

# AGENDA

## WARRINGAH COUNCIL MEETING

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

**TUESDAY 26 MARCH 2013**

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



Rik Hart  
General Manager

(2013/3)



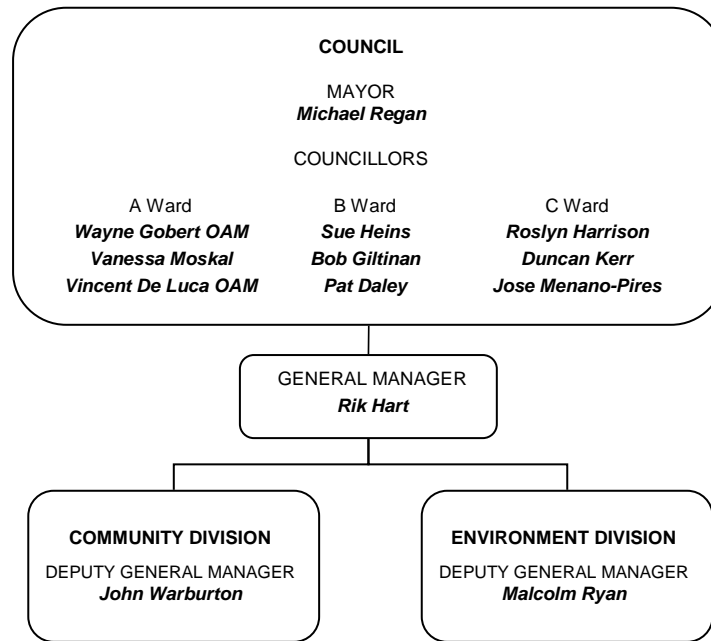
Warringah Council



Warringah Council

# Warringah Council Organisational Structure

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Warringah Council

## Our Vision : Our Values

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### Our Vision:

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

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### Our Values:

Respect  
Integrity  
Teamwork  
Excellence  
Responsibility

**Agenda for an Ordinary Meeting of Council  
to be held on Tuesday 26 March 2013  
at the Civic Centre, Dee Why  
Commencing at 6:00pm**

**ACKNOWLEDGEMENT OF COUNTRY**

**1.0 APOLOGIES**

**2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

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**3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST**

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

### **2.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 26 FEBRUARY 2013**

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#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held 26 February 2013, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

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## **5.0 MAYORAL MINUTES**

<b>ITEM 5.1</b>	<b>MAYORAL MINUTE NO 4/2013 - GRAFFITI</b>
<b>TRIM FILE REF</b>	<b>2013/083412</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

### **BACKGROUND**

There is constant criticism that Councils do not do enough in relation to the removal of graffiti on private property.

The State Government is very quick to point out that under Section 12 of the Graffiti Act 2008, Councils are empowered to remove graffiti on private property without the owner or occupier's consent if the graffiti is visible from a public space. The legislation also states, but seems to get lost in translation by the State Government, that removal without consent must be carried out from public land at the Council's own expense.

Everyone is familiar with the building located on Pittwater Road, Brookvale opposite Warringah Mall. We constantly receive complaints and representations from residents and our State Members regarding the deplorable state of this building and requests for Council to take action. With the requirement that we must remove it from public land, I have to ask how it is logistically possible to access the graffiti from 'public land' in this particular case.

Council, under the current legislation, is regularly called on to remove graffiti similar to that which we see in Brookvale and in some cases we are powerless when it comes to accessing these buildings and structures from public land. Even when Council is given permission to enter a private property and can access the graffiti from public land, the cost to the ratepayers is in the tens of thousands. It truly is quite incredulous that the residents of Warringah be expected to cover these costs. The responsibility should lie solely with that of the private land owner to take preventative measures to stop people from vandalising the site and accordingly, for any of the costs incurred with the removal of the graffiti.

This Council has an excellent record of removing graffiti from public places when it is reported. We have proven time after time that we take this issue very seriously. We have instigated some very successful programs particularly targeting our youth which has led to reduced graffiti from some high risk areas and there is now a greater awareness among some of our young people of the negative impact it has on our community. We have a Graffiti Management Plan and we have put in place reactive measures that respond to graffiti, including rapid removal, a graffiti hotline and collaborating with the police in taking action against offenders. We even ask our community to sign up as graffiti volunteers. We provide advice to property owners on what steps they can take to prevent graffiti and make it easier to remove graffiti on their property. Yet, it is still not enough.

I believe the solution lies with the State Government reviewing the legislative powers of Councils to enter private property – if we are expected to carry out the work, we need to be given increased authority to access the sites to undertake the removal work needed and not restricted to access from public land ie footpath. Further to this, I believe the legislation should be clear that Councils in all cases are able to pass on the cost of the removal to the land owners by way of a rates levy or alternatively be charged for the services at the point of sale/transfer of the land.

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### **RECOMMENDATION**

That staff write to the State Government seeking a review of the Graffiti Act 2008 with the view to increasing Councils legislative powers to access private land without consent for the sole purpose of removing Graffiti. Further, we ask that Councils be given authority to pass on the cost of the

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removal of graffiti to the land owner by way of rate levies or by some other means so that local residents are not held accountable for these enormous costs.

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**Michael Regan  
MAYOR**

<b>ITEM 5.2</b>	<b>MAYORAL MINUTE NO 5/2013 - CLOSURE OF COUNCIL UNMADE ROAD RESERVE - SOUTH CREEK ROAD</b>
<b>TRIM FILE REF</b>	<b>2013/083427</b>
<b>ATTACHMENTS</b>	<b>1 Unmade Road Reserve - South Creek Road</b>

## **BACKGROUND**

An unmade section of the South Creek Road reserve stretches 570m between James Wheeler Place and Jamieson Park, running between the South Creek Reserve adjacent Narrabeen Lagoon and the RSL LifeCare retirement village. The unmade road reserve is covered in bushland consisting of an endangered ecological community and is used for pedestrian and bike access around Narrabeen Lagoon.

Council resolved to apply to the Department of Lands (DOL) to close the unmade section of South Creek Road on 13 May 2003 and submitted an application to DOL in June 2003. On 23 October 2003, the solicitor for RSL LifeCare lodged an objection to the proposed road closure with DOL.

Due to related issues regarding the ongoing development of the RSL LifeCare site, the determination by the DOL was delayed until 20 August 2007 when they confirmed that Council's application had been refused due to the objection by RSL LifeCare.

The Department of Trade and Investment (formerly DOL) have recently advised Council that as RSL LifeCare have use of other Council road frontages that any similar objection to a new road closure application may not necessarily result in refusal.

I've been advised that this proposal can be carried out within the current operational budget.

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## **RECOMMENDATION**

That staff investigate the feasibility and benefit of closing the South Creek Road unmade road reserve (DP151292) and advise Council of the outcome.

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**Michael Regan**  
**MAYOR**



**Unmade Road Reserve – South Creek Road**







<b>ITEM 5.3</b>	<b>MAYORAL MINUTE NO 6/2013 - NATIONAL BROADBAND NETWORK</b>
<b>TRIM FILE REF</b>	<b>2013/083461</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

**BACKGROUND**

The National Broadband Network (NBN) is a next-generation broadband network designed for Australia's future needs. It promises to be more reliable, faster and provide better broadband access to all Australian homes and businesses through a mix of three technologies: optic fibre, fixed wireless and next-generation satellite.

The NBN will provide all users with access to speeds greater than what many people experience on ADSL today, and will offer a more stable and reliable broadband service.

The Federal Government have stated that the NBN fibre rollout will be underway or complete for up to one third of Australia's homes and businesses by mid-2015 yet construction within our region has not commenced and it does not appear it is schedule any time soon.

Warringah along with other Councils at a recent SHOROC Board Meeting resolved to work closely with SHOROC to lobby on behalf of the region to ensure the earliest possible roll-out of the National Broadband Network for residents, businesses and health services.

At this meeting, SHOROC agreed to work with Pittwater Council to lobby on behalf of the region. It resolved to invite the Head of Government Relations for the NBN to attend the next Board meeting to discuss the NBN and outline plans for the SHOROC Region. It further resolved to also write to our local Commonwealth Members of Parliament requesting their assistance to fast track high speed internet services to the SHOROC Region.

While this is an important issue for the region, I believe it is vitally important that the new infrastructure be rolled out as soon as possible within Warringah. With plans for the new hospital at Frenchs Forest, a significant State Infrastructure project and our own public investment in the Dee Why Masterplan, it is imperative that we be confident that this infrastructure will be available as these major projects progress. It also seems ridiculous that the company responsible for manufacturing the cabling for the NBN is located here in Warringah yet we are nowhere to be seen on the roll out map.

I am fully supportive of the SHOROC resolution and as President will be lobbying our Commonwealth Members of Parliament on behalf of the SHOROC Board. But in addition, I feel it is also important that this Council also call on our Federal members to make a strong commitment to lobby on our behalf given the huge public investment in Warringah. We need to highlight this and make our own representations to the Federal Government on behalf of the residents and business owners of Warringah.

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**RECOMMENDATION**

That Council:

- A. Make representations to our local Federal Members calling on them to lobby in support of fast-tracking of the NBN Infrastructure not only to our region but to Warringah.
  - B. Write to Senator Conroy, the Minister for Broadband, Communications and the Digital Economy echoing our support for the SHOROC resolution but highlighting the pressing need for the NBN infrastructure to be rolled out within Warringah given the hospital project is a significant State Infrastructure project and our own commitment to the Dee Why Masterplan.
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**Michael Regan  
MAYOR**

## **6.0 GENERAL MANAGER'S REPORTS**

<b>ITEM 6.1</b>	<b>MINUTES OF THE SHOROC INC BOARD MEETING HELD 20 FEBRUARY 2013</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2013/065944</b>
<b>ATTACHMENTS</b>	<b>1 Minutes of the SHOROC Inc Board Meeting - 20 February 2013 (Included In Attachments Booklet)</b>

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### **REPORT**

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#### **PURPOSE**

To report the decisions of the SHOROC Incorporated Board Meeting held 20 February 2013 (Attachment) for the Council's information.

#### **REPORT**

The Board of SHOROC Incorporated met at Brookvale on Wednesday 20 February 2013. Minutes from the SHOROC Incorporated Board Meeting are submitted for Council's consideration

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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

That the Minutes of the SHOROC Incorporated Board Meeting held 20 February 2013 be noted.

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<b>ITEM 6.2</b>	<b>MONTHLY FUNDS MANAGEMENT REPORT FEBRUARY 2013</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2013/072350</b>
<b>ATTACHMENTS</b>	<b>1 Application of Funds Invested</b> <b>2 Councils Holdings as at 28 February 2013</b> <b>3 Investment Portfolio at a Glance</b> <b>4 Monthly Investment Income vs. Budget</b> <b>5 Economic Notes</b>

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## REPORT

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### PURPOSE

To report the balance of investments held as at 28 February 2013.

### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

### REPORT

The following attachments are provided as part of the Report.

1. Application of Funds Invested (Attachment 1)
2. Council's Holdings as at 28 February 2013 (Attachment 2)
3. Investment Portfolio at a Glance (Attachment 3)
4. Monthly Investment Income vs. Budget (Attachment 4)
5. Economic Notes (Attachment 5)

### FINANCIAL IMPACT

The actual investment income to 28 February 2013 is \$3,001,942 which compares favourably to the budgeted income of \$2,760,000 a variance of \$241,942.

### POLICY IMPACT

The investment strategy was reviewed by our Investment Advisors Oakvale Capital, in January 2013. They confirmed that Council continues to maintain a prudent investment strategy and is well placed for the balance of the 2012/13 financial year and indeed beyond.

Performance over the 2012/13 financial year to date (February 2013) continues to be strong having exceeded the benchmark, 5.18%pa vs 3.41%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing its cash flows.

**RECOMMENDATION OF GENERAL MANAGER**

That the:

- A. Report indicating Council's Funds Management position be received and noted.
  - B. Certificate of the Responsible Accounting Officer be noted and the report adopted.
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<b>Application of Investment Funds</b>		<b>Description</b>	<b>Value (\$)</b>
<b>Restricted Funds:</b>			
Externally Restricted	Section 94 Old Plan		27,093,519
	Section 94A Plan Contributions		5,516,220
	Domestic Waste & Unexpended Grants		1,208,932
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.	14,871,320
Unrestricted Funds		Funds Allocated to meet Current Budgeted Expenditure	34,379,430
<b>Total</b>			<b>83,069,422</b>

There has been an increase in the investments held of \$3,217,386, which is in line with budgeted movements at this time of year.

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

<b>Description</b>		<b>Value (\$)</b>
Council's Cash Book balance		3,886,264
Kimbriki Bank balance		1,626,666

**Investments Funds Report - As at 28-Feb-13**

Maturity date	Face Value	Current Yield	Borrower	Standard & Poor's Rating	Current Value
<b>Floating Rate Note Investment Group</b>					
15-Mar-13	2,000,000	5.3000	HSBC Bank Australia Subordinated Debt	A	2,000,410
23-Apr-14	1,000,000	3.9800	Deutsche Bank AG London Sub Notes	BBB+	987,435
	<b>3,000,000</b>				<b>2,987,845</b>
<b>Floating Rate Note Investment Group - Held to Maturity</b>					
18-Jun-13	1,000,000	4.2267	Suncorp Metway	A-1	1,000,000
	<b>1,000,000</b>				<b>1,000,000</b>
<b>Mortgage Backed Securities Investment Group</b>					
<b>Weighted Avg Life *</b>	<b>Face Value</b>				
22-Aug-22	1,800,335	3.3892	Emerald Series 2006-1 Class A	AAA	1,383,307
	<b>1,800,335</b>				<b>1,383,307</b>
<b>Term Investment Group</b>					
6-Mar-13	3,000,000	5.0500	Members Equity Bank Melbourne	A-2	3,000,000
6-Mar-13	3,000,000	5.0300	National Australia Bank Limited	A-1+	3,000,000
6-Mar-13	1,000,000	5.0100	National Australia Bank Limited	A-1+	1,000,000
6-Mar-13	1,000,000	5.0000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
20-Mar-13	1,000,000	5.0500	Members Equity Bank Melbourne	A-2	1,000,000
5-Apr-13	1,000,000	4.7500	Bendigo and Adelaide Bank Limited	A-2	1,000,000
9-Apr-13	2,000,000	4.8000	Members Equity Bank Melbourne	A-2	2,000,000
10-Apr-13	1,000,000	4.7000	Members Equity Bank Melbourne	A-2	1,000,000
19-Apr-13	2,000,000	4.8000	Bank of Queensland	A-2	2,000,000
23-Apr-13	1,000,000	4.8000	Bank of Queensland	A-2	1,000,000
26-Apr-13	1,000,000	4.6700	National Australia Bank Limited	A-1+	1,000,000
7-May-13	1,000,000	4.3000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
10-May-13	1,000,000	4.7000	Bank of Queensland	A-2	1,000,000
13-May-13	1,000,000	4.7500	Bank of Queensland	A-2	1,000,000
15-May-13	2,000,000	4.4000	Members Equity Bank Melbourne	A-2	2,000,000
21-May-13	2,000,000	5.1000	ING Bank (Australia) Limited	A-1	2,000,000
27-May-13	1,000,000	4.6900	National Australia Bank Limited	A-1+	1,000,000
7-Jun-13	1,000,000	5.0000	Bank of Queensland	A-2	1,000,000
13-Jun-13	2,000,000	4.7500	ING Bank (Australia) Limited	A-1	2,000,000
13-Jun-13	2,000,000	4.3000	Bendigo and Adelaide Bank Limited	A-2	2,000,000
20-Jun-13	1,000,000	4.7200	ING Bank (Australia) Limited	A-1	1,000,000
25-Jun-13	2,000,000	4.3800	National Australia Bank Limited	A-1+	2,000,000
15-Jul-13	2,000,000	4.7000	Members Equity Bank Melbourne	A-2	2,000,000
18-Jul-13	1,000,000	4.3000	Bank of Queensland	A-2	1,000,000
23-Jul-13	2,000,000	4.4600	ING Bank (Australia) Limited	A-1	2,000,000
25-Jul-13	1,000,000	4.5000	Bank of Queensland	A-2	1,000,000
25-Jul-13	2,000,000	4.4000	Bank of Queensland	A-2	2,000,000
26-Jul-13	2,000,000	4.4000	Bank of Queensland	A-2	2,000,000
6-Aug-13	1,000,000	4.4700	ING Bank (Australia) Limited	A-1	1,000,000
13-Aug-13	1,000,000	5.0000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
13-Aug-13	1,000,000	4.3700	ING Bank (Australia) Limited	A-1	1,000,000
19-Aug-13	1,000,000	4.4000	Members Equity Bank Melbourne	A-2	1,000,000
26-Aug-13	2,000,000	4.3800	ING Bank (Australia) Limited	A-1	2,000,000
26-Aug-13	1,000,000	4.3500	ING Bank (Australia) Limited	A-1	1,000,000
29-Aug-13	1,000,000	4.7000	National Australia Bank Limited	A-1+	1,000,000
23-Oct-13	1,000,000	4.7000	National Australia Bank Limited	A-1+	1,000,000
29-Oct-13	1,000,000	4.4100	ING Bank (Australia) Limited	A-1	1,000,000
26-Nov-13	1,000,000	4.7200	National Australia Bank Limited	A-1+	1,000,000
29-Nov-13	2,000,000	4.6900	National Australia Bank Limited	A-1+	2,000,000
21-Jan-14	1,000,000	4.4000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
26-Feb-14	1,000,000	4.3500	Members Equity Bank Melbourne	A-2	1,000,000
26-Feb-14	1,000,000	4.3500	Credit Union Australia	A-2	1,000,000
25-Nov-14	2,000,000	5.7000	National Australia Bank Ltd - Govt Business	AA-	2,000,000
	<b>61,000,000</b>				<b>61,000,000</b>
<b>Term Investment Group &amp; Cash Deposit Account</b>					
<b>Rollover Date</b>	<b>Face Value</b>	<b>Current Rate</b>	<b>Borrower</b>	<b>Rating</b>	
Cash Account	5,179,515	3.3000	CBA (Business Saver)	A-1+	5,179,515
5-Apr-13	1,000,000	4.1100	CBA Term Deposit Kimbriki 35810609 (1)	AA-	1,000,000
17-Jun-13	1,000,000	4.0000	CBA Term Deposit Kimbriki 35810609 (2)	AA-	1,000,000
14-Jul-13	7,246,521	4.3300	WBC Term Deposit Kimbriki 11-1208	AA-	7,246,521
4-Aug-13	2,272,234	4.2600	WBC Term Deposit Kimbriki 11-4185	AA-	2,272,234
	<b>16,698,269</b>				<b>16,698,269</b>
	<b>83,498,604</b>				<b>83,069,422</b>
<b>Closing Balance:</b>					<b>83,069,422</b>

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



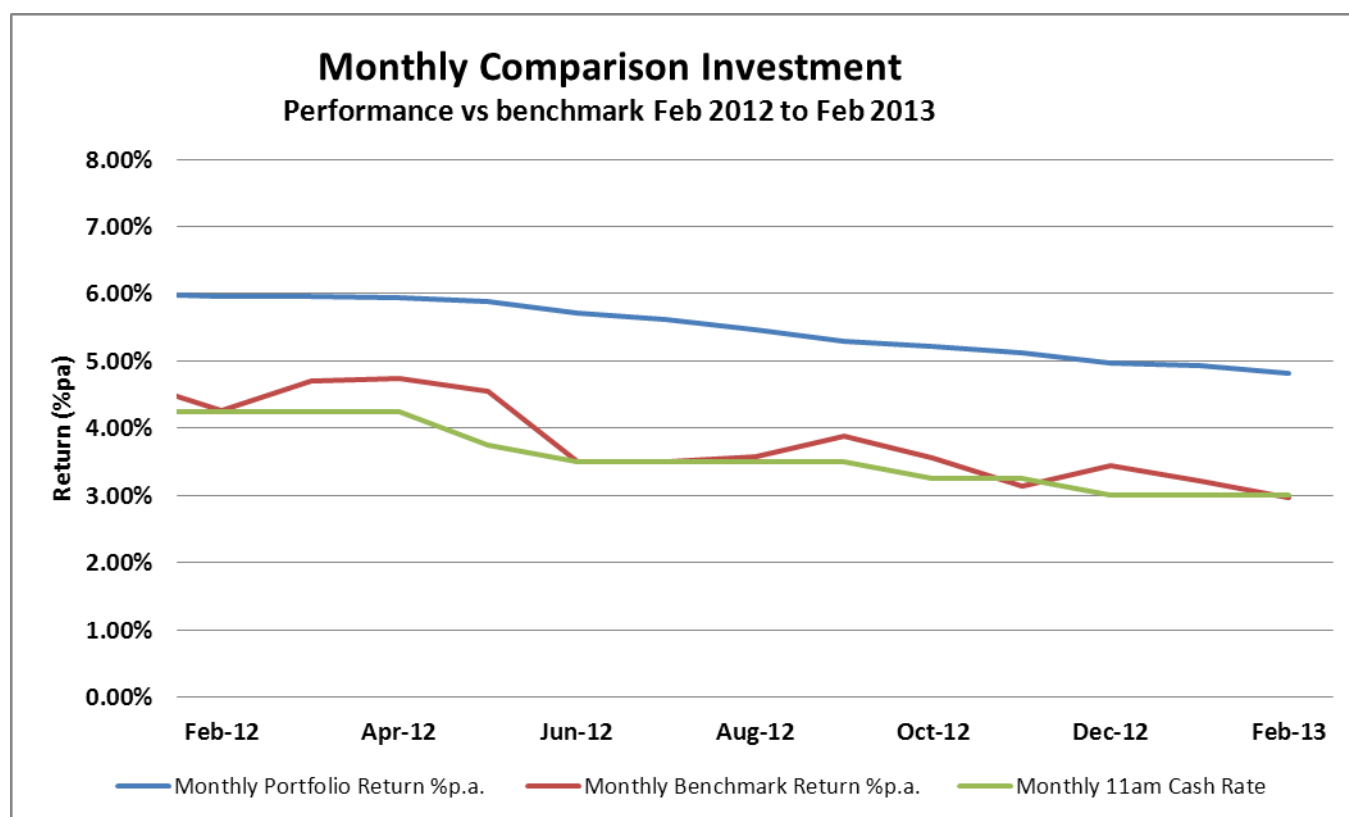
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
<b>Investment Policy Compliance</b>		
Legislative Requirements	✓	Fully compliant
Portfolio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

### Investment Performance vs. Benchmark

	<b>Investment Portfolio Return (%pa)*</b>	<b>Benchmark: UBS 90d Bank Bill Index</b>	<b>Benchmark: 11am Cash Rate **</b>
1 Month	4.81%	2.97%	3.00%
3 Months	4.91%	3.21%	3.00%
6 Months	5.06%	3.37%	3.17%
FYTD	5.18%	3.41%	3.25%
12 Months	5.41%	3.73%	3.48%

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

\*\* This benchmark relates to Cash Fund holdings

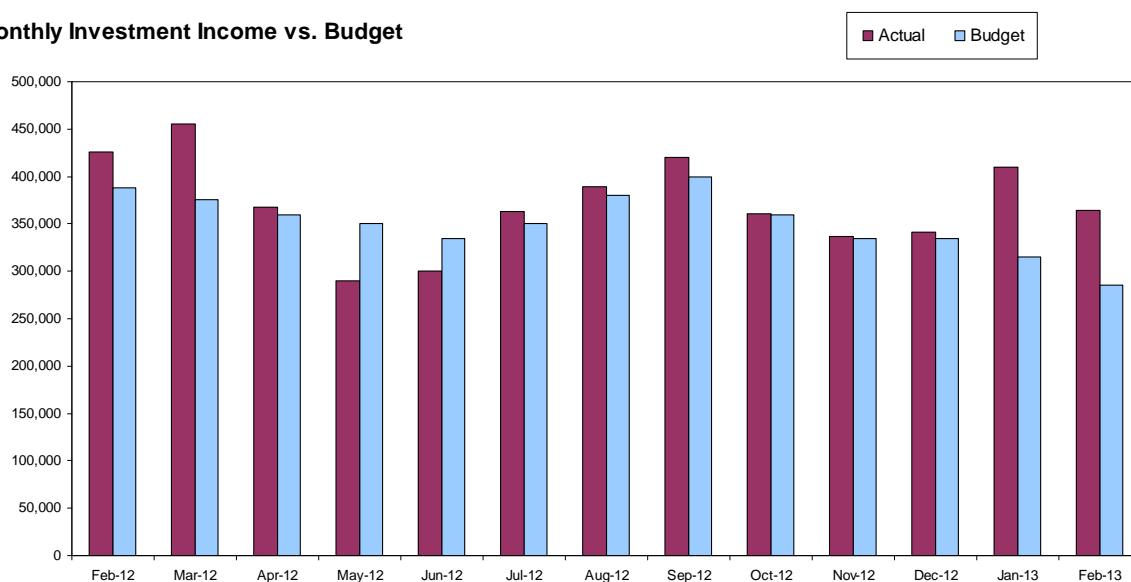


Monthly Investment Income\* vs. Budget

	<b>\$ February 13</b>	<b>\$ Year to Date</b>
Investment Income	312,657	2,888,032
Adjustment for Fair Value	52,030	113,911
Total Investment Income	364,687	3,001,942
Budgeted Income	285,000	2,760,000

\*Includes all cash and investment holdings

**Monthly Investment Income vs. Budget**



In February we have reflected a fair value increase of \$52,030 in accordance with AASB 139 Financial Instruments: Recognition and Measurement. It is Council's intention to hold these investments to maturity and as such no gain of principal will occur in these circumstances. These investments could have been classified as Held-to-maturity investments upon initial recognition under AASB 139 in which case no fair value adjustment would be required through profit or loss. When these investments reach maturity any fair value adjustment which has been taken up will be written back to the Profit and Loss Account.

## **Economic Notes**

### **Global issues:**

- In the US, the \$85b in automatic budget cuts known as the “sequester” has begun due to congressional stubbornness and the market has taken it in stride. The same week the cuts kicked in the US share market surpassed its pre-GFC levels and reached an all time high.
- In China, Premier Wen Jiabao has pledged prudent monetary policy, economic growth of 7.5% and an inflation target rate of 3.5% for 2013.
- In Japan, the sluggish economy contracted in 4Q 2012 by 0.1%. It was the third consecutive drop in quarterly GDP.
- Europe’s string of economic contraction exceeded Japan’s with the 5<sup>th</sup> consecutive quarter of zero or negative growth. Over 2012, Europe’s Gross Domestic Product has declined by 0.5% (the same percentage that economists are predicting the US will contract in 2013 due to the automatic budget cuts).
- In Italy, frustration with ongoing austerity measures resulted in an uncertain election result. EU leaders are concerned a fractured Italian parliament may not remain resolute in keeping budget controls in place.

### **Domestic issues:**

- Retail sales recorded a stronger than expected increase of 0.9% in January, seemingly justifying the RBA’s decision to keep interest rates unchanged at its latest meeting.
- Despite the US share market hitting all-time highs, the Australian share market remains nearly 25% below its pre-GFC peak.

### **Interest rates:**

- Market interest rates are essentially flat at 3% from official cash rate out to 2 years with only a gradual increase from 3% to 4% between 3 - 10 years. Meanwhile Australian banks are forewarning of a reduction in their term deposit margins, which have been at historic highs since the GFC.

## **Investment Portfolio Commentary**

Council’s investment portfolio posted a return in February of 4.81%pa versus the bank bill index benchmark return of 2.97%pa. For the financial year to date, Council’s investment portfolio has exceeded the bank bill index benchmark by 1.77%pa (5.18%pa vs 3.41%pa)



## 7.0 COMMUNITY DIVISION REPORTS

<b>ITEM 7.1</b>	<b>WARRINGAH AQUATIC CENTRE - SITE DEVELOPMENT STRATEGY</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER COMMUNITY</b>
<b>TRIM FILE REF</b>	<b>2013/035891</b>
<b>ATTACHMENTS</b>	<b>1 Concept Design Proposal</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

This report outlines the findings of a feasibility study on the future options for the development of the Warringah Aquatic Centre Site (WAC).

#### SUMMARY

The WAC is an aging facility that currently has a net operational cost to the community in excess of \$1.5m per year due to an inefficient configuration that doesn't meet modern standards. Based on conservative estimates of current trends, the net cost to the community over the next ten years, if nothing is done, will be in excess of \$20m.

In March 2011, Council approved the implementation of a Community Consultation and Needs Assessment Process to determine the future direction for the WAC given this unsustainable situation.

Council engaged Sydney Projects to project manage the process and a consulting team led by Strategic Leisure Group (SLG) to provide a recommended direction for the future use of the WAC that fully captures stakeholder and community needs and balances this with financial sustainability of the facility.

The work undertaken by the consulting team:

- Obtained feedback from a wide range of sources on community perceptions of the existing WAC, its design and facility issues and community and stakeholder needs and wants;
- Analysed operational data to better understand the operational performance of the asset, current trends and financial projections;
- Determined an optimal facility mix required to be developed at the WAC to achieve a financially sustainable multi-sport and leisure asset.

A key outcome of the study has therefore been to provide Council with sound base data to consider and further explore the potential development options available.

A master plan option has also been developed in the Site Development Strategy report which illustrates how the optimum facility mix could be accommodated within the site constraints and this in turn enabled costing and financial modelling for a redeveloped facility to be completed.

The conclusions from the Site Development Strategy report are that:

- A) A do-nothing (no development) scenario is financially unsustainable for Council,

- B) The closing of the WAC is not supported by the community and stakeholders. The community would lose a popular asset with 300,000 visits per annum within a growing catchment;
- C) The development of a facility mix that provides the desired level of service for the Warringah community in addition to the existing pool facility is not financially sustainable given that it would have to be funded whilst still supporting the existing operational losses from the existing 50 metre pool (note the SLG report is based on the assumption that the existing 50 metre pool will be retained)
- D) The above economic analysis suggests that retaining the 50m pool is not financially viable in any future development scenario. Reconfiguring the 50m pool would allow a wider range of development solutions to be considered for the site.

It is clear from the work done to date is that it is possible to redevelop the WAC into a modern high quality aquatic recreation facility that is financially sustainable but only if the existing 50 metre pool and existing facilities are reconfigured to meet contemporary standards.

Council proposes to continue to explore further development options for the site to determine a solution that creates a financially sustainable sport and leisure precinct that can be funded.

#### **FINANCIAL IMPACT**

It is anticipated that the Project Management and Consultation fees to develop alternate options for the development of the WAC will be in the order of \$150,000. This is made up of the budgeted amount of \$60,000 from 2012/13 and \$90,000 from 2013/14.

#### **POLICY IMPACT**

Engagement Policy will be applied in undertaking this process.

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

That:

1. Council resolves to further investigate options to provide a more sustainable future development for the Warringah Aquatic Centre site. This is to include investigation of potential partnerships, funding sources, opportunities presented by the Frenchs Forest Hospital development and consideration of possible reconfiguration of the existing 50 metre pool.
2. Pursuant to Section 55(3)(i) of the Local Government Act, Council resolves that a satisfactory result would not be achieved by inviting tenders for services required to carry out the investigation of options for the re-development of the Warringah Aquatic Centre because of the following extenuating circumstances:
  - a. Both Sydney Projects and Strategic Leisure Group have performed well to date and have acquired familiarity with the project.
  - b. Significant additional time and money would have to be spent calling for fresh tenders and for any new tenderer to acquire the same level of experience as the proposed companies for no discernable advantage
  - c. The market has been tested as recently as 2011
3. Council delegate authority to the General Manager to negotiate and enter into contracts with both Sydney Projects and Strategic Leisure Planning for the provision of services to carry out the investigation of further options for the re-development of the Warringah Aquatic Centre for consideration by Council in 2014.

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## **REPORT**

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The WAC was built in 1979 and was designed to be a public lap swimming facility, as well as an indoor training and competition pool for the Northern Beaches swimming clubs that were based at the ocean rock pools. Further, it was envisaged that the facility would also provide swimming lessons in order to improve water safety on the Northern Beaches as well as an outdoor area with splash pools and general recreational and leisure water based facilities. Now 34 years old, the WAC continues to service a broad range of age groups from within and outside the whole of the Northern Beaches Peninsula. It should also be noted that the WAC is still the only facility within this catchment to Ryde that houses an indoor 50 metre pool.

As confirmed through customer feedback, the WAC facility has a “tired” appearance and even without any additional developments would still require significant expenditure to lift the basic appearance and functionality of the facility.

In addition the facility is not currently compliant with all aspects of the Building Code of Australia (BCA) 1996 and (Australian Standards) requirements for disability, elderly and pram access (December 2005 Access Audit report). It is however considered that such improvements would best be designed and built to suit functionality requirements of a possible facility that meets future community needs.

A previous feasibility study of the WAC conducted by SGL Group in 2008/09 recommended a range of improvements including, Health and Fitness, and Indoor Sports and financial modelling indicated a capital cost of at least \$28.5 million.

An earlier WAC Strategy Plan and Feasibility Assessment 1997, undertaken by HM Leisure Planning also recommended a major upgrade and redevelopment of the facility.

In March 2011 Council approved the implementation of a Community Consultation and Needs assessment process to determine a direction for the future use of the WAC site that fully captures stakeholder and community needs and values and balances this with financial stability.

### **Key Operational Findings from the Report**

A full copy of the Warringah Aquatic Centre - Site Development Strategy - Final Report - March 2013 can be viewed on Council's website at <http://yoursaywarringah.com.au/document/show/794>

The current WAC facility mix is restricted in its usage capability in an environment where other contemporary aquatic and leisure facilities are designed to cater for a variety of multi use activities that are attractive to several segments of the community.

The WAC annual visitation rates for the period 2003/04 to 2010/11 indicate a general declining trend with annual revenue reducing from \$2,262,617 in 2003/04 to \$2,101,844 in 2010/11.

Annual expenditure has increased from \$2,208,502 to \$3,660,025 for the same period. Over the 8 year review period this equates to a total operating subsidy of \$4.97 M. It should be noted that this includes an annual allocation towards Council Corporate Overheads which in 2012/13 is estimated to be \$773,221. Declining visitation and revenue and increasing expenditure is not uncommon in aquatic facilities that are ageing. Given the size of the catchment, industry benchmarking indicates the WAC has the opportunity to significantly increase its current level of visitation through development of the facility mix.

Program analysis indicates that squad programs and holiday programs are making a positive contribution to the WAC, whilst Learn to Swim is performing the best of all program activities. Whilst casual swimming is the highest participation activity, it is providing the lowest return per visit of all programs/swimming activities. This explains why commercial operators focus on Learn To Swim and do not cater for casual lap swimming.

The median child entry fee of \$3.80 is lower than the WAC child entry fee of \$4.20, however the median adult entry fee of \$5.80 is consistent with the WAC adult entry fee of \$5.80. WAC Fees and Charges are consistent with market rates.

Benchmarking shows that the median annual visitation of 134,167 is significantly lower than the WAC experienced in its last full operating year in 2010.11 of 311,139.

The median total annual cost of 50 meter aquatic facilities to councils of \$706,263 is lower than the WAC in its last full operating year at \$1,294,906.

An extrapolation of the average operating deficit has been used to calculate the potential "mid range" scenario over the next ten years and this indicates an increasing operating deficit from \$1,562,688 in 2011/12 to an estimated deficit of \$2,922,158 in ten years. This equates to a total operating deficit of \$23,103,965 in ten years.

### **Management Analysis**

An analysis was undertaken on the management of the centre and the optimum management model that could be applied to the WAC.

The three most commonly used management models for contemporary indoor leisure centres in Australia are:

- Management by lease;
- Contract management; and
- Direct or 'in-house' management by council (current WAC model).

The short term management recommendation is for council to maintain its current arrangements whereby the WAC is directly managed internally. This will result in council continuing to achieve satisfactory community and social outcomes, whilst retaining oversight of the facility during any future redevelopment phase. Direct management will also provide Council with base data on the performance capability of the existing and proposed new facility mix.

After an initial trading period following an upgrade of the WAC, Council may wish to test the market and seek expressions of interest from potential third party operators at that future time.

### **Community Engagement Findings**

The items relating to facility layout, programs and services that most respondents wanted to see *improved* were:

- Improved accessibility
- Leisure water
- Upgraded change rooms
- Increased access for lap swimming
- Improved café
- Introduction of new activity spaces (eg. health and fitness).

The *new* facilities suggested by most recipients were:

- Leisure and adventure water
- Multi-purpose indoor courts



- Improved café
- Dedicated water polo pool
- Health and fitness facilities
- Bike facilities
- Synthetic hockey field
- Spa

**Facility Mix Considerations**

A range of potential facility mix elements were then compiled and evaluated in terms of:

- Impact on the sustainability of the WAC
- Consistency with previous study recommendations
- Other facilities in the catchment
- Feedback from direct consultation, online forum and surveys.

**Concept Design Proposal (Attachment 1)**

The proposed facility mix was developed into a concept plan to consider its potential fit on the site given various constraints and to allow for costing and financial modelling to be completed. The concept design proposal reflects the feedback received from community testing of the concept during its development and recent advice that additional indoor sports courts were proposed in Pittwater, Willoughby and Warringah (PCYC at Dee Why) Council areas.

The main changes to the concept as it evolved were a reduction in the number of proposed indoor sports courts from four to three (which avoids any potential impact on the adjoining baseball fields) and further tightening of the design to reduce the development cost.

The updated preliminary capital cost for the final design concept is \$38,772,275 +GST (inclusive of direct costs, professional fees, construction and contingency).

The projected cost has been broken into two assumed stages of:

- Stage 1 - \$28,851,385; and
- Stage 2 - \$9,920,890 (comprising essentially the indoor courts and underground parking)

**OPERATIONAL FORECASTING**

In order to identify the potential future operational performance of the staged redevelopment of the WAC, a report was prepared which included detailed analysis, forecast projections and assumption explanations.

For the purpose of ensuring consistency of analysis of historical data and forecast projections, the full Corporate Overhead expenditure (currently \$773,221) was included within forecast projections. The projections outlined within this report should be viewed having regard to the fact that the majority of Corporate Overhead expenses are not considered standard operating expenditure for an aquatic and leisure facility.

The SGL report estimates the following net performance of each of the new facility components for Year 3 (i.e. excluding the existing 50 metre pool), being the first operating year where the redeveloped WAC achieves its full operating potential: It should also be noted that these figures do not include cost of capital or depreciation of the asset.

<b>FACILITY COMPONENT</b>	<b>TOTAL REVENUE Y3</b>	<b>TOTAL EXPENDITURE Y3</b>	<b>NET OPERATING RESULT</b>
Indoor Stadium	\$222,217	\$168,887	\$53,330
Aquatic Area (excluding existing 50 m pool)	\$1,113,970	\$1,164,205	(\$50,235)
Gym	\$738,510	\$449,617	\$288,893
Health and Fitness Programs	\$225,238	\$171,828	\$53,410
Café/ Retail	\$703,938	\$527,953	\$175,985
Wellness Centre			\$121,000
Mountain Bike	\$250,000	\$125,000	\$125,000
Undistributed Overheads		\$15,291	(\$15,777)
<b>TOTAL</b>			<b>\$783,160</b>

However, when the ongoing projected losses from the 50m pool are added to the positive operating projections for the new facility mix elements, the net result remains a significant operating loss for the centre.

The cumulative 10 year projections forecast (rounded) are:

- total losses from the WAC under a do-nothing scenario in the order of \$23 million (mid-range);
- new facility 10 year surplus of \$9.5 million;
- combined existing and new facilities, projected loss of \$13.5 million

The operational forecast should be considered though in the context of the following considerations

- Development of the Northern Beaches hospital will provide further benefits to the WAC including an expanded market; improved accessibility; and program and service delivery synergies and opportunities;
- Analysis of the merit of this project should not focus exclusively on financial sustainability as it is considered the projected doubling of visitation as a result of the new facility mix will provide broader social, health and economic benefits to the Warringah community;
- Centre for Environmental and Recreation Management (CERM) benchmarking tells us that the median performance for a combined wet and dry recreation facility similar to the recommended WAC facility mix, with a catchment of approximately 110,000 people, is projected to result in a deficit of over \$700,000 p.a. This result is consistent with the projected Year 3 redeveloped WAC deficit developed as part of this study after taking into consideration the non-typical corporate overhead costs that the WAC currently funds. This result demonstrates that there are LGA's elsewhere in Australia providing similar annual operating investment into their recreational facilities, although they may or may not consider this level of subsidy sustainable;
- This is the third major study on the WAC undertaken by Council since 1997, with all studies recommending a major upgrade of the facility mix.
- Further, recent major upgrades of regional aquatic centres throughout New South Wales, Queensland and Victoria range between \$15M - \$40M total capital cost.

## **Future Options**

The study determined that in its current 50 metre configuration, there were three options for the WAC which were;

- 1) Do nothing and continue to fund the increasing operating deficit.

The “do nothing” scenario was not supported as the future increasing deficit could cost council up to \$27M (high range) over the next ten years with new no facility/ community benefits achieved.

- 2) Close and decommission the WAC,

In consideration of the key findings outlined above, closing the WAC was not recommended based on the following:

- Council has already publicly indicated a commitment to retaining an indoor aquatic facility;
  - There is strong community demand for the retention and upgrade of the WAC;
  - The WAC services a strong, growing catchment;
  - The Northern Beaches hospital will result in expanded market opportunities for the WAC;
  - The WAC will result in improved social, health and economic benefits for the broader community;
  - The recommended capital investment and ongoing operating subsidisation is consistent with other LGA investment throughout Australia.
- 3) Council to secure third party funding to progress the recommended future facility mix (costed at \$29 million for Stage 1)

(It should be noted that the study brief assumed that the 50m pool was to be retained and as such development with third party funding was determined to improve the financial sustainability and respond to community needs. However, this approach doesn't resolve the financial sustainability and still results in significant ongoing net operating losses as noted above as long as the 50m pool is retained.)

estimated to grow to over 277,000 by 2036. This catchment includes servicing an estimated 19% from Manly, 12% from Pittwater and a further 12% from other surrounding areas. This data clearly demonstrates that the WAC currently services a large scale, regional catchment beyond boundary of the LGA. It is anticipated that the WAC will continue to attract a broader regional catchment into the future. On this basis, an argument for State and Federal Government funding support would be considered to have merit.

It is recognised however that securing government funding and other third party funding for aquatic and leisure facilities is currently difficult. In consideration of this, concurrently with council seeking third party support, it is also recommended that further investigations be conducted to identify alternate designs and stages that require a reduced capital investment, yet still improve the financial operating performance of the WAC. Some of these options should be developed on the basis that the existing 50 meter pool configuration is changed.

In addition the development of the Frenchs Forest Hospital could provide an opportunity for a partnership arrangement with the Health Department to more holistically develop the site to develop mutually beneficial outcomes.

## **Alternative Procurement for the Ongoing Delivery of the Project**

Strategic Leisure Group were awarded the contract to undertake the Community Engagement and needs analysis in December 2011. Upon delivery of the final report the costs allocated to SLG will

have been in the order \$125,000. Similarly the contract with the project manager, (Sydney Projects) was to terminate once the final report was delivered and to date the costs for the project management stand at \$140,000. Whilst this is currently within the \$150K required before going to a tender process, it is a probability that over the next twelve months both the consultant and the project manager will exceed the \$150K limit. It should be noted however that the total amount by which it will be exceeded will be capped at \$150,000 i.e. the budgeted amount of \$60,000 from 2012/13 and \$90,000 from 2013/14.

Section 55 (3) of the Local Government Act states; "a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders".

Under the terms of the Act therefore, Council approval is sought for an alternative procurement process in order to extend the existing contracts for both the consultant, Strategic Leisure Group and also the Project Manager, Sydney Projects, in order that the project can be progressed to the next stage.

The extenuating circumstances required under the Act are that since the market has already been tested in the last 18 months, and both the project consultant and project manager have successfully delivered the project to its present stage it was determined that a satisfactory result would not be achieved by inviting tenders and would only add to time delays in delivering the project.

Both the consultant and project manager now have detailed knowledge and understanding of the project, which will provide the necessary basis on which to most effectively progress the project.

Given the potential opportunities presented by the Frenchs Forest Hospital, time is critical for this project and the current momentum needs to be maintained.

## **CONSULTATION**

- Club, school and intercept surveys
- Stakeholder Advisory Group meetings<sup>3</sup>
- Telephone survey
- Your Say Warringah – Online Forum.
- Focus groups with local schools and members of the community
- Warringah Baseball representatives meeting
- Direct feedback from pool visitors; and
- 'Meet us at the pool' public display.

**TIMING**

Key Milestones for progression of the proposed development process for the WAC site are as follows.

Council approval to investigate further options for partnerships and funding	March 26 2013
Alternate designs and funding opportunities be investigated	Sept 2013
Community Engagement process completed	February 2014
Present findings to Council	April 2014

**POLICY IMPACT**

This process complies with council's policies, and it is proposed that Council's Community Engagement Policy will be applied in undertaking this process.

**FINANCIAL IMPACT**

It is anticipated that the Project Management and Consultation fees to develop alternate options for the development of the WAC will be in the order of \$150,000. This is made up of the budgeted amount of \$60,000 from 2012/13 and \$90,000 from 2013/14.









2

CONCOURSE LEVEL PLAN @ RL 0.00M - 1:500 @ A1

0 m 10 m 20 m 50 m 100 m



WARRINGAH AQUATIC CENTRE  
Masterplan and Feasibility Study, October 2012







3

GALLERY LEVEL PLAN @ RL 2.70M - 1:500 @ A1



WARRINGAH AQUATIC CENTRE  
Masterplan and Feasibility Study, October 2012





<b>ITEM 7.2</b>	<b>YOUTH STRATEGY - CONSIDERATION OF SUBMISSIONS</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/070846</b>
<b>ATTACHMENTS</b>	<b>1 Youth Strategy (Included In Attachments Booklet)</b> <b>2 Youth Strategy Supporting Material (Included In Attachments Booklet)</b> <b>3 Youth Strategy Summary of Submissions (Included In Attachments Booklet)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To advise Council of the submissions received in response to the exhibition and to recommend adoption of the Youth Strategy at Attachment 1 to this report.

Supporting material (methodology; demographic profile; key findings from the Youth SpeakUp survey 2012; and overview of Council's role) is provided in Attachment 2 to this report. Attachment 3 provides a summary of all submissions received.

#### **SUMMARY**

The draft Youth Strategy was on public exhibition for just over four weeks. A total of seven submissions, of which three were internal, were received. These submissions have been considered. Apart from some minor editorial changes, no substantive changes are recommended.

#### **FINANCIAL IMPACT**

The Youth Strategy is expected to be completed in the 2012/13 financial year as programmed.

#### **POLICY IMPACT**

Once finalised, the Youth Strategy will provide clear strategic direction for Council to plan and deliver services and assets for young people in Warringah.

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

That Council adopt the Youth Strategy.

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**REPORT**

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**BACKGROUND**

The draft Youth Strategy was reported to Council at its meeting of 12 February 2013 when Council resolved to place the draft Youth Strategy on public exhibition. The Youth Strategy draws on extensive research, analysis and conversations with young people, their parents and key community agencies. More than 1,000 young people have contributed to the creation of the Youth Strategy.

Young people told us of five themes that are important:

1. Connection and belonging
2. Life skills and career choices
3. Mental health and emotional wellbeing
4. Recreation and physical wellbeing
5. Engagement and participation

**CONSULTATION**

The public exhibition of the draft Youth Strategy was advertised in the Manly Daily and Council's website. In addition, two articles on the draft Youth Strategy featured in Sydney Morning Herald on Sunday 17 February and the Manly Daily Saturday 23 February 2013 respectively.

Emails were sent to community members registered on relevant Council databases, namely our Youth Survey database (approximately 500 young people); database of parents with teenagers (approximately 200 people) and our general community database (approximately 2,000 people).

Youth service providers and other stakeholders on the northern beaches were informed of the public exhibition and encouraged to make comment. A presentation to the Peninsula Youth Services Incorporated was conducted in mid February to encourage feedback and regional cooperation.

The exhibition extended from 15 February to 18 March 2013, with copies of the draft Youth Strategy available at Council offices and libraries, and online at Council's website. Written submissions were invited through our online submission form, email, or by letter. A total of seven submissions, of which three were internal, were received.

**CONSIDERATION OF SUBMISSIONS**

The seven submissions are summarised at Attachment 3 to this report. All submissions with one exception supported the draft Youth Strategy. The dissenting submission does not support Council providing youth services as the author thinks this should be the parents' role.

Several submissions made editorial suggestions which have been incorporated into the document. Apart from these minor changes, and one additional sentence regarding sexual/gender identity, no changes have been made to the document.

**POLICY IMPACT**

The Youth Strategy identifies guiding principles, themes, and strategic directions for an annual implementation program for Council.

**FINANCIAL IMPACT**

The Youth Strategy is expected to be completed in the 2012/13 financial year as programmed.



<b>ITEM 7.3</b>	<b>MEDIA POLICY GOV - PL 520</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER COMMUNITY</b>
<b>TRIM FILE REF</b>	<b>2013/077385</b>
<b>ATTACHMENTS</b>	<b>1 Draft Media Policy GOV-PL 520</b>

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**REPORT**

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**PURPOSE**

To approve public exhibition of the draft Media Policy GOV - PL 520.

**SUMMARY**

The Draft Media Policy is an update of the previous Media Policy. It seeks to reflect the changing media environment in regards to the increasing importance of digital and social media. It also adopts a more flexible approach to the approval process for media statements – allowing for a faster response to inquiries online or from traditional media.

Changes include:

- A commitment to transparent and open communication in the digital space.
- Addition of high level direction to staff about appropriate behaviour in the digital space.
- Addition of protocols and standards for those using official Council online properties.
- Addition of rules governing use of photos of individuals.

**FINANCIAL IMPACT**

The advertising costs of approximately \$600 will be taken from the existing Marketing & Communications budget.

**POLICY IMPACT**

An update of Media Policy GOV - PL 520

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY**

That the draft Media Policy GOV - PL 520 be placed on public exhibition for a minimum of 28 days.

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## **Warringah Council Policy**

### **Policy No. Number**

### **GOV-PL 520 Media Policy**

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

To establish protocols for distributing Council information to print, online and broadcast media, to ensure coordinated, accurate and reliable presentation.

To establish protocols for responding to inquiries from the media and to the community on social media.

To establish protocols for posting content on Council's online properties.

To support staff members in their use of different mediums.

To keep the community informed about Council activities, services and programs.

To encourage open government, increased collaboration with the community, reduce barriers to engagement and increase access to information.

#### **2 General Principles**

Warringah Council encourages open communication with the media and the community, with an emphasis on promoting a positive, progressive and professional image of Council and staff. We aim to provide accurate and timely information, to ensure the community is aware of what's going on and how they can be involved.

The Mayor and/or General Manager are the official spokespersons for the Council on all matters of Council policy, interpretation of policy or actions which may commit the Council's resources to any purpose.

In the absence of the General Manager and Mayor, the official spokesperson can be the Deputy General Managers or the Group Manager, Marketing & Communications Group. Group Managers may approve media releases.

Council's media policy operates according to the following principles:

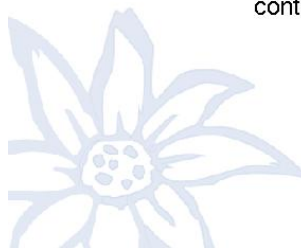
Council strives to provide accurate, fair and thorough information.

Media organisations and their representatives will be treated equally and without bias.

Media enquiries are to be dealt with promptly and within the media's deadline where possible.

Social media comments and queries should be dealt with in a consistent, open and transparent matter.

Council will openly discuss matters of interest unless disclosure of certain information is contrary to law or unable to be disclosed on the advice of Council's lawyers.



**Policy No. Number**

Councillors may express their personal view online or to the media on any matter relating to their Ward or routine Council business however this should be clearly identified as a personal view.

Council staff members are not to make any comments to media or online relating to Council decisions, operations and/or events, or about Council staff and/or elected representatives which may bring Council into disrepute. This includes the use of social media in a private capacity.

In the case of official investigations, accidents or enquiries into business dealings or any matters with possible legal consequences, any statements made to the media must be approved by Council's lawyers.

Staff must ensure that no confidential information on individuals can be gained from Council's online digital properties or social media properties. Use of these properties should conform to the Privacy and Personal Information Protection Act 1998. Council's Statistical data on website visitors may be collected as per the Website Disclaimer and the Privacy and Personal Information Protection Act 1998.

**3 Council's Online Properties**

Council's online properties are increasingly being used as a source of information for the public. They should be maintained to ensure information is up to date and accurate.

Responsibility for this rests with the relevant business units, in conjunction with the Marketing & Communications Group.

All Council's online properties should follow Council's style guide and be identifiable as belonging to Council.

**4 Social Media**

Social media allows Council to improve engagement with the community and to be transparent and accountable. Council should endeavour to build an established audience on social media and support ongoing relationships. Therefore adequate resourcing should be provided to ensure Council's continued commitment to online engagement as well as adequate out of hours monitoring.

Warringah Council's social media accounts are run by the Marketing & Communications Group and designated staff members representing Council. All Council's social media properties should follow Council's style guide and be identifiable as belonging to Council.

Matters of a serious or complex nature should be taken off line and referred to Customer Service to ensure tracking and reporting.

All employees using Council's social media accounts should maintain high standards of professional behaviour as per Council's Code of Conduct, ensure that all published material is consistent with Council's policies, standards and other published materials.

**5 Photos**

Consent should be obtained from individuals before their image is used by Council in any public capacity.





**Policy No. Number**

Photos can only be taken of children with consent of a parent or care-giver. These photos must be taken in a respectful and appropriate manner and not distributed or reproduced in any manner without consent.

Council photographers may take photographs of groups in public places. These may be used in the public arena without consent of the individuals but only if people are not identifiable.

**6 Authorisation**

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

It is effective from [insert date].

It is due for review on [insert date].

**7 Amendments**

This Policy was last amended on [insert date].

**8 Who is responsible for implementing this Policy?**

Group Manager Marketing & Communications Group

**9 Document owner**

Deputy General Manager, Community

**10 Related Council Policies**

Media Liaison Operational Management Standard

Code of Conduct Policy

Access to Information Policy

Community Engagement Policy and Matrix

**11 Legislation and references**

Government Information (Public Access) Act 2009

Copyright Act Cth 1968

Defamation Act, NSW 2005

Privacy Act, Cth 1988

Privacy and Personal Information Protection Act, NSW 1998

Media Council of Australia

Journalists Code of Ethics

ACT Government Social Media Policy Guidelines, March 2012

Social media guidance for civil servants, Government Digital Office, UK, General May 2012

**12 Definitions**

Policy No. Number

**Media:** Any commercial, community or citizen publishing entity or property. This includes all online and offline, print or digital publications, sites or applications.

**Council's online properties:** Any page published on the internet and located on a Council server or any page published on the internet and located on a third-party server on behalf of Council. The content is moderated and controlled by Council staff or Council contractors and includes eServices, Glen Street Theatre and Your Say Warringah.

**Social media:** User-driven online tools and forms of publishing based on interaction or conversation, including, but not limited to Facebook, Twitter and LinkedIn.

**Online content:** Any comments posted on Council's online properties, website or other online properties including, but not restricted to; blogs, online forums, YouTube, and social media sites such as Twitter, Facebook.

**Media release:** A written statement issued by the Council that states its position on a matter of Council business, Council policy or the public interest.

**Media comment:** A verbal or written statement issued by the Council that states its position on a matter of Council business, Council policy or the public interest.

**Council spokesperson:** The designated official spokesperson for the Council.

**Community:** Includes all the people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the Warringah area. The community can be referred to as stakeholders or comprise of stakeholders.



## **8.0 ENVIRONMENT DIVISION REPORTS**

<b>ITEM 8.1</b>	<b>2013 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA)</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2013/074591</b>
<b>ATTACHMENTS</b>	<b>1 National General Assembly of Local Government 2013 Program</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To determine Councillor attendance at the 2013 National General Assembly of Local Government being held in Canberra from Sunday 16 June 2013 to Wednesday 19 June 2013, and to determine any Motions to be submitted by Warringah Council to this conference.

#### **SUMMARY**

The National General Assembly of Local Government is the major event on the annual events calendar for the Australian Local Government Association (ALGA). It is convened by the Australian Local Government Association for local councils across Australia to develop and express a united voice on the core issues affecting local government and their communities. Council has been asked to nominate representatives at the Conference, as well as to submit Motions, by 26 April 2013.

#### **FINANCIAL IMPACT**

Funds are available in the 2012/2013 budget for conference attendance by Councillors.

#### **POLICY IMPACT**

Attendance by Councillors at the National General Assembly of Local Government and payment of expenses is in accordance with Council's Policy GOV-PL 130 Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to, the Mayor, Deputy Mayor and Councillors.

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

That Council:

- A. Authorise Mayor Regan and Councillor Menano-Pires to attend the National General Assembly of Local Government to be held in Canberra from 16-19 June 2013;
  - B. Determine any Motions to be put forward by Warringah Council to the 2013 National General Assembly of Local Government.
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**REPORT**

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**BACKGROUND**

The National General Assembly of Local Government is an annual conference convened by the Australian Local Government Association for local councils across Australia to develop and express a united voice on the core issues affecting local government and their communities.

The 2013 conference is in Canberra from 16-19 June 2013. Council has been invited to nominate representatives at the National General Assembly of Local Government, as well as to submit Motions by 26 April 2013.

This year's theme is 'Foundations for the Future: Twenty 13'. The theme and the political climate this year focuses our attention on our future as a nation.

A discussion paper compiled by ALGA was previously distributed to Councillors.

A Motion to be submitted must have the support (i.e. by resolution) of the full Council and meet the following criteria:

- Fall under the National General Assembly theme of Foundations for the Future: Twenty 13;
- Be relevant to the work of local government nationally; and
- Complement or build on the policy objectives of the NSW Local Government Association.

The ALGA requires that any Motions be submitted by Friday 26 April 2013. If Council is to submit Motions by the due date, it will be necessary for Council to resolve to lodge the Motions at tonight's Council Meeting to ensure enough time for staff to submit the details prior to the due date.

**CONSULTATION**

Councillors have been consulted regarding the submission of Motions to the conference.

**TIMING**

The conference runs from 16-19 June inclusive.

**POLICY IMPACT**

Attendance by Councillors at the National General Assembly of Local Government will be dealt with in accordance with Council's Policy GOV-PL 120 Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to, the Mayor, Deputy Mayor and Councillors.

The National General Assembly of Local Government is included in the list of conferences to which this policy applies. The policy covers conference costs, registration, accommodation, travel and out of pocket expenses.

**FINANCIAL IMPACT**

The approximate cost of attendance per delegate is:

Item	\$
Registration Fee (early bird (including function dinners x 2)	\$899.00
Return Air Fare (Qantas Flexible Fare)	\$500.00
Accommodation for x 3 nights (at \$200 per night)	\$600
<b>Total</b> (excluding out-of-pocket expenses)	<b><u>\$1999.00</u></b>

Note: Carbon offsets are available with flights through Virgin Blue and Qantas at a cost to be determined when the booking takes place.

There are alternative travel provisions for travel to Canberra by bus, train or car as per the schedule below:

<b>Mode of Travel</b>	<b>Cost</b>	<b>Carbon Offset</b>
Bus	\$70 return	Available for an extra \$1.00 on the ticket price
Train	\$80 return	Not available
Car	For the journey (600km return), where the current cost of fuel is approximately \$1.50 per litre based on an approximate consumption of 8.4-9.9L/ 100km or 9.9-10.8L/ 100km for a standard 4 and 6 cylinder sedan respectively, the cost of petrol would be \$76-89 for a 4 cylinder vehicle and \$89-97 for a 6 cylinder vehicle.	Not available





PROGRAM AND REGISTRATION

REGISTER ONLINE

[www.alga.asn.au](http://www.alga.asn.au)

# Foundations for the Future TWENTY13

## NGA13

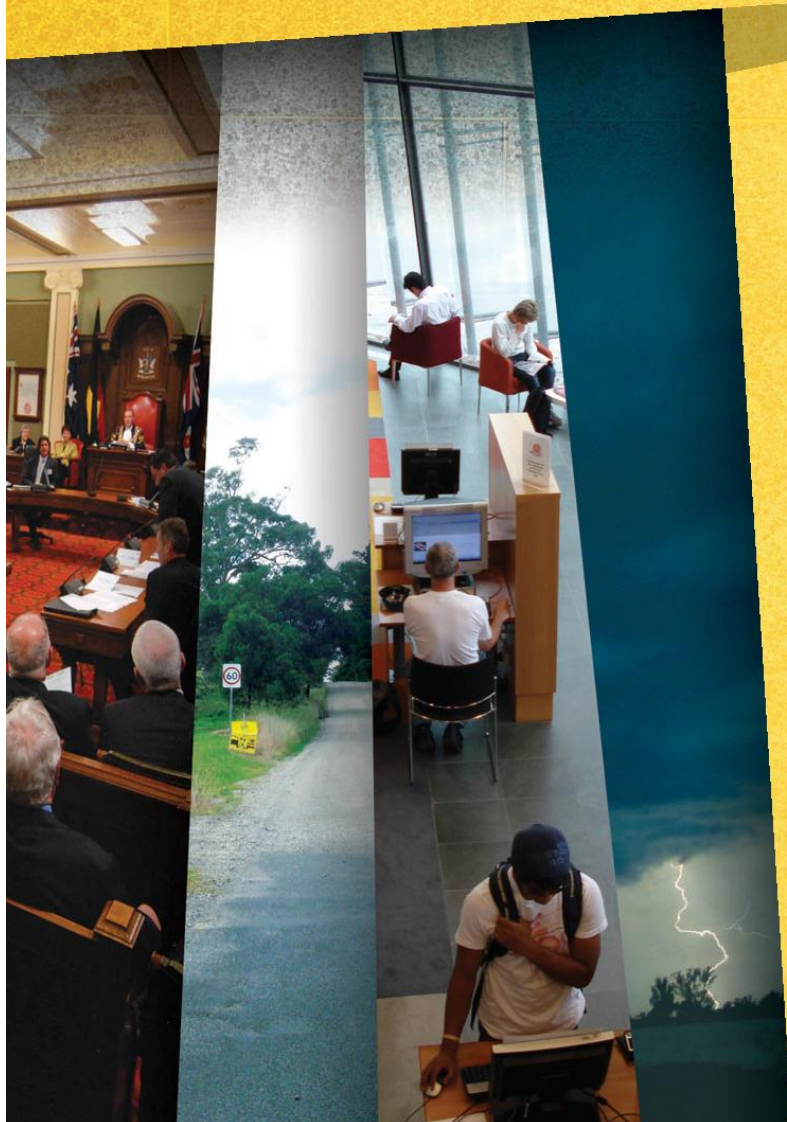
National General  
Assembly of Local  
Government

**16-19 JUNE 2013**

National Convention Centre | Canberra



AUSTRALIAN LOCAL  
GOVERNMENT ASSOCIATION





**Foundations  
for the Future**  
 TWENTY 13

## PRESIDENT'S WELCOME

Colleagues,

I invite you to attend this year's National General Assembly of Local Government (NGA) in Canberra from 16-19 June.

The NGA is the premier local government event bringing together more than 700 mayors, councillors and senior officers from councils across Australia to develop local government policy ideas, meet with key federal politicians and hear from renowned experts on the key issues affecting local government in Australia.

This year there will be a federal election on 14 September. The election provides an important opportunity to seek commitments from all federal political parties about the way in which they will work with and support councils in meeting community needs.

I have invited the Prime Minister, Minister for Regional Australia, Regional Development and Local Government, the Leader of the Opposition, Shadow Minister for Regional Development, Local Government and Water, the Leader of the Nationals and the Leader of the Australian Greens to address the NGA and to engage directly with you.

The theme for this year's NGA is *Foundations for the Future: Twenty 13*. The theme and the political climate this year focuses our attention on our future as a nation. At a political level it will be a year that determines who will govern Australia for the next term of parliament. At a local level we need to build the resources and capacity to strengthen our communities and position our communities into the future. The ALGA Board recently called for Notices of Motions for the NGA and these will set out the framework for debate. I would encourage you and your council to think

through ideas or initiatives you would like to see debated at the NGA and to submit these as motions for the NGA.

I am pleased to inform you that the keynote speakers at this year's NGA are well known and highly respected Australians Fred Chaney AO, Geraldine Doogue AO and Peter FitzSimons AM. These speakers will join a number of other subject matter experts in steering the discussions at the NGA.

As you know, we are currently in the middle of a major campaign to gain financial recognition for local government in the Australian Constitution. Many councils have provided submissions to the current Joint Select Committee (JSC) on the Constitutional Recognition of Local Government. By the time we meet in Canberra at the NGA the JSC will have finished and the Government will have responded to the Committee's report. We may well be on the road to a referendum at the end of the year. This year's NGA will include a comprehensive report on the status of constitutional recognition.

The NGA is your opportunity to make sure that your council's view is reflected in the national priorities identified for local government. I invite you to be part of this important event by joining your colleagues in Canberra from 16-19 June 2013.

I look forward to seeing you in Canberra.




**Mayor Felicity-ann Lewis**

ALGA PRESIDENT

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	4	Theme overview	11	Registration details		Car parking
	6	Speaker profiles	12	Social functions	15	Registration form
	8	Motions for debate		Canberra weather in June		
		Voting procedures		Venue + dress code		



## NGA13

National General Assembly of Local Government

# PROGRAM

## SUNDAY 16 JUNE

5:00 - 7:00 pm	Welcome Reception
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## MONDAY 17 JUNE

9:00 am	OPENING CEREMONY
9:20 am	ALGA President's Welcome
9:50 am	Prime Minister <b>The Hon Julia Gillard MP</b> (invited)
10:30 am	MORNING TEA
11:00 am	Keynote Speaker: <b>Geraldine Doogue AO</b>
11:45 am	Election Priorities - Twenty 13
12:30 pm	LUNCH
1:30 pm	The Debate - The Big Issues
3:00 pm	AFTERNOON TEA
3:30 pm	Debate on Motions
4:30 pm	Leader of the Opposition <b>The Hon Tony Abbott MP</b> (invited)
5:00 pm	CLOSE
7:00 pm	BUFFET DINNER

## TUESDAY 18 JUNE

9:00 am	Keynote Speaker: <b>Fred Chaney AO</b>
9:45 am	Debate on Motions
10:30 am	MORNING TEA
11:00 am	Leader of the Australian Greens, <b>Senator Christine Milne</b>
11:30 am	National Awards for Local Government
12:00 noon	Leader of the Nationals <b>The Hon Warren Truss MP</b>
12:30 pm	LUNCH
1:30 pm	National Awards for Local Government
2:00 pm	Financial Assistance Grants Review Commonwealth Grants Commission
3:00 pm	AFTERNOON TEA
3:30 pm	Debate on Motions
4:30 pm	Shadow Minister for Local Government, <b>Senator Barnaby Joyce</b>
5:00 pm	CLOSE
7:00 pm	OFFICIAL DINNER, PARLIAMENT HOUSE

## WEDNESDAY 19 JUNE

9:00 am	Keynote Speaker: <b>Peter FitzSimons AM</b>
9:45 am	Debate on Motions
10:30 am	MORNING TEA
11:00 am	Debate on Motions
12:00 noon	Minister for Regional Australia, Regional Development and Local Government <b>The Hon Simon Crean MP</b> (invited)
12:30 pm	PRESIDENT'S CLOSE
1:00 pm	CLOSE

## KEY DATES

Submission of Motions for Debate <b>FRIDAY 26 APRIL 2013</b>	Early Bird Registration on or before <b>MONDAY 22 APRIL 2013</b>	Standard Registration on or before <b>FRIDAY 31 MAY 2013</b>	Late Registration after <b>FRIDAY 31 MAY 2013</b>
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**Foundations  
for the Future**  
 TWENTY13

THEME OVERVIEW

# Foundations for the Future TWENTY13

## NGA13

### National General Assembly of Local Government

The National General Assembly (NGA) is a significant opportunity for local government to meet and discuss the issues facing local government and to develop agreed positions which can inform the development of ALGA's policies in the coming year. Through the NGA, local government representatives can engage directly with key federal politicians, move and debate motions, hear from a range of subject matter experts, and network with local government colleagues from around Australia.

This year's NGA is themed *Foundations for the Future: Twenty 13*. The theme has been selected because it looks forward and captures the opportunities of the federal election to be held on 14 September 2013.

Local government plays a critical role in Australia's democratic system of government. It represents local communities and plays a key role in planning, coordinating, facilitating and providing services, infrastructure and programs that meet community and regional needs.

While councils can do a lot themselves, many local governments are constrained by lack of resources, expertise and adequate support from other levels of government (and the private sector) to meet all of their communities needs. There has never been a more important time to fight for our local communities and the capacity of local government to serve them. This year's election will determine the Government for the next three years, and set the nation's direction for the future. It is essential that Australia has a strong national economy, an adequate social safety net and appropriate national support systems and that it plays an active role in the international community. But it is also vitally important that the Australian Government also creates the environment for regions and local communities to prosper.

The lead up to the federal election is an opportunity to seek commitments from all federal political parties about the way in which they will work with and support councils in meeting community needs. ALGA actively advocates on behalf of the

sector in the lead up to every election. ALGA does this by engaging directly with all the major political parties, documenting local government initiatives and communicating these to federal politicians. In doing this ALGA draws heavily on the discussions and outcomes of the NGA and on initiatives contained in the NGA Resolutions.

Local government is a richly diverse, highly responsive, accountable and dynamic level of government. Local government's national significance is underlined by the fact that it employs around 195,000 Australians (just over 10 per cent of the total public sector work force), owns and manages non financial assets worth over \$250 billion, raises around 3.5 per cent of Australia's total taxation revenue per annum and has an annual expenditure of around \$29 billion (2010-11) just under 6 per cent of total public sector spending.

Most of local government's expenditure is directed towards the provision of local services, which include: housing and community amenities; transport and communications; recreation and culture; and social security and welfare.

At an aggregate level local government undertakes its work while being more than 80 per cent self funded. However, many rural and regional communities have limited financial capacity which means those councils are much more reliant on external funding sources. Higher grant levels are absolutely critical to these councils to equalise services and infrastructure availability across the communities. Considerable local government funds are spent on vital additional work that relates to broad national issues.

As the level of government closest to Australians, local government is aware of and understands the myriad of challenges faced by local and regional communities as they live, work and interact in an increasingly complex domestic and global environment. Local and regional communities require support to respond and adapt to factors they cannot control, such as climate change, drought, natural disasters and economic upheavals.



## NGA 13

National General Assembly of Local Government



### Financing Local Government

In 2006 ALGA commissioned PricewaterhouseCoopers (PWC) to undertake a national study into the Financial Sustainability of Local Government. This study built upon a number of studies that were conducted by state and territory local government associations. The PWC Report was a vital body of research that underpinned a rigorous assessment of the financial sustainability of councils across Australia. The Report found that up to 30 per cent of councils were facing financial sustainability challenges and recommended a twin track approach (of internal reforms and changes to intergovernmental funding) to addressing some of these problems.

#### Financial Assistance Grants

On 9 December 2012 the Commonwealth Treasurer provided Terms of Reference to the Commonwealth Grants Commission for a Review on Improving the Impact of the Financial Assistance Grants on Local Government Financial Sustainability. The Terms of Reference require the Commission to provide a report to the Australian Government by 31 December 2013 on issues such as identifying tangible measures for improving the impact of the Local Government FAGs on the effectiveness of local governments and their ability to provide services to their residents within the current funding envelope, the appropriateness and impacts of FAGs, and identifying any enhancements to the effectiveness of local government through changes to the FAGs distribution process.

#### Expenditure Priorities

Over the past 30 years the roles and functions of local government have changed significantly.

In 2001 the Commonwealth Grants Commission (CGC), in a Review of the Operation of the *Local government (Financial Assistance) Act 1995*, observed that the composition of services provided by local government had changed markedly over the last 30 to 35 years. The CGC noted there had been substantial changes such as a move away from property based services to human services, a decline in the relative importance of roads, an increase in the relative importance of recreation and culture, and housing and community amenities and an expansion of education, health, welfare and public safety services.

These trends reflect changes in local communities, growing demand and councils' willingness to meet the emerging challenges of their local municipality. The trend was also encouraged by the Commonwealth and State Governments who, over the period, increasingly offered programs to local communities e.g. aged care and children's services, on the

condition of matched funds or limited growth funds. As a consequence, by accepting additional responsibilities without significant new funding for these services, councils were required to change existing priorities and shift funding between existing programs. The trend has been confirmed by the state local government associations which also report that the costs of increased service provision have been met by delaying maintenance and replacement infrastructure activities.

### Constitutional Recognition of Local Government

Since the appointment of a Joint Select Committee on the Constitutional Recognition of Local Government in November 2012, the pace of developments has increased dramatically. ALGA lodged a detailed submission with the committee in December 2012 and a supplementary submission on 31 January 2013 in response to issues raised at a parliamentary committee hearing on 16 January 2013.

The ALGA Board is meeting regularly to determine and drive the agenda. ALGA welcomed the Parliamentary Committee's preliminary report on 24 January 2013 which recommended that the Commonwealth begin all necessary preparatory activities to ensure a successful referendum in 2013. ALGA has indicated strong support for constitutional change as soon as possible to secure continued direct funding. However, we have reiterated our concern about the lack of progress on the preconditions identified for a successful referendum and the short timeframe available for a campaign in 2013.

ALGA wants to make sure that the referendum proceeds when the chances for success are at their best, although we stand ready once the government announces a referendum. The Committee's final report is due in March 2013 and the Government has indicated that it will wait until that time before giving its response on the referendum. ALGA is concerned that the delays and moving timeframes have hampered efforts to finalise arrangements for a referendum and ALGA has redoubled its efforts to seek commitments from both the Government and the Opposition to support the referendum.

Constitutional Recognition remains a priority for the ALGA Board. Given the pace of developments and an expected announcement of the Government's intentions in March/April 2012, we are not seeking council motions on constitutional recognition for this year's NGA. A comprehensive update will be given to delegates at the NGA, based on the responses of the Government, the Opposition and State Premiers to the Committee's final report.



**Foundations  
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 TWENTY13

## **SPEAKER PROFILES**



### **GERALDINE DOOGUE AO**

Whilst originally planning a career as a schoolteacher after completing her Arts degree, in 1972 Geraldine applied on an impulse for a journalism cadetship with *The West Australian* instead. Since then she has thrived on that impulsive decision.

Within the first ten years of her career, Geraldine had carved out a reputation in print, television and radio, including two years at the London Bureau working for the Murdoch group's Australian papers.

Her entrance into television was unexpected. Whilst covering a story for *The Australian*, an ABC Television reporter interviewed her for a *Four Corners* program. When the head office executives saw the interview, they were so impressed with her on-camera presence that they offered Geraldine the Perth compere's position for ABC Television's then new program *Nationwide*.

In 1992 Geraldine began presenting *Life Matters*, a new ABC Radio National program which set out to cover the full gamut of social issues in everyday life. In 1998, she also became host of ABC TV's *Compass* program, which looks at issues of spirituality, philosophy and belief every Sunday evening. After 11 years with *Life Matters*, she moved to Saturday mornings to host a program focusing on international politics, Australia's role on the world stage, and business, called *Saturday Extra*.

In 2000 Geraldine was awarded a Churchill Fellowship for social and cultural reporting. In 2003, she was recognised with an Officer in the Order of Australia for services to the community and media. In March 2011, she was awarded an Honorary Doctorate of Letters by her alma mater, the University of Western Australia.

### **FRED CHANEY AO**

Fred Chaney was born in Perth in 1941. He practised law in New Guinea and Western Australia, including time in house with the Hancock Wright prospecting partnership, and subsequent private practice with emphasis on mining related work until he entered the Senate in 1974.

Fred was involved in the Aboriginal Legal Service in a voluntary capacity in the early 1970's. He was a Senator for Western Australia from 1974 to 1990 and was Leader of the Opposition in the Senate from 1983 to 1990. He was Member for Pearce in the House of Representatives from 1990 to 1993. Among his Ministerial appointments were Aboriginal Affairs, Social Security and Minister Assisting the Minister for National Development and Energy.

After leaving Parliament he undertook research into Aboriginal Affairs policy and administration as a Research Fellow with the Graduate School of Management at the University of Western Australia from 1993 to 1995. He was appointed Chancellor of Murdoch University in 1995 and continued in that capacity until 2003.

In 1994 Fred was appointed as a part time Member of the National Native Title Tribunal, a full time Member in April 1995 and was Deputy President from 2000 to 2007. In January 1997 he was appointed an Officer of the Order of Australia.

He served as Co-Chair of Reconciliation Australia Ltd from 2000 to 2005 and continues as a Director on the Board. In 2005 he was appointed chairman of Desert Knowledge Australia. In 2007 he chaired the Consultation Committee on a Human Rights Act for Western Australia and in 2011 was a member of the Expert Panel on Constitutional Recognition of Indigenous Australians.

### **PETER FITZSIMONS AM**

Peter FitzSimons is a well respected columnist for *The Sydney Morning Herald* and *Sun Herald*, television presenter on *Fox Sports*, speaks four languages, has played rugby for Australia, co-hosted radio shows with Mike Carlton and Doug Mulray, interviewed famous people around the globe from George Bush to Diego Maradona and written eighteen best selling books. He is the biographer not only of World Cup winning Wallaby captains, Nick Farr-Jones and John Eales, but also former Opposition Leader Kim Beazley, war heroine Nancy Wake and magazine queen, Nene King. In 2001 he was Australia's biggest selling non-fiction author, and duplicated that feat in 2004, with his book on Kokoda.

Born on a farm in Peat's Ridge, Peter went to Knox Grammar School, before accepting an American Field Service Scholarship to go to Ohio for a year. He returned to complete an Arts degree at Sydney University majoring in government and political science. In 1984 he broke into the Wallabies under the coaching of Alan Jones, then lived in France and Italy playing rugby for the next five years whilst learning both languages as well as Spanish. Upon his return to Australia he again played for the Wallabies, under Bob Dwyer, going on to play seven tests.

In 1989 he joined *The Sydney Morning Herald* full time, and has been one of their most popular columnists since. Andrew Denton has called him "Australia's finest sports journalist."

Peter boasts an impressive list of interview credits including ex-president George Bush, Sir Edmund Hillary, Jodie Foster, Nicki Lauda, Joe Montana and Carl Lewis as well as all the major Australian sporting figures from Shane Gould to Lionel Rose and Allan Border. He has interviewed every Australian Prime Minister from Gough Whitlam through to Kevin Rudd.

## NGA 13

National General Assembly of Local Government



### INVITED

The Hon Julia Gillard MP

The Hon Tony Abbott MP

## THE HON SIMON CREAN MP

**Federal Minister for Regional Australia, Regional Development, Local Government; Federal Minister for the Arts**

Simon Crean is Minister for Regional Australia, Regional Development, Local Government and Minister for the Arts.

Prior to his appointment to these portfolios in September 2010, Mr Crean was Minister for Education, Employment and Workplace Relations from June 2010 to September 2010 and Minister for Trade from December 2007 to June 2010.

Mr Crean has also held a range of Shadow Ministerial positions and was Leader of the Opposition from November 2001 to December 2003.

Following his election to Federal Parliament in March 1990, Mr Crean went to the front bench as Minister for Science and Technology in the Hawke Labor Government and later served as Minister for Primary Industries and Energy and Minister for Employment, Education and Training in the Keating Government.

## SENATOR BARNABY JOYCE

**Shadow Minister for Regional Development, Local Government and Water; Leader of the Nationals in the Senate**

Barnaby is one of a family of eight from a cattle and sheep business in southern New England. After graduating with a degree in accountancy, Barnaby spent three years with a chartered accountancy firm then a short period with an American multinational in cost accounting before completing five years with a major regional bank.

With a choice between a senior role in banking or starting his own business Barnaby chose the latter and owned and operated Barnaby Joyce and Co for ten years. His role in the National Party had concurrently taken him to Acting Treasurer of the Queensland Nationals. In 2004 he was elected to head of the National Senate team and won back the previously lost Senate seat.

He is the Shadow Minister for Regional Development, Local Government and Water. In that role he developed a policy to provide tax concessions to major infrastructure projects, to help unlock the \$1.4 trillion Australians have invested in superannuation. Barnaby has also developed a policy to revamp Australia's zonal taxation system to provide real incentives for Australians to move to the remote, undeveloped parts of our nation.

## SENATOR CHRISTINE MILNE

**Senator for Tasmania, Leader of the Australian Greens**

Christine Milne, Senator for Tasmania and Leader of the Australian Greens, is one of Australia's most experienced and respected environmental and community activists with a career spanning 30 years. After leading the successful campaign to protect farming land and fisheries from the Wesley Vale Pulp Mill, Christine was elected to the Tasmanian Parliament in 1989, and became the first woman to lead a political party in Tasmania in 1993. She was elected to the Senate in 2004 and to the Leadership in 2012 following the retirement of Senator Bob Brown.

Christine's vision to address climate change and her unparalleled experience with power sharing minority governments led to the establishment of the Multi-Party Climate Change Committee and its successful negotiations to design the Clean Energy Future package. The package has placed innovation, opportunity and clean energy at the forefront of the transformation of the Australian economy for the 21st century.

## THE HON WARREN TRUSS MP

**Leader of the Nationals, Federal Member for Wide Bay, Shadow Minister for Infrastructure and Transport**

Warren Truss is a third generation farmer from the Kumbia District near Kingaroy, Queensland. He entered Federal Parliament in March 1990 as a National Party member representing the electorate of Wide Bay.

Following the Coalition Government's election defeat in 2007, he was elected Federal Parliamentary Leader of The Nationals. He is also Shadow Minister for Infrastructure and Transport.

Mr Truss was a Minister in the Howard Coalition Government for 10 years.

He was appointed Minister for Customs and Consumer Affairs in October 1997, and a year later, Minister for Community Services. In July 1999 he assumed the position of Minister for Agriculture, Fisheries and Forestry, where he served for six years. He became Minister for Transport and Regional Services in July 2005 and in September 2006 Minister for Trade.



**Foundations  
for the Future**  
TWENTY13

## MOTIONS FOR DEBATE

- **The NGA is your opportunity to contribute to the development of national local government policy.**

The ALGA Board is calling for motions for the 2013 NGA under the theme *Foundations for the Future: Twenty 13*. To assist Councils in preparing motions a Discussion Paper has been prepared and is available at [www.alga.asn.au](http://www.alga.asn.au).

To be eligible for inclusion in the NGA Business Papers motions must follow the principles:

1. Fall under the NGA theme;
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policy objectives of state and territory associations.

Motions should be submitted electronically via the online form on the website [www.alga.asn.au](http://www.alga.asn.au) and should be received by ALGA no later than 26 April 2013.

Motions submitted will be reviewed by a committee of the ALGA Board as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government.

Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.

Motions that are agreed to at the National General Assembly become Resolutions. These Resolutions are then considered by the ALGA Board when setting national local government policy and when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any resolutions passed at the NGA.

## VOTING PROCEDURES



Each council is entitled to one voting delegate in the debating session. Councils will need to determine who their voting delegate will be. Voting cards can be collected at the Assembly. Councils do not need to advise ALGA of the name of the voting delegate prior to collecting voting cards.

RCDF13



REGIONAL COOPERATION  
AND DEVELOPMENT FORUM

## REGIONAL DEVELOPMENT: IT'S TIME TO INNOVATE

Sunday 16 June 2013 • National Convention Centre • Canberra



Includes the launch of the:  
*2013-14 State of the Regions Report*

2013 presents significant opportunities for Australia's regions and the local government authorities governing those regions

According to the 2012-13 State of the Regions Report—commissioned by the Australian Local Government Association (ALGA) and prepared by National Economics—a new approach to regional development is required in order to address inequality across Australian regions exacerbated by the mining boom and patchwork economy. Local governments need to be involved in decisions concerning Commonwealth investment in regional infrastructure and development.

This year's Regional Cooperation and Development Forum will present the policy findings that build on the work commenced by National Economics in 2012 rethinking regional development. This work will incorporate the latest Census data and also examine the implications of how Australia is dealing with the ever growing threats arising from climate change and natural disasters.

The Forum will continue to allow the sharing of ideas and opportunities through both a mix of academic and practitioner insights, as well as hearing the latest positions from Commonwealth politicians and senior officials, including the Regional Australia Institute.

### PROVISIONAL PROGRAM

9:30 am	Welcome: ALGA President, <b>Mayor Felicity-ann Lewis</b>
9:35 am	Minister for Regional Australia, Regional Development and Local Government, <b>The Hon Simon Crean MP</b> (invited)
10:00 am	Keynote address: <b>Professor John Martin</b> , Centre for Sustainable Regional Communities, La Trobe University. <i>Local Governance and Sustainable Rural Community Development: A Comparative Study of Canadian and Australian Experiences</i>
10:30 am	MORNING TEA
11:00 pm	State of the Regions Launch: <i>Regional Development: It's Time to Innovate</i>
11:30 pm	Regional Development Australia Update
12:00 pm	LUNCH
1:00 pm	Panel Discussion: <i>Regional implications of managing natural disasters</i>
2:30 pm	AFTERNOON TEA
3:00 pm	Shadow Minister for Regional Development, Local Government and Water, <b>Senator Barnaby Joyce</b> (invited)
3:30 pm	Questions and wrap up
4:00 pm	CLOSE

► **Regional Forum Registration is \$395 (INC GST)**  
**or \$195 when you also register to attend the**  
**National General Assembly**



**Foundations  
for the Future**  
TWENTY13

## ASSOCIATED EVENTS

### BREAKFAST

#### **ICLEI OCEANIA BRIEFING BREAKFAST: 'PATHWAYS TO THRIVING NEIGHBOURHOODS'**

► **MONDAY 17 JUNE 2013**  
**7.15AM-8.30AM**

Many local governments have been implementing sustainability projects for some years. So what can Australian local governments use that is practical and useful, but also works within the broader sector to develop a joint approach to local sustainability?

Local governments are the sum of their neighbourhoods—and we want them to be thriving! What does a thriving neighbourhood look like? What examples are there, here and around the world? What are the policy and operational steps that we can take to enable our neighbourhoods to thrive?

Bookings are essential on: (03) 9639 8688  
or [oceania@iclei.org](mailto:oceania@iclei.org)

For further information contact:  
Martin Brennan [martin.brennan@iclei.org](mailto:martin.brennan@iclei.org)



### BREAKFAST

#### **AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION INC**

► **MONDAY 17 JUNE 2013**  
**7.30-8.30 AM**

National Convention Centre, Canberra

Following the overwhelming success of the ALGWA 60th anniversary celebrations in 2011, the ALGWA National President Darriea Turley, invites you to breakfast this year as part of the National General Assembly.

Members, friends and colleges will be warmly welcomed. Seating is limited, so please book early. Register your interest at [www.algwa.net.au](http://www.algwa.net.au)





## NGA 13

National General Assembly of Local Government

## REGISTRATION DETAILS

### General Assembly Registration Fees

<b>REGISTRATION FEES EARLY BIRD</b>	<b>\$899.00</b>
<i>Payment received by Monday 22 April 2013</i>	
<b>REGISTRATION FEES STANDARD</b>	<b>\$999.00</b>
<i>Payment received on or before Friday 31 May 2013</i>	
<b>REGISTRATION FEES LATE</b>	<b>\$1,200.00</b>
<i>Payment received after Friday 31 May 2013</i>	

### GENERAL ASSEMBLY REGISTRATION INCLUDES

- Attendance at all General Assembly sessions
- Morning tea, lunch and afternoon tea as per the General Assembly program
- One ticket to the Welcome Drinks, Sunday
- General Assembly satchel and materials

### DAY REGISTRATION FEES

<b>MONDAY 17 JUNE 2013</b>	<b>\$470.00</b>
<b>TUESDAY 18 JUNE 2013</b>	<b>\$470.00</b>
<b>WEDNESDAY 19 JUNE 2013</b>	<b>\$260.00</b>

### DAY REGISTRATION INCLUDES

- Attendance at all General Assembly sessions on the day of registration
- Morning tea, lunch and afternoon tea as per the General Assembly program on that day
- General Assembly satchel and materials

### Accompanying Partners Registration Fees

<b>ACCOMPANYING PARTNERS REGISTRATION FEE</b>	<b>\$240.00</b>
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### ACCOMPANYING PARTNERS REGISTRATION INCLUDES

- 1 ticket to the Welcome Reception, Sunday 16 June
- Day tour Monday 17 June
- Day tour Tuesday 18 June
- Lunch with General Assembly Delegates on Wednesday 19 June

### Sunday Regional Development Forum SUNDAY 16 JUNE 2013

<b>FORUM ONLY</b>	<b>\$395.00</b>
<b>NGA DELEGATE</b>	<b>\$195.00</b>

### Payment Procedures

Payment can be made by:

- Credit card – MasterCard, Visa and American Express
- Cheque made payable to ALGA
- Electronic Funds Transfer: Bank: Commonwealth  
Branch: Curtin BSB No: 062905 Account No: 10097760.  
Note if paying via EFT you must quote your transaction reference number on the registration form.

### Cancellation Policy

All alterations or cancellations to your registration must be made in writing and will be acknowledged by post, facsimile or email. Notification should be sent to:

Conference Co-ordinators  
PO Box 139, CALWELL ACT 2905

Facsimile (02) 6292 9002

Email [conference@confco.com.au](mailto:conference@confco.com.au)

An administration charge of \$110.00 will be made to any participant cancelling before Monday 22 April 2013. Cancellations received after Monday 22 April 2013 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

### Privacy Disclosure

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.

**Foundations  
for the Future**  
TWENTY13

## SOCIAL FUNCTIONS

### Welcome Reception and Exhibition Opening

**SUNDAY 16 JUNE 2013**

**National Convention Centre**

5:00 - 7:00 pm

\$44.00 per person for day delegates and guests

No charge for full registered delegates

No charge for registered accompanying partners

**DRESS CODE** smart casual

### Buffet Dinner

**MONDAY 17 JUNE 2013**

**The Ballroom, National Convention Centre**

7:00 - 11:00 pm

\$100.00 per person

**DRESS CODE** smart casual

Coaches will depart Assembly hotels (Except Crowne Plaza) at approximately 6:45 pm with return shuttles commencing from 10:15 pm.

### General Assembly Dinner

**TUESDAY 18 JUNE 2013**

**The Great Hall, Parliament House**

7:00 - 11:00 pm

\$130 per person

**DRESS CODE** lounge suit/collar and tie for men and cocktail style for women

Tickets to the prestigious General Assembly Annual Dinner at Parliament House are always highly sought after. Due to the size of the Great Hall places are limited and therefore booking early is highly recommended to ensure your place.

Coaches will depart all Assembly hotels at approximately 6:45pm with return shuttles commencing from 10:30pm.

Note: Bookings are accepted in order of receipt.



#### DINNER ENTERTAINMENT

Melbourne based  
a cappella group,  
**Suade**, will entertain  
and delight delegates

## CANBERRA WEATHER IN JUNE



Winter days in Canberra are characterised by clear sunny skies but the days are cool at around 12-15°C and temperatures do drop to 1°C on average in the evenings, so be sure to bring a warm jacket. Mornings can be foggy so keep this in mind when booking flights. It is best to avoid early arrivals or departures in case of delays due to fog.

## VENUE + DRESS CODE

### Exhibition Opening and Welcome Reception

**VENUE** National Convention Centre, Constitution Ave, Canberra City

**DRESS CODE** Smart casual

### General Assembly Business Sessions

**VENUE** National Convention Centre, Constitution Ave, Canberra City

All plenary sessions will be held in the Royal Theatre at the National Convention Centre

**DRESS CODE** Smart casual

### Exhibition

**VENUE** National Convention Centre, Constitution Ave, Canberra City

The exhibition is being held in the Exhibition Hall of the National Convention Centre.

**DRESS CODE** Smart casual

### Buffet Dinner

**VENUE** The dinner is being held in the Ballroom at the National Convention Centre.

**DRESS CODE** Smart casual

### General Assembly Dinner

**VENUE** Parliament House

The General Assembly Dinner is being held in the Great Hall.

**DRESS CODE** Lounge suit/collar and tie for men and cocktail style for women



**NGA13**

National General Assembly of Local Government

## PARTNER'S PROGRAM

### DAY 1 MANNING CLARK HOUSE AND 'TURNER FROM THE TATE'

#### MANNING CLARK HOUSE

Manning Clark House is one of Canberra's most historically significant homes. The roof-top study is where the six volumes of 'A History of Australia' and his other works were written.

Designed by Robin Boyd in 1952, the house is where Manning and Dymphna Clark lived and worked from 1953 until their deaths in 1991 and 2000 respectively. Inside Manning Clark's unique library of 10,000 volumes lines many of the walls. Dymphna Clark's collection of texts in many European languages reminds us of her scholarly translations and linguistic interests.

The piano Manning Clark played stands in a corner of the sitting room, and his records and player line a wall of the dining room dominated by the 1972 portrait of Manning Clark by Arthur Boyd.

Outside, the tall trees and the lawns designed for bat and ball, tell us of some of the family's interests. All this remains as it has for nearly fifty years, the scene of so much significant personal and professional scholarship and activity.

#### 'TURNER FROM THE TATE'

The Turner Exhibition at the National Gallery is one of the most important exhibitions to visit Australia in 2013. J. M. W. Turner [1775-1851] is one of Britain's greatest artists and a key figure of the Romantic generation. 'Turner from the Tate' includes many of the artist's most famous paintings. It provides a comprehensive overview of Turner's monumental landscapes and atmospheric, light-filled seascapes, while offering extraordinary insights into his working life and practices.

### DAY 2 FROM GARDENS AND FLOWERS TO ENDANGERED FORESTS

#### THE EMBASSY PRECINCT

Canberra is home to nearly 100 embassies and high commissions. The most established and stunning diplomatic residences are in Yarralumla. This morning's tour will take you on a leisurely drive to view the traditional gardens and modern architecture of the most significant diplomatic posts. You'll pass the spectacular traditional design of the Chinese Embassy and the long-house style of the High Commission of Papua New Guinea. You'll view the Mexican Embassy's giant shingle roof and the United States Embassy built in a modified Georgian style. The traditional Cape Dutch style architecture of the South Africa High Commission contrasts with the striking design of the Thai Embassy Royal. A tour to one of the Embassies will also be included.

#### NATIONAL ARBORETUM CANBERRA

From there you will travel to Australia's newest national iconic attraction, the 570m National Arboretum Canberra. Home to 100 of the world's most endangered and significant trees, the 250 hectare site also boasts one of the most striking visitors centre's in the country. It is here you will enjoy a superb luncheon whilst appreciating the breathtaking views of Australia's national capital.

## ACCOMMODATION

- To book your accommodation at the rates listed below complete the appropriate section of the registration form. Bookings are subject to availability and should be made prior to Friday 17 May 2013.

All cancellations or amendments must be made in writing to Conference Co-ordinators and will be acknowledged by facsimile or email.

Please note your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give 21 days notice in writing of your cancellation. Full payment of your account will be required at the time of your departure.

#### CROWNE PLAZA

*1 Binara Street, Canberra*

Renovated in 2007 the Crowne Plaza is adjacent to the Convention Centre and only a short walk from restaurants, bars and the main shopping district. Featuring a contemporary design, the Crowne Plaza provides guests with an outdoor pool, sauna, health/fitness centre, 24-hour reception, Concierge, undercover parking and onsite dining at the RedSalt Restaurant. All rooms are non-smoking and include iron/ironing board, tea/coffee making facilities, hairdryer and Room Service is available.

Superior King Room: **\$295** per night single/twin/double

Deluxe King Room: **\$345** per night single/twin/double

#### WALDORF

*2 Akuna Street, Canberra*

Located in the heart of Canberra's CBD, the Waldorf is only a four minute walk from the National Convention Centre. This hotel has 24-hour reception and provides guests with a gymnasium, indoor heated lap pool and onsite dining at the Waldorf London Restaurant. All rooms have kitchen and laundry facilities, in room safe, dining table and chairs, complimentary cable TV, pay per view movies, high speed internet service (for a fee) and Room Service is available. One bedroom apartments also offer a separate lounge/dining area.

Studio Room: **\$210** per night single

Studio Room: **\$225** per night twin/double

One Bedroom apartment: **\$230** per night single

One Bedroom apartment: **\$245** per night twin/double

#### DIAMANT

*15 Edinburgh Place, Canberra*

Opened in June 2008 this boutique 80 room hotel is located at the intersection of Marcus Clarke and Edinburgh Ave, 15-20 minutes walk from the Convention Centre. The Diamant Hotel features 24-hour reception, a restaurant and a bar. The rooms have a mini bar, tea/coffee making facilities, plasma TV, CD and DVD players, broadband (for a fee), and in-room safe.

Standard Room: **\$270** per night single/twin/double

ACCOMMODATION CONTINUES OVER THE PAGE

**Foundations  
for the Future**  
TWENTY13

#### **HOTEL REALM**

*18 National Circuit, Barton*

Hotel Realm is one of Canberra's 5-star hotels and is located walking distance from the popular shopping and restaurant villages of Kingston and Manuka. Hotel Realm has two restaurants and a bar, a Day Spa, Hairdresser and Health Club located on-site. The rooms are modern and have king sized beds, high speed internet for a fee LCD TV, pay movie channel, Foxtel and 24-hour room service.

Standard Room: **\$265** per night single/twin/double

#### **MANTRA**

*84 Northbourne Avenue, Canberra*

Mantra on Northbourne (formerly the Saville) offers stylish accommodation centrally located approximately a ten minute walk from the National Convention Centre. The hotel features a heated indoor pool, sauna, fully-equipped gymnasium and the Zipp restaurant bar on site. All rooms offer voice mail, individually controlled air-conditioning, pay per view movies, mini bar, tea/coffee making facilities, hairdryer and complimentary toiletries. One and two bedroom apartments also offer a separate lounge and dining area, fully-equipped kitchen and a laundry with washing machine, dryer, iron and ironing board.

Hotel Room: **\$209** per night single/twin/double

One bedroom apartment: **\$249** per night single/twin/double

#### **MEDINA EXECUTIVE JAMES COURT**

*74 Northbourne Avenue, Canberra*

The Medina Executive James Court is approximately a seven minute walk from the National Convention Centre and is close to cafes, restaurants, gyms and shopping. The hotel offers reception, undercover parking, outdoor heated swimming pool, sauna, gymnasium and a restaurant delivery service. All rooms feature private balconies, climate controlled air conditioning, separate lounge/dining areas, broadband access for a fee, spa bath, mini bar, fully equipped kitchen facilities and an in-room safe.

Note: Reception operates between the hours of 6.30 am and 11.30 pm.

One bedroom apartment: **\$200** per night single/twin/double

Two bedroom apartment: **\$250** per night single/twin/double

#### **RYDGES LAKESIDE**

*1 London Circuit, Canberra*

Over the last two years the area surrounding Rydges Lakeside has undergone major changes with office developments, apartments, bars and restaurants opening. Rydges Lakeside is a 15-20 minute walk to the National Convention Centre. This property has 24-hour reception, room service and two on site restaurants. All rooms have balconies and offer high speed internet for a fee, pay per view movies, mini bar, hairdryer, iron and ironing board.

Note: This hotel has an absolute no-smoking policy.

Standard Room: **\$249** per night single/twin/double

#### **CLIFTON SUITES**

*100 Northbourne Avenue*

Quality Clifton Suites is approximately a 30 minute walk from the Convention Centre and is located on Northbourne Avenue. The property has an onsite pool, gymnasium and restaurant. All the rooms have reverse cycle heating and air conditioning, fully equipped kitchen, movies on demand, washing machine, dryer and a private balcony.

One bedroom apartment: **\$240** per night single/twin/double

## **COACH TRANSFERS**

#### **Welcome Reception and Exhibition Opening Sunday 16 June 2013**

Coaches will collect delegates from all General Assembly hotels (except Crowne Plaza Canberra) at approximately 4.45 pm. The return coaches will depart at 7.00 pm.

#### **Daily Shuttles to and from the National Convention Centre**

A shuttle service between all General Assembly hotels (except Crowne Plaza Canberra) and the National Convention Centre will operate between 8.00 am and 8.30 am. Return shuttles will depart the National Convention Centre at 5.30 pm.

#### **Buffet Dinner • National Convention Centre Monday 17 June 2013**

Coaches will collect delegates from all General Assembly hotels (except Crowne Plaza Canberra) at approximately 6.45 pm. A return shuttle service will commence at 10.15 pm.

#### **General Assembly Annual Dinner Parliament House • Tuesday 18 June 2013**

Coaches will collect delegates from all General Assembly hotels (INCLUDING Crowne Plaza Canberra) at approximately 6.45 pm. A return shuttle service will operate between 10.30 pm and 11.45 pm.

## **CAR PARKING**

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$16.00 per day. Alternatively, voucher public parking is available across the road at a cost of approximately \$13.00 per day. The voucher machines are coin operated.



## NGA13 National General Assembly of Local Government

NATIONAL CONVENTION CENTRE, 16-19 JUNE 2013  
 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ABN 31 008 613 876

## Registration Form

REGISTER ONLINE [www.alga.asn.au](http://www.alga.asn.au)

Multiple delegates may accompany you.  
 Register online [www.alga.asn.au](http://www.alga.asn.au)  
 or download PDF or return this form to:  
 Conference Co-ordinators  
 PO Box 153 CALWELL ACT 2905  
 Phone (02) 6232 3500  
 Fax (02) 6232 3502  
 Email [conferences@alga.asn.au](mailto:conferences@alga.asn.au)  
 By submitting your registration you  
 agree to the terms and conditions of  
 the cancellation policy.

### PERSONAL DETAILS

TITLE	NAME	SURNAME
<small>(CreateNewUser/Shop)</small>		
POSITION		
COUNCIL/ORGANISATION		
ADDRESS		
SUBURB	STATE	POSTCODE
PHONE	MOBILE	FAX
EMAIL		
NAME FOR BADGE		
HOW DID YOU FIND OUT ABOUT THE GENERAL ASSEMBLY? <input type="checkbox"/> ALGA <input type="checkbox"/> STATE/TERRITORY ASSOCIATION <input type="checkbox"/> COUNCIL <input type="checkbox"/> OTHER:		
<small>(Please Specify)</small>		
<b>PRIVACY DISCLOSURE</b> <input type="checkbox"/> I DO consent to my name appearing in the 2013 General Assembly List of Participants booklet (name, organisation & state only disclosed) as outlined in the privacy disclosure on page 11. <input type="checkbox"/> I DO consent to ALGA disclosing my personal contact information as outlined in the privacy disclosure on page 11.		

### REGISTRATION FEES

#### GENERAL ASSEMBLY REGISTRATION FEES

PLEASE NOTE registration does NOT include attendance at the Regional Cooperation and Development Forum

<b>EARLY BIRD</b> Registration Fees (payment received on or before 22 April 2013)	\$899.00	<input type="checkbox"/>
<b>STANDARD</b> Registration Fees (payment received on or before 31 May 2013)	\$999.00	<input type="checkbox"/>
<b>LATE</b> Registration Fees (payment received after 31 May 2013)	\$1,200.00	<input type="checkbox"/>
<b>DAY</b> Registration Fees	Monday 17 June \$470.00 <input type="checkbox"/> Tuesday 18 June \$470.00 <input type="checkbox"/> Wednesday 19 June \$260.00 <input type="checkbox"/>	

#### REGIONAL CO-OPERATION AND DEVELOPMENT FORUM REGISTRATION FEES

<b>REGIONAL DEVELOPMENT FORUM ONLY</b> Registration Fee	\$395.00	<input type="checkbox"/>
<b>GENERAL ASSEMBLY DELEGATE</b> Registration Fee	\$195.00	<input type="checkbox"/>
<b>STATE OF THE REGIONS REPORT 2013-14</b> (Single Licence)	\$250.00	<input type="checkbox"/>
<b>STATE OF THE REGIONS REPORT 2013-14</b> (Organisational Licence)	\$700.00	<input type="checkbox"/>

#### ACCOMPANYING PARTNERS REGISTRATION FEES

<b>REGISTERED ACCOMPANYING PARTNER'S</b> name for badge: _____	\$240.00	<input type="checkbox"/>
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### SOCIAL FUNCTIONS INCLUDED IN FEES

One ticket to each of the following functions is included in the full General Assembly registration and/or accompanying partners registration fee. Please confirm if you will be attending by placing a tick in the appropriate boxes. To purchase additional tickets to any of the following functions please indicate the number required and complete the total amount payable.

#### REGISTERED DELEGATES AND PARTNERS

##### WELCOME RECEPTION AND EXHIBITION OPENING (Sunday 16 June 2013)

I will attend:	Delegate <input type="checkbox"/>	Partner <input type="checkbox"/>	Number of additional tickets <input type="text"/>	@ \$44.00 each	Total: \$ <input type="text"/>
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#### REGISTERED PARTNERS

##### DAY 1 - MANNING CLARK HOUSE AND 'TURNER FROM THE TATE' (Monday 17 June 2013)

I will attend:	Partner <input type="checkbox"/>	Number of additional tickets <input type="text"/>	@ \$100.00 each	Total: \$ <input type="text"/>
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##### DAY 2 - FROM GARDENS AND FLOWERS TO ENDANGERED FORESTS (Tuesday 18 June 2013)

I will attend:	Partner <input type="checkbox"/>	Number of additional tickets <input type="text"/>	@ \$100.00 each	Total: \$ <input type="text"/>
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*Registration form continues over the page*

# **NGA13** National General Assembly of Local Government

**REGISTRATION FORM CONTINUED**
**OPTIONAL SOCIAL FUNCTIONS**

Tickets to these functions are **not included** in the General Assembly registration fee or accompanying partners registration fee. To purchase tickets to any of the following functions please indicate the number required and the total amount payable.

**BUFFET DINNER** (Monday 17 June 2013) Number of tickets  @ \$100.00 each Total \$

**GENERAL ASSEMBLY DINNER, GREAT HALL, PARLIAMENT HOUSE** (Tuesday 18 June 2013) **\*\*NUMBERS STRICTLY LIMITED\*\***  
Number of tickets  @ \$130.00 each Total \$

**SPECIAL REQUIREMENTS**

(E.G. DIETARY)

**REGISTRATION AND SOCIAL FUNCTION PAYMENT DETAILS**

- ☐ Enclosed is my cheque made payable to ALGA Conference Account  
☐ I'm faxing my requirements, payment follows by mail.  
☐ I have paid via an Electronic Funds Transfer to the 'ALGA Conference Account'. Transaction reference number \_\_\_\_\_  
 ALGA Account: Bank: Commonwealth Branch: Curdin BSB No: 062903 Account No: 10097760

**NOTE This is an account specifically for conference payments only**

☐ Please charge my credit card ☐ Mastercard ☐ Visa ☐ Amex  
 CREDIT CARD NUMBER                 GRAND TOTAL \$

CARD HOLDER'S NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_  
 EXPIRY DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ IS THIS A CORPORATE CARD? YES ☐ NO ☐

**ACCOMMODATION DETAILS**

PLEASE indicate your preference from 1 to 5

**CROWNE PLAZA**  
 SUPERIOR KING ROOM \$295 ☐ SINGLE ☐ TWIN ☐ DOUBLE  
 DELUXE KING ROOM \$345 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**CLIFTON SUITES**  
 1 BEDROOM APARTMENT \$240 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**DIAMANT**  
 STANDARD ROOM \$270 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**HOTEL REALM**  
 STANDARD ROOM \$265 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**MANTRA ON NORTHBOURNE**  
 HOTEL ROOM \$209 ☐ SINGLE ☐ TWIN ☐ DOUBLE  
 1 BEDROOM APARTMENT \$249 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**MEDINA EXECUTIVE JAMES COURT**  
 1 BEDROOM APARTMENT \$290 ☐ SINGLE ☐ TWIN ☐ DOUBLE  
 2 BEDROOM APARTMENT \$250 ☐ NUMBER SHARING \_\_\_\_\_

**RYDGES LAKESIDE**  
 STANDARD ROOM \$249 ☐ SINGLE ☐ TWIN ☐ DOUBLE

**WALDORF**  
 STUDIO ROOM ☐ \$210 SINGLE ☐ \$225 TWIN/DOUBLE  
 1 BEDROOM APARTMENT ☐ \$230 SINGLE ☐ \$245 TWIN/DOUBLE

**ACCOMMODATION GUARANTEE**

PLEASE NOTE your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give a minimum of twenty-one (21) days notice in writing of your cancellation. All cancellations will be acknowledged in writing by Conference Co-ordinators. Full payment of your account will be required at the time of your departure. **The rates quoted are per room per night.**

DATE OF ARRIVAL \_\_\_\_\_

DATE OF DEPARTURE \_\_\_\_\_

SHARING WITH \_\_\_\_\_

ESTIMATED TIME OF ARRIVAL \_\_\_\_\_

☐ I understand my credit card details are given as a guarantee of my arrival and to ensure my room will be held until my nominated arrival time. No charge for accommodation will be made against this card unless I fail to give a minimum of twenty-one (21) days notice of cancellation in writing to Conference Co-ordinators.

☐ Please use the credit card details provided above to guarantee my accommodation booking.

☐ Mastercard ☐ Visa ☐ Amex  
                 
 CREDIT CARD NUMBER

CARD HOLDER'S NAME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

EXPIRY DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ IS THIS A CORPORATE CARD? YES ☐ NO ☐

**→ RETURN** to Conference Co-ordinators, PO Box 139 CALWELL ACT 2905 or Fax (02) 6292 9002

<b>ITEM 8.2</b>	<b>COUNCILLOR REQUESTS - SEPTEMBER 2012 TO FEBRUARY 2013</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2013/041127</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report the number and type of Councillor Requests received in the between 8 September 2012 and 28 February 2013.

#### **SUMMARY**

In 2010, Council resolved to receive an ongoing report on the Councillor Requests that have been received within the previous six months. This reporting period started on the 8 September, due to the Local Government Elections being held on this date and to report the requests made by current Councillors only.

During the period 8 September 2012 and 28 February 2013, 202 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

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

That the report be noted.

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**REPORT**


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**BACKGROUND**

During the period 8 September 2012 to 28 February 2013, 202 Councillor Requests have been received. A breakdown of the number of requests during the period of 8 September 2012 and 28 February 2013 by complexity, Councillor, cost per Councillor and estimated staff time can be seen in the table over page.

For the benefit of the new Council, the following is a summary of how the complexity and cost was originally determined.

On 3 August 2010 Council resolved:

*"That this Council:*

- a) Includes an estimated cost and staff time spent in the compilation and production of outstanding and future Councillor Requests as a component of the requests;*
- b) Itemises the costs, staff time, the name of the originating Councillor and the total cost in a Report to Council every six months;*
- c) Receives a report summarising the last twelve months of Councillor Requests itemising the costs, staff time, the name of the originating Councillor and the total cost."*

In response to part (a) an analysis of over 100 Councillor Requests was reviewed to ascertain the average time taken to process and respond.

In undertaking the review it became apparent that the requests could be broken down into three categories – simple, moderately complex and complex. The analysis demonstrated that a simple request required on average 2 hours to complete, a moderately complex request 4 hours and a complex request 10 hours to complete.

An indicative hourly rate of \$65 was used to estimate staff costs per request, this is an average of the relevant staff member involved in preparing responses. It is noted that all Councillor Requests are reviewed by Group Managers and Deputy General Managers prior to release.

In reviewing a random sample of 107 Councillor Requests the results were as follows:

<b>Type of request</b>	<b>% of Total Requests</b>	<b>Staff time</b>	<b>Staff cost</b>
Simple	36%	2 hours	\$130
Moderately Complex	39%	4 hours	\$260
Complex	25%	10 hours	\$650

The above ratios of categories of request together with the estimates of staff time and cost have been used to calculate the total estimated cost and staff hours per Councillor for the period 8 September 2012 to 28 February 2013 which can be seen in the following table.



<b>Councillor</b>	<b>Number of Requests</b>	<b>% of Total Requests</b>	<b>Estimated Total Cost</b>	<b>Estimated Total Staff Hours</b>
Cr Daley	9	4	2794	43
Cr De Luca	7	3	2173	33
Cr Giltinan	10	5	3105	48
Cr Gobert	20	9	6210	96
Cr Harrison	34	16	10556	163
Cr Heins	32	15	9935	153
Cr Kerr	11	5	3415	53
Cr Menano-Pires	36	17	11177	172
Cr Moskal	5	2	1552	24
Mayor Regan	26	12	8072	124
Security Restricted	12	6	3726	57
<b>Total</b>	<b>202</b>	<b>100</b>	<b>\$62717</b>	<b>966</b>

\*Note: Security Restricted in TRIM allows only certain staff to view the records, and the report generated is unable to detect which Councillor the record is attached to.

### **TIMING**

This reflects Councillor Requests between 8 September 2012 and 28 February 2013, a period of just under 6 months.

### **POLICY IMPACT**

Nil

### **FINANCIAL IMPACT**

These costs have already been incurred.



<b>ITEM 8.3</b>	<b>REPORTING OF STRATEGIC REFERENCE GROUP MINUTES</b>
<b>REPORTING MANAGER</b>	<b>CO-ORDINATOR GOVERNANCE</b>
<b>TRIM FILE REF</b>	<b>2013/065728</b>
<b>ATTACHMENTS</b>	<b>1 Draft Minutes Environmental Sustainability SRG held 18 February 2013</b>
	<b>2 Draft Minutes Infrastructure and Development SRG held 18 February 2013</b>
	<b>3 Draft Minutes Recreation and Open Space SRG held 18 February 2013</b>

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**REPORT**

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**PURPOSE**

To report the draft minutes of the Strategic Reference Group (SRG) meetings held 18 February 2013.

**REPORT**

The Environmental Sustainability, Infrastructure and Development and Recreation and Open Space SRG's held a formal meeting on the 18 February 2013. At the conclusion of the formal meeting the SRG's attended a joint workshop in relation to the development of the Community Strategic Plan. The Draft Minutes of the 18 February 2013 meetings are presented to Council for noting.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the draft minutes of the Environmental Sustainability, Infrastructure and Development and Recreation and Open Space Strategic Reference Group meetings held on 18 February 2013 be noted.

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# MINUTES

## ENVIRONMENT SUSTAINABILITY STRATEGIC REFERENCE GROUP MEETING

held at Lakeview Hall, Tramshed Arts & Community Centre on

**MONDAY 18 FEBRUARY 2013**

[warringah.nsw.gov.au](http://warringah.nsw.gov.au)



**Minutes of a meeting of the Environmental Sustainability Strategic  
Reference Group**

**held on Monday 18 February 2013**

**at Lakeview Hall, Tramshed Arts & Community Centre**

**Commencing at 6:00pm**

**ATTENDANCE:**

**Members**

Councillor Roslyn Harrison (RH)	(A/Chairperson)
Dr Paul Hackney (PH)	
Mr Michael Houston (MH)	
Dr Alan Jones (AJ)	
Mr Cameron Little (CL)	
Ms Gail Phillips (GP)	
Ms Michelle Sheather (MS)	
Ms Alison Tourle (AT)	
Ms Sian Waythe (SW)	

**Council Officers**

Mr Todd Dickinson (TD)	Group Manager Natural Environment
Ms Ximena Von Oven (XV)	Administrator Officer – Governance

## **1.0 APOLOGIES**

Cr Vanessa Moskal, Cr Wayne Gobert and Michelle Sheather.

## **2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST**

Nil

## **3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **3.1 MINUTES OF ENVIRONMENTAL SUSTAINABILITY SRG HELD 14 NOVEMBER 2012**

001/13 **RESOLVED**

*Mr Jones / Mr Hackney*

That the Minutes of the Environmental Sustainability SRG held 14 November 2012, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting.

## **4.0 NOTING OF COMMUNITY COMMITTEES MINUTES**

Nil

## **5.0 UPDATE SINCE LAST MEETING**

### **DISCUSSION**

TD briefed the group about the progress achieved on the SRG Review Business Improvement Process which is discussed in more detail at Item 6.2. A general update was also provided on a number of other projects.

## **6.0 PROJECT UPDATES**

### **6.1 NARRABEEN LAGOON DREDGING FEASIBILITY STUDY**

#### **DISCUSSION**

TD provided an update in relation to the progress of the feasibility study. The Study will soon be presented to Council as an interim report, and discussed with relevant stakeholders. TD advised that there were currently no funds to progress the dredging works. He further advised it was unlikely that a major update would be required to the feasibility study if the works were delayed for a number of years.

#### **DECISION**



The information was received and noted. Supported unanimously

## **6.2 SRG REVIEW BUSINESS IMPROVEMENT PROCESS UPDATE**

### **DISCUSSION**

Members discussed the SRG ground rules, roles and responsibilities and key questions facing Warringah Council. Members discussed the difficulty in setting a priority amongst the key questions.

AJ raised a question in relation to the definition of "Strategic" and enquired if there was a real understanding of the term.

AT and CL provided suggestions in relation to the SRG meeting ground rules.

### **DECISION**

That: the SRG Review Business Improvement Process update is noted

### **ACTIONS**

- A That AT and CL suggestions be included on the SRG Meeting Ground Rules.
- B That SRG members provide comments on the SRG Meeting Ground Rules.
- C That SRG members review and discuss the Key Questions document and discuss them at the next SRG meeting.
- D That SRG members provide comments on the Roles & Responsibilities document.
- E That Council Staff circulate the timetable for reviewing policies to the ES-SRG members.

## **8.0 GENERAL BUSINESS**

### **8.1 DISCUSSION OF COUNCIL ASSETS**

#### **DISCUSSION**

#### **WAC Strategic Advisory Group (SAG)**

Paul Hackney stated that he attended the meeting of the WAC Strategic Advisory Group (SAG). This group is currently reviewing the future of the Warringah Aquatic Centre. He highlighted that the most important concern of the ES-SRG is that any future development that will be carried over at the WAC considers an environmental perspective.

#### **Glen Street Theatre**

CL raised the issue of Council's asset management approach and asked how funds are allocated

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to key asset projects. TD advised this was one of the key questions Council was going to work on with the SRGs

## **9.0 WORKSHOP TOPIC**

### **9.1 COMMUNITY STRATEGIC PLAN (TO BE HELD AFTER CLOSE OF FORMAL MEETING)**

*The meeting concluded at 6:43pm to move into the joint workshop*

This is the final page of the Minutes comprising 5 pages numbered 1 to 5 of meeting 2013/0 of Warringah Council held on Monday 18 February 2013 and confirmed on Wednesday 3 April 2013.

# MINUTES

## INFRASTRUCTURE AND DEVELOPMENT STRATEGIC REFERENCE GROUP MEETING

held at Lakeview Hall, Tramshed Arts & Community Centre on

**MONDAY 18 FEBRUARY 2013**

(2013/01)

[warringah.nsw.gov.au](http://warringah.nsw.gov.au)



**Minutes of a meeting of the Infrastructure and Development Strategic  
Reference Group held on Monday 18 February 2013  
at Lakeview Hall, Tramshed Arts & Community Centre  
Commencing at 6:00pm**

**ATTENDANCE:**

**Members**

Councillor Sue Heins	(Chairperson)
Mr Andrew Collins (arrived 6:24pm)	
Ms Jane Hauser	
Mr John Hewitt	
Ms Adrienne Lowe	
Mr Manjit Rana (arrived 6:17pm)	
Ms Ann Sharp	
Mr Michael Syme	

**Council Officers**

Mr Rik Hart	General Manager
Mr John Warburton	Deputy General Manager Community
Mr Boris Bolgoff	Group Manager Roads Traffic and Waste
Mr David Kerr	Group Manager Strategic Planning
Mr Campbell Pfeiffer	Group Manager Buildings Property and Spatial Information
Ms Anna Moore	Coordinator Governance

## 1.0 APOLOGIES

Councillor Jose Menano-Pires and Councillor Michael Regan.

## 2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Nil

## 3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 3.1 MINUTES OF INFRASTRUCTURE AND DEVELOPMENT SRG HELD 14 NOVEMBER 2012

001/13 RESOLVED

*Mr Syme / Mr Hewitt*

That the Minutes of the Infrastructure and Development SRG held 14 November 2012, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting.

## 4.0 NOTING OF COMMUNITY COMMITTEES MINUTES

### 4.1 COMMUNITY COMMITTEE MINUTES - NOVEMBER 2012 TO JANUARY 2013

002/13 RESOLVED

*Ms Hauser / Mr Hewitt*

That the Draft Minutes of the following Community Committees be received and noted.

- A. Draft Minutes of Beacon Hill Community Committee meeting held 5 November 2012.
- B. Draft Minutes of Curl Curl Youth and Community Centre Community Committee meeting held 22 November 2012.
- C. Draft Minutes of Curl Curl Sports Community Committee meeting held 10 January 2013.

## 5.0 UPDATE SINCE LAST MEETING

### DISCUSSION

B Bolgoff advised that there had been progress on the SRG Review Business Improvement Process which would be discussed at Item 6.1.

## **6.0 PROJECT UPDATES**

### **6.1 SRG REVIEW BUSINESS IMPROVEMENT PROCESS UPDATE**

#### **DISCUSSION**

Members agreed that they were happy with the meeting ground rules and roles & responsibilities documents.

*M Rana arrived at 6:17pm*

M Syme stated that he found the questions frustrating, that they needed to be more specific rather than random questions and on key local issues that Council and the SRG can have an affect on. It was explained that the questions were an amalgamation of several specific issues that were summarised into a high level problem statement for the SRG to consider. This allows the SRG to focus on specific items as required.

*A Collins arrived at 6:24pm*

It was agreed to circulate the list of questions for honest and constructive feedback on each question and identification of which questions members wished to include on future SRG agendas. It was confirmed that on completion of the feedback staff would then provide further information as required to enable agreement on the list of questions at the April SRG meeting.

#### **003/13 RESOLVED**

***Ms Lowe / Ms Sharp***

That:

- A. the SRG Review Business Improvement Process update is noted
- B. SRG members approve the SRG Meeting Ground Rules
- C. SRG members provide feedback on the Key Questions facing Warringah Council
- D. SRG members approve the Roles & Responsibilities document

#### **ACTIONS**

1. A Moore to circulate a spreadsheet of the key questions to all SRG members for their feedback.
2. SRG members to provide feedback by Friday 8 March 2013.

## **8.0 WORKSHOP TOPIC**

### **8.1 COMMUNITY STRATEGIC PLAN (TO BE HELD AFTER CLOSE OF FORMAL MEETING)**

*The meeting concluded at 6:39pm to move into the joint workshop*

This is the final page of the Minutes comprising 4 pages numbered 1 to 4 of meeting 2013/01 of the Infrastructure and Development Strategic Reference Group held on Monday 18 February 2013 and confirmed on Wednesday 3 April 2013

### **9.1 PARKING LOT**

Diversify Revenue – Michael Syme



# MINUTES

## RECREATION AND OPEN SPACE STRATEGIC REFERENCE GROUP MEETING

held at Lakeview Hall, Tramshed Arts & Community Centre on

**MONDAY 18 FEBRUARY 2013**

[warringah.nsw.gov.au](http://warringah.nsw.gov.au)



**Minutes of a Meeting of the Recreation and Open Space Strategic  
Reference Group held on Monday 18 February 2013  
at Lakeview Hall, Tramshed Arts & Community Centre  
Commencing at 6:03pm**

**ATTENDANCE:**

**Members**

Councillor Duncan Kerr	(Deputy Chair)
Mr Don Norris	
Ms Melissa Palermo	
Mr Tony Pecar	
Mr Paul Smith	
Mr Chris Thomas	
Ms Julie Whitfield	
Ms Lata Wilkinson	
Mr Patrick Wong	
Vacant Position	

**Council Officers**

Mr Malcolm Ryan	Deputy General Manager Environment
Mr Michael Keelan	Group Manager Parks Reserves and Foreshores
Mr Damian Ham	Major Projects Manager
Mr Charles Munro	Recreation Management, Manager
Ms Melissa Lee	Governance Manager

## **6.0 PROJECT UPDATES**

### **6.1 NARRABEEN LAGOON DREDGING FEASIBILITY STUDY**

#### **DISCUSSION**

Charles Munro briefly updated the group with regards to the feasibility study and discussed the maps that were within the presentation

*M Whitfield arrived at 6.10pm.*

*L Wilkinson and P Wong arrived at 6.12pm.*

*C Thomas arrived at 6.15pm.*

#### **DECISION**

That the information be noted.

### **6.2 SRG REVIEW BUSINESS IMPROVEMENT PROCESS UPDATE**

#### **DISCUSSION**

The group discussed the ground rules, and roles and responsibilities. With some clarification around the roles and responsibilities, all members of the group were happy with these going forwards.

#### **DECISION**

That:

- A. the SRG Review Business Improvement Process update is noted
- B. SRG members provide comments on the SRG Meeting Ground Rules
- C. SRG members review and discuss the Key Questions facing Warringah Council
- D. SRG members provide comments on the Roles & Responsibilities document

#### **ACTION**

Members to review the Key Questions and provide any comments by the next Meeting.

## **1.0 APOLOGIES**

Councillor Jose Menano-Pires and Councillor Michael Regan.

## **2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST**

Nil

## **3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **3.1 MINUTES OF RECREATION AND OPEN SPACE SRG HELD 1 AUGUST 2012**

001/13 **RESOLVED**

**PALERMO / WILKINSON**

That the Minutes of the Recreation and Open Space SRG held 1 August 2012 copies of which were previously circulated to all Members, be confirmed as a true and correct record of the proceedings of that meeting.

### **3.2 NOTES OF RECREATION AND OPEN SPACE SRG HELD 14 NOVEMBER 2012**

002/13 **RESOLVED**

**WONG / THOMAS**

That the Notes of the Recreation and Open Space SRG held 14 November 2012, copies of which were previously circulated to all Members, be confirmed as a true and correct record of the proceedings of that meeting.

### **3.3 MINUTES OF EXTRAORDINARY RECREATION AND OPEN SPACE SRG HELD 26 NOVEMBER 2012**

003/13 **RESOLVED**

**THOMAS / SMITH**

That the Minutes of the Extraordinary Recreation and Open Space SRG held 26 November 2012, copies of which were previously circulated to all Members, be confirmed as a true and correct record of the proceedings of that meeting.

## **4.0 NOTING OF COMMUNITY COMMITTEES MINUTES**

### **4.1 COMMUNITY COMMITTEE MINUTES - NOVEMBER 2012 TO FEBRUARY 2013**

#### **DECISION**

That the Draft Minutes/Minutes of the following Community Committees be received and noted.

- A. Minutes of Forestville RSL War Memorial Playing Fields Community Committee meeting held

19 November 2012

- B. Draft Minutes of Forestville RSL War Memorial Playing Fields Community Committee meeting held 4 February 2013.
- C. Draft Minutes of Stony Range Community Committee meeting held 4 December 2012.

## **5.0 UPDATE SINCE LAST MEETING**

Nil

## **8.0 WORKSHOP TOPIC**

### **8.1 COMMUNITY STRATEGIC PLAN (TO BE HELD AFTER CLOSE OF FORMAL MEETING)**

*The meeting concluded at 6.37pm to move into the joint workshop*

This is the final page of the Minutes comprising 6 pages numbered 1 to 6  
of meeting 2013/0 of Warringah Council held on Monday 18 February 2013 and confirmed on  
Wednesday 3 April 2013.





<b>ITEM 8.4</b>	<b>COLLAROY PLANNING PROPOSAL</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/431387</b>
<b>ATTACHMENTS</b>	<b>1 Collaroy Planning Proposal (Included In Attachments Booklet)</b> <b>2 LEP Practice Note PN 09-003 (Included In Attachments Booklet)</b> <b>3 Additional Information for Public Exhibition (Included In Attachments Booklet)</b> <b>4 Gateway Determination (Included In Attachments Booklet)</b> <b>5 Independent Chairperson's Report - Public Hearing (Included In Attachments Booklet)</b> <b>6 Submission (Included In Attachments Booklet)</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To report the results of the public exhibition of the Collaroy Planning Proposal and to seek Council's endorsement to submit it to the Department of Planning and Infrastructure, to be finalised.

### **SUMMARY**

On 28 February 2012, Council resolved to prepare a Planning Proposal to amend WLEP 2011 to re-classify the western portion of Collaroy Beach Reserve car park located at 1054 Pittwater Road, from Community Land to Operational Land (Refer to Attachment 1).

The Planning Proposal was placed on public exhibition for a period of 28 days from Tuesday 9 October to Monday 5 November 2012. One submission was received during the public exhibition. No amendments are recommended to the Planning Proposal following consideration of the submission.

A public hearing was independently chaired on 5 December 2012 at the Council Chambers. There were no attendees from the public at the hearing. An independent chairperson's report (Refer to Attachment 5) was prepared by the chairperson and provided to Council on 19 December 2012. The independent chairperson's report recommends that Council support the Planning Proposal.

Assessment of the matter is now complete and it is recommended that the Planning Proposal be sent to the Department of Planning & Infrastructure for finalisation.

### **FINANCIAL IMPACT**

The Planning Proposal has been prepared within the Strategic Planning budget and resources.

### **POLICY IMPACT**

The purpose of the Planning Proposal is to amend WLEP 2011.

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council

- A. Pursuant to Section 59 of the *Environmental Planning & Assessment Act 1979*, forward the Collaroy Planning Proposal (Attachment 1) to the Department of Planning & Infrastructure, for the Minister for Planning & Infrastructure to make a Local Environmental Plan to:
    - a) Re-classify the western portion of Collaroy Beach Reserve car park (part of Lot 1 DP346265) from Community Land to Operational Land under Warringah Local Environmental Plan 2011.
  - B. As recommended by the Independent Chairperson to the public hearing, in making this determination, acknowledges the important public purpose the reclassified land is intended to play into the future as part of the area covered by the Masterplan for the Collaroy Beach Reserve.
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## REPORT

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### BACKGROUND

At its meeting of 28 February 2012, Council resolved to prepare a Planning Proposal to amend WLEP 2011 to re-classify the western portion of Collaroy Beach Reserve car park located at 1054 Pittwater Road (part of Lot 1 DP346265) (Subject Land), from Community Land to Operational Land

Council staff prepared a Planning Proposal to re-classify the Subject Land and forwarded it to the Department of Planning & Infrastructure on 17 July 2012. A Gateway Determination was issued on 15 August 2012 (Refer to Attachment 4).

### Purpose of the Planning Proposal

The principal purpose of the amendment is to assist Council in formalising an access arrangement to the Collaroy Services Beach Club from the Subject Land, and provide a safe pedestrian environment.

There is no intention to change the use of the Subject Land or develop the land for any other purpose and this intention is reflected by the fact that the site will remain zoned RE1 Public Recreation.

### CONSULTATION

#### Public Exhibition

In accordance with the Gateway Determination the Planning Proposal was placed on public exhibition for a period of 28 days from Tuesday 9 October to Monday 5 November 2012. During the public exhibition period the Planning Proposal and all relevant documents were publicly available at the Civic Centre, Council's libraries and Council's public comment section of its website. An advertisement was placed in the *Manly Daily* on Saturday 6 October 2012 and Saturday 20 October 2012. One submission was received via email during the public exhibition period, from the owner of 1117-1119 Pittwater Rd, Collaroy (Refer to Attachment 6).

#### Assessment of Submission

The submission is concerned that the reclassification of the Subject Land will lead to a loss of parking within the carpark, forcing car park patrons to use Pittwater Road and Collaroy Street. The submission suggests that Council should focus its efforts on providing additional car parking spaces between Collaroy and Alexander Streets. The submission maker is also concerned with the potential for development on the Subject Land as a result of the reclassification, which could result in view loss from his property and a reduction in property value.

Consideration has been given to the submission by the chairperson of the public hearing, within the independent chairperson's report and by Council. Whilst Council does not intend to develop the Subject Land, development that has the potential to impact on views could be constructed on both community and operational land. Therefore, the Planning Proposal does not alter any potential view loss. Re-configuration of the carpark is required for the interests of public safety and access. In summary, Council and the independent chairperson's report conclude that no amendment is required to the Planning Proposal.

#### Public Hearing

In accordance with section 29 of the *Local Government Act 1993*, a public hearing was independently chaired under section 57 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), on 5 December 2012 at the Council Chambers. 21 days notice of the public hearing was provided to the public from Saturday 10 November 2012 to Friday 30 November 2012. An

advertisement was placed in the Manly Daily on Saturday 10 November 2012 and notification was given to the public on Council's public comment section of its website. Notification was sent via email to the one individual who made a submission during the public exhibition period, on 7 November 2012. During the notification period the Planning Proposal and all relevant documents were publicly available at the Civic Centre and Council's public comment section of its website. There were no attendees from the public at the public hearing.

An independent chairperson's report was prepared by the chairperson and provided to Council on 19 December 2012. In accordance with section 47G of the *Local Government Act 1993*, the report was made publicly available on Council's public comment section of its website and at the Civic Centre on 21 December 2012.

The independent chairperson's report recommends that Council support the Planning Proposal. However, the chairperson recommends that Council acknowledge the important public purpose, the Subject Land will play into the future as part of the Collaroy Accessibility Masterplan, notwithstanding the Planning Proposal. This function is duly acknowledged. The Planning Proposal is complementary to this function as it will assist Council in formalising an access arrangement to the club from the Subject Land and provide a safe pedestrian environment.

#### **TIMING**

The making of the local environmental plan to amend WLEP 2011 is a matter for the NSW State Government. It is dependent upon the operations of the Department of Planning & Infrastructure and Parliamentary Counsel's Office.

#### **CONCLUSION**

It is recommended that Council endorse this Planning Proposal and it be forwarded to the Department of Planning & Infrastructure for finalisation.



<b>ITEM 8.5</b>	<b>EVERGREEN ESTATE PLANNING PROPOSAL</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/063988</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li><b>1 Evergreen Estate Planning Proposal (Included In Attachments Booklet)</b></li><li><b>2 Evergreen Estate Development Control Plan (Included In Attachments Booklet)</b></li><li><b>3 Evergreen Estate Voluntary Planning Agreement (Included In Attachments Booklet)</b></li><li><b>4 Evergreen Estate VPA Explanatory Note (Included In Attachments Booklet)</b></li><li><b>5 Evergreen Estate Public Submissions Summary Table (Included In Attachments Booklet)</b></li><li><b>6 Evergreen Estate Copies of all Submissions (Included In Attachments Booklet)</b></li><li><b>7 Evergreen Estate Land Zoning Map - Proposed (Included In Attachments Booklet)</b></li><li><b>8 Evergreen Estate Height of Buildings Map - Proposed (Included In Attachments Booklet)</b></li><li><b>9 Evergreen Estate Minimum Subdivision Lot Size Map - Proposed (Included In Attachments Booklet)</b></li></ol>

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#### **EXECUTIVE SUMMARY**

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NOTE: This item was withdrawn at the Council Meeting on 26 February 2013

#### **PURPOSE**

To report the results of the public exhibition of the Evergreen Estate Planning Proposal and seek Council's endorsement of the site's new draft planning framework so that it can be sent to the Department of Planning and Infrastructure to be finalised.

#### **SUMMARY**

On 14 February 2012, Council resolved to support the Evergreen Estate Planning Proposal (the Proposal). The Proposal involves rezoning the land at 26 Campbell Avenue from private recreation to residential for 34 dwellings and dedication of approximately 2,800 square metres of land to Council for public open space.

The Proposal was publicly exhibited for a six week period from 24 November 2012 until 5 January 2013. In response, Council received 19 public submissions which raised approximately 27 matters for Council's consideration. These matters are responded to in this report and the Public Submissions Summary Table attached. Aside from some minor administrative corrections to the draft Voluntary Planning Agreement, no amendments to the draft planning framework are recommended.

Council's endorsement of the draft planning framework is sought so that the matter can be sent to the Department of Planning and Infrastructure (the Department) to be finalised.

**FINANCIAL IMPACT**

The preparation of the Planning Proposal and draft Development Control Plan (DCP) has been funded by the fees established in Council's schedule of fees and charges. The Voluntary Planning Agreement (VPA) has been prepared within existing budgeted resources of the Strategic Planning and Legal Services Units.

**POLICY IMPACT**

Amendment to Warringah Local Environmental Plan 2011 and Warringah Development Control Plan.

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council:

- A. Adopts the Evergreen Estate - Voluntary Planning Agreement, incorporating the amendments referred to in the report, and the associated Explanatory Note.
  - B. Does all things necessary for the execution of the Voluntary Planning Agreement and, without limiting the generality of the foregoing, delegates to the General Manager, and authorises, the execution of the Voluntary Planning Agreement.
  - C. Subject to the proper execution by all parties of the Voluntary Planning Agreement incorporating the amendments referred to in the report, endorses the Planning Proposal relating to 26 Campbell Avenue, Cromer which is referred to in the report and would (if the proposed local environmental plan is made) make various changes to Warringah Local Environmental Plan 2011, including:
    - a. amendments to the zoning map by rezoning the southern part of Lot 1 DP 611195 as indicated Land Zoning Map - Proposed from RE2 Private Recreation to R2 Low Density Residential and RE1 Public Recreation;
    - b. amendments to the Minimum Subdivision Lot Size Map – Proposed to apply a 300sqm minimum lot size to the land; and
    - c. amendments to the Height of Buildings Map – Proposed to remove the height control from the land that will be zoned Public Recreation,and forward it to Department of Planning and Infrastructure for gazettal for the Minister for Planning and Infrastructure to make the proposed local environmental plan.
  - D. Subject to the proper execution by all parties of the Voluntary Planning Agreement incorporating the amendments referred to in the report, approves Part G6 ('the Evergreen Estate'), in the form in which it was publicly exhibited, as an amendment to Warringah Development Control Plan.
  - E. Advises all submission makers and the proponent of this resolution and give public notice of this decision as required.
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**REPORT**

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**BACKGROUND**

On 14 February 2012 Council resolved to support the Planning Proposal to rezone land at 26 Campbell Avenue, Cromer from RE2 Private Recreation to R2 Low Density Residential and RE1 Public Recreation. It also resolved, among other matters:

- B. That Council refer the Planning Proposal, and any relevant supporting information, to the Department of Planning and Infrastructure for a Gateway Determination.*
- F. That development controls relating to the development of the land be incorporated in an amendment to the draft Warringah Development Control Plan 2009.*
- G. That Council staff work with the proponent to develop a Voluntary Planning Agreement...[including] the dedication of land...to facilitate the Planning Proposal.*

On 12 March 2012, the Department issued a Gateway Determination to enable the Planning Proposal to proceed to public exhibition.

**Overview of Planning Framework**

A suite of three key draft documents form the planning framework that will guide the future redevelopment of the land; they include:

1. The Planning Proposal
2. The draft Warringah Development Control Plan - Part G6 The Evergreen Estate (draft DCP)
3. The draft Voluntary Planning Agreement (draft VPA)

Each of these is outlined below:

**1. The Planning Proposal (see Attachment 1)**

Two main outcomes would result from the Proposal that involves amendment to Warringah Local Environmental Plan (WLEP 2011):

1. Rezoning of 1.4 hectares (84%) of the land to R2 Low Density Residential for a maximum of 34 dwellings
2. Rezoning of 2,840 square metres (16%) to RE1 Public recreation for the widening and enhancement of the adjoining public open space / creek-line corridor

Other changes to WLEP 2011 include;

- Amendment of the Lot Size Map to allow individual residential lots to be a minimum size of 300sqm
- Amendment of the Height of Building Map to reflect the new residential zoning of the land

**2. Development Control Plan – New Part G6 ‘The Evergreen Estate’ (see Attachment 2)**

The Warringah Development Control Plan (WDCP) provides more detailed and specific controls for development when a development application is lodged with Council. The WDCP is divided into eight parts including built form, siting, design, natural environment, zones and sensitive areas, plus controls for specific places – such as The Evergreen Estate.

Part G6 titled ‘The Evergreen Estate’ will provide many of the site specific controls that will apply to the land proposed to be zoned R2 Low Density Residential.

Part G6 will provide specific controls to guide future residential development for small lot housing. Each control has 'Objectives' and 'Requirements' for a variety of matters. Some examples include:

- General objectives and requirements, eg high quality development with good connectivity, access and amenity
- Dwelling design, eg articulated facades, eaves, colours and materials
- Access, eg safe and accessible internal network and connection to the existing road network
- Subdivision layout, lot yield and lot size landscaping, eg maximum 34 residential lots, lot sizes range from 300 square metres to 490 square metres
- Setbacks, eg front setbacks of 6.5m to Campbell Avenue, 4m to internal roads in most cases; rear setbacks of 6m – 10m
- Access and parking, eg maximum width of driveway at street (4m); garages to be integrated with and complement dwelling design
- Landscaping and private open space controls

### **3. The Voluntary Planning Agreement (VPA) (see Attachment 3)**

The VPA is a deed between the land owner, the land developer and Council for the transfer of the land that is to become public open space into Council's ownership.

In the VPA are the following conditions (section 6 – *Conditions Precedent* of the VPA) that must be satisfied before the owner and developer have any obligation to lodge the proposed subdivision plan for registration under the *Conveyancing Act* 1919:

- a) The rezoning changes to WLEP 2011 must be made
- b) The changes to the WDCP must be made
- c) Development consent must be granted for the subdivision of the land and the public reserve, demolition of the existing improvements, and the carrying out of work necessary to implement the landscape management and rehabilitation strategy on the public open space land

Once the conditions above are satisfied, then the following actions (section 7 – *Registration of the Proposed Plan of Subdivision* of the VPA) are required:

- d) The developer or owner must deliver the 'plan documents' (ie the proposed plan of subdivision, the proposed deposited plan administration sheet and the proposed section 88B instrument) to Council
- e) Council then issues the subdivision certificate, endorses and executes the administration sheet and s88B instrument, and produces the Certificate of Title for the Public Reserve to permit registration of the plan documents at Land and Property Information (LPI)
- f) The developer or owner must: (i) obtain all the necessary consents to the lodgement of the plan documents for their registration; (ii) comply with all conditions of the development consent necessary for a subdivision certificate and to facilitate the transfer of the public open space land, and (iii) lodge the plan documents and the transfer at LPI, and do everything necessary to enable the plan documents to be registered

Prior to the issue of the subdivision certificate, the VPA must be registered in accordance with section 93H of the Environmental Planning and Assessment Act.

In finalising the draft VPA, the need for some minor administrative corrections was identified. These related to matters such as correcting Council's ABN number, ensuring the document made the correct references to Annexures, adding page numbers. These changes were administrative in nature and have in no way made changes of substance to the document.

### **Public Exhibition, Consultation and Notification**

The suite of proposed planning controls for the land were formally exhibited and notified for six weeks from 24 November 2012.

Information relating to the public exhibition was available on Council's website, in Council's offices at Civic and all libraries. The exhibition was advertised twice in the Manly Daily.

More than 800 letters inviting submissions were sent to surrounding property owners within a 300 metre radius of the land, and four Government agencies were consulted in-line with the Department's Gateway Determination.

In addition to the statutory requirements, information on the exhibition was included twice in Council's "Have Your Say" that circulates to 3,500 registered people on Council's community engagement list.

Staff held an on-site information stall on Saturday morning 15 December 2012 to answer questions in relation to the exhibition. Over 80 people attended the stall.

### **Submissions**

24 submissions were received during the exhibition period; 20 public submissions and 4 from State Government agency submissions. No issues of concern were raised by State Government agencies.

Of the 20 public submissions, there were five submissions in support and five objections to the exhibited material. Ten submissions remained neutral. The public submissions raised approximately 27 issues. These have been assessed and responded to in the Public Submissions Summary Table (Attachment 5). In addition copies of each of the submissions (public and State Government agencies) are provided in the document titled Copies of all Submissions (Attachment 6).

The majority of issues related to detailed aspects of the residential outcomes proposed for the site, eg building setbacks, fence height, neighbourhood traffic, etc.

This differed from the previous public exhibition in February – March 2011 when the majority of submissions objected to the proposed rezoning and were focused on the loss of the recreational facilities, loss of open space and impacts on the green / riparian corridor.

The issues raised in the current submissions are adequately dealt with in the suite of proposed planning controls or relate to detailed matters that will be dealt with at the development application stage. On this basis there are no changes recommended as a result of public submissions.

### **Proposed Amendments**

No amendments are recommended following the public exhibition.

### **TIMING**

If approved, the Planning Proposal will be sent to the Department of Planning and Infrastructure for the amendment to WLEP 2011 to be made.

The new Part G6 of the Warringah Development Control Plan titled 'The Evergreen Estate' will come into force from the date that the amendment to WLEP 2011 is made.



The VPA takes effect when it is signed by Council, the owner and the developer of the land and must be registered prior to the issue of the subdivision certificate. The land will be transferred to Council when the registration of the proposed plan of subdivision occurs.

**FINANCIAL IMPACT**

The preparation of the Planning Proposal and the new site specific DCP have been funded by the fees established in Council's schedule of fees and charges. The VPA has been prepared within existing budgeted resources of the Strategic Planning and Legal Services Units.

**POLICY IMPACT**

Amendment to WLEP 2011 and WDCP

**CONCLUSION**

Council's resolution of 14 February 2012 has been undertaken and the proposed suite of planning controls for the land has been publicly exhibited. The results of the public exhibition have been considered and reported upon. No substantive changes to the planning controls are recommended.

Final endorsement by Council will enable the Evergreen Estate Planning Proposal to be sent to the Department so that it can be finalised.

<b>ITEM 8.6</b>	<b>WARRINGAH COMMUNITY BASED HERITAGE STUDY REVIEW - FINAL REPORT</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/010360</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li><b>1 Heritage Study Review - Report (Included In Attachments Booklet)</b></li><li><b>2 List of Nominations and Recommendations (Included In Attachments Booklet)</b></li><li><b>3 Proposed Changes to WLEP 2011 (Schedule 5 and Heritage Map) (Included In Attachments Booklet)</b></li><li><b>4 Proposed New Heritage Items and Expanded Existing Items (Included In Attachments Booklet)</b></li><li><b>5 Properties in Existing State Government s.170 Heritage Registers (Included In Attachments Booklet)</b></li></ol>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To advise Council of the results of the Warringah Community Based Heritage Study Review (the Review) and make recommendations to implement these results.

### **SUMMARY**

Council has a responsibility to regularly review its European (or non-indigenous) heritage. Heritage items in Warringah are listed in Schedule 5 of Warringah Local Environmental Plan 2011 (WLEP 2011) and consist of a variety of individual built and landscape items as well as a number of heritage conservation areas, most of which are natural areas.

To review this current list of 145 heritage items and areas, the Warringah Community Based Heritage Study Review has been undertaken. This involved a review of existing listings and the assessment of new potential heritage items, largely based on nominations from the local community.

The Review has resulted in fifteen (15) new items being recommended for heritage listing, two (2) existing items recommended for removal and the proposed expansion of three (3) existing listings. Also, the addition of ten (10) State agency heritage items is recommended. As an amendment to WLEP 2011 is necessary to implement these recommendations, the preparation of a heritage Planning Proposal is the main recommendation from this Review.

The Review also looked at on-going management of heritage in Warringah and makes a number of recommendations for future consideration.

### **FINANCIAL IMPACT**

Preparation of the Planning Proposal is accommodated within Council's existing budget. Preparation of an Historical Themes Review is budgeted for 2013/2014.

### **POLICY IMPACT**

If adopted, this Review will result in an amendment to WLEP 2011, to add new items and correct errors in the heritage list (Schedule 5 and Heritage Map).

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That:

- A. The contents of the Warringah Community Based Heritage Study Review, dated February 2013, be adopted.
  - B. Council prepare a Planning Proposal to amend Warringah Local Environmental Plan 2011 to:
    - a. amend Schedule 5 by correcting errors and anomalies, as outlined in Attachment 3;
    - b. delete two (2) existing items from Schedule 5, being:
      - i. Long Reef Garage, 2 Hay Street, Collaroy (Pt Lot 6 Sec 6 DP 11358); and
      - ii. "Ballagh", 5 The Avenue, Collaroy (Lot 24 DP 7001)
    - c. add fifteen (15) new heritage items to Schedule 5, being those items listed in Attachment 4;
    - d. expand three (3) existing listings in Schedule 5 to more accurately reflect the item, also listed in Attachment 4; and
    - e. add ten (10) items to Schedule 5, which are already heritage listed in State Government s.170 heritage registers, being those items listed in Attachment 5.
  - C. Council send the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination.
  - D. Upon receipt of the Department's Gateway Determination, and in accordance with any directions contained, Council authorises the public exhibition of the Planning Proposal and notification of all owners of properties affected by this heritage Planning Proposal.
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**REPORT**

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**BACKGROUND**

During 2011/2012, Council has been working on a Community Based Heritage Study Review. The main aim of the Review is to update Council's list of heritage items and areas contained within Warringah Local Environmental Plan 2011 (WLEP 2011). No heritage list is complete and there is an on-going responsibility on Council to review and up-date its heritage list.

A community-based approach was adopted which relied upon input from the community to update Council's current list of heritage items. While this process is not comprehensive, it is an appropriate way of identifying potential items of heritage significance.

To assist in this process, Council was successful in securing a dollar for dollar heritage grant of \$15,000 from the NSW Heritage Office.

The Review is now complete. The purpose of this report is to briefly outline the main steps undertaken, advise Council of the results of the Review and make recommendations to implement these results.

A copy of the Warringah Community Based Heritage Study Review Report can be seen at Attachment 1, which contains full details on all the tasks and processes undertaken. A brief summary of these tasks has been included below.

**Review of Existing Items and Listing Details**

All existing heritage listings were checked to identify any inaccuracies in their description and mapping. Corrections needed, have been itemised so that the changes can be implemented as part of a future heritage Planning Proposal. Other heritage registers have also been checked to identify heritage items in Warringah, which are not reflected in Council's current LEP heritage list (e.g. State government agency listings).

Additionally, owners of all existing heritage items were advised of the Review and were provided the opportunity to input into the process. In response, submissions were received from two (2) owners requesting that their properties be removed from the heritage list, being Long Reef Garage at 2 Hay Street, Collaroy and a house known as "Ballagh" at 5 The Avenue, Collaroy.

**Historical Themes Review**

A preliminary Historical Themes Review was prepared in early 2011 by the historian on the Warringah Heritage Panel. The main purpose of this task was to review the existing Heritage Context Report, prepared in 1991 as part of the original Warringah Heritage Study; and to clearly identify and describe the historical themes relevant to Warringah's heritage (as the NSW State Heritage Themes were only in draft form in 1991).

The historian determined that the previous Historical Context Report was historically sound, however there was a need to expand upon Warringah specific themes (e.g. surfing culture) and to update the history to reflect the development of Warringah up to the current time.

To carry out these recommendations, a Warringah Historical Themes Review is programmed to be carried out during 2013/2014.

**Call for Nominations of Potential Heritage Items**

The identification of potential items involved an extensive community consultation program, searching for new heritage items. This consultation involved:-

- Display ads and other notices in the Manly Daily;
- Preparation and distribution of brochures and posters;

- Information on Council's website;
- Notification to the Manly, Warringah & Pittwater Historical Society; and
- Consultation with members of Council's Heritage Community Committee.

The nomination period started on 9 April 2011 and nominations were received until 27 May 2011.

In response to this call for community nominations, a total of 69 submissions were received, some which nominated multiple properties. In total, the nominations applied to over 100 properties. Some nominations were supported by a detailed Heritage Data Form, while other nominations were made without any supporting information. To be consistent in the Review process, it was decided that all community nominations, regardless of the amount of support information, should be assessed as part of the Review.

A full list of nominations received can be seen at Attachment 2.

### **Assessment of Nominations Received**

An item cannot qualify as a heritage item unless it meets the heritage assessment criteria set down by the NSW Heritage Branch of the Department of Environment and Heritage. These criteria are set out in the document titled "Assessing Heritage Significance", which is available to view at <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/listings/assessingheritagesignificance.pdf>

To determine whether the nominations received met this threshold for heritage listing, they were all assessed by various heritage specialists from the Warringah Heritage Panel. The Warringah Heritage Panel consists of 6 heritage specialists with different expertise. As most of the nominations received were for built and landscape items, the heritage architects and landscape specialists on the Panel were used to assess the nominations.

A template was developed so that all consultants used the same assessment approach and all nominations were assessed to determine whether they reached the established threshold for heritage listing.

All owners of the private properties nominated by the community were advised by letter in November 2011. They were given the opportunity to provide any relevant information to assist in the assessment of the nomination. A number of submissions were received in response to this letter and all submissions received were provided to the heritage consultants for consideration as part of their assessments. This was particularly important, given that some nominations were made with little or no supporting information.

### **Preliminary Assessment**

The heritage consultants undertook a preliminary assessment of all nominations, to determine whether or not met the item nominated could meet the threshold required for heritage listing.

The nominations which were assessed as not meeting the threshold for heritage listing were then excluded from the Review process. The owners and the nominators were advised that Council would be taking no further action in relation to those items.

The remaining nominations, which were considered likely to meet the heritage listing criteria, were then further investigated. The owners were advised that Council was continuing to investigate heritage listing, and a further opportunity was provided for the owners to make submissions.

The two (2) requests received for removal of existing heritage items, were also assessed and in both cases, the recommendation from the heritage consultant was that it was appropriate for Council to remove these properties from its heritage list. These properties are:



- Long Reef Garage, 2 Hay Street, Collaroy (Pt Lot 6 Sec 6 DP 11358)
- “Ballagh”, 5 The Avenue, Collaroy (Lot 24 DP 7001)

### **Assessment Review**

The heritage consultants then undertook further research and re-assessment of all factors, including submissions made by the property owners. As a result of this process, a number of properties were eliminated from the list of potential heritage items, as it was considered that heritage listing could not be sustained. Again, the owners were advised of the revised assessment for their properties and that Council would not be proceeding with heritage listing.

Attachment 2 also shows the results of this assessment process, for each of the community nominations received. In some cases, listing is not recommended at this time, as further investigations are required before a heritage listing can be supported.

### **Recommended List of Proposed New Heritage Items**

This assessment of nominated properties and consequent review of remaining properties has resulted in a final recommended list of fourteen (14) proposed new heritage items. These are:-

- Douglas L. Murcutt house, 22 Yarrabin Street, Belrose
- Trees surrounding Brookvale Park, Pine Ave, Alfred St, unmade portion of Federal Pde and Pittwater Rd (near Pine Ave), Brookvale
- House, 971 Pittwater Road, Collaroy
- House, 1035 Pittwater Road, Collaroy
- House “Sunnybank”, 13 Worchester Street, Collaroy
- Street trees, Anzac Ave and Hendy Ave, Collaroy
- Warringah Civic Centre and Landscaping (between Civic Centre and Dee Why Library), Pittwater Road, Dee Why
- “Waratah Park” and Rangers Headquarters, 13 Namba Road, Duffys Forest
- Former Chadwick House and Garden, 82 Arthur Street, Forestville
- Soldiers Settlement Dwelling, 8 Duke Street, Forestville
- Presbyterian Church of St Columba, 685 Warringah Road, Forestville
- Jetty remnants and marine bollards, Passmore Reserve, Manly Vale
- WW1 Obelisk, Cliff behind North Curl Curl Beach
- Laurie Short House, 307 McCarrs Creek Road, Terrey Hills

The majority of these are built items and a number are houses which were designed by prominent Australian architects (e.g. Glenn Murcutt). Full details of these proposed heritage items are provided in the Heritage Review Report at Attachment 1.

Assessment of the nominations also resulted in recommendations to expand three (3) existing heritage listings. These are:

- Fisherman’s Hut, Long Reef – expand heritage listing to include remnant winches and vegetation.

- Holland's Orchard, Frenchs Forest – expand existing listing to also cover commemorative grove in Frenchs Forest High School grounds.
- Street Trees, Soldiers Ave, Freshwater – expand listing to cover memorials and plaques and original camphor laurel trees.

A late submission has also been received from the new owners of "Chez Nous" at 19 Frazer Street, Collaroy (Lot 64 DP 746823), requesting that their property be heritage listed. This property was identified in the original Warringah Heritage Study but was not listed due to owner objections at the time. The house dates to 1917, being the second house built in Collaroy and it is therefore recommended that this property also be added to the heritage list. When added to the previous list, this means that there are a total of fifteen (15) proposed new heritage items.

### **State Agency Listings**

State government agencies also have a responsibility to identify and list items of heritage in their ownership (under s.170 of the Heritage Act, 1977). In Warringah there are 10 such listings, which are not reflected in Council's heritage list. The Review recommends that these 10 items be added to Schedule 5 of WLEP 2011, so that Council's heritage list is more complete. These properties are listed in Attachment 5.

### **CONSULTATION**

Throughout the Review process, there has been continual community consultation. As well as the formal call for community nominations in mid 2011, there has been on-going consultation with the owners whose properties were nominated by the community. Additionally, the Manly, Warringah & Pittwater Historical Society has been consulted and there have been two (2) Councillor Briefings and three (3) presentations to Council's Heritage Community Committee. A briefing was also provided to a meeting of the Manly, Warringah and Pittwater Historical Society.

As assessment results became available, Councillors were updated and owners and nominators were advised of assessment decisions.

Future consultation, when a heritage Planning Proposal is being prepared, will involve exhibition of the proposed changes, contact with affected owners and consultation with government agencies. It is envisaged that workshops will be held with affected owners and on-going consultation will occur with the Manly, Warringah & Pittwater Historical Society and the Heritage Community Committee.

### **FURTHER ACTIONS**

As well as changes to Council's list of heritage items, the Review makes a number of other recommendations for future actions, being:-

#### **Preparation of Heritage Themes Review**

The Review undertook a preliminary review of Warringah's 1991 Historical Context Report and a preliminary review of Warringah's heritage themes. This determined that the original Historical Context Report was historically sound, but needed updating to reflect development to the current day and also to expand upon those local heritage themes of particular relevance to Warringah. This detailed review of heritage themes was outside the scope of the Review, but has been identified as a future project, with funding allocated in the 2013/2014 budget.

#### **Preparation of Heritage Incentives, Education and Promotions Policy**

While the main purpose of the Review was to update the list of heritage items in Warringah LEP 2011, it also briefly looked at the management of heritage generally. A heritage list needs to be supported by incentives, information and promotion, so that the community recognises the importance of Council listing heritage items and understands that Council is doing it to ensure that Warringah's heritage is preserved for future generations.

The Review contains some discussion on these issues and recommends that further work be undertaken to support the current heritage list and the proposed additions to that list. The main recommendation is that Council prepare a Heritage Incentives, Education and Promotions Policy.

### **Preparation of a Heritage Street Tree Management Policy**

Street trees are, by their nature located within Council road reserves. There are at least seven (7) streets where the trees are already heritage listed, and it is proposed to add a new listings for Anzac Ave/Hendy Ave, Collaroy and the trees surrounding Brookvale Park. There is currently no special management policy which looks at how these trees should be managed on a day-to-day basis and also as part of a longer term strategy looking at progressive replacement planting etc.

### **RECOMMENDED ACTIONS**

There are a number of actions recommended by the Review:

#### **A. Statutory Changes**

The main recommendation is to prepare a heritage amendment to Warringah Local Environmental Plan 2011, to amend the heritage list in Schedule 5 as well as the Heritage Map. This Planning Proposal will:

- Correct errors and anomalies;
- Remove two (2) existing heritage items;
- Add fifteen (15) new heritage items;
- Expand the scope of three (3) existing heritage items;
- Add ten (10) State government agency heritage items.

#### **B. Future Tasks**

There are a number of other tasks recommended for future action and these should be considered as part of future Community Strategic Plan and Budget preparation. These tasks include:-

- Preparation of an Historical Themes Review, (already in Community Strategic Plan);
- Preparation of a Heritage Incentives, Education and Promotions Policy;
- Preparation of a Management of Heritage Street Trees Policy;

### **POLICY IMPACT**

If adopted, this Review will result in an amendment to WLEP 2011, to add new items and correct errors in the heritage list (Schedule 5 and Heritage Map).

### **FINANCIAL IMPACT**

Preparation of the Planning Proposal is accommodated within Council's existing budget. Preparation of a Historical Themes Review is budgeted for 2013/2014.



<b>ITEM 8.7</b>	<b>THE DEE WHY / BROOKVALE MAJOR CENTRE TRANSPORT MANAGEMENT AND ACCESSIBILITY STUDY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/046396</b>
<b>ATTACHMENTS</b>	<b>1 Dee Why / Brookvale Transport Management and Accessibility Study - Volume 1 (Included In Attachments Booklet)</b> <b>2 Dee Why / Brookvale Transport Management and Accessibility Study - Volume 2 (Included In Attachments Booklet)</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

That Council endorse the Dee Why / Brookvale Major Centre Transport Management and Accessibility Study, June 2012 (the Study) as a planning reference document.

### SUMMARY

The Study was undertaken to determine and manage the transport impacts of the Metropolitan Plan's additional 5000 jobs target for the Dee Why / Brookvale major centre.

The Study determined that an additional 3000 to 3500 jobs can be accommodated within the major centre by implementing a recommended package of strategies and infrastructure measures to 2036.

However, when additional jobs exceed 3500, extensive infrastructure upgrades will be required, with associated social and economic implications. In this respect, RMS and Transport for NSW have confirmed that there are currently no plans to undertake extensive large - scale capacity enhancements within the study area to support this level of growth.

It is recommended that Council endorse the Study as a planning reference document and that its recommendations be considered for integration into Council's works program, where appropriate.

### FINANCIAL IMPACT

No financial impacts will be incurred by Council endorsing the Study as a planning reference document. However it will be used to assist in planning for capital works within Council's Traffic Program.

### POLICY IMPACT

document.

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## RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That:

- A. Council endorse the Dee Why / Brookvale Major Centre Transport Management and Accessibility Study as a planning reference document.
- B. Land development in the Dee Why / Brookvale Major Centre be monitored and recorded over time to: support future updates to the traffic model; inform Council's planning for

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transport system upgrades within its jurisdiction; inform Council's communications with state agencies and advocate for improved transport facilities and upgrades.

- C. The Dee Why / Brookvale Major Centre Transport Management and Accessibility Study recommendations be considered for integration into Council's works program, where appropriate, as part of Council's annual business and budget planning cycle.
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**REPORT**

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**BACKGROUND**

An additional 5000 jobs target was identified for the Dee Why / Brookvale Major Centre in the Metropolitan Plan for Sydney 2036 and associated Draft North East Subregional Strategy.

Subsequently, Council resolved in July 2010 to seek State Government funding to undertake a Study to determine and manage the impacts of the employment growth targeted for the major centre.

Funding to undertake the Study was provided by the Department of Planning and Infrastructure under the Local Environmental Plan Acceleration Fund (May 2011). The Study was completed in June 2012.

**What Does the Study do?**

In brief, the Study:

- Analyses existing transport conditions.
- Investigates transport impacts of future growth.
- Seeks increased use of public transport, walking and cycling.
- Identifies infrastructure improvements and other measures required to support future growth.

**What Area Does the Study Cover?**

The Study covers the Dee Why / Brookvale Major Centre and generally extends:

- North to South Creek Road
- South to Condamine Street in proximity to the Warringah Golf Club
- East to Harbord Road
- West to Beacon Hill Road including a section of Warringah Road.

The study area includes all major roads feeding into the major centre and also incorporates the boundaries of traffic studies previously completed for Warringah Mall and the Dee Why town centre.

**How was the Study Undertaken?**

The Study was undertaken in consultation with key stakeholders including the Department of Planning and Infrastructure (DP&I), Roads Maritime Services (RMS), Transport for NSW (TfNSW) and the State Transit Authority for NSW (STA).

The first step of the Study involved identifying and analysing transport-associated issues in the Dee Why / Brookvale Major Centre. This was based upon a review of the existing transport and land use conditions and population and employment trends and drivers that will influence future development of the major centre.

The second step of the process was the development of land use scenarios to determine a favourable environment to accommodate increased employment in the Dee Why / Brookvale Major Centre, in line with the Metropolitan Plan targets.

The third step involved testing the land use scenarios via PARAMICS traffic modelling to ascertain the cumulative and regional traffic and transport impacts associated with future land-based

demands likely to be imposed on the major centre. This process provided an opportunity to identify strategies and measures required to support a realistic level of future traffic growth in the Dee Why / Brookvale Major Centre.

### **What are the Key Findings of the Study?**

The Study determined that an additional 3000 to 3500 jobs can be accommodated within the major centre by implementing a package of strategies and infrastructure measures to 2036.

However, when additional jobs exceed 3500, extensive infrastructure upgrades will be required, with associated social and economic implications such as a need to:

- Widen Pittwater Rd (at least one lane in each direction) between Condamine St and Lismore Avenue
- Widen Old Pittwater Rd between Beacon Hill Rd and Pittwater Rd
- Provide grade separation at the intersection of Warringah Rd and Pittwater Rd.

In this respect, RMS and Transport for NSW have confirmed that there are currently no plans to undertake extensive large scale capacity enhancements within the study area to support this level of growth. Therefore, there is very limited scope to fund and implement these large scale road works in order to meet the forecast travel demand resultant from growth exceeding 3,500 jobs.

It is noted that the Department of Planning and Infrastructure is now aware of the transport challenges that face the Dee Why / Brookvale Major Centre. These are matters to be considered when employment targets are released in the new Metropolitan Strategy.

### **What are the Recommendations of the Study?**

The Study identified 53 actions required to accommodate the increased traffic growth associated with 3500 jobs. It is important to note that a number of the 53 actions fall outside of Councils control, such as infrastructure improvements on state roads and the implementation of Bus Rapid Transport. Some examples of the Study's key recommended actions include:

- 12 reconstructions to intersections / traffic facilities at a cost of \$10,900,000. Noting that some of these treatments are the responsibility of state government agencies.
- Pedestrian and bicycle improvements which have already been incorporated into Council programs via the Warringah Bike Plan and the Warringah Pedestrian Access and Mobility Plan.
- Improvements to public transport infrastructure.
- Planning policy considerations and long term parking management.
- There must be a mode shift to public transport, cycling and walking, resulting in a 20% decrease in the use of private vehicles.

### **Where to from Here?**

It is recommended that:

- Council endorse the Study as a planning reference document.
- Staff monitor and record the progress of development in the Dee Why / Brookvale Major Centre over time, to support future updates to the traffic model; inform Council's planning for transport system upgrades within its jurisdiction; to inform Council's communications with state transport agencies and advocate for improved transport facilities and upgrades.

- The Study recommendations be considered for integration into Councils works program.

It is also noted that the Department of Planning and Infrastructure is now aware of the transport nature and scale of transport issues facing for the Dee Why / Brookvale Major Centre and will need to consider these when updating employment targets in the new Metro Strategy.

### **CONSULTATION**

The Study was undertaken in consultation with Warringah Council, DP&I, RMS, TfNSW and STA.

As this is a high level study, implementation of any of the Study recommendations should be subject to further engineering investigations, consultation and environmental assessments, where appropriate.

### **POLICY IMPACT**

No policy impacts will be incurred by Council endorsing the Study as a planning reference document.

### **FINANCIAL IMPACT**

No financial impacts will be incurred by Council endorsing the Study as a planning reference document. However it will be used to assist in planning for capital works within Council's Traffic Program.



<b>ITEM 8.8</b>	<b>WARRINGAH LEP AMENDMENT NO. 3</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/047699</b>
<b>ATTACHMENTS</b>	<b>1 Planning Proposal to Correct Anomalies in the Warringah Local Environmental Plan 2011</b> <b>2 Submissions to Public Exhibition</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To present to Council the outcome of the public exhibition of the Planning Proposal to correct anomalies in the Warringah Local Environmental Plan 2011 (WLEP 2011), and to seek Council's endorsement to submit the Planning Proposal to the Department of Planning and Infrastructure (Department) for finalisation.

### **SUMMARY**

At its meeting of 28 August 2012 Council resolved to prepare a Planning Proposal for amendments to WLEP 2011 that would correct various anomalies within the LEP and refer this report to the Minister for Planning and Infrastructure (Minister) for a gateway determination.

The Planning Proposal was submitted to the Department on 17 October 2012. A gateway determination was received on 1 December 2012, indicating that the Planning Proposal could proceed to exhibition.

The Planning Proposal was publicly exhibited for 16 days between 26 January 2013 and 11 February 2013. Three (3) submissions were received, all of which related to the change in the maximum building height from 11m to 8.5m for land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets. One (1) of these submissions was in support of the change.

Two (2) submissions were in objection to the change and have been responded to in further detail in the body of this report. No amendments to the Planning Proposal in response to the submissions are recommended.

Council's endorsement of the Planning Proposal is sought so that the matter can be sent to the Department to be finalised.

### **FINANCIAL IMPACT**

The Planning Proposal has been prepared within the Strategic Planning budget and resources.

### **POLICY IMPACT**

Various amendments to WLEP 2011.

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

That Council, pursuant to Section 59 of the Environmental Planning and Assessment Act 1979, forward the Planning Proposal to the Department of Planning and Infrastructure together with a request that the Minister makes a local environmental plan to amend Warringah Local Environmental Plan 2011.

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**REPORT**

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**BACKGROUND**

At its meeting of 28 August 2012 Council resolved to prepare a Planning Proposal to make for various amendments to WLEP 2011 and refer this report to the Minister for a Gateway Determination.

The report to Council identified the following amendments:

- Permit boat building and repair facilities in the IN1 General Industrial zone.
- Delete “registered clubs” as a permitted use in the RE2 Private Recreation zone and
- Zone Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club RE1 Public Recreation.
- Add Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club to Schedule 1 Additional Permitted Uses, making “registered clubs” a permitted use on these sites.
- Reduce the maximum building height for land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets (see attachment 1), from 11 metres to 8.5 metres.
- Omit Lot 1 DP960506 from the Land Reservation Acquisition Map.
- Map all properties listed within Schedule 1 Additional Permitted Uses of WLEP 2011.
- Omit clause 6.1 Acid Sulfate Soils and insert the latest Model Local Provision 7.1 Acid Sulfate Soils.
- Amend the Land Zoning Map to accurately record the boundaries of National Parks within the Local Government Area.

The Planning Proposal submitted to the Department did not include the adjustment to the National Park boundaries because further consultation between Council and the National Parks is required. This matter will be the subject of a future Planning Proposal.

The Planning Proposal was submitted to the Department on 17 October 2012. A gateway determination was received on 1 December 2012, indicating that the Planning Proposal could proceed to exhibition.

**CONSULTATION**

The Planning Proposal was exhibited for public comment for a period of 16 days between Saturday 26 January 2013 and Monday 11 February 2013. A notice was placed in the Manly Daily on Saturday 26 January 2013.

The Planning Proposal and related documents were also available for viewing at the Civic Centre and Council libraries (in hard copy). Electronic copies were also available for download from Council's website.

Most of the amendments listed above were Council wide changes. The amendment to change the Height of Buildings Development Standard on land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets affected a small number of properties. As such, letters were sent to the owners of these affected properties notifying them of the proposed change.



## SUBMISSIONS

Three submissions were received in response to the public exhibition of the Planning Proposal. All three submissions were made in relation to only one component of the Planning Proposal being the proposed change to maximum building height from 11 metres to 8.5 metres for land in Narrabeen (bound by Pittwater Road and Narrabeen, Ocean and Albert Streets). Two of the submissions raise various concerns in relation to the proposed change; the third submission supports the proposed change.

### Consideration of Submissions

As detailed in the Planning Proposal, with the making of WLEP 2011, it was not Council's intention to establish a maximum height limit of 11 metres for the subject land. Rather, this resulted from a mapping error with the initial preparation of the Warringah LEP 2011 - Height of Buildings Map.

Under the provisions of Warringah LEP 2000 the land was subject to an 8.5 metre and 2 storey height limit. In preparing WLEP 2011 Council resolved to translate the provisions of WLEP 2000 into WLEP 2011. Hence, it was Council's intention to carry the previously existing development standards forward into WLEP 2011 as is evidenced by the fact that:

- At no stage in the making of WLEP 2011 did any of the required reporting to Council make reference to and seek endorsement for a change of planning provisions for the land,
- The Warringah DCP that operates in conjunction with WLEP 2011 establishes a 2 storey height limit over the land, and
- Upon discovery of the error, before the finalisation of WLEP 2011, Council officers reported the error to the Department and requested that the error be corrected by the Department before the Plan was made. As the plan making process was nearing finalisation the Department declined to correct the error and advised Council to lodge a Planning Proposal to correct the error after the making of the Plan.

As Council had no intention to change the height limit, no strategic review was undertaken to determine whether an increase in building height (and associated increase in dwelling density) is appropriate for the land. Should such a review have been undertaken, it is likely that this would have considered the wider area of the Narrabeen Peninsular rather than limiting consideration of changed planning provisions to only two street blocks. In the absence of such a strategic review it is not appropriate to support the maintenance of an 11 metre height limit for the land. Further, maintenance of the height limit would give cause to owners of nearby land to question why the height limit was changed for a small area of the peninsular with no consideration of other nearby land. Consideration of the issues raised by submissions is outlined in more detail in the table below.

In summary, no amendments are recommended to the Planning Proposal following the consideration of the public submissions.

Issue	Response	Recommended Action
Property owners relied upon the 11m height control when making decisions to purchase the land.	Land values are not a matter that Council takes into consideration when developing planning controls.	No change to Planning Proposal
Land to the north and south of the subject area has an 11m height control.	Land immediately to the north and south is largely (although not entirely) commercially zoned and was subject to an 11m height limit under WLEP 2000. Hence, the height limit was	No change to Planning Proposal

	carried forward into WLEP 2011. However, taking a wider view of the area, residential land to the north on the Narrabeen Peninsular is subject to an 8.5m limit and generally, residential land that has an 11m height limit is located on the western side of Pittwater Road with land on the eastern side being restricted to 8.5m.	
The area is close to the Narrabeen shops and transport options and is suitable for seniors living development.	Seniors housing is permitted on the land under State Environmental Planning Policy (Housing for Seniors or People with a Disability) irrespective of whether the height limit is 11m or 8.5m.	No change to Planning Proposal
The area is appropriate for increased residential density.	An appropriate strategic review has not been undertaken to determine the suitability or desirability of increased density for this land.	No change to Planning Proposal
The NSW Land and Housing Corporation (LAHC) sites are suitable for increasing the supply of affordable housing.	The LAHC sites remain suitable for affordable housing with the proposed 8.5m height limit.	No change to Planning Proposal
The LAHC sites present an opportunity to meet the Metropolitan Plan dwelling targets.	An appropriate strategic review has not been undertaken to determine the suitability or desirability of increased density for this land.	No change to Planning Proposal

### Public Hearing

No submissions requested a public hearing and pursuant to Section 57 of the Environmental Planning and Assessment Act, it is considered that a public hearing is not warranted in this instance.

See Attachment 2 for a copy of all submissions in full.

### **Amendments to Planning Proposal After Exhibition**

The Planning Proposal that was publicly exhibited, at *Part 2.2 Registered clubs on public land*, clearly stated the intention to:

- Make registered clubs prohibited in zone RE2 Private Recreation,
- Rezone to site of certain existing registered clubs from RE2 Private Recreation to RE1 Public Recreation, and
- Make registered clubs a permitted use on those sites by inserting these into Schedule 1 Additional Permitted Uses.

However, the Planning Proposal did not include the full detail of how the specified club sites are to be included in Schedule 1. Accordingly, the Planning Proposal, at Attachment 1, has been updated by adding text at *Part 2.2* that specifies how the amendment to Schedule 1 Additional Permitted Uses will be made. The changes made to the Planning Proposal after exhibition does not constitute a variation to the Planning Proposal. Rather, it has been made to provide clarity as to how the proposed amendment to WLEP 2011 will be achieved.

**STATUTORY CONSIDERATIONS**

As part of the consideration of Planning Proposal, Council is required to consider the relevance of any State Environmental Planning Policy (SEPP) or Ministerial Direction under section 117 of the Environmental Planning and Assessment Act 1979. An assessment of the relevant SEPPs and Section 117 Directions is contained within the attached Planning Proposal. The Planning Proposal relating to the Warringah LEP Amendments is not inconsistent with any SEPPs or relevant Section 117 Direction.

**TIMING**

The making of the proposed LEP amendment rests with the Department.

**CONCLUSION**

The Warringah LEP Amendments Planning Proposal was publicly exhibited in January and February 2013. During the public exhibition period three (3) submissions were received. All submissions were reviewed and considered. No changes are recommended to the Planning Proposal following consideration of public submissions, as outlined in this report.

It is recommended that Council resolve to endorse the Warringah LEP Amendments Planning Proposal and that the matter be forwarded to the Minister for Planning and Infrastructure with a request that the Planning Proposal be finalised.



## PLANNING PROPOSAL

To

Correct identified anomalies / errors and improve the  
operation of Warringah Local Environmental Plan  
2011

Prepared by Warringah Council, March 2013



## **Introduction**

The planning proposal seeks to correct the identified anomalies / errors and improve the operation of Warringah LEP 2011 (WLEP 2011). The proposal relates to all land within Warringah. However, several amendments are specific to certain land. Council's instructions to the Department of Planning & Infrastructure (Department) in respect of the required amendments are detailed in Part 2 Explanation of Provisions.

## **1 Objectives or intended outcomes**

The intended outcomes of the proposed draft local environmental plan are to correct the identified anomalies / errors and improve the operation of WLEP 2011.

## **2 Explanation of provisions**

The planning proposal involves several amendments to WLEP 2011 through the creation of a draft local environmental plan.

The planning proposal requires the following amendments to WLEP 2011:

### **2.1 Permissibility of boat building and repair facilities in the IN1 General Industrial zone**

An amendment is required to the land use table to permit 'boat building and repair facilities' in the IN1 General Industrial zone.

### **2.2 Registered clubs located on public land**

Council proposes that the draft local environmental plan:

- Amends the land use table to prohibit "registered clubs" in the RE2 Private Recreation zone, and
- Re-zones Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club RE1 Public Recreation, and
- Inserts Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club into Schedule 1 Additional Permitted Uses, making "registered clubs" a permitted use on these sites.

The required amendment to Schedule 1 Additional Permitted Uses is the addition of (new) Clause 19 to Schedule 1 and amendments to the Additional Permitted Uses Map as follows:

#### **19 Use of certain land zoned RE1 Public Recreation for the purposes of registered clubs**

(1) This clause applies to land at:

- a) Collaroy, being Long Reef Golf Club (Lot 1 DP 1144187) shown as Area 19A on the Additional Permitted Uses Map,
- b) Manly Vale, being Manly Vale Bowling Club (Part Lot 2743 DP 752038) shown as Area 19B on the Additional Permitted Uses Map,
- c) North Balgowlah, being Wakehurst Golf Club (Lot 2730 DP 752038) shown as Area 19C on the Additional Permitted Uses Map, and
- d) North Manly, being North Manly Bowling Club (Part Lot 2743 DP 752038) shown as Area 19D on the Additional Permitted Use Map.

(2) Development for the purposes of registered clubs is permitted with consent but only if the registered club is incidental or ancillary to a recreation facility (indoor), recreation facility (major) or a recreation facility (outdoor).

The required changes to the Additional Permitted Uses Map are:



- a) Long Reef Golf Club shown as Area 19A on APU\_009
- b) Manly Vale Bowling Club shown as Area 19B on APU\_010
- c) Wakehurst Golf Club shown as Area 19C on APU\_008, and
- d) North Manly Bowling Club shown as Area 19D on APU\_008.

### **2.3 Height of Buildings Map**

An amendment is required to the Height of Buildings Map - Sheet HOB\_009 to reduce the maximum height from 11 metres to 8.5 metres, for land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets. Please refer to Attachment 1 for location purposes.

### **2.4 Land Reservation Acquisition Map**

An amendment is required to the Land Reservation Acquisition Map to omit Lot 1 DP960506 (17B Crown Road, Queenscliff) from the map. A subsequent mapping amendment is not required to the Land Zoning Map, as the land is zoned RE1 Public Recreation under WLEP 2011.

### **2.5 Schedule 1 Additional Permitted Uses**

Amendments are required to Schedule 1 Additional Permitted Uses and Additional Permitted Uses Map Sheets APU\_003 – APU\_010A. In addition new map sheets have been created (APU\_001 and APU\_009). No change is required to the land to which Schedule 1 applies.

Map area references are to correspond to the Item number within Schedule 1, for ease of reference. Where there is multiple area references for an Item number, Council would prefer the use of capitalised letters to denote additional area references.

Please make the following amendments to Schedule 1 Additional Permitted Uses:

#### 1 Use of certain land at 8 Aperta Place, Beacon Hill

Lot 7 DP236335 (8 Aperta Place, Beacon Hill) should be mapped as "Area 1" on Map Sheet APU\_008A.

Please insert "shown as "Area 1" on the Additional Permitted Uses Map" into Item 1(1).

#### 2 Use of Certain land at 5 Hews Parade, Belrose

Lot 6 DP 834036 (5 Hews Parade, Belrose) should be mapped as "Area 2" on Map Sheet APU\_007.

Please insert "shown as "Area 2" on the Additional Permitted Uses Map" into Item 2(1).

#### 3 Use of certain land at corner of Mona Vale Road and Forest Way, Belrose

The existing "Area 2" should be mapped as "Area 3" on Map Sheets APU\_003 and APU\_007.

Please insert "shown as "Area 3" on the Additional Permitted Uses Map" into Item 3(1).

#### 4 Use of certain land in the vicinity of Ashworth and Haigh Avenues, Belrose and McBrien Place, Davidson and John Oxley Drive, Frenchs Forest

The existing "Area 5", "Area 6" and "Area 7" should be mapped as "Area 4A", "Area 4B" and "Area 4C" on Map Sheets APU\_003, APU\_004 & APU\_008.

Please insert "shown as "Area 4A", "Area 4B" and "Area 4C" on the Additional Permitted Uses Map" into Item 4(1).

#### 5 Use of certain land in the vicinity of Pittwater Road and Roger Street, Brookvale

The existing "Area 9" should be mapped as "Area 5" on Map Sheets APU\_008A and APU\_010A.

Please insert "shown as "Area 5" on the Additional Permitted Uses Map" into Item 5(1).

6 Use of certain land at Cottage Point

Lot 1 DP 930591, Lot 1 DP922754, Lot 3 DP 929708 and Lot 4 DP 929708 should be mapped as "Area 6" on Map Sheet APU\_001.

Please insert "shown as "Area 6" on the Additional Permitted Uses Map" into Item 6(1).

7 Use of certain land at 2 Anderson Place, Cottage Point

Lot 23 DP 819003 (2 Anderson Place, Cottage Point) should be mapped as "Area 7" on Map Sheet APU\_001.

Please insert "shown as "Area 7" on the Additional Permitted Uses Map" into Item 7(1).

8 Use of certain land at 30 Campbell Avenue, Cromer

Lot 1 DP 227969 (30 Campbell Avenue, Cromer) should be mapped as "Area 8" on Map Sheet APU\_009.

Please insert "shown as "Area 8" on the Additional Permitted Uses Map" into Item 8(1).

9 Use of certain land at Pittwater Road, Dee Why

Lot 1 DP 706230 (Pittwater Road, Dee Why) should be mapped as "Area 9" on Map Sheet APU\_010A.

Please insert "shown as "Area 9" on the Additional Permitted Uses Map" into Item 9(1).

10 Use of certain land at Melwood Avenue, Forestville

Lot 2589 DP 752038 and Lot 31 DP 366454 (Melwood Avenue, Forestville) should be mapped as "Area 10" on Map Sheet APU\_008.

Please insert "shown as "Area 10" on the Additional Permitted Uses Map" into Item 10(1).

11 Use of certain land at corner of Warringah Road and Cook Street, Forestville and land on Pittwater Road, North Manly

The existing "Area 3" and "Area 4" should be mapped as "Area 11A" and "Area 11B" on Map Sheets APU\_008 and APU\_010.

Please insert "shown as "Area 11A and Area 11B" on the Additional Permitted Uses Map" into Item 11(1).

12 Use of certain land at 39 Frenchs Forest Road East, Frenchs Forest

Lot X DP405206 (39 Frenchs Forest Road East, Frenchs Forest) should be mapped as "Area 12" on Map Sheet APU\_008A.

Please insert "shown as "Area 12" on the Additional Permitted Uses Map" into Item 12(1).

13 Use of certain land at Lumsdaine Drive, Freshwater

The existing "Area 10" (Lot 100 DP 1136132 and Lot 2 DP 579837 (Lumsdaine Drive, Freshwater)) should be mapped as "Area 13" on Map Sheet APU\_010.

Please insert "shown as "Area 13" on the Additional Permitted Uses Map" into Item 13(1).

14 Use of certain land at 29 Moore Road, Freshwater

Lots 1-5, Section 1, DP 7022 and Lot 13, Section 1, DP 7022 (29 Moore Road, Freshwater) should be mapped as "Area 14" on Map Sheet APU\_010.

Please insert "shown as "Area 14" on the Additional Permitted Uses Map" into Item 14(1).

15 Use of certain land at 80 Undercliff Road, Freshwater

Lot B DP 329073 (80 Undercliff Road, Freshwater) should be mapped as "Area 15" on Map Sheet APU\_010.

Please insert "shown as "Area 15" on the Additional Permitted Uses Map" into Item 15(1).

16 Use of certain land at 1260 Pittwater Road, Narrabeen

Lots 1 and 2 DP 1094308 (1260 Pittwater Road, Narrabeen) should be mapped as "Area 16" on Map Sheet APU\_009.

Please insert "shown as "Area 16" on the Additional Permitted Uses Map" into Item 16(1).

17 Use of certain land Aumuna Road, Terrey Hills

Lot 6 DP 739456 (2 Aumuna Road, Terrey Hills) should be mapped as "Area 17" on Map Sheet APU\_006.

Please insert "shown as "Area 17" on the Additional Permitted Uses Map" into Item 17(1).

Please insert "educational establishments, garden centres, hospitals, hotel or motel accommodation, places of public worship, recreation areas, recreation facilities (indoor), recreation facilities (outdoor), registered clubs and restaurants or cafes" into Item 17(2).

18 Use of certain land in the vicinity of Mona Vale and Myoora Roads, Terrey Hills

The existing "Area 1" should be mapped as "Area 18" on Map Sheet APU\_006.

Please insert "shown as "Area 18" on the Additional Permitted Uses Map" into Item 18(1).

**2.6 Clause 6.1 Acid Sulfate Soils**

An amendment is required to WLEP 2011 to omit clause 6.1 Acid Sulfate Soils and insert the Department's latest model local provision 7.1 Acid Sulfate Soils, as detailed in Attachment 2.

**3 Justification**

**Section A - Need for the planning proposal.**

**1. Is the planning proposal a result of any strategic study or report?**

WLEP 2011 was made on 9 December 2011. Prior to the making of WLEP 2011, Council notified the Department and the Department acknowledged, that for various reasons there were several issues with the plan. The Department advised Council that in the interests of expediency, the plan should be made and a Planning Proposal be submitted to the Department to rectify the issues, following gazettal.

**2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes, the planning proposal is the best means of achieving Council's intended outcomes, for the following reasons:

Permissibility of boat building and repair facilities in the IN1 General Industrial zone

Boat building and repair facilities are prohibited in all zones under WLEP 2011. This was not Council's intention when translating WLEP 2000 into WLEP 2011. In WLEP 2000, boat building and repair facilities were defined as 'industry'. Under WLEP 2011, 'boat building and repair facilities' are given their own definition, but this was not captured in the translation process. This

issue was identified in a submission during the public exhibition of WLEP 2011. At its meeting of 8 June 2010, Council's resolution (at 4.1V (xi)(b)) addressed this matter as follows:

*V. That following the making of the Warringah Local Environmental Plan 2009 by the Minister for Planning, Council include the following as part of the future review of WLEP 2009:*  
*(xi) Consider the amendment of WLEP 2009 as follows:*

*(b) The Land Use Table be amended by deleting boat repair facilities as an Item 4 Prohibited use in the IN1 General Industrial zone.*

It is recommended that the Planning Proposal delete boat building and repair facilities as a prohibited use in the IN1 General Industrial zone. Given that the IN1 General Industrial zone is an open zone, boat building and repair facilities will be innominately permitted within the zone.

#### Registered clubs located on public land

Within Warringah a number of registered clubs are located on publicly owned land and have been established as a component part of a recreation facility on that land. In recognition of this, it was Council's intention to permit registered clubs associated with a recreation facility in the RE1 Public Recreation zone. Contrary to Council's intention, with the making of WLEP 2011, registered clubs have been made prohibited in the RE1 Public Recreation zone.

It was also Council's intention to prohibit registered clubs in the RE2 Private Recreation zone, due to amenity impacts on nearby residents. In the making of WLEP 2011, four registered clubs have been zoned RE2 Private Recreation and registered clubs have been made a permitted use on all land zoned RE2 Private Recreation, inconsistent with Council's intent.

The Minister for Planning & Infrastructure (Minister) made WLEP 2011, zoning the four registered clubs on public land RE2 Private Recreation and permitting registered clubs (without any qualification requiring association with a recreation facility), in the zone. The Minister also made registered clubs prohibited in the RE1 Public Recreation zone.

WLEP 2011, as made by the Minister, is inconsistent with Council's intentions and warrants changing for the following reasons:

- It allows registered clubs, in their own right, to be established in close proximity to low density residential land;
- It is not consistent with the exhibited plan as the exhibited plan included a qualification within the land use table to ensure that registered clubs could not be established in their own right but only as a component part of a recreation facility;
- Registered clubs are not a compulsory land use in the Standard Instrument LEP for the RE2 Private Recreation zone and hence should not have been included contrary to Council's stated intention.

#### Height of Buildings Map

In translating WLEP 2000 into WLEP 2011 an error occurred on the Height of Buildings Map – Sheet HOB\_009. Land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets was incorrectly given a value of 11 metres instead of the intended 8.5 metres. This error was identified after Council adopted WLEP 2011 on 8 June 2010. In September 2010, Council notified the Department of the error and requested that an amendment be made. In a letter dated 7 December 2010, the Department stated that the requested change had been made to the plan. However, in a letter dated 11 December 2011 the Department stated:

*"To ensure that the development controls for land in Narrabeen is retained as exhibited, Council's request to reduce the height limits has not been supported. However, if Council wishes to amend the maximum height limit for land at Narrabeen, it may submit a planning proposal with its preferred position to the Department to provide the community with an opportunity to comment on the proposed changes."*

An inconsistency exists between the 11 metre height limit in WLEP 2011 and the 2 storey height limit in WDCP relating to the said land. WLEP 2000 accurately identified the said land as having a maximum building height of 8.5 metres. The error that exists within WLEP 2011 occurred during the translation (map preparation) process. Council did not intend to introduce a (new) maximum height of 11 metres for the said land, nor was any planning analysis carried out to support such change. Therefore, an amendment is required to correct the 'Height of buildings' requirement of WLEP 2011 and reduce the risk attributable to Council.

#### Land Reservation Acquisition Map

Since the preparation of the Land Reservation Acquisition Map, Lot 1 DP960506 (17B Crown Road, Queenscliff) has been acquired by the Department for the purpose of public open space. There is no longer any reason to identify the land on the Land Acquisition Map.

#### Schedule 1 Additional Permitted Uses

Schedule 1 of WLEP 2011 identifies properties by legal property description and, where multiple properties are involved, by precinct. The precincts are mapped on the Additional Permitted Uses map, which allows ready identification of such properties. However, the map is misleading in that the precinct numbers do not consecutively match the items within Schedule 1 and the properties that are not within a precinct, but are listed within Schedule 1 are not mapped. The mapping of all properties listed within Schedule 1 will ensure certainty of identification of all properties to which the schedule applies, in the event that the legal property descriptions change due to for example subdivision or consolidation of lots.

The Draft LEP Practice Note Schedule 1 Additional Permitted Uses (Draft LEP Practice Note) states that "Councils may choose to identify the land where additional permitted uses apply on an Additional Permitted Uses Map". The planning proposal is consistent with the Draft LEP Practice Note in that Council intends to map each item within Schedule 1.

Item 17 (Lot 6 DP 739456) (proposed Area 17) in Schedule 1 also forms part of Item 18 (proposed Area 18). To avoid any mapping confusion, Council proposes to insert the permissible land uses listed in Item 18 into Item 17. Item 17 is given its own Item reference in Schedule 1 independent of Item 18 to prevent 'pubs' being permitted throughout the proposed Area 18.

#### Clause 6.1 Acid Sulfate Soils

On 18 June 2012, the Department wrote to Council requesting that an amendment be made to clause 6.1 Acid Sulfate Soils of WLEP 2011 to insert the latest Model Local Provision 7.1 Acid Sulfate Soils (see Attachment 2). The Department has amended the clause to clarify that, in subclause 7.1(6), a development consent is not required where the works will result in the displacement of less than 1 tonne of soil and are not likely to lower the watertable; and further information has been inserted into the 'General Information' that accompanies the clause.

#### **3. Is there a net community benefit?**

Correcting the identified anomalies / errors within WLEP 2011 will improve the operation of WLEP 2011, which will be of benefit to the wider community.

#### **Section B - Relationship to strategic planning framework.**

#### **4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The planning proposal is consistent with the objectives and actions of the Sydney Metropolitan Strategy and the Draft North East Subregional Strategy. However, the planning proposal is not related to an action area of either strategy.

#### **5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?**

The planning proposal is consistent with the Strategic Community Plan 2012. However, the planning proposal is not related to an action area of the Strategic Community Plan 2012.

**6. Is the planning proposal consistent with applicable state environmental planning policies (SEPP's)?**

The following table provides an assessment of the planning proposal with the relevant SEPP's:

SEPP title	Consistency
State Environmental Planning Policy No 6 – Number of Storeys in a Building	The planning proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The planning proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	The planning proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this SEPP.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?**

The following table provides an assessment of the planning proposal with the relevant s117 Directions:

s117 Direction	Consistency
Direction 1.1 Business and Industrial	The planning proposal is consistent with this direction, as permitting boat building and repair facilities in the IN1 General Industrial zone will encourage employment in this area.
Direction 4.1 Acid Sulfate Soils	The purpose of the amendment to clause 6.1 Acid Sulfate Soils is to expand the extent of works that may be carried out without development consent. This is an initiative of the Department of Planning and Infrastructure and is of minor significance.
Direction 4.3 Flood Prone Land	The planning proposal does not impact upon the flooding risk of land located in flood prone areas.
Direction 6.1 Approval and Referral Requirements	The proposal is consistent with this direction as there are no provisions that require the concurrence, consultation or referral of development applications to the Minister for Planning and Infrastructure or a public authority; and the planning proposal does not identify any development as being designated development.
Direction 6.2 Reserving Land for Public	The proposal is consistent with this direction, as Lot 1 DP960506 (17B Crown Road, Queenscliff)



Purposes	has been acquired by the Department and is therefore no longer required for acquisition.
Direction 3.1 Residential Zones	The planning proposal is consistent with this Direction, as the amendment to the Height of Buildings Map – Sheet HOB_009 will not change the medium density residential character of the area nor alter the types of residential development permitted within the zone. The reduction in height from 11 metres to 8.5 metres will not impact upon the efficiency of the use of existing infrastructure nor reduce the existing nor intended density of land, as the increase in height was made in error and therefore is not a real reduction in respect of the historic residential character and density of the area. In the making of Warringah Local Environmental Plan 2011, Council gave no consideration to increasing the density above 8.5 metres due to the proximity of the land to natural hazards.
Direction 7.1 Implementation of the Metropolitan Plan for Sydney 2036	The proposal is consistent with this direction and the Metropolitan Plan for Sydney 2036.

#### **Section C - Environmental, social and economic impact.**

- 8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No threatened species, populations or ecological communities, or their habitats have been identified as being impacted by this planning proposal.

- 9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are no likely environmental effects as a result of the planning proposal.

- 10. How has the planning proposal adequately addressed any social and economic effects?**

The purpose of the planning proposal is to address identified anomalies and errors present within WLEP 2011. This will improve the operation of WLEP 2011 and provide positive social and economic outcomes for the whole community.

#### **Section D - State and Commonwealth interests.**

- 11. Is there adequate public infrastructure for the planning proposal?**

Yes. The planning proposal does not generate any need to upgrade or improve public infrastructure.

- 12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Council has not consulted with any State or Commonwealth public authority regarding this planning proposal. Council will engage any such public authority in accordance with the Gateway Determination

#### **4 Community consultation**

Council has notified all affected residents in Narrabeen that are bound by Pittwater Road and Narrabeen, Ocean and Albert Streets, of the proposed change to the maximum building height on the Height of Buildings Map, prior to lodging the planning proposal with the Department.

In accordance with State Government legislation as well as Council's community engagement policy and community engagement matrix, Council will undertake community consultation by giving notice of the public exhibition of the planning proposal in the Manly Daily newspaper, on Council's website, by email to community groups and by notification to adjoining land owners.

**Conclusion**

A Planning Proposal to make several amendments to WLEP 2011 is an appropriate course of action to improve the operation of WLEP 2011 and its interrelationship with other strategic planning documents.



PEX 2012/008

**Submission Regarding Planning Proposal to Correct Height of Buildings map Sheet  
HOB\_009**

I am a part owner with my brother and sister of affected properties at 1296 1298 1300 Pittwater road and 4 Albert Street Narrabeen. My father Henry Bernard owns an adjacent block at 1294 Pittwater Road. Our family has lived at 1294 since 1956. We are long term holders of this land having slowly consolidated the above blocks of land over twenty years. I am making this submission on behalf of all family members who own the above properties.

We did rely on the published 11 metre building height in WLEP2011 when making our decision to purchase the property at 1300 Pittwater Road in 2012. It has now been explained to us that the building height in WLEP 2011 of 11 metres was an error which is being corrected to 8.5 metres in this current planning proposal.

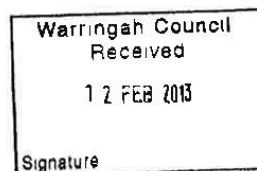
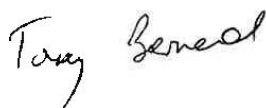
We believe that the current 11 metre height level is an appropriate level for the affected areas of land. Throughout Narrabeen along this eastern side of Pittwater Road the building heights are 11 metres. Currently in the commercial area on the corner of Albert Street Lagoon Street and Pittwater Road there is an 11 metre building being constructed directly across from our property at 1300 Pittwater Road. On the adjacent eastern corner of Lagoon Street and Albert Street is the Seascope building which is five stories high and is directly opposite our property at 4 Albert Street. Adjoining my father's block at 1294 is a three storey high (ground floor garaging) block of units at 1290 1292 Pittwater Road. This building has taken advantage of the natural hillside and been built in tiers down the slope minimising its height as it progresses down the hill.

At 4 Narrabeen Street within the affected area there is another 3 story high block of units. Opposite this block on the southern side of Narrabeen Street there are recently built wall to wall 11 metre high apartment blocks all the way to Devitt Street.

Our land is directly adjacent to the Narrabeen shops and a short level walk to transport and would be ideal for retirement living. The natural slope of the hillside would lend itself to a tiered three storey building such as already exists at 1290 1292 Pittwater Road.

In conclusion we believe that the 11 metre height allowing 3 storey apartment buildings is an appropriate height for the area. The area affected by this proposal is immediately bounded to the north and to the south by 11 metre high buildings along Pittwater Road. Furthermore there are already existing 3 story buildings within the affected areas. With increasing population pressures and an aging population there is an increased demand for appropriately sited medium density dwellings close to shops services and transport. This planned reduction in building height for the affected land in WLEP2011 for the reasons above has the effect of potentially underdeveloping well positioned land at a time when there is relative shortage of housing relative to demand.

Yours Sincerely  
Tony Bernard



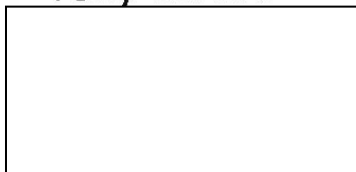
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**From:** Tony Vercoe [redacted]  
**Sent:** Tuesday, 12 February 2013 2:05 PM  
**To:** Janelle Brooks  
**Subject:** Warringah Planning Report

Janelle,  
Further to our recent conversation this is to advise that I am the owner of the below property and strongly support a building height restriction of 8.5 meters in relation to land in Narrabeen that is bound by Pittwater Rd and Narrabeen, Ocean and Albert Streets as originally specified in WLEP 2000. A height restriction of 11 metres would adversely change the nature of the beautiful area in which we live.

Regards

**Tony Vercoe**



19/03/2013



Housing & Property Group  
Level 1, 223-239 Liverpool Road  
Ashfield NSW 2131  
[www.services.nsw.gov.au](http://www.services.nsw.gov.au)

Our Ref: HOG12/67872

Mr Stephen Blackadder  
General Manager  
Warringah Council  
Civic Centre  
Dee Why NSW 2099

Attention: David Kerr  
Group Manager, Strategic Planning

**Planning Proposal to amend Warringah LEP 2011 – Height of Buildings**

Dear Mr Blackadder,

I refer to Council's letter dated 17<sup>th</sup> October informing Housing NSW of a Planning Proposal to amend the Warringah LEP 2011, Height of Buildings Map – Sheet HOB\_009.

As Council may be aware, assets vested in the NSW Land and Housing Corporation (LAHC) were previously the responsibility of Housing NSW and have now been transferred to the Department of Finance and Services.

Housing NSW, with LAHC, have a role in providing housing to low income households unable to obtain affordable and appropriate housing in the private sector. LAHC's land and housing assets are the major resources to continue meeting these needs. For this reason, utilising assets to their optimum potential (while meeting Council's environmental and heritage concerns) is a primary concern for LAHC and Housing NSW.

LAHC owns a townhouse complex at 1-10 Tallawarra Place and 2-10 King Street, Narrabeen, which will be affected by the proposed amendment. LAHC strongly urges Council to reconsider the proposal to amend the height from 11m to 8.5m.

The comparatively large site presents an important opportunity to meet Metropolitan Plan dwelling targets in a well located area close to services and facilities, without placing undue strain upon the local area. It is located well within the Narrabeen-Waterloo St area, which was identified as a Village under the North East Subregional Strategy. The site was also previously identified under the former Warringah LEP 2000 as a unique development site that could sustain a higher density of dwellings.

An 11m height limit would allow for the site to be redeveloped with a good urban design outcome that reflects the Narrabeen coastal character. The 11m height would also complement the 11m height to both the south of the precinct along Pittwater Rd, and in the village itself. The large public reserves to both the east and west of the site would also benefit from a strongly defined, uniform edge.

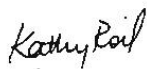
The site is located approximately 200m from the Narrabeen Village shopping precinct and 500m from Narrabeen Lakes Public School. Both are within easy walking distance. It is also serviced by regular bus services along Pittwater Road that operate on frequencies as low as 20 minutes all day, including Sundays. Its ideal location close to services and

facilities would facilitate a decreased dependency on private transport with an uptake in public and active transport use.

LAHC strongly urges that Council reconsider its proposal to reduce the height control from 11m to 8.5m.

If you have any further enquiries, please do not hesitate to contact Jessica Dominguez, A/Senior Planner, Urban Planning, Portfolio on 8753 8483.

Yours sincerely



**Kathy Roil**  
General Manager  
Strategy



<b>ITEM 8.9</b>	<b>PROPOSED MULTIPURPOSE COMMUNITY FACILITY AND CARPARK AT 36 - 48 KINGSWAY, DEE WHY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2013/054375</b>
<b>ATTACHMENTS</b>	<b>1 Planning Report Proposed Multipurpose Community Facility and Carpark (Included In Attachments Booklet)</b> <b>2 Draft Plan of Management for the Land at 36 - 48 Kingsway Dee Why (Included In Attachments Booklet)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To seek Council's endorsement to publicly exhibit the draft Plan of Management (PoM) for the proposed Multipurpose Community Facility and Carpark (otherwise known as the Police Citizens Youth Club - PCYC) at 36-48 Kingsway, Dee Why.

#### **SUMMARY**

At a meeting of Council on 24 July 2012, Council resolved to commence the preparation of a Plan of Management (PoM), for the redevelopment of 36-48 Kingsway, Dee Why which comprises the land at the corner of Kingsway and Fisher Road, Dee Why.

Council staff have prepared a draft Plan of Management and an explanatory Planning Report that covers issues associated with the proposed development (see Attachments 1 and 2).

The exhibition period will run for approximately 6 weeks. The Plan of Management is then scheduled to be reported back to Council for final decision in relation to its adoption in June 2013.

#### **FINANCIAL IMPACT**

The proposed Multipurpose Community Facility and Carpark development is targeted for completion in the 2015/16 financial year. The cost is to be funded from the sale of some Council owned lands, developer contributions and State Government funding.

#### **POLICY IMPACT**

Once finalised, the Plan of Management will provide clear direction for how the Community Land at 36-48 Kingsway is to be used, managed, maintained and improved.

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

That:

- A. The Planning Report and the Draft Plan of Management for the Land at 36 - 48 Kingsway Dee Why be placed on public exhibition for 28 days with 42 days for submissions.
  - B. A public hearing be held in accordance with clause 40A of the Local Government Act 1993.
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**REPORT**

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**CURRENT POSITION**

At a meeting of Council on 24 July 2012, Council resolved to commence the preparation of a Plan of Management (PoM), for the redevelopment of 36 - 48 Kingsway, Dee Why. A draft Plan of Management has now been prepared and Council approval is sought for its exhibition.

**CONSULTATION**

The draft documents will be on exhibition for a minimum of 28 days during March / April 2013, with submissions to be accepted up to 42 days from the start of the exhibition. A public hearing is scheduled for 1 May 2013 in the Council Chambers from 6pm.

Council will publicise the exhibition through the Manly Daily and its website. In addition, owners of surrounding land will be notified by letter from Council, and relevant community groups will also be notified.

There will be a number of community engagement opportunities during the exhibition including on-site information stalls, two information evenings, consultation with neighbouring residents, consultation with the Warringah Youth Advisory Council and other peak youth advisory bodies.

**BACKGROUND**

Council is actively planning to improve the Dee Why Town Centre and provide a range of community facilities. The redevelopment of the land at 36 - 48 Kingsway is an important and necessary step in improving services in the Dee Why Town Centre / Civic Precinct to the benefit of the broader Warringah and Northern Beaches communities.

On 14 August 2012, the Premier, the Hon Barry O'Farrell MP committed the State Government to \$250,000 in seed funding towards the capital cost of constructing the proposed facility and the funding in perpetuity of two permanent full time PCYC staff to operate the facility.

**Proposal**

The proposed Multipurpose Community Facility and Carpark involves the construction of a 4 level building comprising:

- 3 levels of carparking for approximately 350-400 car spaces, with approximately 1 to 1.5 levels located below the existing ground surface.
- 1 level for a Multipurpose Community Facility housing facilities such as multipurpose sporting courts, flexible spaces that can be used for meetings, and ancillary facilities like a café.

The design of the facility is presently at concept planning stage. Specific details about the design and makeup of the facility are yet to be developed. This is further discussed in Section 4 of the Planning Report at Attachment 1.

The land which the proposal relates to is legally described as: Lots 2-8 Sec 7 in Deposited Plan 9125 and Part Lot 100 Deposited Plan 10482.

**Who is it For?**

The proposed Multipurpose Community Facility and Carpark is intended for use by all members of the community, however through the partnership with the Police Citizens Youth Club organisation, the Multipurpose Community Facility component will have a youth focus.

A youth focused facility in Dee Why has been long identified for the town centre as evidenced by various council planning documents including the a number of different social plans and youth

strategies and the Development Contributions Plan 2001 which has been collecting money to assist in funding its development for over 10 years. The needs of youth are discussed in Section 3 of the Planning Report at Attachment 1.

However whilst the facility will have a youth focus through the various programs and activities run by the PCYC, it is Council's clear intention to provide a space that is designed and available for use by all members of the community – similar to any one of Council's community facilities.

### **What is the Police Citizens Youth Club?**

The Police Citizens Youth Club (PCYC) is an organisation associated with the Police that offers a wide range of activities and developmental programs for its constituents – both young men and women from all backgrounds.

The operation of the Multipurpose Community Facility component of the proposed development is planned to take place in partnership with the PCYC. The PCYC organisation's mission is to:

- *get young people active in life*
- *work with young people to develop their skills, character and leadership*
- *reduce and prevent crime by and against young people*

The PCYC operates a range of youth focused developmental programs and activities aimed at achieving their mission. These programs and activities include such things as:

- Leadership training
- Sports including archery, boxing, futsal, gymnastics
- Courses in first aid and volunteering
- Blue Light – young peoples disco
- After school and vacation care programs

Further details about the range of programs offered by the PCYC are available on their website and outlined in the Planning Report at Attachment 1. There are further opportunities to expand and integrate these programs with other initiatives that Local State and Federal Governments are involved with and these will be explored by Council in the future.

### **What is a Plan of Management?**

A Plan of Management (PoM) is a document that sets out how community land is to be used, managed, maintained and improved.

The Land is owned by Warringah Council, and is classified under the Local Government Act 1993 as Community Land. Under the Local Government Act 1993, a PoM must be prepared by Council and the land then used and managed in accordance with that PoM.

The PoM must identify objectives and performance targets, how the council will achieve these, and how the council will assess its performance. The PoM may require prior approval for any specified activity and it must identify the category of the land.

The category of the land is proposed to be 'general community use' under the *Local Government Act 1993*. The core objectives for such land under clause 36I are:

*"...to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:*

- a) *in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and*
- b) *in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)."*

Under the draft PoM, the permissible activities on or uses of the land, buildings or improvements on the site are included in Table 3 of the draft PoM at Attachment 2.

Additionally under clause 40A of the Local Government Act 1993, a public hearing must be held as the PoM will categorise the land.

### **TIMING**

Following the public exhibition period all submissions received will be reviewed and any necessary changes made to the draft documents.

It is anticipated that the submissions and the finalised proposal will be reported to Council for adoption in the next current financial year.

### **POLICY IMPACT**

Once finalised, the Plan of Management will provide clear direction for how the Community Land at 36-48 Kingsway is to be used, managed, maintained and improved.

### **FINANCIAL IMPACT**

The proposed Multipurpose Community Facility and Carpark development is targeted for completion in the 2015/16 financial year. The cost is to be funded from the sale of some Council owned lands, developer contributions and State Government funding.

<b>ITEM 8.10</b>	<b>STREET TREE PLANTING FOR PROPOSED MULTIPURPOSE COMMUNITY FACILITY AND CARPARK</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER PARKS RESERVES &amp; FORESHORES</b>
<b>TRIM FILE REF</b>	<b>2013/048593</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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**EXECUTIVE SUMMARY**

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**PURPOSE**

Mayoral Minute 11/2012 requested that Council investigate options of replacing the trees that will need to be removed with the development of the site identified for the Police Citizens and Youth Club (PCYC) and community facilities.

**SUMMARY**

Council officers from the Parks, Reserves and Foreshore Group and the Natural Environment Unit have identified that the most appropriate area for this replacement planting is in the Dee Why Open Space Corridor. Most of the planting will be used to increase planting densities along the existing shared path between Cromer Park and Fisher Rd Cromer

The works will be managed jointly by the Natural Environment Unit and Parks, Reserves and Foreshores. Planting is expected to commence in April 2013.

**FINANCIAL IMPACT**

The budget for the planting is \$50,000 and will be met from the existing PCYC Project fund (CN5800)

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council approve the reallocation of \$50,000 from the Police Citizens and Youth Club project fund to the Parks Minor Renewals fund to enable planting to commence in April 2013.

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**REPORT**

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**BACKGROUND**

At the Council Meeting of 27 November 2012 Mayoral Minute 11/2012 requested that Council investigate options of replacing the trees that will need to be removed with the development of the site identified for the PCYC and community facilities. Approximately 200 trees will be removed and it was requested that approximately 400 trees be planted as replacements.

The Mayoral Minute requested that Council provide a report to identify areas where these trees could be planted and that planting commence.

**CONSULTATION**

Council officers from the Parks, Reserves and Foreshore Group and the Natural Environment Unit have identified that the most appropriate area for this replacement planting is in the Dee Why Open Space Corridor. Most of the planting will be used to increase planting densities along the existing shared path between Cromer Park and Fisher Rd Cromer

The species selected are those appropriate to Bangalay Alluvial Forest, Coastal Dune Swamp, and Coastal Banksia Eucalypt Scrub. The trees planted will be a mixture of tube stock and 200 mm pots as these have the best chance of survival.

**TIMING**

The works will be managed jointly by the Natural Environment Unit and Parks, Reserves and Foreshores. Planting is expected to commence in April 2013.

**POLICY IMPACT**

Nil

**FINANCIAL IMPACT**

The budget for the planting is \$50,000 and will be met from the existing PCYC Project fund (CN5800)



<b>ITEM 8.11</b>	<b>RE-EXHIBITION OF THE DRAFT FORESTVILLE PARK PLAN OF MANAGEMENT</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER NATURAL ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2013/040763</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li><b>1 Mountain Bike Access - Original and Proposed (Included In Attachments Booklet)</b></li><li><b>2 Draft Forestville Park Plan of Management (Included In Attachments Booklet)</b></li><li><b>3 Land Parcel Summary and Plan of Management Map (Included In Attachments Booklet)</b></li><li><b>4 Land Categorisation Map (Included In Attachments Booklet)</b></li><li><b>5 Letter - Aboriginal Heritage in the Forestville Park Area - National Parks and Wildlife Service (Included In Attachments Booklet)</b></li></ol>

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## EXECUTIVE SUMMARY

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### PURPOSE

To recommend to Council the re-exhibition of the draft Forestville Park Plan of Management.

### SUMMARY

During 2011/12, Council finalised a draft Plan of Management for Forestville Park (hereafter referred to as 'the draft Plan'). Council endorsed the exhibition of the draft Plan at its meeting of 27 March 2012; community consultation and exhibition of the draft Plan commenced soon after.

Forestville Park and the adjoining Garigal National Park contain a large rock outcrop, containing Aboriginal engravings, which is considered to be an Aboriginal object (a listed heritage item) as per the NSW *National Parks and Wildlife Act 1974*.

The draft Plan proposed to authorise informal access by mountain bikes over this rock outcrop, which may cause the site to become damaged. Consequently, Council staff, in consultation with staff from National Parks and Wildlife Service, have developed indicative alternate access which avoids this location (See Attachment 1). This access must be endorsed by a Plan of Management, thus the original draft Plan (from 2012) has been amended to include this proposal.

This report seeks Council's endorsement to re-exhibit the draft Plan as provided at Attachment 2.

### FINANCIAL IMPACT

The final plan will have minor financial implications regarding ongoing maintenance of the reserve and facilitating new mountain bike access.

### POLICY IMPACT

The management actions identified within the draft Plan are consistent with Council's Bushland *Policy ENV-PL 005*, Local Habitat Strategy 2007 and Mountain Biking in Warringah - Research and Directions 2012.

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council approve the public exhibition of the revised draft Forestville Park Plan of Management for a period of 42 days.

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## REPORT

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### BACKGROUND

Forestville Park has high biodiversity values and contains significant environmental features such as watercourses, rock outcrops, various types of vegetation and fauna habitat (including potential threatened species). It also shares a boundary with Garigal National Park to the south, further reinforcing its significant biodiversity values.

The area identified as Forestville Park within the Plan comprises 15 parcels of land. Three of these are Crown reserves with Warringah Council the reserve trustee. The remaining parcels are owned by Council and classified as 'community land'. Attachment 3 contains a table of all land parcels and a map of the area covered by the draft Plan.

Significant areas of bushland are present on both the Council owned and the Crown reserves. To provide a consistent approach to the management of all parcels, Council has also included the Crown reserves into the draft Plan. Two of the Crown reserves are reserved for the purpose of 'public recreation', the other is reserved for plantation.

Generic Plans of Management currently apply to some parts of Forestville Park, therefore some parcels have already been categorised as Natural Area – Bushland, Park, Sportsground and General Community Use.

This draft Plan is seeking to categorise and/or re-categorise land, and the reserve has been categorised and/or re-categorised without discriminating between Crown and Council owned land. Areas proposed to be categorised as 'Natural Area - Bushland', 'Natural Area – Watercourse' and 'Park' are covered by this draft Plan.

All areas categorised as 'Sportsground' will continue to be managed in accordance with Council's *Sportsgrounds Plan of Management (2009)*. Areas categorised as 'General Community Use' will continue to be managed in accordance with Council's *General Community Use Plan of Management (2005)*. No changes are proposed to land previously categorised as Sportsground or General Community Use. The Land Categorisation Map (see Attachment 4) shows proposed categorisation.

The current draft Plan includes permissible management actions which are consistent with the public purpose for which the land is reserved, whilst also maintaining and protecting significant biodiversity and environmental features.

Key permissible actions of this draft Plan include continued management of environmental pests (including weeds, foxes and rabbits), management of recreational access, maintenance of facilities, and bushfire management.

Consultation with the community for the draft Plan began in 2008 to capture the ideas and issues of the community. Consultation undertaken during this period included letterbox drops, reserve signage and drop-in briefing sessions advising of the draft Plan's development and garnering views so as to inform future management. The outcome of this consultation was significant in guiding the management direction envisaged in the draft Plan.

The draft Plan of Management for Forestville Park was finalised in 2012. Council subsequently approved its exhibition at the 27 March 2012 Council meeting. Community consultation was undertaken from 30 April 2012 to 10 June 2012, and included exhibition of the draft Plan on Council's website, an on-site community information session at Forestville Park, a Public Hearing into the categorisation assigned in the draft Plan and an online survey.

Overall, submissions received on the draft Plan were supportive of the management framework and actions presented in the draft Plan, and it was the intention of Council staff during 2012 to prepare a report to Council recommending that the draft Plan be adopted.

However since this time, and based on consultation with State government, it has become necessary to amend the mountain bike access proposed in the draft Plan.

Warringah Council and the Office of Environment and Heritage, National Parks and Wildlife Service (NPWS), jointly manage a large rock outcrop located on the boarder of Garigal National Park and Forestville Park, this rock outcrop contains a number of Aboriginal engravings. Items of Aboriginal heritage (Aboriginal objects), including engravings are protected by the NSW *National Parks and Wildlife Act 1974*. Currently there is a popular, yet informal mountain bike trail which traverses the rock outcrop. The draft Plan proposed an authorisation of this trail. The frequent use of this rock outcrop by mountain bikes poses a threat to the integrity of the engravings.

For some time, Council and NPWS staff have been developing potential solutions to protect the engravings whilst still allowing mountain bike access; options have included the use of bollards/fencing to 'funnel' riders through without actually traversing the engravings. It was on the basis that such a solution was available to protect these engravings that the draft Plan considered formalising mountain bike access in this location.

Further investigations by Council and NPWS staff have concluded that all of the potential solutions will cause damage to some parts of the heritage item (i.e. the rock platform). Council and NPWS staff then developed an alternate mountain bike route. Hence the requirement to amend the draft Plan to accommodate the alternative proposal, and appropriate community consultation regarding the changes.

Staff have received formal correspondence from the National Parks and Wildlife Service of their endorsement of this route and commitment to undertake trail closure as necessary to protect the heritage item. This is provided as Attachment 5.

As the amendments to the draft Plan are relatively significant, the *Local Government Act 1993* requires that the amended draft Plan be re-exhibited.

The new access route proposed is to the east of the current access route and involves mountain bike riders continuing along the fire trail in Garigal National Park, riding up Grattan Crescent and entering Forestville Park, behind Moira Place and Penrose Place. There are existing trails in this location which will require minor realignment to ensure sustainability of the trail. These works are authorised in the amended draft Plan.

Attachment Two shows the original and proposed mountain bike access, highlighting those aspects that are amendments.

The draft Plan (including trail amendments) has been prepared in accordance with the *Local Government Act 1993* and in a manner consistent with the Land and Property Management Authority Trust Handbook.

Amendments to the mountain bike route proposed in the draft Plan will assist Council staff in developing a consistent and sustainable approach to mountain bike access, whilst ensuring Council complies with its legislative obligations. This is a necessary step in progressing toward the finalisation of the draft Plan.

## CONSULTATION

Under the *Local Government Act 1993* a draft Plan of Management is required to be placed on public exhibition for a minimum of 28 days and submissions must be accepted for a period of 42 days to allow for any submissions by the public and relevant stakeholders in regards to the draft Plan.

Following approval from Council to place the amended draft Plan on public exhibition, letters will be sent to relevant authorities, agencies, utility providers, reserve users and residents in Grattan Crescent, Moira Place and Penrose Place to notify them of the status of the draft Plan and public

exhibition period. An advertisement will also be placed in the Manly Daily and information will be available on Council's website. Additional community consultation is also proposed, including an onsite meeting with residents in Grattan Crescent, Moira Place and Penrose Place, and an information session targeting other key stakeholders, including mountain bike and environment groups. As the proposed amendments only relate to the south-eastern portion of the reserve, it is proposed that on-site notifications and letters to adjoining residents be restricted to this area. This is consistent with Council's Community Engagement Policy; *PL 520 Engagement*.

**TIMING**

Upon approval of the draft Plan for public exhibition, the document will be made publicly available for a period of 42 days and submissions will be accepted at anytime during this period. Additional consultation including community information sessions will also be undertaken during this period.

**POLICY IMPACT**

The management actions identified within the draft Plan are consistent with Council's *Bushland Policy ENV-PL 005* and Local Habitat Strategy 2007.

**FINANCIAL IMPACT**

The final plan will have minor implications regarding financing ongoing maintenance of the reserve.





## **10.0 NOTICES OF MOTION**

<b>ITEM 10.1</b>	<b>NOTICE OF MOTION NO 5/2013 - ANTI-SOCIAL BEHAVIOUR</b>
<b>TRIM FILE REF</b>	<b>2013/054091</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Wayne Gobert OAM

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### **MOTION**

That Council staff investigate the ability to deal with anti-social behaviour.

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### **FUNDING SOURCE**

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

### **BACKGROUND FROM COUNCILLOR GOBERT OAM**

Warringah like all other LGA's spends considerable amounts of effort in dealing with anti-social behaviour. This ranges from illegal dumping and vandalism, to commercial property owners allowing premises to become public eyesores. Several residents have drawn attention to the difficulty faced by Council Officers in dealing with alleged offenders. Naturally we are bound to follow the law and protocols required for good governance.

It is requested that staff undertake a short report outlining Council's ability to address key areas of anti-social behaviour.



<b>ITEM 10.2</b>	<b>NOTICE OF MOTION NO 6/2013 - WARRINGAH COMMUNITY PANEL</b>
<b>TRIM FILE REF</b>	<b>2013/057298</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Wayne Gobert OAM

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## **MOTION**

That Council staff investigate the creation of the Warringah Community Panel.

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## **FUNDING SOURCE**

I have been advised by staff that this motion to investigate options can be carried out within current operational budget. Implementation of a recommended option is likely to incur additional unbudgeted costs.

## **BACKGROUND FROM COUNCILLOR GOBERT OAM**

Warringah has expended considerable effort in enhancing its ability to engage our rate payers, residents, and businesses, and other organisations. Staff have a range of mechanisms for engaging and these include; focus groups, online surveys, telephone surveys, community displays, Strategic Reference Groups, community committees, project working parties, online engagement portal (Your Say Warringah) and a range of community workshops. Our ground breaking Youth Survey serves as an excellent illustration of engaging with over 1,000 young people making their views clear.

However as we move forward into a new era of renewal of public facilities (some unimproved for three decades), new forms of state government regulation, devolved decision making, and serious external pressures; understanding what our people think will become even more critical. This means that we must ensure that our means of engaging with the community and their ability to reach us are flexible, nimble, objective, and relevant. Otherwise we run the risk of making decisions based on vocal minorities and narrow interest groups. In addition it can take a very long time to see action, and often pre-set choices are presented, rather than options assessed.

The proposed Warringah Community Panel is a strategic entity with a purpose of advising Council on the broad directions people want to take. It would consist of three elements; a large pool of engaged people, software for disseminating, collecting, analysing and assessing the greater public view, and a reporting capacity for advising Council, Councillors, and the Community. Essentially a large panel of thousands of people is created and connected online. Rather than enticing people for their views, options are pushed outwards to the panel, the panel of people respond, and this data is assessed. The results are analysed and passed to Council and the Community.



<b>ITEM 10.3</b>	<b>NOTICE OF MOTION NO 7/2013 - REVIEW REFUSED APPLICATIONS FOR TREE REMOVAL</b>
<b>TRIM FILE REF</b>	<b>2013/080553</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

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## MOTION

1. That this Council notes:
  - a. That on 23 February 2013 a tree, which had been the subject of a development application on the neighbouring property, two years prior for removal, which had been refused, fell on a property at 5 Peronne Parade, Allambie Heights occasioning significant damage to the carport and pergola attached to the house and trauma for the residents.
  - b. That in the Supreme Court case of *Timbs V Shoalhaven City Council* [2004] NSWCA 81 Mr Timbs sought council permission to remove a large gum tree near his house. A council officer inspected the tree and refused permission to remove the tree, stating it was 'safe and sound'. During a storm the tree fell onto Mr Timb's house, resulting in his death. Further inspection indicated that the roots were decayed, but this was not easily seen. Mrs Timbs sued the Shoalhaven City Council for negligence, and the council was found to be liable for economic loss. When the council officer stated that the tree was safe, the Timbs relied on his opinion because of his position, and did not cut down the tree. The council officer did not have to provide expert opinion, and could have suggested that the Timbs obtain independent advice about the condition of the tree. Damages totaling over \$700,000 were awarded to Mrs Timbs. For the full Statement of Decision go to:  
  
<http://www.austlii.edu.au/au/cases/nsw/NSWCA/2004/81.html>
  - c. That applicants who are dissatisfied with Council's determination of applications for tree removal can submit a report from an independant Arborist and if that report finds the tree is in a dangerous state then the tree can be removed. It should be noted that this did not occur in this matter.
  - d. The payment to the owners made by the General Manager for expenses associated with the removal of the tree.
2. That this Council resolves to:
  - a. Extend it sincere sympathy to Rock and Kendal Davis-Bogan for their tragic circumstances.
  - b. Request the General Manager to prepare a report on the application of the DCP for tree removal taking into account the particular circumstances of this case.

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## FUNDING SOURCE

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





<b>ITEM 10.4</b>	<b>NOTICE OF MOTION NO 8/2013 - BOAT AND TRAILER PARKING IN WARRINGAH</b>
<b>TRIM FILE REF</b>	<b>2013/080604</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

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## MOTION

1. That this Council notes:
    - a. That boats and trailers, some of which have not been used in many years, continue to park in Warringah residential streets, sports ground car parks and general public car parking areas.
    - b. That recently, complaints were received that trailers and boats were parking along Abbott Road, North Curl Curl taking up much needed car spaces for users of John Fisher Park playing fields, to which Mr Malcolm Ryan, Deputy General Manager, has reported:

“The parking spaces provided at the playing fields along Abbott Rd North Curl Curl are not subject to any time restricted parking conditions. Therefore any vehicle, including a trailer is permitted to be parked at this location as long as they are legally parked and their registration is current.”
    - c. Under current NSW road rules, a boat up to 7.5 metres long can be parked in a public street and Councils have no power to fine a registered boat or trailer parked in an unlimited zone.
    - d. That in *The Sydney Morning Herald* on 13 February 2012, even David Miles, of the Boat Owners Association, conceded that “long-term boat parking was a problem in some areas”.
    - e. That on 18 January 2012, Warringah Council wrote to the Premier, The Hon. Barry O’Farrell MP, in support of Woollahra Council’s request to change the NSW Road Rules to limit parking of trailers, however to date, the regulations have not been amended.
  2. That this Council resolves to:
    - a. Write to the Minister for Roads and Maritime Services, The Hon Duncan Gay MLC and Shadow Minister for Roads and Maritime Services, The Hon Penny Sharpe MLC outlining Warringah’s continuing problems with boats and trailers parking on residential streets, in sports ground car parks and general public car parking areas and renew calls for legislative reform to restrict such parking.
    - b. Request the General Manager ensure Council Staff investigate and report to Council within three months ways to prevent boats and trailers parking in sports grounds and general car parking areas in Warringah for long periods of time.
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## FUNDING SOURCE

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



## **11.0 QUESTIONS ON NOTICE**

<b>ITEM 11.1</b>	<b>QUESTION ON NOTICE NO 3/2013 - LANTANA ADJACENT TO CAR PARK ABOVE DEE WHY ROCK POOL</b>
<b>TRIM FILE REF</b>	<b>2013/080791</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

Could Council please consider removing the lantana and trimming over grown bush adjacent to the car park above Dee Why Rock Pool?



**ITEM 11.2****QUESTION ON NOTICE NO 4/2013 - PAINTING OF ROCK  
POOLS IN WARRINGAH AND MARKING OF SWIMMING LANES****TRIM FILE REF****2013/080796****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

Could Council please consider painting all the surface of all rock pools in Warringah pale blue similar to Dee Why toddlers pool, Bondi Ice Berg pool, and mark swimming lanes on part of the bottom of the pools to assist swimmers and non-training swimmers?





**ITEM 11.3****QUESTION ON NOTICE NO 5/2013 - OUTDOOR EXERCISE  
EQUIPMENT AT WARRINGAH BEACHES AND RESERVES****TRIM FILE REF****2013/080800****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

Could Council please consider the installation of outdoor exercise equipment adjacent to Warringah's beaches and in some public reserves?



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

<b>ITEM 12.1</b>	<b>RESPONSE TO QUESTION ON NOTICE NO 1/2013 - SIGNAGE AND BEAUTIFICATION WORKS INTERSECTION TORONTO AVENUE AND FISHER ROAD NORTH CROMER</b>
<b>TRIM FILE REF</b>	<b>2013/061388</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

Could Council please erect signage at the intersection of Toronto Avenue and Fisher Road North Cromer to denote the entry to the suburb Cromer and undertake beautification works there, particularly removing the lantana, over grown bush and graffiti on the substation?

### **RESPONSE**

In relation to the installation of suburb identification signage on a local road, Council would normally only provide such signage on arterial roads. This is due to the large traffic volumes and visitor numbers need for way finding.

Council has erected sandstone suburb identification features in Brookvale, Dee Why, Belrose and Terrey Hills, however, there are no current plans to extend this program to other suburbs on main roads. Warringah covers many suburbs and there are typically several access roads to each so it is not viable to cover all suburb entry points and the low traffic volumes do not support this expense. Council also tries to keep signage to a minimum to avoid clutter and confusion on local roads, including the location requested.

The graffiti on the Sydney Water pumping "substation" and nearby bridge on Toronto Avenue was tasked to Council contractors on 19 February 2013 and was removed within five days. It is noted that the structure has been hit again. This has again been referred to our contractor.

Vegetation was found to be encroaching onto the footpath area along Toronto Avenue from South Creek Road to the western side of the bridge. Clearing the weeds will be undertaken one metre from the road edge in this location.

Council currently has a lantana control program and this location has been added to the program with works to be undertaken as needed on a priority basis. Works will not extend to the creekline as weeds in this location will need to be retained at present in order to minimise erosion.



<b>ITEM 12.2</b>	<b>RESPONSE TO QUESTION ON NOTICE NO 2/2013 - BEACON HILL WAR MEMORIAL COMMUNITY HALL BUILDING WORKS</b>
<b>TRIM FILE REF</b>	<b>2013/061409</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

Following the asset report concerning Beacon Hill War Memorial Community Hall and the Community Committee's request for certain works, will Council apply for a NSW Government Facilities Grant and other grants to undertake these necessary works?

### **RESPONSE**

Council applied for the latest round of NSW Government Facilities Grant for another unrelated project. As the focus of these grants are on sports and recreation, with key performance indicators on increasing usage as a result of the project implementation, the rectification of the Beacon Hill War Memorial Community Hall didn't meet the criteria enough to be a likely successful grant application.

However, there are currently works planned regarding the rectification works noted in this report that will be completed through funding from existing Council budgets.





## 13.0 CONFIDENTIAL MATTERS – CLOSED SESSION

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### RECOMMENDATION

- A. That, on the grounds and for the reasons stated below, the Council resolve into Closed Session to receive and consider the items identified as Confidential and listed on this Agenda as:

- Item 13.1 Variation to Contract RFT 2012/035 - Cromer Park Upgrade
- Item 13.2 RFT 2012/096 - Narrabeen Childrens Centre Playground Upgrade
- Item 13.3 RFT 2012/102 - Upgrades to Beach Reserve, Stage 1 - Collaroy Accessibility Precinct

#### **Matters to be Discussed During Closed Session - Section 10D**

- Item 13.1 Variation to Contract RFT 2012/035 - Cromer Park Upgrade
- Item 13.2 RFT 2012/096 - Narrabeen Childrens Centre Playground Upgrade
- Item 13.3 RFT 2012/102 - Upgrades to Beach Reserve, Stage 1 - Collaroy Accessibility Precinct

#### **Grounds on which Matter Should be Considered in Closed Session – Section 10A(2)**

- Item 13.1 10A(2)(d(ii)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it
- Item 13.2 10A(2)(d(ii)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it
- Item 13.3 10A(2)(d(ii)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

#### **Reason Why Matters are being considered in Closed Session – Section 10B**

To preserve the relevant confidentiality, privilege or security of such information.

- B. That pursuant to Section 10A Subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Closed Session on the basis that the items to be considered are of a confidential nature.
  - C. That the closure of that part of the meeting for the receipt or discussion of the nominated item or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information.
  - D. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as Confidential and be withheld from access by the press and public, until such time as the reason for confidentiality has passed or become irrelevant because these documents relate to a matter specified in section 10A(2).
  - E. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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