITY DIVISION REPORTS

ITEM 7.1	PROPOSED NEW FEES FOR THE NORTH CURL CURL BOWLING CLUB SITE FOR COMMUNITY USAGE
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2014/310780
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

Council to exhibit the proposed new fees for the North Curl Curl Bowling Club for a period of 28 working days from 29 November to 12 January 2015.

SUMMARY

In July 2014, the Dee Why RSL relinquished its lease with Crown Lands over the Bowling Club site at Abbott Road, North Curl Curl. Crown Lands have since appointed Warringah Council as Reserve Trust Managers of the site (gazetted 24 October 2014).

In the short term, this site has been identified as an ideal solution to provide community space for local community organisations and groups. In particular, it will address those organisations needing to be relocated from the Howard Avenue Dee Why houses which are flagged for demolition in January 2016 to make way for the Walter Gors Park project.

This space would also provide an opportunity for Council to cater for a range of recreation and community uses, with a focus on a Seniors Active Ageing Hub and multi-purpose community space within the clubhouse building.

This proposal represents an ideal short-term solution by increasing community space for local organisations, providing immediate income to Council and allowing Council time to consider longer term solutions. It will also enable Council to engage with the community about its long term future use and accordingly, to develop a Plan of Management.

A range of fees are being proposed that have been benchmarked against other Council Community Centres and are appropriate for the types of activities proposed for this space.

FINANCIAL IMPACT

Based on the groups assessed for this space and on the fees proposed, Council would receive income conservatively estimated around \$62,000 per annum. (This estimate does not include the income from the proposed shared use arrangement of excess car parking space currently being negotiated with the Harbord Diggers.)

This income would be offset by cleaning, waste and other costs, as well as utilities. It would also be used to go back into the building for some essential minor improvements, including addressing accessibility.

Fee Description			Fees for 2014/15
Hall	Profit	per hour	\$36
Hall	Non Profit	per hour	\$25
Hall	Concession	per hour	\$12
Hall	Function	per hour	\$60
½ Hall	Profit	per hour	\$25
½ Hall	Non Profit	per hour	\$18
½ Hall	Concession	per hour	\$9
Meeting Room	Profit	per hour	\$15
Meeting Room	Non Profit	per hour	\$10
Meeting Room	Concession	per hour	\$7
Office	Profit	weekly	\$250
Office	Non Profit	weekly	\$130
Office	Concession	weekly	\$35

POLICY IMPACT

The creation of an Active Ageing Hub at this space aligns with the Warringah Community Strategic Plan, the Warringah Living Well Ageing Strategy, the Recreation Strategy and the Community Rental Subsidy Policy.

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RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council:

- A. Place the proposed fees for the North Curl Curl Bowling Club on public exhibition for a period of at least 28 days from 29 November 2014.
 - B. Following the public exhibition report the results back to Council.
-

REPORT

BACKGROUND

Warringah has a higher population of people over 65 years of age compared to both NSW and national averages; 15.4% of the population, equalling 21,750 residents. They are also fitter than in the past and participate more in activities, workforce, in volunteer work and in providing care for children or a person with a disability (ABS 2011). This would indicate a healthy and engaged group of people who should positively respond to a facility that is mainly dedicated to their age, interests and demographic.

This facility could be utilised as a central Hub for Active Ageing on the Northern Beaches, bringing together a myriad collection of services and activity options.

In addition, there is an urgent need to relocate the community groups currently utilising the houses in Howard Avenue, Dee Why, due to their imminent demolition at the beginning of 2016 as part of the Dee Why Town Centre Masterplan. Although some of these groups have agreed to be relocated to other premises, such as the Cromer and Brookvale Community Centres, space and times there are also very limited. A central location is very important to these groups as many of the patrons are elderly or from culturally and linguistically diverse backgrounds or attend community support groups such as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) and live within the Dee Why area. These groups favour a location that is easily accessible, preferably within walking distance, or at least on a frequent and direct public transport route.

The refurbishment of the Tramshed commencing July 2015 will also require numerous programs and services to be re-located, albeit temporarily.

In addition, it has been identified that YOYOS will potentially be impacted during the road upgrades as part of the construction of the Northern Beaches Hospital and the youth events could be temporarily relocated to the bowling club.

Furthermore, there is a current demand for social functions in this part of Warringah that currently Council cannot cater for. The Tramshed Booking Office receives weekly requests for all types of functions, clearly demonstrating the potential popularity of this site.

Parks, Reserves and Foreshore have identified that there is potential for extra income to be made from hiring out the Bowling Green for sports training and outdoor personal and group fitness activities. Further users may include Children's sporting skill development activities such as Little Kickers, Soccer Joeys and Sporty Little Munkins (current Community Centre Hirers) or low impact seniors exercise such as Tai Chi or Qi Gong.

A range of fees are being proposed that have been benchmarked against other Council Community Centres, and are appropriate to the types of activities proposed for this space.

In addition, the Harbord Diggers have expressed interest in a shared use arrangement of excess car parking space at the rear of the site, as of 1 July 2015 for a two year period to ferry their members to/from their club while major renovations are taking place.

This proposal represents an ideal short-term solution in providing immediate income to Council, increasing community space for local organisations and allowing Council time to consider longer term solutions by engaging with the community and accordingly to develop a Plan of Management.

TIMING

Upon Council approval, the proposal is to be open to the public for submissions on the fees for 28 days.

FINANCIAL IMPACT

Based on the groups assessed for using this space and on the fees proposed, Council would receive income conservatively estimated to be \$62,000 per annum. This income would be offset by cleaning, waste and other costs, as well as utilities. It would also be used to go back into the building for some essential minor improvements, including addressing accessibility.

Fee Description			Fees for 2014/15
Hall	Profit	per hour	\$36
Hall	Non Profit	per hour	\$25
Hall	Concession	per hour	\$12
Hall	Function	per hour	\$60
½ Hall	Profit	per hour	\$25
½ Hall	Non Profit	per hour	\$18
½ Hall	Concession	per hour	\$9
Meeting Room	Profit	per hour	\$15
Meeting Room	Non Profit	per hour	\$10
Meeting Room	Concession	per hour	\$7
Office	Profit	weekly	\$250
Office	Non Profit	weekly	\$130
Office	Concession	weekly	\$35

As mentioned earlier, Council is currently in discussions with the Harbord Diggers to use any excess car parking space at the rear of the site, while renovations are taking place at their club. The income generated from this has not been included in the estimated \$62,000 per annum.

POLICY IMPACT

The creation of an Active Ageing Hub at this space aligns with the Warringah Community Strategic Plan, the Warringah Living Well Ageing Strategy, the Recreation Strategy and the Community Rental Subsidy Policy.

ITEM 7.2	GLEN STREET THEATRE REVITALISATION STAGE 2
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2014/276410
ATTACHMENTS	1 Drawing of Concept 1 (Original Masterplan Design) 2 Drawing of Concept 2 (Revised Architect's Concept) 3 Drawing of Concept 3 (Hybrid Design)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's direction to proceed with one of the concepts for Stage 2 of the Glen Street Theatre Revitalisation Project

SUMMARY

Warringah Council resolved on 26 February 2013 to adopt the Masterplan and Stage 1 concept prepared by Mark Hurcum Design Practice Architects for the Glen Street Theatre site for the creation of a cultural hub, and to authorise commencement of the design concept and community engagement for Stage 2.

Council subsequently appointed Brewster Hjorth Architects to develop the Stage 2 concept for the Glen Street Theatre site. This revised concept for Stage 2 was presented to Councillors at a briefing on 19 August 2014. Further Councillor Briefings were held on 16 September 2014 and 30 September 2014 to discuss the relative benefits of both the original and revised design concepts as well as other options.

To progress Stage 2, a decision is required as to which is the preferred concept.

FINANCIAL IMPACT

Council has a total project budget of \$7.3m which includes:

- Stage 1 – \$2.05m (already completed)
- Stage 2 – \$5.25m

The use of funds for Stage 2 requires the sale of the existing Belrose Library site as per Council Resolution 027/13.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That

- A. Council selects one of the following options:
- a. Concept 1 (Original Masterplan design)
 - b. Concept 2 (Revised Architect's design)
 - c. Concept 3 (Hybrid design)

d. No Action

B. Council staff prepare a fully costed proposal for the selected option for further consideration by Council.

REPORT

BACKGROUND

Council resolved on 26 February 2013 to adopt the Masterplan and Stage 1 concept prepared by Mark Hurcum Design Practice Architects for the Glen Street Theatre site for the creation of a cultural hub, and to authorise commencement of the design concept and community engagement for Stage 2.

Council subsequently invited tenders for the design consultancy services for Glen Street Theatre Revitalisation Stage 2 and Brewster Hjorth Architects were appointed to develop the Stage 2 concept for the site. This revised concept for Stage 2 was presented to Councillors at a briefing on 19 August 2014. Further Councillor Briefings were held on 16 September 2014 and 30 September 2014 to discuss the relative benefits of both the original and revised design concepts as well as other options.

To ensure Council considered the relative benefits of all options (to meet the objectives of creating a cultural hub and activating the Glen Street Theatre site), follow-up briefings were held on 16 September 2014 and 30 September 2014. These were conducted to enable comprehensive discussions among Councillors.

To progress to Stage 2, a decision is required by Council to select a preferred concept. It should be noted that the project is currently on hold until Council has made a decision.

OPTIONS:

Option One - Concept 1 - Original Masterplan Design

- A 700m² library located at the front of the Glen Street Theatre
- A new café / restaurant co-located with the proposed new library
- Relocation of administration offices to the existing Sorlies dining and kitchen area
- Budget estimate of \$5,766,000 (excluding GST). *This is a construction budget only and does not allow for design, project management and other required fees and service charges.*

Option Two - Concept 2 - Revised Architect's Design

- 700m² library located overlooking the rear Glen Street Theatre car park and Lionel Watts Oval connected to Glen Street Theatre via a new roof structure
- Re-use of existing kitchen for new outdoor café including paved areas and a children's playground
- Re-use of existing Sorlies dining area for multi-use space
- Delivery of a new pathway connection between Blackbutts Road and Glen Street
- Budget estimate of \$4,680,000 (excluding GST). *This is a construction budget only and does not allow for design, project management and other required fees and service charges.*

Option Three - Concept 3 - Hybrid Design

- A 650m² library located at the front of the Glen Street Theatre
- Onsite relocation of administration offices to an area yet to be finalised such as the existing staff meeting room

- Tendering out the lease (including fit-out) of the existing Sorlies dining and kitchen area in their existing form to food and beverage operators
- Delivery of a new pathway connection between Blackbutts Road and Glen Street and basic landscaping and paving to the rear of the Glen Street Theatre
- Budget estimate of \$4,030,000 (excluding GST). *This is a construction budget only and does not allow for design, project management and other required fees and service charges.*

Option Four - No Action

- Do not proceed with any of the noted options

Considerations for each concept

Option One - Concept 1 - Original Masterplan Design:

- It creates a direct physical connection between the new library / cafe and the theatre
- It delivers an impressive visual impact at the front of the theatre
- The concept has already been consulted with the community
- The concept isolates the rear of the cultural hub site which encompasses the playing fields and the community centre due to the proposed location of administration offices
- The initial 150 restaurant recommended too large
- The library and theatre connections have unresolved issues regarding level differences, orientation and external emergency exit stairs
- There is no loss of onsite car parking
- It is the most expensive option with additional costs for:
 - demolition and relocation of administration offices
 - changing the existing kitchen (Sorlies area) due to relocation of the administration offices
- It is over the existing budget

Option Two - Concept 2 - Revised Architect's Design:

- The site co-locates all functions in the one area - sport, gym, theatre, library, the community centre and a children's playground
- The concept creates a visual link from the front to the back of the theatre
- The existing Sorlies area can be re-used as a multi-use programmable space
- The café location will have a number of immediate customers which will make the prospect more economically viable
- It creates a new activated space to the rear of the theatre and provides a footpath connection between Blackbutts Road and the Glenrose Shopping Centre
- It allows reuse of existing facilities including the administration offices and kitchen
- The library, café and theatre are not incorporated as the one building

- There is a reduction of onsite parking due to new library building location
- No community engagement of this concept has been done
- With the current number of trees there is a perception that the library will not have a presence to Glen Street

Option Three - Concept 3 - Hybrid Design

- It creates a direct physical connection between the new library and the theatre
- It delivers an impressive visual impact at the front of the theatre
- There is no loss of onsite car parking
- It creates a new activated space to the rear of the theatre and provides a footpath connection between Blackbutts Road and the Glenrose Shopping Centre
- The food and beverage operator model envisages significant capital required by the third party operator. It is at high risk of not being a viable option for the type of food and beverage operators that complement the activities within the Cultural Hub.
- The concept has not been reviewed by external consultants or formally costed by a Quantity Surveyor
- The concept is yet to be tested and consulted with the community

Option Four – No Action

- There is no new library
- The existing library is in poor condition and would require relatively significant renewal
- It fails to deliver on one of the key initial concepts of bringing the library to the theatre site, being the creation a cultural hub

CONSULTATION

The Original Masterplan Design (Concept 1) was tested and consulted with the community and elected Council in 2013.

The Revised Architect's Design (Concept 2) was presented to Council in two Councillor Briefings on 19 August and 16 September followed by a workshop on 30 September 2014. However, community engagement is yet to be done.

There has been no community consultation on the Hybrid Design (Concept 3).

TIMING

Stage 1 is completed and the Glen Street Theatre is in operation

Stage 2 is currently on hold pending Council's resolution. Depending on the proposed concept that is chosen, the following are indicative project timelines:

- Lodgement of Development Application – April 2015
- Consultation – dependant on option chosen
- Development Consent expected – July 2015
- Release of Request for Tender – August 2015

- Construction commencement – November 2015
- Construction period is estimated at 12 to 15 months dependant on the option chosen.

FINANCIAL IMPACT

Council has a total project budget of \$7.3m which includes:

- Stage 1 – \$2.05m (already completed)
- Stage 2 – \$5.25m

These budget figures include allowance for design, project management, fees and service charges and construction and construction contingency.

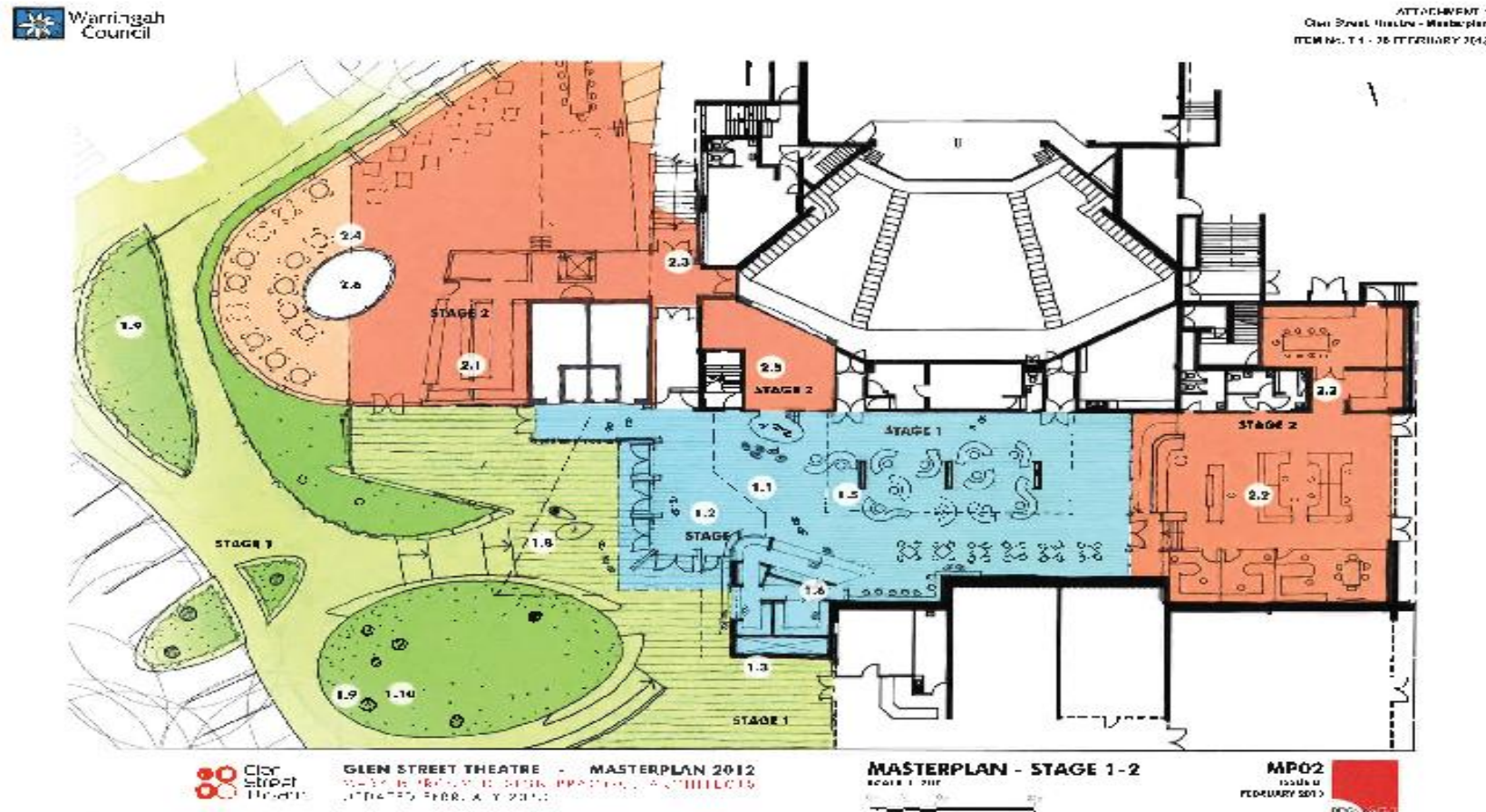
The use of funds for Stage 2 requires the sale of the existing Belrose Library site as per Council Resolution 027/13.

Note that the budget estimates for Concept 1 and 2 were prepared by a third party quality surveyor, Rider Levitt Bucknall. Concept 3 has been estimated by Council staff using the same unit rates as for Concept 1 and 2. All estimates have been made based on high-level concept drawings only and therefore further cost refinement will be necessary as the preferred option is developed.

POLICY IMPACT

Nil

Option One – Concept 1 - Original Masterplan Design



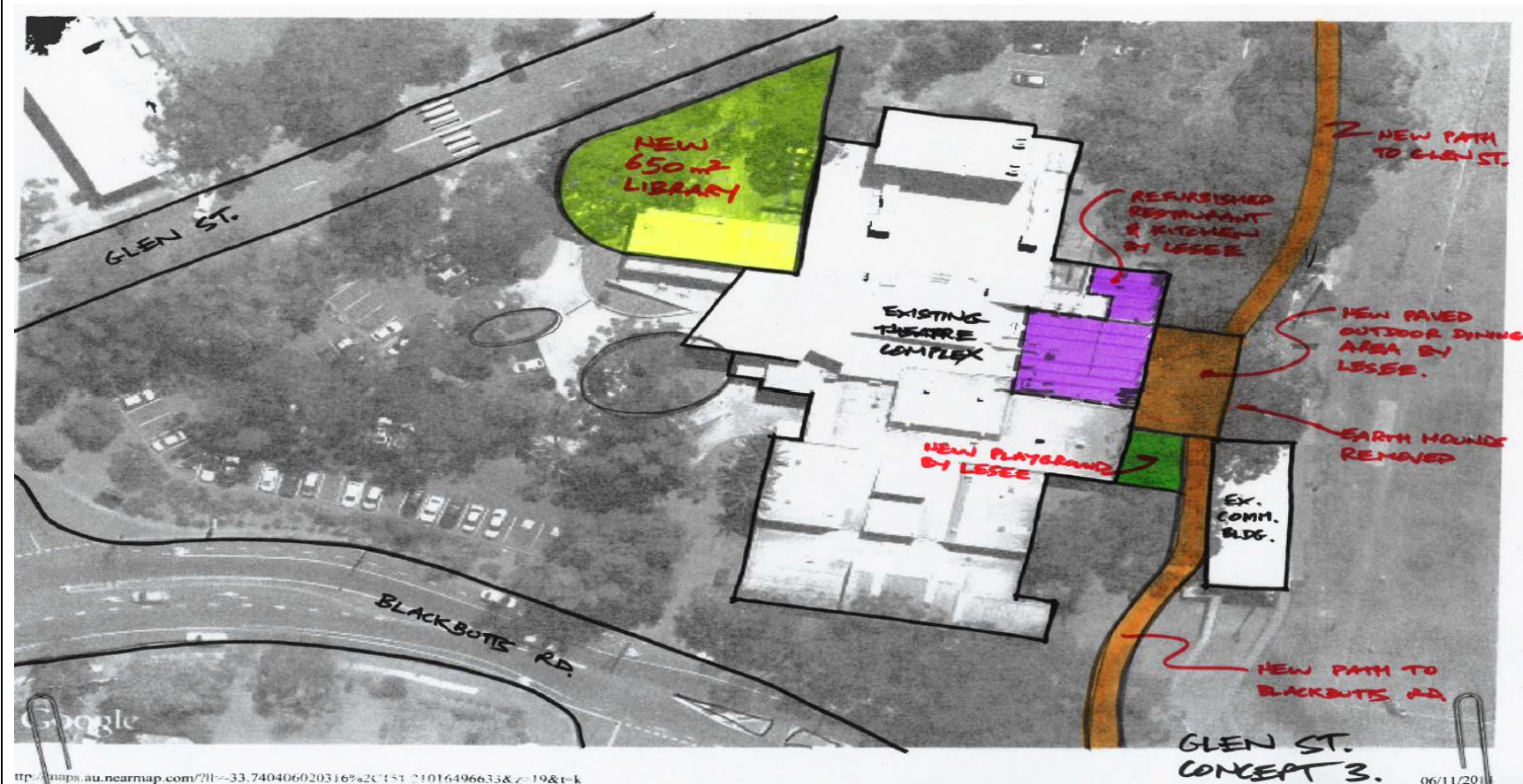
Architectural site plan for the proposed new library footprint. The plan shows the layout of existing and proposed buildings, parking, and landscaping. Key features include:

- Legend:**
 - Extent of new library footprint - 700 sqm total over 2 levels
 - Extent of new concrete path linking the new works to Glen Street
 - New spaces added to existing carpark
 - Extent of new concrete accessible ramp 1:14
 - New service counter to existing kitchen to serve outdoor seating to cafe
 - New glass balustrade to existing ramp
 - New glazed bi-fold opening to connect function area to new podium and cafe seating
- Existing Buildings:** existing gym, existing theatre, existing foyer, existing community centre, existing raised platform, existing stairs, existing parking area.
- Proposed Buildings:** new library footprint (700 sqm over 2 levels), new service counter, new glazed bi-fold opening, new podium and cafe seating, new outdoor seating, new playground, new ramp.
- Landscaping:** future footpath links from Blackburn road, future children's playground, new landscaping platform, new roof shown as dashed line.
- Other Features:** Glen Street, extended parking, new link from shopping centre to site, new pedestrian crossing, new levels for outdoor seating, new landscaped platform, existing service to be retained.



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hjorth
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Option Three – Concept 3 – Hybrid Design



ITEM 7.3	CONSIDERATION OF PUBLIC PRIVATE PARTNERSHIP CONCEPTS
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2014/343691
ATTACHMENTS	1 Evaluation of Concept Submissions (Included In Attachments Booklet) 2 PPP Concept Flow Diagram - OLG Guidelines (Included In Attachments Booklet) 3 Office of Local Government PPP Guidelines - Initial Assessment Requirement (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To resolve which Public Private Partnership proposals should be assessed and provided to the Office of Local Government for consideration.

SUMMARY

Public Private Partnerships (PPP) are a means by which infrastructure or facilities can be provided by private persons / corporations entering into a variety of agreements with Council in which Council has an interest, liability or responsibility. These arrangements can take the form of Council providing tenure, capital contributions and/or the eventual transfer of the asset to Council.

The process for entering into such arrangements is governed by the Local Government Act 1993 (the Act), the Local Government Regulation 2005 and the PPP guidelines issued by the Office of Local Government (OLG).

This legislation requires Council to formally resolve to progress any PPP proposals an assessment of which must then be forwarded to the OLG for consideration. Once positive advice has been received Council can proceed to the Expressions of Interest / market testing stage.

Warringah Council advertised a request for proposals for consideration by Council. Council received twenty-two (22) submissions. It is recommended to proceed to assessment for five (5) of these submissions.

The OLG process requires Council to formally resolve which proposals are to be endorsed prior to forwarding to the OLG for its review. Once Council has received positive advice from the OLG, Expressions of Interest will be then called from the open market.

FINANCIAL IMPACT

At this stage of the process there is no ongoing financial commitment required by Council. There will be resources required to carry out the assessment of the proposals but this should be able to be managed within existing operational resources.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council:

- A. Prepare assessments of the following Public Private Partnership (PPP) proposals for submission to Office for Local Government (OLG) for review:
 - a. The construction, operation, maintenance and later transfer to Council of an indoor gymnastics centre
 - b. The construction, operation and maintenance of a specialist medical oncology treatment centre
 - c. The construction, operation, maintenance and later transfer to Council of an indoor sports court and education centre
 - d. The construction, operation, maintenance and later transfer to Council of a commercial and residential development including affordable housing
 - e. The construction, operation, maintenance and later transfer to Council of an indoor / outdoor action sports facility for youth
 - B. Upon receipt of positive advice from the OLG, call for Expressions of Interest in the proposals.
 - C. Further develop the following submissions with the proposers and report back to Council if they become feasible:
 - a. An investigation into the construction and provision of tertiary / higher education facilities
 - b. The construction, operation, maintenance and later transfer to Council of a multi-sports and health club
 - c. The construction, operation, maintenance and later transfer to Council of a synthetic sports field / complex
 - D. Reject all other proposals.
-

REPORT

BACKGROUND

Warringah Council publicly advertised for the submission of proposals which would meet the requirements of a Public Private Partnership (PPP).

Council received twenty-two (22) PPP proposals with several being of a similar nature, several did not follow the initial prescribed assessment format and therefore cannot be considered further. The evaluation of the proposals is attached in Appendix 1.

Entering into a PPP takes significant time and resources and can expose Council to development and finance risks if not properly managed. Accordingly, only five (5) of the twenty-two (22) PPP proposals are recommended for further progression.

Prepare assessments of the following Public Private Partnership (PPP) proposals for submission to the OLG for its consideration. Upon receipt of positive advice from the Office of Local Government, to take each PPP proposal to the market for Expressions of Interest:

- The construction, operation, maintenance and later transfer to Council of an indoor gymnastics centre
- The construction, operation and maintenance of a specialist medical oncology treatment centre
- The construction, operation, maintenance and later transfer to Council of an indoor sports court and education centre
- The construction, operation, maintenance and later transfer to Council of a commercial and residential development including affordable housing
- The construction, operation, maintenance and later transfer to Council of an indoor / outdoor action sports facility for youth

Further develop the following proposals and report back to Council if they become feasible:

- An investigation into the construction and provision of tertiary / higher education facilities
- The construction, operation, maintenance and later transfer to Council of a multi-sports and health club
- The construction, operation, maintenance and later transfer to Council of a synthetic sports field / complex

Reject all other proposals.

It is important to note that:

1. Any endorsement by Council of a PPP proposal is not an endorsement of the company proposing the concept. All proposals receiving positive advice from the OLG will be the subject of an open Expression of Interest process.
2. Endorsement of a PPP proposal by Council does not necessarily mean that the concept is guaranteed to progress as the concept may fail in any of the following stages:
 - a. the assessment stage,
 - b. the procurement stage (as there may no longer be a viable partner in the market)
 - c. approval stage

If Council receives a viable submission, this would need to be presented to Council for further consideration and approval prior to any contract / lease being entered into.

PUBLIC PRIVATE PARTNERSHIP PROCESS

A diagram of the process is in Appendix 2.

The Local Government Act 1993, the Local Government Regulation 2005 and the OLG PPP Guidelines set out the requirements and process to be followed for all PPPs.

The Act defines a PPP as “an arrangement:

- a) between a council and a private person to provide public infrastructure or facilities (being infrastructure or facilities in respect of which the council has an interest, liability or responsibility under the arrangement), and
- b) in which the public infrastructure or facilities are provided in part or in whole through private sector financing, ownership or control,”

Council must resolve which proposals will be progressed and submit an assessment of the project to the Office of Local Government before entering into any arrangement. The General Manager must certify that this assessment has been carried out in accordance with the PPP guidelines as noted in Appendix 3

Once forwarded to the Office of Local Government for its review the Office will decide whether the concept can go to Expression of Interest (EOI) or may decide that the project needs to go to the Project Review Committee.

The Project Review Committee comprises representatives from:

- Department of Local Government (Chair)
- NSW Treasury
- Premier’s Department
- The Cabinet Office
- Department of Infrastructure, Planning and Natural Resources.

CONSULTATION

Council advertised for Public Private Partnership proposals from 1st August 2014 in the Financial Review, the Sydney Morning Herald, the Manly Daily and on the website closing on 11th September 2014. An open forum was held on 14th August 2014 with interested parties.

Any parties interested in discussing their concept in detail were met with and requests for more information were made if insufficient details had been provided.

FINANCIAL IMPACT

At this stage of the process there is no ongoing financial commitment required by Council. There will be resources required to develop these proposals to business cases but this should be able to be managed within existing operational resources.

POLICY IMPACT

Nil

8.0 ENVIRONMENT DIVISION REPORTS

ITEM 8.1	DRAFT URBAN FOREST POLICY FOR PUBLIC EXHIBITION
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/288120
ATTACHMENTS	1 Draft Urban Forest Policy 2014

EXECUTIVE SUMMARY

PURPOSE

To inform Council of the content of the draft Urban Forest Policy and seek approval to place the draft policy on public exhibition.

SUMMARY

The Warringah Local Government Area is ranked third amongst urban Council areas in NSW for tree canopy coverage which is a very good result. However, Council faces an issue over the next decade as street trees and private trees planted during the creation of subdivisions in the 1950s to 1980s begin to decline. This decline will accelerate the number of tree removals when coupled with urban consolidation and as public authorities and private land holders seek to mitigate risk.

The draft Urban Forest Policy is the first step in the process for Council to manage public and private trees holistically throughout the Local Government Area. The principles of the draft policy will ensure that Council demonstrates leadership and has the tools to be able to not only arrest the decline of Warringah's canopy and restore it to 2013 levels again by 2030, but it will also ensure a coordinated approach to tree management that will prevent this situation taking place again.

FINANCIAL IMPACT

It is estimated that around 1000 trees are removed per year and in 2013/2014, 468 trees were planted. It costs on average \$250 a plant which includes establishment. Based on these figures, Council currently has a \$132,000 shortfall in the funding of planting trees to replace the estimated number removed. A proposal to increase the Street Tree Replacement Program by \$32,000 from 2015/2016 will be considered in the preparation of the Budget. The remaining gap in funding may be bridged through encouraging behavioural change throughout the organisation and the community. This may have an impact on future individual project budgets.

POLICY IMPACT

The draft policy supports Warringah's Environmental Sustainability Strategy which was adopted in 2013.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the draft Urban Forest Policy be placed on public exhibition for a period of at least 28 days during February 2015 with the results reported back to Council.

REPORT

BACKGROUND

An urban forest is defined as the totality of trees and shrubs on all public and private land in and around urban areas (including bushland, parkland, gardens and street trees), and is measured as a canopy cover percentage of the total Warringah Local Government Area. Urban Forestry is the planned, systematic, and integrated management of urban trees.

The Warringah community is fortunate in having a unique living environment characterised by its bush and beach environment. The Urban Forest is an integral part of this landscape. The Warringah Local Government Area is ranked third amongst urban Council areas in NSW for tree canopy coverage which is a very good result. However, Council faces an issue over the next decade as street trees and private trees planted during the creation of subdivisions from the 1950s to 1980s begin to decline. This decline will accelerate the number of tree removals as public authorities and private land holders seek to mitigate risk. Currently the best practice approach to dealing with these issues is the Urban Forestry approach.

The current canopy coverage of the Warringah Local Government Area is demonstrated by the table below:

Statistics for Canopy in Warringah Local Government Area (LGA) from LIDAR 2013 Data	Area (km²)
Warringah LGA Total Area	153.1
Area of Canopy Coverage in Warringah LGA (including National Parks)	93
Area of National Park in Warringah LGA	64
Area of Canopy within National Park in Warringah LGA	52.4

Percentages	%
Percentage Canopy Cover entire LGA (including National Park)	60.7
Percentage Cover in Warringah in non-National Park area	45.5
Percentage Canopy Cover in National Park	81.9

Note: LIDAR – (Light and Radar Imaging).

A healthy Urban Forest is vital for a sustainable natural environment and healthy communities. The Local Government and Shires Association of NSW states in their Urban Forest Policy (2003) that Urban Forests have “Scientifically proven and quantified benefits include energy conservation, reduction of atmospheric contaminants, enhanced property values, reduction in storm water run-off, and increases in social well-being.”

Risks to Council's Urban Forest

The future of Warringah's Urban Forest is particularly precarious at present due to a variety of factors including:

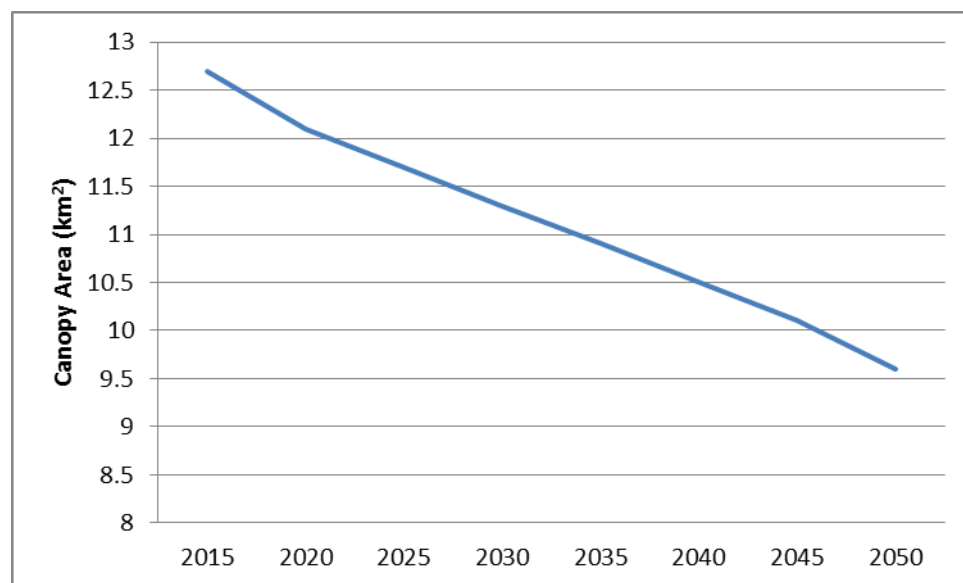
- Ageing tree resource, resulting from bulk monoculture planting of trees during the establishment of subdivisions in the latter part of the last century, means that a large percentage of the Urban Forest is declining. This will lead to an increase in tree removals over the next decade.
- Infrastructure managers are seeking to eliminate urban trees from their infrastructure and their sphere of activity to mitigate risks to infrastructure and reduce exposure to insurance claims.
- Inflexible attitudes to accommodating trees in the built up environment.
- Urban consolidation impacting on existing trees and subsequent lack of available space for tree planting.
- New South Wales Rural Fire Service 10/50 Vegetation Clearing Code of Practice for the State will in all likelihood lead to the removal of more private trees than was previously the case.

Predicted Canopy Coverage

Currently Council removes on average 1000 trees per year from Council managed land. Replanting funding currently only allows for on average 468 trees to be planted, resulting in a deficit of 532 trees. These trees on average take 10+ years to reach maturity so there is at least a 10 year delay on the replacement of the canopy.

This trend is likely to be exacerbated by the risks noted above and are predicted to lead to decline canopy coverage represented in the graph below:

Predicted rate of canopy decline if current practices continue (km²)



Consequences of Allowing Trend to Continue

There are number of consequences of allowing a decrease in canopy coverage. The loss of Urban Forest may:

- Increase the risk of slope destabilisation (environmental consequence).

- Increase urban heat island impacts (environmental consequence).
- Reduce carbon sequestration (environmental consequence).
- Decrease stormwater absorption (environmental consequence).
- Decrease habitat corridors (environmental consequence).
- Increase heating and cooling costs (economic consequence).
- Potentially reduce property values due to decreased aesthetic appeal (economic consequence).
- Lessen the ability to absorb air pollution leading to potential health issues (social impact).
- Potentially impact on well-being (social impact).

Continued allowance of the deficit between removals and plantings will also increase the time it will take to restore canopy levels to a pre-existing level.

How Will the Draft Urban Forest Policy Arrest and Reverse this Decline?

The draft policy states that Council will maintain existing (2013) canopy status and move towards a more sustainable future. It proposes to do this through adopting the Urban Forestry approach to managing trees in Warringah.

Council can facilitate this through incorporating Urban Forestry principles in relevant planning documentation, developing good policy, procedures and taking an asset management approach to tree management. These practices and actions to facilitate them will be incorporated in an Urban Forest Strategy to be developed if this policy is adopted. The development of an Urban Forest Policy is the first step in this process.

The principles of the Urban Forest Policy are to:

- Recognise Warringah's Urban Forest as an asset with economic, environmental, social and aesthetic benefit.
- Manage Warringah's Urban Forest via Urban Forest principles to optimise its health and condition.
- Maintain canopy coverage across the Local Government Area at 2013 levels excluding National Parks. The Policy recognises that there will be a decline in canopy coverage over the next decade before it is restored to 2013 levels.
- Manage risk to life and property through best practice tree planting and maintenance.
- Promote the retention and planting of trees and shrubs which will enable plant and animal communities to survive.
- Recognise and enhance the role that the Urban Forest has in habitat connectivity, particularly in Wildlife Corridors.
- Develop and implement an Urban Forest Strategy that articulates these principles and translates them into actions.

Implementing the Draft Urban Forest Policy

The following are considered key actions that will lead to the successful implementation of the Urban Forest Policy, if adopted:

- Increase funding for existing tree planting projects including the Street Tree Replacement Program.
- Implement cultural change throughout the organisation to consider impact of tree removals on Urban Forest and incorporation of offset tree plantings if tree removals cannot be avoided.
- Develop an Urban Forest Strategy which includes:
 - a) More detailed canopy analysis to better understand where we need to focus planting strategies.
 - b) Detailed analysis into land use and ownership to better understand who can assist with implementation.
 - c) Assessing usage of current green spaces to identify planting opportunities.
 - d) Frequent monitoring and reporting on proactive asset management regimes such as planting and canopy monitoring.

CONSULTATION

Council plans to engage the community on the draft policy in February 2015. The engagement activities will include:

- Notifying all Strategic Reference Group members of the draft policy and requesting feedback.
- Broad advertising through Warringah Update, Community Engagement Register and Council's media platforms.
- Creation of a Your Say Warringah page.
- A single community meeting for interested members of the public.
- A call for submissions.

TIMING

Assuming that the draft is authorised for community engagement the following timing applies to this project:

- Community engagement period – February 2015.
- Adoption of policy – April 2015.
- Increase tree plantings – from July 2015 (if increase in budget is approved).
- Develop an Urban Forest Strategy – February 2016.
- Community engagement period – March/April 2016.
- Adoption of Urban Forest Strategy – June 2016.

FINANCIAL IMPACT

It is estimated that around 1000 trees are removed per year and 468 planted in 2013/2014. It costs on average \$250 a plant including establishment. Based on these figures Council currently has a \$132,000 shortfall in the funding of planting of trees to replace the estimated number removed. A proposal to increase the Street Tree Replacement Program by \$32,000 from 2015/2016 will be considered in the preparation of the budget. The remaining gap in funding may be bridged through encouraging behavioural change throughout the organisation and community, this may have an impact on future individual project budgets.

POLICY IMPACT

The draft Policy supports the Environmental Sustainability Strategy adopted in 2013.



Warringah Council Policy

Policy No. Number

Draft Urban Forest Policy

2014/343229

1 Purpose of Policy

The purpose of this policy is to establish a principle framework to guide in the planned, systematic and integrated approach to managing Warringah's Urban Forest.

An Urban Forest can contribute to air quality, prevent soil erosion and assist in improving; water quality, carbon sequestration, storm water retention, energy conservation, noise reduction, urban heat and habitat for local wildlife.

Council is committed to establishing a culture of sustainability in relation to tree and shrub management. This includes balancing the protection and enhancement of the Urban Forest whilst managing risks.

2 Principles

- a) to recognise Warringah's Urban Forest as an asset with economic, environmental, social and aesthetic benefit.
- b) to manage Warringah's Urban Forest via Urban Forest principles to optimise its health and condition.
- c) to maintain canopy coverage across the Local Government Area at 2013 levels excluding National Parks. The Policy recognises that there will be a decline in canopy coverage over the next decade before it is restored to 2013 levels.
- d) to manage risk to life and property through best practice tree planting and maintenance.
- e) to promote the retention and planting of trees and shrubs which will enable plant and animal communities to survive.
- f) to recognise and enhance the role that the Urban Forest has in habitat connectivity, particularly in Wildlife Corridors.
- g) to develop and implement an Urban Forest Strategy that articulates these principles and translates them into actions.

3 Authorisation

This Policy was adopted by Council on [insert date].

It is effective from [insert date].

It is due for review on [insert date].

4 Amendments

This Policy was last amended on [insert date].

Effective date	Version	Draft Urban Forest Policy	2014/343229	Page 1 of 3
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Policy No. Number

5 Who is responsible for implementing this Policy?

All Council staff involved in urban forest related activities.

6 Document owner

Group Manager Parks Reserves and Foreshores

7 Related Council Policies

- a) Street Tree Planting Policy PL 416.
- b) Removal of private trees threatening Council stormwater pipes. PL 415.
- c) Bushland Policy ENV – PL 005.
- d) Protection of Waterways and Riparian Land Policy PL 740.
- e) Environmental Sustainability Policy STR-PL 830.
- f) Enterprise Risk Management Framework Policy PL 700.

8 Legislation and references

- a) Warringah Natural Area Survey, August 2005
- b) Warringah Local Environment Plan 2000
- c) Development Control Plan

9 Definitions

Canopy coverage: an indicator of the quantity of Urban Forest often used as a measure of an Urban Forest's general capacity to provide economic, social, environmental and aesthetic benefits.

Urban Forest: the totality of trees and shrubs on all public and private land in and around urban areas (including bushland, parkland, gardens and street trees) and is measured as a canopy cover percentage of the total area, and is recognised as a primary component of the urban ecosystem.

Urban Forest Principles: a planned, systematic and integrated approach to managing the Urban Forest. The principles can be broadly broken down into the following:

- Planned Management – A strategic plan is fundamental to achieving the optimal development and quality of the urban forest.
- Systematic Management – Adequate resourcing is invested and these are managed effectively and efficiently.
- Integrated Management – All relevant stakeholders must work in an integrated manner to achieve the best outcomes for urban areas.

Habitat connectivity: a measure of the degree of interconnection of habitat. It is an important issue for managing remnant native vegetation in a unified manner across different land tenure units.

Wildlife corridor: a vegetation feature (preferably remnant bushland, but may include remnant trees, native plantings, weed thickets and gardens) that connects larger areas of remnant bushland and facilitates fauna movement between them. Fauna movement allows

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dispersal, interbreeding and recolonisation to occur, making fauna populations more viable in the long term. Fauna movement also facilitates pollen and seed dispersal, enhancing the viability of plant populations. Continuous corridors are preferable, but discontinuous corridors still contribute to fauna movement, and can potentially be improved through habitat enhancement.

ITEM 8.2	WASTE COLLECTION SERVICES CONTRACT
REPORTING MANAGER	GROUP MANAGER ROADS TRAFFIC & WASTE
TRIM FILE REF	2014/291542
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To recommend a course of action in regard to waste collection services and its integration with developments at Kimbriki.

SUMMARY

At its meeting of 18 October 2011, Council resolved to undertake a number of actions associated with the Kimbriki waste processing facilities project. This resolution included developing a single contract for waste collection services from all SHOROC Councils. The outcomes of the Kimbriki project will not be known until the tender processes are completed and innovative solutions may be offered by the market which may require varying collection methods. It is also believed that Warringah will achieve better outcomes for residents by developing an independent collection services contract aligned to the new Kimbriki facilities and a regional system. This is in line also with current Council practice in regard to participating in regional procurement processes.

FINANCIAL IMPACT

The cost of waste collection services is recovered via the Domestic Waste Management Charge, and included in Councils ten year financial plan. It is expected that the decision would result in value for money for residents.

POLICY IMPACT

Aligns with Council's Environment Sustainability Strategy, Strategic Community Plan, and decision to withdraw participation in the SHOROC joint procurement business unit.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Agree to implement a regional waste collection system in consultation with the other SHOROC Councils and Kimbriki Environmental Enterprises Pty Ltd, contingent on the outcome of the tender for new waste processing facilities at Kimbriki.
 - B. Develop service specifications and conduct a tender process for waste collection services for Warringah Council to integrate with the new facilities at Kimbriki, once operational.
 - C. Agree to investigate appropriate regional business models that could be established for the efficient and cost effective delivery of waste services once the new facilities at Kimbriki are operational.
 - D. Agree that Council staff work with the other SHOROC Councils and Kimbriki Environmental Enterprises Pty Ltd to deliver an appropriate community engagement program on the new waste management system.
-

REPORT

BACKGROUND

In 2009, Council formed Kimbriki Environmental Enterprises Pty Ltd (KEE) with a view to developing waste processing facilities at Kimbriki. This would allow the SHOROC Councils to control the disposal of domestic garbage once the Belrose landfill closes. The processing facilities would also enable the disposal of dry waste, and delivery of a recycling service via KEE.

Since that decision KEE has continued to work in consultation with industry, the State Government, Warringah and other Councils towards that goal. Once the garbage processing facilities are operational at Kimbriki, Council will direct its waste collection contractors to transport waste to KEE for processing. The facilities are expected to be operational by 2018.

Council has made arrangements for the disposal of domestic garbage for the interim period between the closure of the Belrose landfill and the implementation of facilities at Kimbriki, and it is now appropriate to review the development of waste collection services.

At its meeting of 18 October 2011, Council resolved the following in regard to waste collection services:

'That Council:

- A. *Agree to implement a common collection system with the other SHOROC councils contingent on the commencement of operations at Kimbriki comprising collection of food waste with garden vegetation and fully commingled recycling collection, designed such that:*
- *For single unit dwellings, food and garden organics are collected weekly in 80, 120/140 or 240 Litre Mobile Garbage Bins (MGBs) and;*
 - *Kitchen bench top tidy bins and corn-starch liner bags be supplied and delivered to all households via the Waste Collection Services Contract;*
 - *For single unit dwellings, recyclables are collected fortnightly in 120/140, 240 or 360 Litre co-mingled MGBs;*
 - *For single unit dwellings, residual waste is collected fortnightly from existing 80, 120 or 140 Litre general waste MGBs with provision made to conduct further investigation into options for the handling of nappies (infant and aged/infirm) potentially through a weekly assessed needs basis;*
 - *For multi-unit dwellings, food and garden organics, recyclables and residual waste is collected weekly in 80, 120/140, 240, 360, 660 and 1100 Litre MGBs with suitable provision made for additional bi-weekly services as currently provided where required;*
 - *(Pittwater only) An equitable collection system be investigated that allows for a range of food and garden organic, co-mingled recycling and residual waste bins to be collected at appropriate locations in offshore communities;*
 - *Prices are sought through the tender for a common waste collection system for both the existing two scheduled bulky waste clean-up kerbside services per annum and two on-call bulky waste clean-up kerbside collections per year (with an additional 1-2 separate kerbside collections of e-waste per year) for cost comparison and determination.*
- B *Agree that tender specifications are developed and council enter into a combined Regional Waste Collection Services Contract with a term of seven years and;*
- C *Agree to investigate the value of appropriate business models that could be established for the efficient and cost effective delivery of quality waste services, including a centralised*

waste management unit, to co-ordinate and manage each or all (not limited to) of the following: contract management; customer service/call centre; administration; contamination management; education; marketing.

- D** *Agree that council staff work with the other SHOROC councils to develop an appropriate community engagement and consultation program on the collection system design, to be conducted by the councils concurrently, for consideration by council at its December meeting.'*

DISCUSSION

Council's current waste services contract expires on 30 June 2016 with no further extensions available under the contract and staff are beginning to consider developing new contract specifications.

The decision of 18 October 2011 was made on the expectation of a specific outcome to the KEE tender process for new facilities. In view of the time passed since then, changes in industry, state government policy and market conditions, KEE can reasonably expect that innovative solutions may be proposed which were not considered at the time. Consequently, while the main premise of the decision (ie to recover food waste from landfill for processing) remains a priority, the final form of the facilities will not be known until the KEE tender is completed.

Once known, the waste collection services can be designed for best integration with the adopted facilities. The level of detail in part A of the decision above may prove to be restrictive and unnecessary in this regard. For example nominating the size, number and frequency of bin provision and collection for different dwelling types can be resolved at staff level once processing facilities are known and a collection services tender developed, without impact on the main objective to recover food waste and integrate with KEE.

Part B of the decision requires a single, combined regional waste collection services contract, however there are many variations between the requirements of participating council, such as offshore services, provision of services to commercial properties and litter bin servicing, as well as the required frequency of collection services for different products.

Warringah's Domestic Waste Management Charge is the lowest in the region. Inclusion of services which require diverse collection methods, such as barges, and increased variation in frequency of collection is likely to increase the cost of the services for Warringah residents. The decision to engage in a single regional contract may in fact result in a more expensive outcome for Warringah residents. It is recommended therefore that Warringah Council tender and contract for waste collection services independently. This would not prevent Warringah participating in a common collection system which would be determined by the outcome of the KEE facilities tender process, or collaborating with SHOROC councils in development of appropriate collection services to best integrate with the new KEE facilities.

Conducting a Warringah tender process is also in line with Council's decision number 271/13 of 24 September 2013, which states in part, that Council 'advise SHOROC of its intention to withdraw participation in the joint procurement business unit and shared services business improvement program by the end of this financial year but state our continued support for regional advocacy and strategic planning.'

Part C of the above decision would be best implemented once the new Kimbriki facilities are operational and 'bedded down' to moderate the scale of change for staff and the community and workload associated with implementation of the new facilities and associated collection services. Similarly to part A, it is also considered that the decision may have broader impact and be less constraining if the level of detail is simplified.

Part D was acted on, and a community engagement program was agreed by Council at its meeting on 13 December 2013, however follow-on stages have been delayed in conjunction with the KEE tendering process and can be implemented once the outcome is determined.

CONSULTATION

Staff are involved in ongoing consultation with KEE and SHOROC in the development of KEE facilities and waste management in the region. Waste Services staff worked collaboratively with SHOROC, KEE and the other SHOROC Councils in development of the regional waste strategy "Too Good to Waste" which was on public exhibition until 12 September 2014 and adopted by Council on 28 October 2014. This strategy states that waste services contracts are to align with the new Kimbriki facilities.

TIMING

Warringah's current waste collection services contract expires in June 2016. The outcome of the KEE facilities tenders are expected to be known by June 2015. A tender process for waste collection services can be conducted following that decision, however work on developing tender documents needs to commence soon to ensure staff are in a position to finalise specifications and call for tenders as soon as the KEE processing contracts are awarded.

FINANCIAL IMPACT

There is no impact on Council budget as the cost of waste collection services is recovered via the Domestic Waste Management Charge, and included in Council's ten year financial plan. It is expected that the decision will result in best value for money for Warringah residents.

POLICY IMPACT

No impact on Council Policy.

This proposal aligns with Councils' Environment Sustainability Strategy, Strategic Community Plan, and decision to withdraw participation in the SHOROC joint procurement business unit.

ITEM 8.3	ADOPTION OF ASBESTOS MANAGEMENT POLICY
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2014/299531
ATTACHMENTS	1 Draft Asbestos Management Policy - PL 190

EXECUTIVE SUMMARY

PURPOSE

To seek adoption of the draft Asbestos Management Policy – PL 190 and provide to Council results which include analysis of all submissions from the public exhibition of the draft Asbestos Management Policy.

SUMMARY

At its meeting of 26 August 2014, Council resolved:

“That:

- A. The draft Asbestos Management Policy be placed on public exhibition for a minimum of 28 days and the results reported back to Council.*
- B. Should no submissions be received the Policy be adopted as per the draft.”*

The draft Asbestos Management Policy (draft Policy) was publicly exhibited from 30 August 2014 to 28 September 2014.

Three (3) submissions regarding the draft Asbestos Management Policy – PL 190 were received during the exhibition period.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The draft Asbestos Management Policy – PL 190 is attached. There are no impacts on other Council policies.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopt the draft Asbestos Management Policy – PL 190.

REPORT

BACKGROUND

To assist Councils to formulate an asbestos policy and promote a consistent approach to asbestos management across NSW, a Model Asbestos Policy has been developed by the LGSA (now Local Government NSW) in partnership with the State Government.

The purpose of this Policy is to ensure consistency with Council's Policy Development & Management - PL 910 and embrace the direction from Local Government NSW to implement consistent information.

Council is creating a draft Asbestos Management Plan which will contain detail from the Model Asbestos Policy.

CONSULTATION

During the exhibition period, an advertisement was placed in the Manly Daily on 30 August 2014. A copy of the report and draft Policy was also placed in all Council libraries and at Council's offices and the documents were available on Council's website.

Three (3) submissions regarding the draft Policy were received during the exhibition period. All submissions were reviewed and a brief summary of the submissions is shown in the table below.

TIMING

Nil

FINANCIAL IMPACT

Nil

POLICY IMPACT

The proposed Asbestos Management Policy complements the Compliance & Enforcement Policy - PL 120. There are no direct impacts or conflicts with any other policies.

Summary of Submissions

	Trim File Ref	Summary of Issues Raised	Assessment and Recommendation
1.	2014/295802	<ul style="list-style-type: none"> Insufficient information dealing with health effects of asbestos exposure National issue bigger than Local Government that requires a National advertising campaign. 	<ul style="list-style-type: none"> The purpose of the Policy is contained under Clause 1.1. Health related information in relation to the effects of asbestos and treatment are more appropriately provided by NSW Health. An Asbestos Management Plan is being developed which is a guideline related to the Asbestos Management Policy and shall be based on a site specific risk based assessment model. This approach will be a more effective way of improving asbestos awareness which is in line with the overall goal of Local Government NSW. Clause 4 of the Policy outlines Councils commitment to working collaboratively with other government agencies and other stakeholders as required. Council may separately resolve to request the Federal Government run a national advertising campaign regarding the risks associated with exposure to asbestos.
2.	2014/291875	<ul style="list-style-type: none"> Too much information provided on asbestos Advise of appropriate disposal facilities for asbestos Provide 6 monthly Council clean ups for asbestos 	<ul style="list-style-type: none"> Policy adequately addresses the relevant information that the community can access for information on asbestos. An Asbestos Management Plan is being developed which is a guideline related to the Asbestos Management Policy and shall provide more specific details on waste management facilities that accept asbestos. As suitable waste management facilities accept asbestos allowing for asbestos to be “dumped” on public land would potentially endanger public health and is not supported.
3.	2014/294884	<ul style="list-style-type: none"> Definition in Appendix A of “airborne asbestos” is vague Monitoring of airborne asbestos should only be undertaken by Workcover 	<ul style="list-style-type: none"> The definitions contained in the Policy are drawn from Workcovers codes of practice and relevant legislation. A separate Council definition is not supported based on consistency of approach. An Asbestos Management Plan is being developed which is a guideline related to the Asbestos Management Policy and shall provide more specific details on issues such as monitoring airborne asbestos.



Warringah Council Policy
Policy Number: PL 190 ASBESTOS
Asbestos Management Policy

1. Introduction

Warringah Council acknowledges the serious health hazard of exposure to asbestos.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos.

Where material containing asbestos is in a non-friable form (that is, cannot be crushed by hand into a powder), undisturbed and painted or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it should be treated as if the material is asbestos and take appropriate precautions.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- residents and the public within the Local Government Area (LGA)
- workers (employees and other persons) in council workplaces.

Council's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- as a responsible employer
- contaminated land management
- Council land, building and asset management
- emergency response to reports of asbestos on our property
- land use planning (including development approvals and demolition)
- regulation of activities (non-work sites)
- waste management and regulation.

1.1 Purpose

This policy aims to outline:

- Council's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents
- general advice for residents on renovating homes that may contain asbestos
- Council's development approval process for developments that may involve asbestos and conditions of consent
- waste management and regulation procedures for asbestos waste in the LGA
- how Council deals with asbestos in the workplace
- sources of further information.

1.2 Scope

This policy applies to all of the Warringah Council LGA.

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1.3 Consultation

This policy was drafted by Development and Compliance Services Environmental Health in consultation with Group Managers of Natural Environment, Building Property & Spatial Information, Parks, Reserves & Foreshores, Roads Traffic & Waste, Strategic Planning and Human Resources

The policy provides information for Council workers, the local community and wider public.

The policy applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the LGA.

The policy outlines Council's commitment and responsibilities in relation to safely managing asbestos and contains general advice. For specific advice, individuals are encouraged to contact Council or WorkCover.

The policy does not provide detail on specific procedures. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found in the:

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by WorkCover NSW
- *Code of practice on how to safely remove asbestos* published by WorkCover NSW (catalogue no. WC03561) published by WorkCover NSW.

2. Definitions

Definitions are provided in Appendix A

3. Roles and responsibilities of Council

3.1 Educating residents

Council will assist residents to access appropriate information and advice on the:

- prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos containing materials
- safe removal and disposal of minor quantities of asbestos containing materials.

3.2 Managing land

Council is responsible for managing public land.

When asbestos is identified on Council managed land, Council will develop a risk-based, site specific response to ensure risks to the public and Council's workforce are minimised. The response will be in accordance with relevant legislation and guidelines.

3.3 Managing waste

Where Council is the appropriate regulatory authority, Council is responsible for:

- taking appropriate enforcement action in accordance with Council's Compliance & Enforcement Policy for illegal storage or disposal of asbestos waste and incorrect handling of asbestos (including storage, transport and disposal); and
- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 149 certificates) where on-site disposal is permitted.

3.4 Regulatory responsibilities

Council has responsibilities under the following legislation, policies and standards in situations where Council is the appropriate regulatory authority or planning authority:



- Australian Standard AS 2601 – 2001: *The demolition of structures*
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy No. 55 – Remediation of Land.*

3.5 Responsibilities to workers

Council is committed to fulfilling its responsibilities to workers under the NSW *Work Health and Safety Act 2011* and NSW *Work Health and Safety Regulation 2011* and maintaining a safe work environment through Council's:

- general responsibilities
- education, training and information for workers
- health monitoring for workers
- procedures for identifying and managing asbestos containing materials in council premises.

4. Other stakeholders involved in managing asbestos

Council is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

5. Complaints and investigations

Complaints and enquiries may be directed to Council about asbestos-related issues in public places, private properties and Council properties and buildings.

Complaints and enquiries regarding a non-Council workplace should be directed to WorkCover NSW.

Complaints and enquiries regarding licensed premises under the *Protection of the Environment Operations Act 1997* should be directed to the EPA.

Council will respond to complaints and enquiries regarding:

- Council's requirements in relation to development, land management and waste management
- derelict properties
- general asbestos safety issues
- illegal dumping
- unsafe work at a residential property conducted by a homeowner or tenant
- Identification of asbestos on Council properties

6. Communicating Council's Asbestos Policy

This is a publicly available policy. The policy is to be made available via:

- The Council's website: www.warringah.nsw.gov.au

The Council shall incorporate a statement regarding compliance with this policy in all relevant contracts and agreements with workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public).



In the case of any substantive revisions to the policy, the revisions will be approved by the Council's General Manager.

7. Variations to this policy

The Council reserves the right to review, vary or revoke this policy. The General Manager may allow variations to the policy for minor issues in individual cases.

8. References

Laws and Standards

- Australian Standard AS 2601 – 2001: The demolition of structures
- Contaminated Land Management Act 1997
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2005
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land

Policies and Procedures

- Standard Conditions of Development Consent
- Safety Management System
- <http://www.warringah.nsw.gov.au/live/safety-and-wellbeing/asbestos>

9. Approval

Council approved this policy XX/XX/XXXX

10. Review

Review period	Next review date	TRIM reference
Development and Compliance Services will review this policy every 2 years	Date: November 2016	



Appendix A – Definitions

The terms used in the Policy are defined as below, consistent with the definitions in the:

- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by WorkCover NSW
- Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by WorkCover NSW
- Contaminated Land Management Act 1997
- Environmental Planning and Assessment Act 1979
- Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008
- Protection of the Environment Operations Act 1997
- Waste classification guidelines part 1 classifying waste 2008
- NSW Work Health and Safety Act 2011
- NSW Work Health and Safety Regulation 2011.

Airborne asbestos means any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.

Asbestos means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- a. actinolite asbestos
- b. grunerite (or amosite) asbestos (brown)
- c. anthophyllite asbestos
- d. chrysotile asbestos (white)
- e. crocidolite asbestos (blue)
- f. tremolite asbestos
- g. a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

Asbestos containing material (ACM) means any material or thing that, as part of its design, contains asbestos.

Asbestos-contaminated dust or debris (ACD) means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

Asbestos-related work means work involving asbestos that is permitted under the Work Health and Safety Regulation 2011, other than asbestos removal work.

Asbestos waste means any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting and disposable tools.

Certifying authority means a person who is authorised by or under section 85A of the Environmental Planning and Assessment Act 1979 to issue complying development certificates, or is authorised by or under section 109D of the Environmental Planning and Assessment Act 1979 to issue part 4A certificates.

Contaminant means any substance that may be harmful to health or safety.



Contamination of land means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment

Control measure, in relation to a risk to health and safety, means a measure to eliminate or minimise the risk.

Development means:

- a. the use of land
- b. the subdivision of land
- c. the erection of a building
- d. the carrying out of a work
- e. the demolition of a building or work
- f. any other act, matter or thing referred to in section 26 of the Environmental Planning and Assessment Act 1979 that is controlled by an environmental planning instrument.

Development application means an application for consent under part 4 of the Environmental Planning and Assessment Act 1979 to carry out development but does not include an application for a complying development certificate.

- g. the NSW Mines Rescue Brigade established under the Coal Industry Act 2001
- h. an accredited rescue unit within the meaning of the State Emergency and Rescue Management Act 1989.

Exempt development means minor development that does not require any planning or construction approval because it is exempt from planning approval.

Friable asbestos means material that:

- a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry
- b. contains asbestos.

Health means physical and psychological health.

Health monitoring, of a person, means monitoring the person to identify changes in the person's health status because of exposure to certain substances.

In situ asbestos means asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.

Licensed asbestos assessor means a person who holds an asbestos assessor licence.

Naturally occurring asbestos means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

Non-friable asbestos means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.

Note. Non-friable asbestos may become friable asbestos through deterioration (see definition of friable asbestos).

Occupier includes a tenant or other lawful occupant of premises, not being the owner.



Waste includes:

- any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- any discarded, rejected, unwanted, surplus or abandoned substance, or
- any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- any process, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or
- any substance prescribed by the regulations made under the Protection of the Environment Operations Act 1997 to be waste.

ITEM 8.4	REPORTING VARIATIONS TO DEVELOPMENT STANDARDS - STATE ENVIRONMENTAL PLANNING POLICY NO.1 - DEVELOPMENT STANDARDS AND CLAUSE 4.6 OF WARRINGAH LOCAL ENVIRONMENT PLAN
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2014/330409
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 (WLEP) as required by the NSW Department of Planning and Environment.

SUMMARY

During the period 1 July 2014 to 30 September 2014, the following variations were granted:

- 0 variations under State Environmental Planning Policy No.1 – Development Standards
- 12 variations under Clause 4.6 of WLEP 2011

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the report identifying all State Environmental Planning Policy No.1 variations and Clause 4.6 of the Warringah Local Environment Plan variations granted to development applications between 1 July 2014 and 30 September 2014 be noted by Council.

REPORT

SEPP 1 Variations Granted

No SEPP 1 variations were granted between 1 July 2014 to 30 September 2014 inclusive.

Clause 4.6 Variations Granted

The following applications had a Clause 4.6 variation granted between 1 July 2014 to 30 September 2014 inclusive.

App. No.	Address	Proposal	Clause 4.6 Development Standard	% of variation	Determined by
DA2013/1447	56 Glen Street Belrose	Commercial/Retail/Office	4.3 Height of buildings	36.94	JRPP
DA2014/0455	19 Alkira Circuit & 166 Parr Parade Narraweena	Subdivision only	4.1 Minimum subdivision lot size	7.3	Delegated Authority
DA2014/0465	31 Roosevelt Avenue Allambie Heights	Residential - Single new detached dwelling	4.3 Height of buildings	1.1	Delegated Authority
DA2014/0502	116 Harbord Road Freshwater	Residential - Alterations and additions	4.3 Height of buildings	5.8	Delegated Authority
DA2014/0485	48 Monash Parade Dee Why	Residential - Alterations and additions	4.3 Height of buildings	11.76	Delegated Authority
DA2014/0494	28 Stuart Street Collaroy	Subdivision only	4.1 Minimum subdivision lot size	12.48	Delegated Authority
DA2014/0573	100 South Creek Road & 38 Orlando Road Cromer	Subdivision only	4.1 Minimum subdivision lot size	52	Delegated Authority
Mod2014/0115	36 Aitken Avenue Queenscliff	Residential - Alterations and additions	4.3 Height of buildings	22.3	Delegated Authority
DA2014/0619	13 Undercliffe Street Dee Why	Residential - Alterations and additions	4.3 Height of buildings	10	Delegated Authority
DA2014/0650	47 Brighton Street Curl Curl	Residential - Alterations and additions	4.3 Height of buildings	4	Delegated Authority
DA2014/0776	9 Laurie Place Belrose	Residential - Single new detached dwelling	4.3 Height of buildings	29.4	Delegated Authority
DA2014/0860	7 Curra Close, Frenchs Forest	Residential - Alterations and additions	4.3 Height of buildings	64	Delegated Authority

ITEM 8.5	RALSTON AVENUE PLANNING PROPOSAL - RELEVANT PLANNING AUTHORITY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/338816
ATTACHMENTS	1 Letter from NSW Planning & Environment - Relevant Planning Authority Request

EXECUTIVE SUMMARY

PURPOSE

To seek Council's resolution to undertake the role of the Relevant Planning Authority in the assessment of the Ralston Avenue Planning Proposal (PEX2013/0003).

SUMMARY

NSW Planning & Environment, following a review by the Joint Regional Planning Panel, have determined that the Ralston Avenue Belrose Planning Proposal (the Planning Proposal) should proceed through to Gateway determination. They have asked if Council wishes to be the Relevant Planning Authority in the further assessment of this application. This report recommends that Council undertake this role.

FINANCIAL IMPACT

Application Fees can be charged to cover the cost of Council processing this application.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Undertakes to be the Relevant Planning Authority for the Ralston Avenue Belrose Planning Proposal (PEX2013/0003), and
 - B. Submits the Ralston Avenue Belrose Planning Proposal (PEX2013/0003) to NSW Planning & Environment for Gateway Determination including the three conditions as articulate in this report, and
 - C. Requests NSW Planning & Environment to include within its Gateway Determination the requirement that State Agency consultation be required after the Gateway Determination and prior to public exhibition. Particular reference is made to the assessment of threatened ecology by the Office of Environment and Heritage and the assessment of bushfire risk by the Rural Fire Service. Further, that outcomes of this consultation be appropriately reflected in the Planning Proposal for community consultation.
-

REPORT

BACKGROUND

On 26 April 2013 the applicant lodged a rezoning application (PEX2013/0003) for the residential development of land at Ralston Avenue Belrose.

On 13 November 2013 the Warringah Development Assessment Panel (WDAP) held a public meeting and made a recommendation to support the application.

On 17 December 2013 a report from Council staff following the WDAP meeting, supported the application to proceed to Gateway Determination. However, Council resolved not to support the Planning Proposal citing the high threat of bushfire and associated risk to life and property.

On 28 January 2014 the applicant lodged a Pre-Gateway Review of the Planning Proposal. Staff in NSW Planning & Environment assessed the proposal and recommended support for it to the Joint Regional Planning Panel (JRPP).

On 23 July 2014 the JRPP supported the proposal and recommended that it proceed to a Gateway Determination.

On 22 October 2014, NSW Planning & Environment wrote to Council (the Letter) informing that the application has been supported and that it should proceed to Gateway Determination, with the following conditions:

1. E2 Environmental Conservation zone be replaced with E3 Environmental Management zone
2. Introduce a minimum lot size of 600m², or lower
3. Apply a building height of 8.5 metres to the proposed residential land

In addition, the Letter asks whether Council wishes to be the Relevant Planning Authority (RPA) in the further assessment of the application. This report recommends that Council undertake this role.

Relevant Planning Authority

The Relevant Planning Authority's role is to assess the Planning Proposal following Gateway Determination, including undertaking public exhibition and reporting to NSW Planning & Environment (through a Council resolution) on the recommended outcomes. This is the role Council ordinarily undertakes with any Planning Proposal. Where the original RPA (Council) does not support the Gateway Determination and the refusal is appealed, an alternative RPA can be appointed, if the appeal is successful. Council can retain the role of RPA if amenable.

Issues for Consideration

The following key issues are noted with regards to Council undertaking to be the RPA in the planning assessment of this matter.

Planning Powers

If Council resolves not to be the RPA then the Minister for Planning will appoint this role to another authority. This could be NSW Planning & Environment or a Joint Regional Planning Panel. It is important to note that Council would have no further planning powers with respect to the Planning Proposal.

If Council agrees to be the RPA then the Planning Proposal would return to Council staff for assessment and would follow the usual course including referral to State Agencies, public exhibition etc. in accordance with the Gateway Determination. The Planning Proposal would be reported to Council following the consideration of submissions and the assessment of the proposal.

NSW Planning & Environment has determined that the application will proceed to Gateway Determination. A technical requirement is that if Council does take the role of RPA, then Council must submit the application to NSW Planning & Environment. This effectively means Council will overturn its previous resolution in order to be the RPA.

Creation of a Number of Future Council Assets

The proposal involves the development of 17.15 hectares of land on the north western periphery of Belrose for 169 residential dwellings. This will involve the creation of a range of future public assets and infrastructure to support the new community including, for example:

- Construction and (proposed) dedication of public roads servicing the site along with associated verges, footpaths, street trees etc.
- Embellishment and dedication of a neighbourhood park
- Construction of a section of Wyatt Avenue curb and roadway
- Works to the intersection of Ralston Avenue and Forest Way
- Storm water drainage linking into Council's established network

Council will have a range of design and quality requirements for the applicant to meet in delivering this infrastructure to a standard acceptable to Council.

There is the potential for a Voluntary Planning Agreement to be developed between the proponent and Council to establish the appropriate arrangements regarding dedication and maintenance (for a period of time) of this future infrastructure.

By undertaking the role of RPA, Council would have the opportunity to be involved in shaping a positive outcome in relation to these matters that meets Council's asset and infrastructure standards.

Threatened Ecology and Bushfire Risk

The issues of threatened ecology and bushfire risk have been raised by Council as needing further assessment following the Gateway Determination.

With regards to threatened ecology, Council has strong expertise in its Natural Environment Group, supported by detailed knowledge of local ecological issues in the area. The group's involvement in the further assessment of the proposal would contribute to achieving an acceptable ecological outcome on the land.

With regards to Bushfire Risk, Council has a strong working relationship with the local branch of the Rural Fire Service (RFS). Council is well positioned to work closely with the local RFS and the proponent's experts to achieve an acceptable bushfire planning outcome on the land.

There is the potential for the assessment of these issues to result in the need for future management plans, ecological surveys and agreements Asset Protection Zone fuel management plan, vegetation management plan, biodiversity certification agreement / bio banking agreement.

By undertaking the role of Relevant Planning Authority, Council would be appropriately positioned to be involved in shaping an appropriate outcome in relation to these matters.

The preparation of further reports/studies and assessment of these more detailed matters are normally dealt with in detail at the post Gateway stage of the application.

Assessment Fees

If Council undertakes to be the Relevant Planning Authority it may charge further assessment fees under Section 11 of the Environmental Planning Regulation 2000. In doing so, Council would be compensated for the staff resource that will inevitably be required to assist the various Authorities (RFS, Roads and Maritime, Office of Environment and Heritage etc.) involved in assessing the application

However if Council declines to be the Relevant Planning Authority, and this role is appointed to the JRPP, the assessment fees will go to that authority.

FINANCIAL IMPACT

Application Fees can be charged to cover the cost of Council processing this application.

POLICY IMPACT

Nil



Mr Rik Hart
General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2099

14/12494

Attention: Michael Haynes

Dear Mr Hart

Re: Request for pre-Gateway review – PGR_2014_WARRI_001_00

I refer to the request for a pre-Gateway review (PGR_2014_WARRI_001_00) to amend Warringah Local Environmental Plan 2000 and Warringah Local Environmental Plan 2011 to rezone the land at Ralston Avenue, Belrose (Lot 1 DP 1139826).

I have now determined that the proposal should proceed to Gateway determination stage. In making my decision, I considered the request for a pre-Gateway review together with the recommendation of the Sydney East Joint Regional Planning Panel and advice provided by Council.

Consequently, Council is asked to advise if it would like to be the Relevant Planning Authority (RPA) for this proposal. Should Council agree to be the RPA, it will need to prepare a planning proposal under section 55 of the Environmental Planning and Assessment Act (EP&A Act) 1979, and submit it for a Gateway determination within 28 days of the date of this letter.

If Council does not wish to progress this matter, an alternate Relevant Planning Authority may be appointed to prepare the planning proposal. Should Council not wish to be the Relevant Planning Authority for this proposal, please contact the Department of Planning and Environment to discuss this matter further. You can check the progress of the pre-Gateway review on the Tracking System at <http://pgrtracking.planning.nsw.gov.au/>

Please find attached a copy of the Sydney East Joint Regional Planning Panel's review and decision for your convenience.

If you have any further enquiries about this matter, I have arranged for Ms Lee McCourt of the Metropolitan Delivery (CBD) branch to assist you. Ms McCourt can be contacted on (02) 8575 4129.

Yours sincerely,


Marcus Ray
Acting Deputy Secretary
Planning Services
22/10/14
Encl: Panel Recommendation

Department of Planning & Environment

23-33 Bridge Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6111 | F 02 9228 6455 | www.planning.nsw.gov.au

**Joint Regional Planning Panel – Planning Assessment Commission
Pre-Gateway Review**

The Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Date of Review:	23 July 2014
Dept. Ref. No:	PGR_2014_WARRI_001_00
LGA:	Warringah Council
LEP to be Amended:	Warringah LEP 2000
Address / Location:	Ralston Avenue, Belrose
Proposed Instrument:	Warringah LEP 2000
Panel Chair:	John Roseth
Panel Members:	Sue Francis, Tim Moore and Lloyd Graham

Reason for review:	<input checked="" type="checkbox"/>	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	<input type="checkbox"/>	The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the Department of Planning and Environment and the relevant local government authority. Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	<input checked="" type="checkbox"/>	The proposed instrument should be submitted for a Gateway determination, subject to the matters raised in the recommendation of the Panel
	<input type="checkbox"/>	The proposed instrument should not be submitted for a Gateway determination
Composition of Recommendation:	<input checked="" type="checkbox"/> Unanimous <input type="checkbox"/> Not unanimous	Comments:

JRPP Advice and Justification for Recommendation:

The panel resolves unanimously that the proposal to rezone Lot 1 DP 1139826 (Ralston Avenue, Belrose) proceed to Gateway subject to the land identified as E2 being zoned E3 Environmental Management.

The proposal for Lot 1 DP 1139829 (Ralston Avenue, Belrose) should proceed to Gateway with the following conditions:

- Rezoning the subject site R2 Low Density Residential, REI Public Recreation and E3 Environmental Management;
- Introduce a minimum lot size of 600m², or lower;
- Apply a building height of 8.5m to land zoned R2 Low Density Residential, consistent with nearby residential areas;

Joint Regional Planning Panels

Panel Secretariat | 23-33 Bridge Street, Sydney NSW 2000 | GPO Box 39, Sydney NSW 2001 | Phone 02 9228 2060 | Fax 02 9228 2066 | www.jrpp.nsw.gov.au

- Any future development approval to require the potential impacts upon threatened species listed in the schedules of the Threatened Species Conservation Act 1995 and Environmental Protection & Biodiversity Act 1999 to be adequately addressed and investigated, including measures to mitigate any significant impacts; and
- Development will need to be designed and constructed so as to manage the potential risk from bushfire. Future development applications will need to comply with the Environmental Planning and Assessment Act 1979 and the requirements of the NSW Rural Fire Service Planning for Bushfire Protection 2006.

Endorsed by



John Roseth
Chair, Sydney East
Joint Regional Planning Panel
23 July 2014

ITEM 8.6	'SITE B' HOWARD AND OAKS AVENUE DEE WHY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/326045
ATTACHMENTS	<ol style="list-style-type: none">1 " Site B" Howard and Oaks Avenue, Dee Why - WDAP Report of the Meeting held 8 October 2014 (Included In Attachments Booklet)2 "Site B" Howard and Oaks Avenue, Dee Why - Minutes of WDAP Meeting held 8 October 2014 (Included In Attachments Booklet)3 "Site B" Pittwater Rd, Howard and Oaks Avenue Dee Why - Council's Planning Proposal Report (Included In Attachments Booklet)4 Letter Requesting Variation to WLEP cl 7.10(2)(f) dated 13 October 2014 (Included In Attachments Booklet)5 Dee Why Town Centre "Site B" - Proponent's Planning Proposal Report (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report the outcomes of the assessment of the Planning Proposal for 'Site B' Howard and Oaks Avenue, Dee Why and recommend that it proceed to a Gateway Determination.

SUMMARY

On 23 May 2014 Meriton lodged a Planning Proposal application seeking amendments to the prescriptive Development Standards that apply to this land within the core of the Dee Why town centre (commonly known to Council as 'Site B').

The application has been assessed and referred to the Warringah Development Assessment Panel for their opinion. Both Council staff and the Assessment Panel support the application proceeding to a Gateway Determination (with the exception of two matters that are documented in the report).

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- Forward the Planning Proposal to amend Warringah Local Environment Plan 2011 for the land identified as 'Site B' Howard and Oaks Avenue Dee Why, to the Department of Planning and Environment seeking a Gateway Determination.
 - Following the Gateway Determination, require the applicant to provide an economic
-

assessment of the future employment potential of 'Site B' and the wider Dee Why Town Centre against regional planning objectives for further assessment in the post-gateway stage.

REPORT

INTRODUCTION

The details of the Planning Proposal's assessment are contained in the attached Warringah Development Assessment Panel Report and Council's Planning Proposal Report. These reports provide a summary overview for Council's consideration.

BACKGROUND

On 23 May 2014, Karimbla Construction Services Pty Ltd (commonly known as Meriton) lodged a Planning Proposal seeking amendments to the development standards within the Warringah Local Environmental Plan 2011 (WLEP) that apply to their land.

The amendments relate to the built form and land use composition that was approved in Development Consent DA2007/1249 and reflected the WLEP 2011 development standards.

The site is referenced in many of Council's planning documents as 'Site B' and is also commonly referred to as the former 'Multiplex/Brookfield' site.

Proposed Amendments

The proposed amendments to the WLEP 2011 development standards seek the following:

1. Modify the building height control by way of relatively minor changes to the building envelope. No change is proposed to the overall maximum building height of the proposed towers, with the exception of a request to exclude ancillary structures like plant and lift overruns from the height control. This is dealt with in a separate point below.
2. Introduce the flexibility to utilise Level 1 and 2 of the proposed development for residential purposes.
3. Introduce the flexibility to utilise the ground floor of the proposed development for a range of commercial uses (beyond just shops, cafes and restaurants) including offices, medical centres and the like.
4. Remove the requirement that the finished ground floor level of the development meet the footpath level. The proponent seeks to be able to build to the flood planning level which could result in a level difference between the ground floor of the building and the adjacent town square and pedestrian pathways.
5. Permit rooftop plant and lift overruns to be built above the maximum building height for the two tower buildings.

Planning Assessment – Overview

Items 1 to 3 of the proposed amendments listed above are supported as they will result in a development of similar scale and function to that approved under DA2007/1249. There is one qualification here that relates to Item 2. The Warringah Development Assessment Panel has requested that a review of the future employment potential of 'Site B' and the wider Dee Why Town Centre against regional planning objectives be undertaken to further justify Item 2. This is supported and recommended to happen as part of the Post Gateway Determination assessment phase.

Items 4 and 5 listed above are not supported. The reasons are summarised as follows.

Item 4 – request to raise the finished ground floor level

This aspect not supported. The construction of ground floor retail and business premises above the footpath levels may decrease pedestrian access, reduce the appearance of human scale for pedestrians and reduce the viability of those commercial premises.

Street activation and the levels between the public domain and this site are significant considerations. The proposed development has an extensive street frontage and features a publicly accessible town square within the site.

Whilst this aspect is not supported it is understood that solutions are available, particularly considering the outcomes of the Dee Why South Catchment Flood Study adopted in 2013 and associated Floodplain Risk Management Study. Drainage upgrades are being planned for the town centre designed to ameliorate current storm water drainage disposal.

Item 5 - request to allow rooftop structures above the height limit

A recent additional request was received by way of a letter from the proponent on 13 October 2014. This seeks to amend the WLEP 2011 to allow external ancillary plant above the maximum building height.

The clause they seek to remove is 7.10 2 (f) which states:

'no external ancillary plant is located on the roof of the tall tower located on Site A or the two slimline towers on Site B'.

This request was after the submission of the Planning Proposal, public exhibition in July / August 2014 and consideration of the application by the Warringah Development Assessment Panel at its meeting on 8 October 2014. It did not form part of their planning proposal application and has been insufficiently justified on planning grounds.

The request is not supported. The following provides further explanation of the planning provisions relating to the matter.

This provision applies to the whole of the town centre, in both the current WLEP 2011 and the recent Dee Why Town centre draft LEP that was endorsed by Council on 23 September 2014.

The maximum height of the approved *'slimline towers on Site B'* have been given considerable public scrutiny in the assessment of the approved development consent DA2007/1249 (proposed by Muiltplex) on the land and are reflected in the resulting LEP provisions. This request would have the effect of permitting an additional storey on *'Site B'*.

The WLEP 2011 definition of building height is as follows:

'means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like'

The definition expresses that plant and lift structures are to be included in the measurement of building height.

Further, WLEP 2011 *Clause 7.10, Allowance for external ancillary plant and roof access* states that consent must not be granted to development unless the consent authority is satisfied that *'no external ancillary plant is located on the roof of the tall tower located on Site A or the two slimline towers on Site B'*.

This provision requires any rooftop structures to be designed to appear as part of, and not additional to the tower built form. Previous assessments and design analysis of Site B development state that planning controls and development consent shall aim to limit the visibility of unsightly structures and associated building silhouettes.

WLEP 2011 Clause 7.10 is a long standing planning control which has also been incorporated into the Dee Why Town Centre Planning Proposal considered at the Council meeting held 23 September 2014.

The applicant's request has been enclosed as Attachment 4 - *Letter Requesting Variation to WLEP cl 7.10(2)(f) dated 13 October 2014.*

CONSULTATION

The Planning Proposal was publicly exhibited (non-statutory) from 19 July 2014 to 4 August 2014.

During the public exhibition period, Council received 37 submissions, which included 19 letters and emails of objection and 18 signatories to a petition. An evaluation of the submissions is provided in Attachment 2 - *Site B" Howard and Oaks Avenue, Dee Why - WDAP Report of the Meeting held 8 October 2014.*

In light of comments received during the exhibition period and as a result of Council's detailed assessment, the following WLEP 2011 amendments have been added to those outlined in the exhibited Planning Proposal:

- A Height of Buildings map illustrating the proposed maximum building height controls.
- Provisions that stipulate the minimum quantum of commercial floor space.

Warringah Development Assessment Panel

At its meeting on 8 October 2014, the Warringah Development Assessment Panel recommended that the Proposal be referred to Council with a recommendation to proceed to Gateway Determination. The reasons given are listed below;

1. The proposal does not increase the overall building volume compared to the development approved under DA2007/1249.
2. The proposal maintains a comparable quantum of floor space to that approved under DA2007/1249.
3. The proposal allows for increased flexibility to provide land uses that adapt with market demand.
4. The WLEP 2011 will continue to regulate development of the site through prescriptive building height controls that are not able to be varied through the application of WLEP 2011 Clause 4.6 – Exception to development standards.
5. A Gateway Determination will enable a review of the future employment potential of 'Site B' and the wider Dee Why Town Centre against regional planning objectives.

It is noted that Reasons 1 - 4 were recommended by Council staff. Reason 5 was added by the Panel after considering public submissions regarding the objective of maintaining employment opportunities through the provision of commercial floor space within the town centre.

As a result of Reason 5, the applicant shall further assess the role Dee Why town centre has within the region in the provision of employment opportunities. It will need to justify how the proposal accords with regional planning objectives. The Warringah Employment Study 2013 will also be a relevant consideration. It is appropriate for this to take place following the Gateway Determination.

CONCLUSION

The proposed amendments to the WLEP 2011 will result in a development of similar scale and function to that approved under development consent DA2007/1249 and are generally supported.

Notwithstanding general support, the requests to permit external ancillary plant above the maximum building height and to construct the ground floor level above the footpath level are not supported.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.7	ANNUAL REVIEW OF GOV-PL 120 - PAYMENT AND REIMBURSEMENT OF EXPENSES INCURRED BY, AND PROVISION OF FACILITIES TO, THE MAYOR, DEPUTY MAYOR AND COUNCILLORS
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/338623
ATTACHMENTS	1 Draft - GOV PL 120 - Policy for Payment of Expenses Policy - November 2014 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To review GOV-PL 120 Policy for Payment and Re-imbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors in accordance with Section 252 of the *Local Government Act 1993*.

SUMMARY

Section 252 of the Local Government Act requires, in part, that within five months after the end of the financial year, a Council must adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor, Deputy Mayor and Councillors in relation to discharging the functions of civic office.

FINANCIAL IMPACT

Whilst there may be some amendment to individual items within the current budget, there should be no overall impact on Council's budget. Expenditure of funds associated with public exhibition of the proposed Code amendments can be met from Council's adopted 2014/15 Budget.

POLICY IMPACT

The Policy will need to go on public exhibition prior to adoption by Council and has been amended taking into consideration the Division of Local Government's latest Policy for Payment of Expenses guidelines released in 2009.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the amendments to Policy GOV-PL 120 Payment and Re-imbursement of Expenses Incurred by, and Provision of Facilities to The Mayor, Deputy Mayor and Councillors be placed on public exhibition for 28 days and be reported back to Council.

REPORT

BACKGROUND

Section 252 of the *Local Government Act* requires, in part, that within five months after the end of the financial year, a Council must adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor, Deputy Mayor and Councillors in relation to discharging the functions of civic office.

A review of the policy highlighted a number of minor clarifications including typographical errors and have been amended to reflect the current Policy.

Proposed Changes

There are a total of six proposed changes to the Policy which are summarised as follows:

- Amendment 1 update rate under Clause 10.1 (a) (i) – Transport – Mayoral Vehicle
- Amendment 2 clarification of provisions under Clause 10.3 – Executive Assistant/Secretarial services
- Amendment 3 delete Clause 10.4 – Administrative assistance
- Amendment 4 addition of a new section under Clause 11 – Administrative Support
- Amendment 5 clarification of Clause 11.3 - Stationery Package
- Amendment 6 update rates under Clause 12.2 – update of the per kilometre rates

Amendment 1 – Clause 10.1 (a) (i) – Transport – Mayoral Vehicle

Council is required to include the current rate that is applicable for Council's Private Use Car Scheme standard vehicle rate. As such, it is proposed to amend Clause 12.2 to advise the current rates.

Current

- (a)(i) **Mayoral Vehicle** – for a weekly fee (paid by the Mayor) based on Council's Private Use Car Scheme standard vehicle rate* a suitable and appropriate vehicle, (valued below the current luxury car tax threshold, as determined by the Australian Tax Office), fully maintained, insured and registered by the Council, for use by the Mayor for all official, executive and social duties connected with the Office of Mayor, and private and personal use in accordance with **Appendix A** to this Policy.

* Council's Private Use Car Scheme standard vehicle rate is set at \$100 per week as at 1 July 2013 and is adjusted annually.

Proposed

- (a)(i) *Mayoral Vehicle – for a weekly fee (paid by the Mayor) based on Council's Private Use Car Scheme standard vehicle rate* a suitable and appropriate vehicle, (valued below the current luxury car tax threshold, as determined by the Australian Tax Office), fully maintained, insured and registered by the Council, for use by the Mayor for all official, executive and social duties connected with the Office of Mayor, and private and personal use in accordance with Appendix A to this Policy.*

** Council's Private Use Car Scheme standard vehicle rate is set at \$103.00 per week as at 1 July 2014 and is adjusted annually.*

Amendment 2 – Clause 10.3 - Executive Assistant/Secretarial services

This Clause 10.3 has been amended to update the description of services and to ensure clarity of the services provided by staff within the Office of the Mayor. It is proposed to amend the Clause as follows:

Current

Executive Assistant / Secretarial services – including typing, photocopying, printing, postage, facsimile, computer and telephone facilities

Proposed

Executive Support Services – including diary and correspondence management, general administrative and project assistance. All Executive Support services are restricted to Council business, functions, meetings and publications.

Amendment 3 – Clause 10.4 – Administrative assistance

This Clause 10.4 has been deleted as administrative assistance is now covered under amendments made to Clause 10.3.

Amendment 4 – The addition of a new section under Clause 11 – Councillors (Including the Mayor and Deputy Mayor)

The current Policy does not specify what administrative support is available to Councillors (excluding the Mayor) by staff within the Office of the Mayor.

Proposed

Administrative support will be provided by staff within the Office of the Mayor to Councillors. Such support is restricted to the provision of advice in relation to official functions and meetings including sending appointments, providing assistance with Councillor expense claims applications and bookings for attendance at seminars and conferences. Staff will also provide assistance with photocopying but restricted to small requests that relate to Council business, functions and meetings.

Amendment 5 – Clause 11.3 Stationery Package

This Clause 11.3 has been amended to update the description of the provisions under this Clause in relation to Christmas cards. The limit of cards for the Mayor and Councillors has been increased and now includes reference to e-cards. It is proposed to amend the Clause as follows:

Current

Stationery Package, with an annual limit for the Mayor of \$1,000 and an annual limit for Councillors of \$500 such package to comprise business cards, letterheads, envelopes, with compliments slips, Christmas cards (up to 200 for the Mayor and up to 100 for a Councillor), postage stamps and diary.

Proposed

Stationery Package, with an annual limit for the Mayor of \$1,000 and an annual limit for Councillors of \$500 such package to comprise business cards, letterheads, envelopes, with compliments slips, Christmas cards (up to 300 cards for the Mayor and up to 150 cards for a Councillor and includes unlimited e-versions of the selected card), postage stamps and diary.

Amendment 6 – Clause 12.2 - Travel Costs – Use of Mayor's and Councillors' Private Vehicles

Council is required to include the current per kilometre rate that is applicable in relation to travel costs. As such, it is proposed to amend Clause 12.2 to advise the current rates.

Current

- 12.2 Kilometre rates for such travel will be paid at the rate set by the Local Government (State) Award, as at the date of travel. Such rate shall be deemed to cover and include any claims for accidental damage or repairs to the Mayor or Councillor's own vehicle, and any loss of no claim bonus and any excess not covered by any insurance.

The current claimable rate for kilometres is \$0.65c per km for cars under 2.5L and \$0.74c per km for cars over 2.5L.

Proposed

- 12.2 Kilometre rates for such travel will be paid at the rate set by the Local Government (State) Award, as at the date of travel. Such rate shall be deemed to cover and include any claims for accidental damage or repairs to the Mayor or Councillor's own vehicle, and any loss of no claim bonus and any excess not covered by any insurance.

The current claimable rate for kilometres is \$0.68c per km for cars under 2.5L and \$0.78c per km for cars over 2.5L.

CONSULTATION

Relevant Council staff have been consulted in relation to the proposed amendments.

The suggested amendments to the Policy will be placed on public exhibition for 28 days.

TIMING

As per Section 252 of the *Local Government Act*, the proposed changes to the Policy will be placed on public exhibition for 28 days, the results of which will be brought back to Council prior to adoption.

FINANCIAL IMPACT

Whilst there may be some amendment to individual items within the current budget, there should be no overall impact on Council's budget. Expenditure of funds associated with public exhibition of the proposed Code amendments can be met from Council's adopted 2014/15 Budget.

POLICY IMPACT

The Policy will need to go on public exhibition prior to adoption by Council and has been amended taking into consideration the Division of Local Governments current Policy for Payment of Expenses guidelines which was released in 2009.

ITEM 8.8	COUNCILLOR REQUESTS AND RELATED INFORMATION - SEPTEMBER 2013 TO SEPTEMBER 2014
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/342681
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To report the number and type of Councillor Requests received between 1 September 2013 and 30 September 2014.

SUMMARY

In 2010, Council resolved to receive an ongoing report on the Councillor Requests that have been received. Further to this, Council resolved at the 27 August 2013 Council Meeting to include statistics in relation to Councillor Briefings and Council Meetings as part of this report. This reporting period started on 1 September 2013.

During the period 1 September 2013 and 30 September 2014, 437 Councillor Requests have been received. The breakdown of these requests is outlined in detail in the report that follows.

FINANCIAL IMPACT

These costs have already been incurred.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Councillor Requests and information on Councillor Briefings from September 2013 to September 2014 be noted.

REPORT

BACKGROUND
Councillor Requests

During the period 1 September 2013 to 30 September 2014, 437 Councillor Requests have been received. A breakdown of the number of requests during this period by Councillor, cost per Councillor and estimated staff time can be seen in Table 1 below.

Table 1 – Councillor Requests – 1 September 2013 to September 2014

Councillor	Number of Requests	% of Total Requests	Estimated Total Cost (\$)	Estimated Total Staff Hours
Councillor Daley	32	7.3	9935	153
Councillor De Luca	151	34.5	46882	722
Councillor Giltinan	9	2.1	2794	43
Councillor Gobert	17	3.9	5278	81
Councillor Harrison	32	7.3	9935	153
Councillor Heins	64	14.6	19871	306
Councillor Kerr	33	7.5	10246	158
Councillor Menano-Pires	77	17.6	23907	368
Councillor Moskal	19	4.3	5899	91
Mayor Regan	3	0.7	931	14
Total	437	100	135680	2089

Council Meetings

Council Meetings generally occur on the fourth Tuesday of the month. From 1 September 2013 to 30 September 2014, a total of 15 Council Meetings have been held, three of which have been extraordinary meetings. Table 2 (in part) illustrates attendance at Council Meetings.

Councillor Briefings

Councillor Briefings generally occur on the first and third Tuesday of the month. From 1 September 2013 to 30 September 2014, a total of 27 Councillor Briefings occurred. This included five extra briefings of which Councillors were notified. Table 2 (in part) illustrates attendance at Councillor Briefings.

Table 2 – Attendance at Council Meetings and Councillor Briefings – September 2013 to September 2014

Councillor	Number of Council Meetings attended (out of a possible 15)	Number of Councillor Briefings attended (out of a possible 27)
Councillor Daley	14	21
Councillor De Luca	15	1
Councillor Giltinan	15	9
Councillor Gobert	13	2
Councillor Harrison	14	22
Councillor Heins	15	27
Councillor Kerr	12	2
Councillor Menano-Pires	15	24
Councillor Moskal	15	24
Mayor Regan	15	23

TIMING

This reflects Councillor Requests, Council Meeting attendance and Councillor Briefing attendance between 1 September 2013 and 30 September 2014; a total of 13 months.

FINANCIAL IMPACT

These costs have already been incurred.

POLICY IMPACT

Nil

ITEM 8.9	DELEGATED AUTHORITY TO THE MAYOR – CHRISTMAS NEW YEAR RECESS 2014/2015
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/325494
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To grant delegated authority to the Mayor over the 2014/2015 Christmas New Year recess period in accordance with Council Policy GOV-PL125 - Decisions/ Delegations During Christmas/ New Year Recess.

SUMMARY

Each year, in accordance with Council Policy GOV-PL125, Council considers granting delegated authority to the Mayor over the Christmas/ New Year recess period. Granting the Mayor delegated authority under GOV-PL 125 will allow the Mayor the authority to make decisions where required in the Council's absence.

It is proposed that this delegation be granted for the 2014/2015 recess period commencing from 17 December 2014 following the last Council Meeting held on 16 December 2014 and ceasing on 9 February 2015 the day prior to the first Council Meeting scheduled on 10 February 2015.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The proposal is in accordance with Council Policy GOV-PL125 - Decisions/ Delegations During Christmas/ New Year Recess.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That, pursuant and subject to the limitations of Section 377 of the Local Government Act, authority is hereby granted to the Mayor to make such decisions and authorise work as provided by Policy GOV-PL125 - Decisions/ Delegations During Christmas/ New Year Recess during the 2014/2015 Christmas New Year recess being 17 December 2014 to 9 February 2015 inclusive.

REPORT

BACKGROUND

The objective of Council Policy GOV-PL125 - Decisions/ Delegations During Christmas/ New Year Recess is to make provision for decisions to be made on important or urgent Council matters during the Christmas/New Year recess. In previous years Council has granted delegated authority to the Mayor and the Deputy Mayor (in the Mayor's absence) over the Christmas/New Year recess period in accordance with this policy.

Council Policy GOV-PL125 delegates authority to the Mayor and Deputy Mayor (in the Mayor's absence) to:

- make decisions which would otherwise be made by the Council
- authorise any work which, in the Mayor's opinion, is urgent and does not exceed \$10,000.

The Policy includes the following provisions:

- the delegated authority is subject to the limitations pursuant to Section 377 of the Local Government Act 1993
- any decisions made under this delegation must be reported to the Council at its first meeting in February.

The delegation to the Mayor over the Christmas/New Year recess period is consistent with the provisions of Section 226 of the Local Government Act, 1993, which states, in part, that the role of the Mayor is:

"to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council".

It is important to note that the following powers, duties or functions cannot be delegated under Section 377 of the Local Government Act and can only be exercised by the Council as a body corporate and through resolution:

- the appointment of a general manager
- the making of a rate
- a determination under section 549 as to the levying of a rate
- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
- the acceptance of tenders which are required under this Act to be invited by the Council
- the adoption of an operational plan under section 405
- the adoption of a financial statement included in an annual financial report
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6

- the fixing of an amount or rate for the carrying out by the Council of work on private land
- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
- the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
- the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- a decision under section 234 to grant leave of absence to the holder of a civic office
- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation
- any function under this or any other Act that is expressly required to be exercised by resolution of the Council.

TIMING

The recess period is taken to commence the day after the last Council meeting on 16 December 2014 and conclude on Monday 9 February 2015. In accordance with Council's Code of Meeting Practice, the last Council Meeting in 2014 will be held on 16 December 2014. The recess period would therefore be 17 December 2014 to 9 February 2015.

POLICY IMPACT

The proposal is in accordance with Council Policy GOV-PL125 - Decisions/ Delegations During Christmas/ New Year Recess.

FINANCIAL IMPACT

Nil

ITEM 8.10	REPORTING OF STRATEGIC REFERENCE GROUP MINUTES
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/336313
ATTACHMENTS	1 A Connected Environment SRG Notes of a Meeting held 14 October 2014 (Included In Attachments Booklet) 2 Vibrant Connected Communities SRG Minutes of the Meeting held 14 October 2014 (Included In Attachments Booklet) 3 ECOS SRG Minutes of the Meeting held 15 October 2014 (Included In Attachments Booklet) 4 Open Space and Recreation SRG Draft Minutes of the Meeting held 15 October 2014 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the minutes of the four Strategic Reference Groups held in October 2014.

REPORT

The fifth round of meetings of the Strategic Reference Groups were held in October 2014. At these meetings strategic workshops and project updates were presented to the groups.

Quorum was not reached at the meeting of A Connected Environment Strategic Reference Group on 14 October 2014 and therefore notes of a meeting were recorded.

In accordance with the Strategic Reference Groups Guidelines the minutes of the meetings are reported to Council and the following documents are now presented:

Strategic Reference Group	June Meeting
A Connected Environment	14 October – Notes of a Meeting
Vibrant Connected Communities	14 October – Draft Minutes
ECOS	15 October – Draft Minutes
Open Space and Recreation	15 October – Draft Minutes

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council note the draft minutes and notes of a meeting from the following meetings:

A. A Connected Environment Strategic Reference Group: notes of a meeting held

14 October 2014.

- B. Vibrant Connected Communities Strategic Reference Group: draft minutes of meeting held 14 October 2014.
 - C. ECOS Strategic Reference Group: draft minutes of meeting held 15 October 2014.
 - D. Open Space and Recreation Strategic Reference Group: draft minutes of meeting held 15 October 2014.
-

ITEM 8.11	CREATION OF COMMUNITY COMMITTEES FOR AFFORDABLE HOUSING AND ECONOMIC DEVELOPMENT
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/340850
ATTACHMENTS	1 Affordable Housing Community Committee Charter 2 Economic Development Community Committee Charter

EXECUTIVE SUMMARY

PURPOSE

To obtain Council's endorsement of Charters for the Affordable Housing Community Committee and the Economic Development Community Committee which are to be established following Resolutions of Council.

SUMMARY

To establish an Affordable Housing Community Committee following the Housing Affordability Forums held in March 2014. The Charter for this committee was developed and endorsed by A Connected Environment Strategic Reference Group.

Council resolved in April 2014 to investigate the creation of a Community Committee for Economic Development through a working party consisting of Councillors and staff. A Working Party was formed and a Charter has been developed.

Following the adoption of the Community Committee Charters, nominations will be sought to fill positions for both the Affordable Housing Community Committee and the Economic Development Community Committee.

FINANCIAL IMPACT

Funds are available within existing operational budgets.

POLICY IMPACT

Appointment of members to the Community Committees will be in line with Council's Policy No. PL-755 *Committees Appointment of Community & Other Stakeholder Representatives – Council Committees*.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopt the charters for the Affordable Housing Community Committee and the Economic Development Community Committee.

REPORT

BACKGROUND

In response to a Mayoral Minute, Council resolved on 24 September 2013 to conduct community consultation on Housing Affordability in Warringah. As part of that resolution, Council held two community forums on 31 March 2014 and called for an investigation into the feasibility study of the formation of a working party or alternatively, the establishment of a Community Committee. Then following this investigation, Council resolved on 27 May 2014 in part, that an Affordable Housing Community Committee be established to develop a number of options and actions for this Council to undertake in addressing the need for Affordable Housing in Warringah.

The Affordable Housing Community Committee is to consist where possible of representatives from small to large business sectors, the senior community and local youth and any other interested parties. This committee will report to A Connected Environment Strategic Reference Group who will consider any recommendations by the Community Committee and refer recommendations to Council to inform the development of the Warringah Planning Strategy issues papers.

At a meeting on 29 April 2014 following a Notice of Motion from Councillor Heins, Council resolved to set up a working group to investigate the formation of an Economic Development Committee of Council to be administered by Council.

The aim of the Committee would include engaging local business, developing partnerships and help strengthen the local and regional economies. It would identify actions to accelerate further economic development and support the needs of new and emerging businesses including home based businesses. It is also intended that the Committee would also provide support to assist and guide Council in the implementation of the Warringah Economic Development Plan.

A Working Party was formed and a meeting held to discuss the formation of the Committee. The Working Party including Mayor Regan, Deputy Mayor Menano-Pires, Councillor Heins, Councillor Gobert and the Group Manager, Strategic Planning now submit the attached Charter for Council's endorsement.

CONSULTATION

Councillors, A Connected Environment Strategic Reference Group and Council staff.

TIMING

Following endorsement of the Charters for the both committees, nominations will be sought immediately and it is anticipated that the Committees will be established early in 2015.

FINANCIAL IMPACT

Funds are available within existing operational budgets.

POLICY IMPACT

Appointment of members to the Community Committees will be in line with Council's Policy No. PL-755 *Committees Appointment of Community & Other Stakeholder Representatives – Council Committees*.



CHARTER

Affordable Housing Community Committee

1 Establishment

This Committee was formally constituted by Warringah Council on dd/mm/yyyy.

2 Terms of Reference

This Committee has been established to:

- Discuss and advise Council in relation to matters related to options and actions for Council to undertake in addressing the needs for affordable housing in Warringah
- Refer recommendations to Council to inform the development of the Warringah Planning Strategy issues papers.

The Committee is to operate in accordance with both this Charter and Council's Guidelines for Community Committees.

3 Membership

Council may appoint up to three (3) Councillors (preferably one from each ward) as members of the Committee plus the Mayor

- Up to four (4) representatives from small and large business sectors, social housing service providers and organisations
- A representative of the senior community who is also a representative of Warringah;
- A representative of local youth who is also a representative of Warringah;
- Community representation is to comprise up to two (2) individuals representing the Warringah community with an interest in affordable housing (One needs to be a tenant)

4 Council Officer Liaison

Group Manager Strategic Planning

5 Referral of Committee Minutes – Strategic Reference Group

- Committee Minutes are to be submitted to the Group Manager Roads, Traffic and Waste for consideration by Council's *A Connected Environment Strategic Reference Group* and distributed to all other Strategic Reference Groups.

6 Charter Amendments

Amendments to this Charter may only be made by resolution of Council.



CHARTER

Economic Development Committee

1 Establishment

This Committee was formally constituted by Warringah Council on dd/mm/yyyy.

2 Terms of Reference

This Committee has been established to:

- Discuss and advise Council in matters related to implementing the actions of the Warringah Economic Development Plan.
- Review and make recommended changes, as appropriate, to the Warringah Economic Development Plan.

The Committee is to operate in accordance with both this Charter and Council's Guidelines for Community Committees.

3 Membership

Council may appoint at least 1 Councillors as members of the Committee

The Committee to have no more than 12 members exclusive of Councillors.

If a Member is unable to attend, a proxy may be nominated by the member to attend the meeting with full rights as a member.

4 Council Officer Liaison

Group Manager Strategic Planning / Economic Development Coordinator

5 Referral of Committee Minutes – Strategic Reference Group

- Committee Minutes are to be submitted to the Group Manager Roads Traffic and Waste for consideration by Council's *A Connected Community Strategic Reference Group* and distributed to all other Strategic Reference Groups.

6 Charter Amendments

Amendments to this Charter may only be made by resolution of Council.

ITEM 8.12	RESPONSE TO MAYORAL MINUTE 5/2014 - SECONDARY DWELLINGS IN TERREY HILLS AND DUFFYS FOREST
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/295350
ATTACHMENTS	1 Mayoral Minute No 5/2014 - Secondary Dwellings in Terrey Hills and Duffys Forest

EXECUTIVE SUMMARY

PURPOSE

To report the findings of investigations following the adoption of Mayoral Minute 5/2014 – *Secondary Dwellings in Terrey Hills and Duffys Forest* at the Council meeting held on 29 April 2014.

SUMMARY

Mayoral Minute 5/2014 – *Secondary Dwellings in Terrey Hills and Duffys Forest* requested investigations and a short report in relation to the potential opportunities for increasing Secondary Dwellings in Warringah. This stemmed from concerns raised about the lack of housing choice and affordability across the area.

The matters requested for investigation relate to the potential for:

- allowing Secondary Dwellings in Terrey Hills and Duffys Forest,
- increasing the allowable size of Secondary Dwellings from 60 to 75sqm,
- classing Secondary Dwellings as Exempt and/or Complying Development; and
- imposing a small development contribution to cover the potential costs arising from the potential population growth.

In response, each of these matters has been investigated and the findings are now presented to Council in this report.

In summary, there are opportunities to support increased development of secondary dwellings as an affordable housing choice within Warringah.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Prepare a Planning Proposal to allow development of Secondary Dwellings of up to 75 square metres in R2 and R3 zones, if it is located within an existing dwelling house.

-
- B. Forward the Proposal to the Department of Planning and Environment seeking Gateway Determination and upon Gateway Determination, publicly exhibit the Proposal.
- 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.
-

REPORT

BACKGROUND

At its meeting on 29 April 2014, 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*
- B. *Investigate the viability of allowing a second dwelling within an existing house in a residential zone up to 75m² where there is no external building expansion to dwelling.*
- C. *Consider the option of such a proposal being classed as exempt development and or complying development under the WLEP (Warringah Local Environmental Plan).*
- D. *Investigate whether Council could charge a small contribution with flexible payment options to go towards the additional public facilities required of increasing the population pressures of such a policy*

This report responds to the resolution.

What are Secondary Dwellings?

A Secondary Dwelling is a self-contained dwelling that is related to, and on the same lot as, a principal dwelling. In relation to the principal dwelling, a Secondary Dwelling may be:

- located within (separated by new internal walls)
- attached to the dwelling
- separate from (a new building or out-building conversion)

Planning controls relating to Secondary Dwellings are provided by *State Environmental Planning Policy (Affordable Rental Housing) 2009* (SEPP). These establish the standards development must meet in order to be classified as a Secondary Dwelling.

What are the current Secondary Dwelling controls in Warringah?

WLEP 2011 contains development standards for Secondary Dwellings with a maximum 60m², or 11% of the principal dwelling's floor area, whichever is higher. 60m² is typically the size of a single or small 2 bedroom residence.

Despite WLEP 2011 containing these mandatory development standards for Secondary Dwellings, they are not a permissible land use in Warringah under the plan. However SEPP (*Affordable Rental Housing*) provides the mechanism to permit Secondary Dwellings in residential zones (i.e. R1 – R5). This does not include RU4 zones. Key provisions of the SEPP include:

- Secondary Dwellings are complying development,
- A maximum size of 60m², or more, if Council permits a larger size.

RESPONSE TO MAYORAL MINUTE

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

A desktop review of the RU4 zoned land in Terrey Hills and Duffys Forest has been undertaken in order to assess the appropriateness of this type of development in the zone. This investigation has considered the possible impacts on character, environment and Council services that Secondary Dwelling development may have on the area.

Currently, all RU4 zoned land is located in Terrey Hills and Duffys Forest. The objectives of this zoning in 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.'

With approximately 300 dwellings in RU4 zone areas, an additional 300 Secondary Dwellings could be built if this change were made. This estimate assumes that no Secondary Dwellings currently exist, and no restraints exist on the lots. This could increase density to approximately 0.8 dwellings per hectare in RU4 zones. With an estimated occupancy of 1.8 people per dwelling, the change could increase the population by 540 people.

Given the area's semi-rural and bushland character, consideration needs to be given to the potential environmental impacts that Secondary Dwellings may present. These impacts relate to bushfire, onsite waste treatment systems, water supply and neighbouring National Parks. In order to investigate the impact of these issues, further consultation with the authorities such as Rural Fire Service, Sydney Water and National Parks and Wildlife Service is recommended before further consideration of this matter.

B. Investigate the viability of allowing a second dwelling within an existing house in a residential zone up to 75m² where there is no external building expansion to dwelling.

In response to this request, consideration has been given as to how to increase the possible size of Secondary Dwellings while minimising the effect to the surrounding area. An assessment has analysed the benefits and potential impacts of 75m² Secondary Dwellings, if built within an existing dwelling. The assessment has found that this change would be viable within Warringah for the following reasons:

- Larger Secondary Dwellings provide more flexible affordable housing layouts for downsizing seniors, young families and other demographics.
- 75m² would allow for comfortable 2 bedroom Secondary Dwellings to be built. 60m² requires compromises with living space to achieve this outcome.
- Limiting larger Secondary Dwellings to internal modifications would not affect the overall size of the principal dwelling.
- Impacts on the character of the dwelling would be less than if a detached Secondary Dwelling were constructed.

Clause 5.4 (9) of WLEP 2011's permits Secondary Dwellings to be 60m². In order to allow Secondary Dwellings of this type to be 75m² across residential zones in Warringah, Clause 5.4 (9) would require an amendment. Proposed wording for this amendment is included below as point (c):

5.4 (9) Secondary dwellings

If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

- (a) 60 square metres,*
- (b) 11% of the total floor area of the principal dwelling.*
- (c) 75 square metres, if the secondary dwelling is located within an existing dwelling house**

In addition, Secondary Dwellings would need to be added to the Land Use Table under Zone R2 Low Density Residential and Zone R3 Medium Density Residential as 'Permitted with consent'. This would bring Clause 5.4 (9) into effect in these zones.

Considering the benefits to the provision of affordable housing, low impact, statutory feasibility, this change is viable and is recommended.

- C. *Consider the option of such a proposal being classed as exempt development and or complying development under the WLEP.*

Consideration has been given to the opportunities to class this type of development as Exempt or Complying development. The following is provided in response:

In relation to Exempt development:

It is not appropriate for Secondary Dwellings be classified as Exempt development. This is due to the level of building upgrade requirements triggered under the Building Code of Australia for this form of housing. These are technical matters relating to fire safety that need to be assessed by a qualified professional as a part of a Development Application or Complying Development Certificate. Exempt development does not provide this level of protection.

In relation to Complying development:

Secondary Dwellings are a form of complying development by virtue of Clause 23 (2) (h) of SEPP (Affordable Rental Housing). The SEPP states that:

(2) Development for the purposes of a secondary dwelling that is located entirely within an existing dwelling house is complying development if the development:

*(h) will not result in the floor area of the secondary dwelling being more than 60 square metres or, **if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, being more than that greater floor area.***

As previously detailed in response to Item B of the Mayoral Minute, it is recommended to amend WLEP 2011 to permit Secondary Dwellings in the R2 and R3 Residential Zones.

This satisfies Clause 23 (2) (h) and, in conjunction with the proposed amendments to clause 5.4 (9) *Secondary dwellings*, will have the effect of making Secondary dwellings up to 75 square metres within an existing dwelling house Complying Development under the WLEP 2011.

- D. *Investigate whether Council could charge a small contribution with flexible payment options to go towards the additional public facilities required of increasing the population pressures of such a policy*

Any systematic Development Contributions relating to Secondary Dwellings would need to satisfy the Environmental Planning and Assessment Act.

Council presently has a Section 94A Development Contributions system in place which charges a small contribution in most instances (as outlined below).

Council charges a levy on all development, including Secondary Dwellings that exceed \$100,000 in capital value. If the development exceeds \$100,000 a 0.5% levy is charged on the estimated capital value. If the development exceeds \$200,000 a 1.0% levy is charged on the estimated capital value. For example, a Secondary Dwelling with a value of \$120,000 would attract a contribution of \$600.

The ability to establish 'flexible payment options' is limited by the Act. Essentially, proponents need to pay their contribution before they commence construction. The administration cost of potentially collecting money at a later stage, for small amounts of typically \$500 to \$750, are likely to be significant and not recommended.

Consideration has been given to how other neighbouring council's approach contributions on Secondary Dwellings. Some are operating on a S94 system, others using S94A like Warringah. There are a range of approaches to levying contributions on Secondary Dwellings.

Consideration could be given to an alternate approach in future. It is noted that Council will be preparing a Local Planning Strategy in 2015. This will consider growth options for housing and jobs in Warringah. It is likely that any housing supply options recommended by the strategy will need to plan for the accompanying infrastructure provision. As part of this Council will need to consider the most effective means of raising funding, which may involve additional S94 plans or changes to the current S94A 'broad based' development levy approach.

It's recommended that if Council wishes to pursue consideration of charging a levy specific to Secondary Dwellings that this be undertaken as part of the wider body of work involved in delivery of the Local Planning Strategy.

In summary the current S94A system collects a small contribution for the development of Secondary Dwellings and therefore it is recommended to maintain the current approach for the time being.

CONSULTATION

Preliminary consultation with Council's Natural Environment Unit and NSW Department of Planning and Environment has been undertaken as part of these investigations. If Council resolves to prepare a Planning Proposal, additional statutory consultation would be undertaken. This would include consulting with government stakeholders and public exhibition of the Planning Proposal.

CONCLUSION

Council staff investigated the matters raised in Mayoral Minute 5/2014 – Secondary Dwellings in Terrey Hills and Duffys Forest. In response, the following is concluded:

- With regards to Item A, additional consultation with external agencies regarding potential impacts relating to the semi-rural nature of Terrey Hills and Duffys Forest is recommended.
- With regards to Item B, it would be viable to allow 75m² Secondary Dwellings, if the Secondary Dwelling is located within an existing dwelling house. This type of development would allow for more versatile affordable housing offerings in Warringah. A Planning Proposal is required to amend WLEP 2011 to allow this type of development.
- With regards to Item C, the proposed amendments to WLEP 2011 will make 75m² Secondary Dwellings that are in an existing house complying development; Exempt development would be inappropriate due to the need to satisfy building safety requirements.
- With regards to Item D, Council is already collecting a small contribution for secondary dwellings which is considered the appropriate approach.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 5.2	MAYORAL MINUTE NO 5/2014 - SECONDARY DWELLINGS IN TERREY HILLS AND DUFFYS FOREST
TRIM FILE REF	2014/085879
ATTACHMENTS	NIL

Note: This Mayoral Minute was circulated in the supplementary agenda on 29 April 2014

BACKGROUND

I have previously raised the critical issue regarding the lack of housing choice and affordability across our local government area. As the State Government has repeatedly failed to provide effective solutions, I am keen to see Council take the initiative to seek community feedback and develop the appropriate strategies to tackle this issue.

Council recently hosted two public forums during which valuable input was received from a wide range of stakeholders including residents, developers, local businesses and not for profit organisations. Unsurprisingly, the issue of affordability generated significant interest with feedback supporting the need for appropriate short and longer term actions.

It is obvious that a range of solutions must be examined in order to deal with such a complex issue. One option we should consider is to increase the availability of affordable accommodation through the provision of secondary dwellings, colloquially known as 'granny flats'. In doing this we can address the issue of providing opportunities for families and those wishing to downsize including those who wish to stay on their existing property and remain in the same community.

More specifically Council could consider, and in fact ease the State Government's restrictions on granny flats for strictly internal conversions only. It is my understanding that secondary dwellings are self-contained dwellings that may be attached to or detached from the principal home. They however cannot be subdivided from the principal home or sold off separately. They currently provide an alternate form of accommodation and are in most cases limited to 60 square metres in size. They are relatively cheap to build and can be rented out, or lived in by extended family or a friend.

The State Government's regulations only allow a max of 60 square metres which is a reasonable size single bedroom apartment. This is particularly important to maintain in relation to the external controls and the direct impact on their neighbour's amenity. Having said this though, I believe an opportunity exists to allow additional floor space on the proviso that it does not impact on the size of an existing building. For example, 75 square metres is equivalent to a good sized two bed unit and provides more floor plan options. It allows retiring couples to remain in their community and live independently and there is also the benefit of providing an income for pensioners and the obvious benefit that we can help in meeting the current housing demands.

I have included an extract from a neighbouring Council's planning documents that outlines a definition referred to as a 'Family Flat' which Warringah may wish to consider using as a starting point.

Family flat means a second dwelling built within the envelope of the original dwelling or attached at ground level to the original dwelling, where the development meets the provisions and objectives of a single dwelling-house (except density provisions), but:

a) is not more than 75m² in gross floor area; and,

b) shall not be separately titled.

The report should also address the possibility of such a proposal being classed as exempt development and or complying development. Council should also investigate whether a small contribution, similar to the current process for Section 94 contributions, could go towards the

additional public facilities required of increasing the population pressures of such a policy. That contribution should not be prohibitive and provide flexible payment options to allow for low-income earners.

Secondary dwellings are already permitted through the State Government's Affordable Housing State Environmental Planning Policy legislation for residential areas in Warringah. However, they are not permitted in the RU4 rural zone which applies to large proportion of Terrey Hills and Duffys Forest. I have been approached by a number of residents from this area who are very supportive of this concept.

As a result, I am requesting that staff prepare a short report to be considered by Council regarding the appropriateness of Secondary Dwellings as outlined above and more specifically in relation to the RU4 land use zone.

RECOMMENDATION

That Council 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
 - B. investigate the viability of allowing a second dwelling within an existing house in a residential zone up to 75m² where there is no external building expansion to dwelling.
 - C. consider the option of such a proposal being classed as exempt development and or complying development under the WLEP
 - D. investigate whether Council could charge a small contribution with flexible payment options to go towards the additional public facilities required of increasing the population pressures of such a policy
-



Michael Regan
MAYOR

ITEM 8.13	RESPONSE TO MAYORAL MINUTE 11/2014 - PUBLIC SAFETY - STREET LIGHTING UPGRADES
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/301865
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To report back to Council in relation to Mayoral Minute 11/2014 – *Public Safety – Street Lighting Upgrades*.

SUMMARY

Mayoral Minute 11/2014 – *Public Safety – Street Lighting Upgrades* was adopted at the Council meeting on 26 August 2014 and accordingly, a report is provided addressing each of the recommendations which include:

- A. *Provide a report outlining Council's proposed street lighting plans for the Dee Why Town Centre and Narrabeen area upgrades.*
- B. *Include in the report a timeframe for the completion of these works.*
- C. *Include in the report the estimated costs for the installation/upgrades and the ongoing costs to maintain such infrastructure.*
- D. *Investigate the use of solar power lighting on popular paths where appropriate; and*
- E. *Identify works within the report that can be expedited including any additional costs to bring those works forward.*

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council note the information provided in this report.

REPORT

BACKGROUND**Dee Why Town Centre**

The implementation of the Dee Why Town Centre (DYTC) Masterplan and the current investigation and design of the streetscape improvements includes consideration of upgrades to public lighting both on streets and footways. It will consider the use of the latest technology which complies with current standards, reduces energy consumption, improves public safety and integrates with feature lighting (part of Place Making and Public Art Plan). Alternative and/or innovative delivery options may be considered outside of the Ausgrid street lighting network.

The inclusion of any works to improve street lighting in the DYTC will need to be considered as part of the overall scoping of works and available funding. The investigation and concept development works are still in progress and therefore it is not possible to provide this information at this time.

It is intended to undertake community consultation of the DYTC conceptual improvements, including possible lighting improvements in March/April 2015. Construction works within the DYTC are currently scheduled to start in mid-2016 and the inclusion of street lighting improvements will be considered.

Outside of the DYTC project, Parks, Reserves and Foreshores is scoping a lighting project from Dee Why Surf Lifesaving Club to Pittwater Road along the multi-use path for possible inclusion in the 2015/16 S94a Developer Contributions Plan and 2015-2019 Delivery Program. It is proposed to undertake feasibility and design in 2015/16. It is too early to provide a cost estimate for this project due to the complicated site conditions. Cost estimates will form part of the feasibility and design stage if the project is included in the aforementioned plans.

Narrabeen Area

Parks Reserves and Foreshores has proposed installation of LED lighting along the foreshore of Berry Reserve, Narrabeen. The lighting would be installed at pedestrian level three standard (P3) along the multi-use path from Mactier Street to the Tramshed and Pittwater Road. The purpose of this installation is to improve safety and the perception of safety for night time users of the path.

It is important to note that whilst this project has been identified it has not been approved by Council. This project can only be funded by S94a developer contributions or grants. Council may have other priorities for S94a funding over the next several years including but not limited to lighting projects in Dee Why and potentially other upgrades throughout Berry Reserve.

The lighting upgrade through Berry Reserve is currently proposed to be undertaken in stages from 2016 to 2018 if approved.

The preliminary cost estimate for Berry Reserve lighting based on similar projects, without taking into account any specific site conditions and specific requirements resulting from community engagement is \$475,000 based on the preliminary assessment that 114 poles will be required to meet P3 lighting levels. Each pole with lighting fittings, cabling, footing and control gear will cost an estimated \$4,166. It should be noted that these are preliminary costings and more detailed analysis will be undertaken if the funding is approved. Costs for maintenance of these lights will be considered at time of project commencement.

Solar powered lighting will be considered through Berry Reserve however based on current lighting costs this will increase the cost of each pole from an estimated \$4,166 per pole to an estimated \$7,500 per pole. Approximately 114 poles for Berry Reserve will be required and making them solar powered would increase the total project cost from \$475,000 to \$855,000. There would be operational savings of approximately \$22,800 per annum. To pay back the investment in solar

lighting would take at least 16 years. It should be noted that these are preliminary costings and more detailed analysis will be undertaken if funding is approved.

The design work for Berry Reserve lighting, including community engagement, is scheduled for 2015/2016 with construction undertaken in stages from 2016 until 2018, pending budget approval. At the moment with current projects and resources there is no capacity to bring the design stage forward. At least a year should be allowed to undertake the necessary investigations, detailed design, community engagement and procurement of a construction contractor for this project. Additional funding in the 2016/2017 financial year may enable construction to be completed in one financial year rather than two.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.14	MINUTES OF THE DEE WHY SOUTH CATCHMENT FLOOD STUDY WORKING GROUP MEETING HELD 4 AUGUST 2014
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2014/316652
ATTACHMENTS	1 Minutes of the Dee Why South Catchment Flood Study Working Group Meeting held 4 August 2014

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Dee Why South Catchment Flood Study Working Group meeting held 4 August 2014.

SUMMARY

The primary function of the Working Group is to advise Warringah Council on matters concerning the development, implementation, and review of the Dee Why South Catchment Flood Study as well as the Floodplain Risk Management Study and Plan.

The draft Floodplain Risk Management Study Report (FRMS) was distributed prior to and at the meeting to Committee Members. A presentation was provided about the floodplain management options investigated in the FRMS, and discussion was held regarding community consultation activities to be undertaken during the Public Exhibition of the FRMS.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Dee Why South Catchment Flood Study Working Group meeting held on 4 August 2014 be noted.

REPORT

BACKGROUND

The primary function of the Dee Why South Catchment Flood Study Working Group is to advise Warringah Council on matters concerning the development, implementation, and review of the Dee Why South Catchment Flood Study, Floodplain Risk Management Study and Floodplain Risk Management Plan.

The Working Group provides a forum for discussions between Council, the community, interest groups, and government authorities on technical, social, economic, environmental and cultural issues at various stages of the Floodplain Risk Management Process. Importantly, the Working Group also fulfils the functions of a Floodplain Risk Management Committee as specified in Appendix D of the NSW Floodplain Development Manual (2005).

The Dee Why South Catchment Flood Study (2013) and the draft Dee Why South Catchment Floodplain Risk Management Study (FRMS) will help to improve the management of flooding in the catchment. It includes an assessment of the social, environmental and economic impact of structural hard engineering options, as well as flood warning and flood education as modifiers of people's behaviour during a flood event.

This report provides the Minutes of the Dee Why South Catchment Flood Study Working Group meetings held on 4 August 2014 chaired by Cr Sue Heins. A summary of the key issues discussed during the meeting is provided below, and the minutes from the meeting are attached.

Key Issues at Meeting of 4 August 2014

Dee Why South Catchment Floodplain Risk Management Study

The revised draft Floodplain Risk Management Study Report (FRMS) was distributed prior to and at the meeting to members. Following a presentation on the floodplain management options investigated in the draft FRMS, Committee Members were invited to comment on the identified options. The funding sources for any proposed works and the next steps in pursuing these works were discussed.

Public Exhibition of Dee Why South Catchment Floodplain Risk Management Study

Community consultation activities to be undertaken during the Public Exhibition of the FRMS were outlined. The public will be given the opportunity to review and comment on the draft FRMS through online distribution and publicly available copies, as well as attendance at drop in sessions during the planned Public Exhibition period.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

a)

Minutes

Dee Why South Catchment Flood Study Working Group

Held on Monday, 4 August, 2014

in the

Guringai Room, Warringah Council, Civic Centre, Dee Why

Commenced at 3:30 pm for the purpose of considering the items included on the Agenda.

Todd Dickinson
Group Manager Natural Environment

e)

Dee Why South Catchment Flood Study Working Group	
Established:	2013
Function:	To bring together the expertise and diverse community knowledge needed to address floodplain risk management relating to the Dee Why South Catchment.
Administration:	This Working Group is administered by Warringah Council.
Composition / Membership as at establishment:	<p>Membership of the Working Group comprises representatives from the elected Warringah Council, local community, State government and Council officers. Attendance is voluntary however, consistent absenteeism can result in that member being replaced by the working group.</p> <p>The Working Group will be disbanded following Council adoption of the Floodplain Risk Management Plan.</p>
Responsibilities of Members:	All members of the Working Group have an obligation to objectively consider and actively participate in group deliberations. Community members must always be mindful that they have a responsibility to represent the views of all residents and be prepared to represent those views in an unbiased way at meetings of the Working Group.
Responsible Business Unit:	Natural Environment
Meetings	<p>The role of the Working Group is to provide an open forum where all have equal opportunity to contribute. The Working Group shall, where possible, resolve its decisions on consensus for the benefit of all parties involved.</p> <p>Full Working Group meetings will be organised at the discretion of Warringah Council with members being notified up to two months in advance.</p>
Council Members Appointed:	<p>Cr Roslyn Harrison (Ward C)</p> <p>Cr Sue Heins (Ward B)</p>

g)

Dee Why South Catchment Flood Study Working Group**Minutes****Meeting of the Dee Why South Catchment Flood Study Working Group**

Held on Monday, 4 August, 2014

In the Guringai Room, Warringah Council Civic Centre, Dee Why commencing at 3.30 pm

1. PRESENT

Cr Sue Heins – Warringah Councillor
Richard Michell – Environmental group representative
Patricia Goody – Flood affected resident
Steve Hipsley – Warringah Chamber of Commerce
Tony Pinelli – SES – Sydney Northern
Greg Davis – Office of Environment & Heritage

Warringah Council Staff:

Todd Dickinson – Group Manager Natural Environment
Adrian Turnbull – Environmental Strategy Manager
Duncan Howley – Environment Officer – Floodplain Management

In attendance:

Denise Regan – Minute Taker

Apologies:

Cr Roslyn Harrison – Warringah Councillor (Chairperson)
Wayne Lyne – SES – Warringah/Pittwater
Lynn Larri – SES – Warringah/Pittwater

2. DECLARATION OF PECUNIARY INTEREST

The members were invited to declare any pecuniary interests and none were declared.

3. CONFIRMATION OF MINUTES

The minutes of the meeting held on 8 May 2014 were confirmed as correct by Mrs Goody and Mr Michell.

4. COMMITTEE BUSINESS**4.1 Draft Dee Why South Catchment Floodplain Risk Management Study**

- The revised Floodplain Risk Management Study Report (FRMS) was distributed prior to and at the meeting to Committee members.

h)

- A presentation was given by Duncan Howley (see Attachment 1) to remind Committee members of the options investigated, highlighting the option provided the best cost/benefit ratio. The locations and economic impacts of all options were discussed.

The question was asked as to where the volume of water that flows down Lewis Street comes from. It was explained that water from the upper catchment naturally concentrates in Beverley Job Park (which prior to development in the area was a wetland), and then flows down Lewis Street to Redman Road.

The timing for design and construction of options was also discussed as any proposed works would need to be integrated with the Dee Why town centre upgrades.

- The public will be given the opportunity to review and comment on the draft FRMS through online distribution and publicly available copies, as well as attendance at drop in sessions during the planned Public Exhibition period. The drop in sessions will be run by Council staff who will be able to answer questions. It was suggested that staff liaise with Warringah Chamber of Commerce to provide information to local business owners as part of the consultation process.
- The costs of the proposed flood mitigation works was raised – Mr Dickinson advised that Council would use Capital expenditure for works undertaken by Council. There is potential to apply for partial funding from the State Government for the works.
- The Committee were asked to review the draft FRMS and provide comments to Duncan Howley by 15 August 2014.
- The recommendation to place the draft FRMS on Public Exhibition would go to the 23 September 2014 Council meeting. If approved for exhibition, relevant property owners will be informed via post of the study together with a summary document explaining the FRMS.
- It was highlighted by Council staff that until the document went on Public Exhibition the Study was confidential and should not be distributed outside the Committee.

Recommendation from the Working Group

That the information be noted.

5. GENERAL BUSINESS

Nil

6. NEXT MEETING – The next meeting of the Working Group will be within the next three to four months.

This Working Group will run until the conclusion of the full Floodplain Management Process.

There being no further business the meeting concluded at 4:45 pm

ITEM 8.15	MINUTES OF THE MANLY LAGOON CATCHMENT COORDINATING COMMITTEE HELD 31 JULY 2014
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2014/316899
ATTACHMENTS	1 Minutes of the Manly Lagoon Catchment Coordinating Committee Meeting held 31 July 2014

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the meeting of the Manly Lagoon Catchment Coordinating Committee held on 31 July 2014.

SUMMARY

Manly Council have resumed the administration and chairing of the Committee for the next two years. Councillor Heins represented Warringah Council. Councillor Hugh Burns chaired the meeting and represented Manly Council along with Councillor Bingham. Mayor Jean Hay, AM was also in attendance.

The key items discussed at this meeting were:

- Nolan Reserve gross pollutant boom cleaning
- Warringah Council's Catchment Condition and Management Model
- Sediment, weeds and pollutants deposited in Manly Golf Course from Manly Lagoon Catchment
- Manly West Park (Burnt Bridge Creek) sediment basin
- Addiscombe Road contaminated land
- Proposal for a wildlife corridor along Manly Creek
- Riparian zone management in the vicinity of Warringah Golf Course.

The minutes were adopted by Manly Council at its Council meeting on 8 September 2014.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Manly Lagoon Catchment Coordinating Committee meeting held on 31 July 2014 be noted.

REPORT

BACKGROUND

The main function of the Manly Lagoon Catchment Coordinating Committee (MLCCC) is as an advisory body to both Warringah and Manly Councils on matters concerning the management of Manly Lagoon and its catchment. Membership of the Committee comprises representatives from the elected Councils of Warringah and Manly, local community, State Government and Council Officers. Meetings are held quarterly. Councillor Heins represented Warringah Council. Councillor Hugh Burns chaired the meeting and represented Manly Council along with Councillor Bingham. Mayor Jean Hay AM was also in attendance.

The key issues discussed at this meeting are summarised below:

Nolan Reserve Boom Clean

Mr Jason Ruszczyk discussed the June 2014 removal of accumulated organic matter from behind the gross pollutant boom in Nolan Reserve, and installation of additional foam floats. The cleaning frequency, reasons for high rubbish loads and sources of rubbish at Nolan Reserve were discussed.

Warringah Council's Catchment, Condition and Management Model (CCAMM)

Mr Jason Ruszczyk gave a presentation on the CCAMM. Following the presentation, discussion included the removal of sand at the Manly Lagoon entrance, fish diversity and migration. Information on the last fish study as part of the Manly Lagoon Estuary Health Assessment was requested by members of the Committee.

Sediment, weeds and pollutants deposited in Manly Golf Course from Manly Lagoon Catchment

Mr Michael Bradbury from Manly Golf Club spoke regarding sedimentation and water pollution issues at Manly Golf Club. The boundary of the Golf Club foreshore land was also discussed and whether it is receding or encroaching.

Manly West Park (Burnt Bridge Creek) sediment basin

Mrs Christina Femia from Manly Council gave a presentation and answered questions on the progress of the Manly West Park Sediment Basin Project.

Addiscombe Road contaminated land

Mr Tom Hazell and Mayor Jean Hay AM spoke about the history of the Addiscombe Road contaminated site.

Proposal for a wildlife corridor along Manly Creek

Mr Malcolm Fisher from Save Manly Dam Catchment Committee addressed the Committee regarding the opportunity for the formalisation of a wildlife corridor along Manly Creek coinciding with the District Park Plan of Management. A representative from Warringah Council was requested to update the Committee at the next meeting on the District Park Plan of Management and the Draft Strategic Directions Paper.

Riparian zone management in the vicinity of Warringah Golf Course

Warringah Golf Course improvements to riparian zones and Warringah Council's maintenance of the area were discussed. A development application for Warringah Mall was also discussed.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil



MINUTES OF MEETING

Manly Lagoon Catchment Coordinating Committee

HELD THURSDAY 31ST JULY 2014

NOTE: All minutes are subject to confirmation at a subsequent Council or Planning and Strategy Committee meeting.

PRESENT:

Citizen Members:

Clr, Mayor Jean Hay AM (until 18:45hrs)	Manly Council
Clr Hugh Burns	Manly Council (Chairperson)
Clr Candy Bingham (until 17:42hrs)	Manly Council
Dr Judy Lambert	Manly Community Representative
Mr Terrence Murphy	Manly Community Representative
Clr Sue Heins (from 17:12hrs)	Warringah Council
Dr Helen Wilkins	Warringah Community Representative
Mr Tom Hazell	Proxy for the State Member for Manly
Mr Mark Roberts	Manly Lagoon Committee
Mr Malcolm Fisher	Save Manly Dam Catchment Committee
Mr Michael Bradbery	Manly, Balgowlah, Wakehurst, Warringah Golf Clubs

State Government Representatives:

Mr Stan Rees	Dept. of Trade and Investment - Crown Lands
Mr Gus Pelosi	Office of Environment and Heritage

Manly Staff Representatives:

Mr Ed McPeake	Manager – Environmental Programs
Mrs Christina Femia	Water Cycle Management Team Leader
Mr Patrick Stuart	Catchments Project Officer

Warringah Staff Representatives:

Mr Todd Dickinson	Natural Environment Unit Manager
Mr Adrian Turnbull	Environment Strategy Manager
Mr Jason Ruszczyk	Environment Officer - Catchment

TO THE MAYOR AND COUNCILLORS OF THE COUNCIL

The **Manly Lagoon Catchment Coordination Committee** met on 31st July, 2014, to consider the matters referred to it and now provides the following advice to Manly and Warringah Councils.

OPEN The meeting commenced at 5:10pm

**ITEM 1 ADMINISTRATION AND CHAIRING OF THE MANLY LAGOON
CATCHMENT COORDINATING COMMITTEE**
Manly Council will undertake the administration of the Manly Lagoon

ACTION

Catchment Coordinating Committee (MLCCC) for a two (2) year period from July 2014 to July 2016. Councillor Burns has been appointed Chair of the MLCCC for this period.

ITEM 2 APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from the following members:

- Mr Norm Nikolich (Sydney Water)
- Mr Richard Cox (Warringah Chamber of Commerce and Industry Inc)
- Mr Frank Gleason (Warringah Community Representative)
- Mr Tony Pinelli (NSW State Emergency Services)

ITEM 3 DECLARATION OF INTEREST

No declarations of interest were received from Committee members or attendees.

ITEM 4 CONFIRMATION OF MINUTES

The minutes of the Committee meeting held 13th March 2014 are confirmed.

Moved: Mr Tom Hazell

Seconded: Dr Judy Lambert

MATTERS ARISING

It was resolved at the Warringah Council Meeting held on 27th May 2014 that the minutes of the Manly Lagoon Catchment Coordinating Committee be adopted.

ACTION

ITEM 5 Nolan Reserve Boom Clean

Submitted by Warringah Council

Mr Jason Ruszczyk gave a presentation on the Nolan Reserve Boom. In June 2014, Warringah and Manly Council engaged a contractor to remove accumulated organic matter from behind the gross pollutant boom. Additional foam floats were installed to close the 1m gap in the boom. The cleaning frequency, reasons for high rubbish loads and sources of the rubbish at Nolans Reserve were discussed.

Recommendation

Warringah Council to look into options to reduce garbage entering Manly Lagoon upstream of the Nolans Reserve Litter Boom.

ACTION
Warringah
Council

ITEM 6 Warringah Council's Catchment Condition and Management Model (CCAMM)

Submitted by Warringah Council

Mr Jason Ruszczyk gave a presentation on the CCAMM. Following the presentation, discussion included, but was not limited to: the removal of sand at the Manly Lagoon Entrance and Fish Diversity and Migration.

Information on the last Fish Study as part of the Manly Lagoon Estuary Health Assessment was requested by members of the Committee.

Councillor Candy Bingham left the meeting at 17:42hrs.

	<p>Recommendation Warringah Council provide information on the most recent fish study for Manly Lagoon.</p>	<p>ACTION Warringah Council</p>
ITEM 7	<p>Update on Manly Lagoon Floodplain Risk Management Study and Plan <i>Submitted by Warringah Council</i></p> <p>Warringah Council applied to the Office of Environment and Heritage for grant funding to undertake the Manly Lagoon Floodplain Risk Management Study and Plan in March 2013. Grant funding was offered to Council in late January 2014, which has delayed the expected planning and preparation of the project. Warringah Council will draft the technical brief in conjunction with Manly Council, and expect to engage a consultant in February 2015.</p>	
	<p>Recommendation That the information be received and noted.</p>	<p>ACTION</p>
ITEM 8	<p>Sediment, Weeds and pollutants deposited in Manly Golf Course from Manly Lagoon Catchment <i>Submitted by Manly Council (at the request of Manly Golf Course)</i></p> <p>See Attachment 2 for the Letter from Manly Golf Course to Manly Council, dated June 28th 2014. Re: The quantity of sand, other sediment, weeds and pollutants entering the golf course from Burnt Bridge Creek, Cemetery Creek and LM Graham Reserve/Fairlight Hill and its adverse impact on the creek's riparian zones created.</p> <p>Mr Michael Bradbury spoke regarding the sedimentation and water pollution issues at Manly Golf Club. The boundary of the Golf Club land was also mentioned and if it is reseeded/encroaching on Manly Lagoon Crown Land.</p>	
	<p>Recommendation That Manly Council liaise with Manly Golf Course regarding the sedimentation and pollution issues.</p>	<p>ACTION</p>
ITEM 9	<p>Manly West Park Sediment Basin <i>Submitted by Manly Council</i></p> <p>Mrs Christina Femia gave a presentation and answered questions on the progress of the Manly West Park Sediment Basin Project.</p>	
	<p>Recommendation That Manly and Warringah Councils investigate and report back to the Committee regarding savings that have been made in the disposal of soil and pollution captured by GPTs.</p> <p><i>MC Response – Our current stormwater quality improvement device maintenance contractor stores and reuses sediment/soil collected from devices of an acceptable quality. We continue to look for opportunities to save money by reusing material where possible.</i></p>	<p>ACTION Manly and Warringah Councils</p>

ITEM 10 Addiscombe Road Contaminated Site

Submitted by Tom Hazell

Mr Tom Hazell and Mayor Jean Hay AM spoke about the history of the Addiscombe Road Contaminated Site.

Mr Mark Roberts said that an environmental site assessment report of the site involving core sampling was conducted in 1994, potentially for the Department of Planning.

Recommendation

Manly Council to update the Committee on the Addiscombe Road Contaminated Site.

ACTION

Manly
Council

ITEM 11 Proposal for a Wildlife Corridor along Manly Creek

Submitted by Malcolm Fisher (on behalf of Save Manly Dam Catchment Committee Representative)

Mr Malcolm Fisher addressed the committee regarding formalisation of a wildlife corridor along Manly Creek and Warringah Council's District Park Plan of Management – Draft Strategic Directions Paper. Submissions for the paper close 10th August 2014. Lot 7369 and 7370 DP 1165551, Lot 7371 DP 1165577 and Lot 2501 DP 752038 were discussed in regards to ownership and future management.

See <http://yoursaywarringah.com.au/districtparkpom> for the District Park Plan of Management – Draft Strategic Directions Paper (Refer to page 11 – Proposed Strategic Opportunities - Healthy Environment)

Members of the committee including Warringah Council, Crown Lands, Save Manly Dam Committee are asked to collate information on the management and ownership of the four lots to bring to the next Committee meeting for discussion.

Councillor, Mayor Jean Hay AM left the meeting at 18:45hrs

Recommendation

1. Recognise Section 10.3 of the Draft Strategic Directions Paper for the District Park Plan of Management, members of this Committee signal an intention to jointly explore opportunities for collaborative management as a wildlife corridor, with consideration to be given to incorporation of relevant lots (Lot 7369 and 7370 DP 1165551, Lot 7371 DP 1165577 and Lot 2501 DP 752038) to District Park.
2. Provide this submission to Warringah Council's request for comments on the District Park Plan of Management – Draft Strategic Directions Paper.

ACTION

Manly
Council

ITEM 12 Update from Sydney Water

Submitted by Norm Nikolich

The committee was referred to read Attachment 3 - Update from Sydney Water. The question was raised: Will the proposed extra cogeneration plant at the North Head Wastewater Treatment Plant increase the fire risk status of the site.

	<p>Recommendation Request for Sydney Water to respond at the next Manly Committee Meeting on the proposed additional cogeneration plant at the North Head Wastewater Treatment Plant and the potential to increase the fire risk status of the site.</p>	<p>ACTION Sydney Water</p>
ITEM 13	GENERAL BUSINESS	
13.1	<p>Riparian Zone management in the vicinity of Warringah Golf Course</p> <p>Warringah Golf Course improvements to riparian zones were discussed and Warringah Council's maintenance of the area. A development application for Warringah Mall was also discussed.</p> <p>Recommendation Committee members refer to DA2008/1741 or DA2008/1742 at http://www.warringah.nsw.gov.au/planning-and-development for plans relevant to this development.</p>	<p>ACTION</p>
13.2	<p>District Park Plan of Management</p> <p>Recommendation A representative from Warringah Council is requested to update the committee at a future meeting on the District Park Plan of Management and the Draft Strategic Directions Paper.</p>	<p>ACTION Warringah Council</p>
ITEM 14	NEXT MEETING DATE:	
	<p>Date: Thursday 30th October 2014 Time: 5pm Venue: Manly Council Chambers</p> <p>Following the 30th October meeting, subsequent meetings are proposed for 29th January 2015 and 30th April 2015.</p>	

Meeting closed at 7:04pm

ITEM 8.16	MINUTES OF THE SYDNEY COASTAL COUNCILS GROUP MEETING HELD 13 SEPTEMBER 2014
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2014/319683
ATTACHMENTS	1 Minutes of the Sydney Coastal Councils Group Annual General Meeting held 13 September 2014 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Sydney Coastal Councils Group Annual General meeting held on 13 September 2014.

SUMMARY

The Annual General Meeting of the Sydney Coastal Councils Group (SCCG) was hosted by Randwick Council at the Prince Henry Centre on Saturday 13 September 2014. Councillor Heins attended the meeting as Warringah Council's delegate.

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

- Annual Executive Committee elections
- SCCG Strategic Plan (2015-2019)
- NSW reforms to coastal management
- Emergency Management Planning – A Health Check for Local Government
- Dates of future SCCG meetings

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Sydney Coastal Councils Group Annual General meeting held on 13 September 2014 and the resolutions contained within be noted.

REPORT

BACKGROUND

Sydney Coastal Councils Group (SCCG) meetings are held quarterly and minutes are available through the Councillor portal. Warringah Council delegates on the SCCG include Cr Heins and Cr Moskal. Further information on the SCCG and its activities is available at www.sydneycostalcouncils.com.au

DISCUSSION

The SCCG Annual General Meeting was hosted by Randwick Council at the Prince Henry Centre on Saturday 13 September 2014. Councillor Heins attended the meeting as Warringah Council's delegate.

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

Annual Executive Committee Elections

The SCCG Executive Committee Consists of the Chairperson, two Vice Chairpersons, Treasurer, Secretary and up to three other committee members who are delegates of financial Member Councils. Representatives elected for 2014-2015 SCCG Executive Committee were:

Chairperson	Cr. Geoff Stevenson	(Randwick Council)
Vice Chairperson (Ocean council)	Cr. Cathy Griffin	(Manly Council)
Vice Chairperson (Estuarine Council)	Cr. Lynne Saville	(Willoughby Council)
Treasurer (Honorary)	Cr. Peter Towell	(Sutherland Council)
Secretary (Honorary)	Cr. Leon Goltsman	(Waverley Council)
Member	Cr. Irene Doutney	(City of Sydney Council)
Member	Cr. Selena Griffith	(Pittwater Council)
Member	Cr. Greg Levenston	(Woollahra Council)

SCCG Strategic Plan (2015-2019)

A draft SCCG Strategic Plan (2015-2019) was to be tabled at the meeting. However, it has not been finalised and therefore not tabled. Once finalised the draft Strategic Plan will be reviewed by the Directional Committee and sent to Member Councils for consultation. It is intended that the final Strategic Plan will be tabled at the Full Group meeting in December for adoption.

NSW Reforms to Coastal Management

Stage 1 of the reform process aimed to clarify issues relating to temporary protection works, hazard notations on s149 certificates and the identification of sea level rise figures for NSW. The matters relating to hazard notations on s149 certificates and the identification of sea level rise figures for NSW are yet to be resolved.

In late August the Office of Environment and Heritage facilitated a workshop with Coastal Councils in Sydney to outline Stage 2 of the reforms and consult with councils on the expected outcomes. More consultation with councils will be undertaken in November and December. The key themes of Stage 2 of the reforms are:

- Establishing a simpler and more integrated legal and policy framework for coastal management
- Providing improved guidance and technical advice to councils, while enabling and supporting local decision making.
- Identifying potential funding options, particularly to implement coastal asset management.

Emergency Management Planning – A Health Check for Local Government

The outcomes of the SCCG Emergency Management Planning – A Health Check for Local Government project were launched on 17 September. The project reviewed current practice for emergency management in NSW as well as best practice approaches from other jurisdictions in Australia and internationally. Key project outcomes included:

1. Clarifying the roles and involvement of local government in emergency management
2. Identifying information and approaches relevant to community engagement and participation in emergency management
3. Investigating monitoring and evaluation frameworks relevant to emergency management and developing appropriate indicators of success
4. Developing a tool to provide a means for assessing the level of emergency management preparedness of Local Government.

Warringah Council's Group Manager - Business and Enterprise Risk presented at the launch on the implementation of the Australasian Inter-service Incident Management System (AIIMS) within Warringah.

Dates of future SCCG meetings

- Saturday 6 December 2014 at 12 noon - City of Sydney

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.17	REVIEW OF PESTICIDE USE NOTIFICATION PLAN
REPORTING MANAGER	EXECUTIVE LEGAL COUNSEL
TRIM FILE REF	2014/356046
ATTACHMENTS	1 Amended Pesticide Use Notification Plan 2014 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To amend Council's Pesticide Use Notification Plan to incorporate minor changes, extend the plan's review date and recommend a comprehensive review of the application of pesticides across Warringah and notification measures to prepare a new long term plan for adoption by February 2016.

SUMMARY

In December 2006 Council adopted a Pesticide Use Notification Plan (the Plan) in accordance with the *Pesticides Regulation 1995*. The Plan outlines the process Council takes to notify the community about the use of pesticides in public places under its care, control and management.

To ensure legislative compliance and allow maintenance activities requiring pesticide application to continue, the Plan is recommended to be extended to February 2016. Staff have been operating in accordance with the existing Plan, however it was due for review in 2012. A minor review of the Plan has been undertaken and the current content and notification requirements are considered appropriate for the level of pesticide use across Warringah. There are some minor changes required in relation to references to legislation and contact details for staff.

A comprehensive review of the Plan is proposed over the next 12 months, including detailed risk assessment of pesticide application procedures and locations, and improvement in current and new notification measures. To allow operations to continue in the interim however, and deliver satisfactory levels of service, it is proposed to extend the Plan until February 2016. This is permissible in accordance with the *Pesticide Regulation 2009*, where with the few minor changes identified above, the document will be compliant with updated regulations.

FINANCIAL IMPACT

The comprehensive review of the Plan can be undertaken within existing operational budgets.

POLICY IMPACT

The amendments to the Plan will bring Council in line with existing regulations.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council

- A. Approve the amended Pesticide Use Notification Plan to apply until February 2016
 - B. Require staff to undertake a comprehensive review and prepare an updated Plan by February 2016.
-

REPORT

BACKGROUND

In December 2006 Council adopted a Pesticide Use Notification Plan (the Plan) in accordance with the *Pesticides Regulation 1995*. The Plan outlines the process Council takes to notify the community about the use of pesticides in public places under its care, control and management. Pesticides cannot be used in these areas unless Council follows the steps set out in the Plan when using pesticides in public places. The Plan was due for review in 2012.

To ensure staff are operating in accordance with legislation and allow maintenance activities requiring pesticide application to continue, the Plan is recommended to be extended to February 2016. A minor review of the Plan has been undertaken and the current content and notification requirements are appropriate for the level of pesticide use across Warringah. There are however some minor changes required in relation to references to legislation and contact details for staff.

NOTIFICATION ARRANGEMENTS

Staff from across the organisation have been operating in accordance with the requirements of the 2012 Plan. Current notification arrangements include:

- a list of all sites scheduled for programmed pesticide applications will be advertised on Council's website and in local print media approximately 1 month prior to application;
- temporary signs are placed at entrances to areas where visitation is high at least 48 hours prior to application and remain on site for an additional 48 hours afterwards; and
- during application signage is placed at the entrances of sites.
- for vertebrate pesticides, such as fox baits, covered by a Pesticide Control Order, notification will be as specified in the relevant Order.

These notification methods are used for areas such as sportsfields, parks, road verges and reserves, laneways and pathways, drains, roads, fire trails, utility or other easements accessible to the public, and outdoor public open space associated with Council buildings and community facilities.

Where pesticide application is programmed or scheduled for application within 150m of sensitive areas such as schools, childcare facilities, hospitals or nursing homes, the occupiers will be provided with 48 hours prior notice by phone, mail or letterbox drop (whichever is most practicable).

For infrequently used areas and where the pesticide is Schedule 5 ('slightly toxic' as per the Poisons Standard 2013) or lower, only the temporary signage is in place during application and remains until such time that the pesticide has dried following contact with target species.

Council does not provide notification where the following applies:

- the use of small quantities of pesticides that are widely available and used for domestic purposes
- application by way of aerosol spray cans and spot control using a wand or backpack/handheld spray bottle and low voltage ute pack sprayer, hand-held applicator, or by cut-and-paint or stem injection techniques
- emergency control work – signage only will be provided during application and remain until such time that the pesticide has dried following contact with target species

Examples of pesticide applications that are undertaken by staff throughout the year include spraying to control insects and weeds on sportsfield surfaces and foreshore reserves, minor spot spraying of weeds in gardens, paths and other hard surface areas, control of noxious weeds in bushland environments using spot spraying or cut and paint techniques and, on occasion, feral animal control using baiting programs.

AMENDMENTS TO PLAN

In accordance with Clause 23 of the *Pesticide Regulation 2009* it is possible to make minor amendments to a Pesticide Use Notification Plan without a broad scale review. The Plan has been subject to a minor review and it is considered that it satisfies current legislation in terms of content and notification procedures. However legislation dates and staff details need to be updated.

It is also considered the notification arrangements meet the needs of the community in terms of information provision. Notification includes information on the name of the pesticide to be used, the purpose of the pesticide application, dates of application, locations of use, contact details for staff and any warnings regarding re-entry to a site.

The Plan needs to be extended however, to ensure staff are able to continue to meet levels of service to the community, particularly in relation to control of nuisance and invasive weeds and maintenance of sportsfields over summer and autumn.

The amendments include:

- updating references to the 1995 regulations with the 2009 regulations;
- extending review date to February 2016;
- updating the names of departments within Council for the community to contact; and
- more specific references to the new Council website, such as Your Say Warringah.

An updated Plan incorporating these minor amendments is attached.

COMPREHENSIVE REVIEW

It is proposed that staff shall carry out a comprehensive review of the Plan to develop an updated Plan by February 2016. The review shall include, but not be limited to consideration of any new relevant legislation, current best practice in relation to pesticide application, detailed geographical assessment of application sites and sensitive receivers, and risk assessment of exposure pathways to the community and environment. There are also new opportunities for notification of the public such as social media, as well as investigation into monitoring equipment to better inform staff of conditions (wind speed, humidity) during pesticide application.

Consultation will be undertaken in accordance with our Community Consultation Framework and will include identifying and contacting:

- sensitive receivers such as schools, hospitals, and childcare facilities to seek their expectations for information and notification;
- community and sporting user groups; and
- the broader community through print media, consultation networks, Council's webpage and social media.

TIMING

It is proposed to undertake the comprehensive review over the next 12 months. A draft plan will be reported to Council in approximately September 2015 for placement on public exhibition, with a view to reporting back to Council with the final plan for adoption by February 2016.

FINANCIAL IMPACT

The review of the Plan can be undertaken within existing operational budgets.

POLICY IMPACT

The amendments to the Plan will bring Council in line with existing regulations.

10.0 NOTICES OF MOTION

ITEM 10.1	NOTICE OF MOTION NO 15/2014 - CALL FOR A NATIONAL DRUG SUMMIT
TRIM FILE REF	2014/349749
ATTACHMENTS	NIL

Submitted by: Councillor Pat Daley

MOTION

That Council:

- A. Write to the State Government calling for an urgent summit to address the dangers of using all illegal drugs.
 - B. Write to the NSW Local Government Association requesting them to encourage all councils to put pressure on the State Government to hold an urgent summit to address the dangers of using all illegal drugs.
 - C. Distribute urgent warnings through existing council communication resources highlighting the dangers of using illegal drugs and the excessive use of alcohol.
-

FUNDING SOURCE

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

BACKGROUND FROM COUNCILLOR PAT DALEY

With Australia now one of the highest per capita users of illegal drugs, the drugs menace continues to increasingly impact on the Northern Beaches and all local government areas throughout the State.

While I appreciate this is principally a Federal and State issue, I believe Local Government also has a role to play in dealing with this issue which is now impacting on more and more families every day. With schoolies week about to commence at the end of this month and the start of the summer holiday period, I believe Local Government must now start to take the lead on this issue.

ITEM 10.2	NOTICE OF MOTION NO 16/2014 - RAINBOW CLUB AUSTRALIA
TRIM FILE REF	2014/354125
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

MOTION

That:

- A. Special needs members of Rainbow Club Australia have free access of the Warringah Aquatic Centre and free pool lane hire.
 - B. The able bodied family members still have to pay entry the pool.
-

FUNDING SOURCE

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

BACKGROUND

The Rainbow Club exists because special needs kids cannot learn to swim in regular group classes and the families cannot afford hundreds of individual lessons (as they don't learn as quickly). They aren't able to do organised team sports so normally Rainbow is giving these kids their only sporting activity/achievement.

Out of the 14 Rainbow Clubs, Warringah LGA is the only Council that charges this club for pool hire and for the entry of the special needs child. Sutherland, Blacktown, Campbelltown & Randwick Councils all provide free entry as do other private school pools for the other Clubs.

The Rainbow Club has been using Warringah Aquatic Centre for over 10 years, they have no NDIS funding and it currently provides one on one coaching for 40 kids.

11.0 QUESTIONS ON NOTICE

ITEM 11.1	QUESTION ON NOTICE NO 25/2014 - NEW SOUTH WALES GOVERNMENT RESPONSE TO COUNCIL'S RESOLUTION 523/14
TRIM FILE REF	2014/354338
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What has been the New South Wales Government's response to Warringah Council's Resolution 523/14 hereunder regarding the Oxford Falls Valley and Belrose North Strategic Review – Stage 1?

'523/14 RESOLVED

Cr Menano-Pires / Cr Regan

1. That Council notes:
 - A. That Council staff have consistently followed the methodology determined by the NSW Department of Planning and Environment.
 - B. The conflicting advice it has received from the NSW Department of Planning and Environment and from the former Minister.
 - C. The residents' concerns regarding the review of their individual parcels of land by the NSW Department of Planning and Environment led team.
 - D. That the previous Council was in favour of Stage 2 of the Planning and Assessment Commission recommended studies being carried out immediately.
 - E. That the E3 zone is being reviewed by the NSW Department of Planning and Environment.
2. That Council:
 - A. Requests the NSW Department of Planning and Environment to consider the report which is Item 8.1 on tonight's agenda and make a determination by selecting one of the five options.
 - B. Recommends the renaming of the E3 zone to address public concern about the implications of having a zone entitled "Environmental Management".
 - C. Recommends that Stage 2 of the Planning and Assessment Commission recommended studies be carried out immediately by the State Government.
 - D. Expresses its concern to the State Government at the rising costs of unnecessarily administering two Local Environmental Plans.
 - E. Informs affected landowners of this resolution.

VOTING

For the resolution: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Crs De Luca and Giltinan

CARRIED

ITEM 11.2	QUESTION ON NOTICE NO 26/2014 - NEW SOUTH WALES GOVERNMENT RESPONSE TO COUNCIL'S RESOLUTION 577/14
TRIM FILE REF	2014/354798
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What has been the New South Wales Department of Planning and Environment's response to Warringah Council's Resolution 577/14 hereunder regarding Dee Why Town Centre Planning proposal?

'577/14 RESOLVED

Cr Regan / Cr Menano-Pires

That Council:

- A. Forward the Planning Proposal to the Department of Planning and Environment seeking gateway Determination*
- B. Upon Gateway Determination publicly exhibit the Planning Proposal and the draft amendments to the Warringah Development Control Plan concurrently*
- C. Adopt the findings from the Dee Why Town Centre Traffic Model Update (March 2014) by GHD Australia.*
- D. Note the submission made by Mr Robert Player.*

VOTING

For the resolution: Crs Gobert, Harrison, Heins, Menano-Pires, Moskal and Regan

Against the resolution: Crs De Luca and Giltinan

CARRIED'

ITEM 11.3	QUESTION ON NOTICE NO 27/2014 - NEW SOUTH WALES GOVERNMENT RESPONSE TO COUNCIL'S RESOLUTION 470/14
TRIM FILE REF	2014/354835
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What has been the New South Wales Government's response to Warringah Council's Resolution 470/14 hereunder regarding Mountain Biking at the Belrose Waste Site?

'470/14 RESOLVED

Cr Regan / Cr Kerr

That Council:

- A. Confirm to the State Government's Waste Assets Management Corporation that Council has no financial capacity to be responsible for maintaining and managing a recreational use such as a Mountain Biking facility on the Belrose Waste Site following its land filling functions ending in November 2014.*
- B. Reconfirm to the Waste Assets Management Corporation that Council will continue to provide assistance (as appropriate) in progressing the necessary planning approvals for the proposed recreational use of the site.*
- C. Call on the State Government to call for an Expression of Interest from suitably incorporated bodies to operate the proposed mountain bike facility on the Belrose Waste Site or have it operated by the Office of Communities, Sport and Recreation or the Office of Environment and Heritage as the land is owned by the Government.*
- D. Confirm its support for the State Government operating the facility in accordance with resolution number 112/10 from the Council Meeting of 27 April 2010 in relation to Item 8.3 Belrose Waste and Recycling Centre – Draft Future Use Concept Plan.*
- E. Request State Government to lodge the Development Application immediately.*
- F. Note Councillors support the Development Application in principle.*
- G. Recommend that a skateboard facility also be considered in any proposal.*
- H. Establish a working party consisting of three Councillors and invite representatives of Trail Care, Manly Warringah Mountain Bike Club, Manly Warringah Cycle Club, Friends of Oxy and Garigal Land Care to assist with overseeing leasing and licensing options for the Belrose Waste site, the use of the site and to assist with identifying funding sources for the operation and maintenance of the site supporting Point C.*
- I. Invite the Member for Davidson, Mr Jonathan O'Dea to participate in the working party or appoint a representative on his behalf to the working party.*

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan'

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 2014/067 - Construction Services for Dee Why Town Centre Car Park and Multipurpose Community Facility 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 pricing 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 display differences in commercial submissions of various companies.

- 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.
-

