

# 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 28 AUGUST 2012**

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



Rik Hart  
General Manager

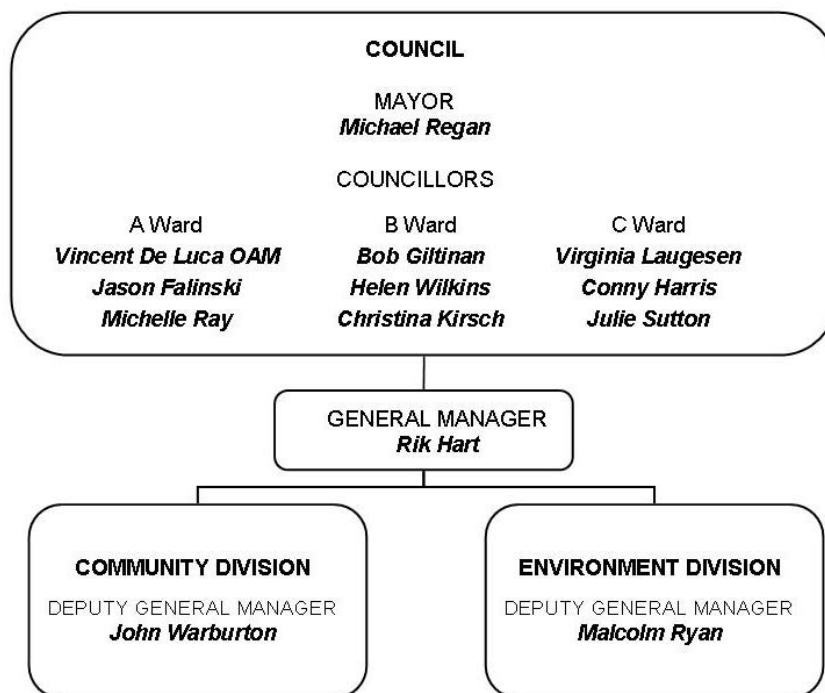
(2012/11)





# Warringah Council Organisational Structure

warringah.nsw.gov.au



## Our Vision : Our Values

warringah.nsw.gov.au

### Our Vision:

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

### Our Values:

Respect  
Integrity  
Teamwork  
Excellence  
Responsibility

**Agenda for an Ordinary Meeting of Council  
to be held on Tuesday 28 August 2012  
at the Civic Centre, Dee Why  
Commencing at 6.00pm**

**ACKNOWLEDGEMENT OF COUNTRY**

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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 COUNCIL MEETING HELD 24 JULY 2012**

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#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council of 24 July 2012, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

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## 6.0 GENERAL MANAGER'S REPORTS

<b>ITEM 6.1</b>	<b>CONSIDERATION OF CODE OF CONDUCT MATTERS PRIOR TO THE SEPTEMBER 2012 ELECTIONS</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2012/310900</b>
<b>ATTACHMENTS</b>	<b>1 DLG Circular - Consideration of Code of Conduct Matters Prior to the Elections</b>

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### REPORT

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#### PURPOSE

To advise Council for the reasons that code of conduct matters not dealt with at the last Council Meeting and a rescission motion on a code of conduct item have not been included on the agenda for this meeting.

#### REPORT

Advice has been received from the Division of Local Government (DLG) to defer consideration of code of conduct matters until after the September 2012 local government elections (attached). Consequently two items not dealt with at the last Council Meeting on 24 July 2012 that would have been carried over have not been included on the agenda for this meeting on 28 August 2012. A rescission motion on the code of conduct item dealt with on 24 July has also not been included. The items not included on the agenda are as follows:

Code of Conduct – Report by Sole Conduct Reviewer – Complaint Regarding Conduct in Councillor Lounge – Cr Laugesen (Item 6.2, 24 July 2012)

Code of Conduct – Report by Sole Conduct Reviewer – Complaint Regarding Conduct in Councillor Lounge – Cr De Luca (Item 6.3, 24 July 2012)

Notice of Rescission Motion No 4/2012 – Code of Conduct - Report by Sole Conduct Reviewer – Complaint Regarding Conduct at Council Meeting – Item 6.1, 24 July 2012.

An additional report – Code of Conduct - Report by Sole Conduct Reviewer – Complaint against the General Manager – would also have been listed on the agenda for 28 August.

These items will be included on the agenda for the first ordinary meeting of Council held after the elections.

#### FINANCIAL IMPACT

Nil

#### POLICY IMPACT

Council's Code of Meeting Practice (cl 12 (7)) requires that any business not dealt with at the close of a Council Meeting shall be listed as items of business for the next meeting of Council. However in the circumstances the DLG advice should be followed.

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#### RECOMMENDATION OF GENERAL MANAGER

That the report be noted.

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**Premier & Cabinet**  
Division of Local Government

## Circular to Councils

Circular No. 12-29  
Date 16 August 2012  
Doc ID. A293525

Contact Council Governance Team  
02 4428 4100

### THE CONSIDERATION OF CODE OF CONDUCT MATTERS PRIOR TO THE SEPTEMBER 2012 ELECTIONS

#### Purpose

To advise councils to defer the consideration of code of conduct matters until after the September 2012 local government elections.

#### Issue

- Code of conduct matters require careful and proper consideration. The often politically charged climate that prevails prior to local government elections does not always lend itself to such consideration.
- The Division intends to address this under the new procedures for the Model Code of Conduct. These will preclude conduct reviewers' reports being submitted to council for consideration in the 4 weeks preceding an election.

#### Action

Councils should defer the consideration of code of conduct matters until after the September 2012 Local Government elections.



**Ross Woodward**  
Chief Executive, Local Government  
A Division of the Department of Premier and Cabinet

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<b>ITEM 6.2</b>	<b>DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2012</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2012/307388</b>
<b>ATTACHMENTS</b>	<b>1 Draft General Purpose and Special Purpose Financial Statements 201112 (Excluded from Agenda)</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To present to Council the Draft General and Special Purpose Financial Statements for year ended 30 June 2012, which require certification and referral to Council's external auditors, Hill Rogers Spencer Steer, Chartered Accountants.

### SUMMARY

Council has achieved an operating surplus for the 2012 financial year of \$8.738m and compares with \$9.187m for the 2011 financial year. The General and Special Purpose Financial Statements for the year ended 30 June 2012 are attached as a separate booklet. Analysis of the Financial Statements has been provided and indicates that Council is in a sound financial position having delivered a strong performance for the year which was ahead of budget.

### FINANCIAL IMPACT

The preparation, compilation and audit of Council's General and Special Purpose Financial Statements have been provided for in Council's annual budget. The financial result for the year, which is the subject of this report, is a favourable outcome.

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## RECOMMENDATION OF GENERAL MANAGER

That

- A. The Annual Financial Statements for the year ended 30 June 2012 be adopted by the Council.
  - B. The Mayor, a nominated Councillor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
  - C. The Annual Financial Statements for the year ended 30 June 2012 be referred to the Council's Auditor for audit.
  - D. The Council hereby delegate to the General Manager authority, upon receipt of the Auditor's report of the Council, to:
    - a) Forward a copy to the Division of Local Government and Australian Bureau of Statistics.
    - b) Arrange for the public notice of the Council Meeting for presentation to the public, in the required format be placed in the Manly Daily.
    - c) Arrange for the Council's audited financial reports and a copy of the Auditor's Reports
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to be made available for public inspection on Council's web page and in printed format at the Council's Civic Centre and Libraries at Belrose, Dee Why, Forestville and Warringah Mall.

- d) List the audited financial reports and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement.
  - e) That Council rolls over \$386,972 in Capital Works Projects to 2012-13.
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## **REPORT**

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### **BACKGROUND**

The Local Government Act 1993 ("the Act") relating to the preparation of Council's annual financial reports requires that:

- 1. Section 413 – A council must prepare financial reports for each year, and must refer them for audit as soon as practicable after the end of that year.
- 2. Section 413 (2) – A council's financial reports must include:
  - a) a general purpose financial report
  - b) any other matter prescribed by the regulations
  - c) a statement in the approved form by the council as to the opinion on the general purpose financial report (Attachment 1)

The Local Government Code of Accounting Practice and Financial Reporting requires that Council complete a Special Purpose Financial Report for all business activities declared by Council and that Council complete a Statement on its Special Purpose Financial Report (Attachment 2)

- 3. Section 413 (3) – The general purpose financial report must be prepared in accordance with the Act and the regulations and the requirements of:
  - a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
  - b) such other standards as may be prescribed by the regulations.
- 4. Section 416 – A council's financial reports for a year must be prepared and audited within 4 months after the end of the year concerned.
- 5. Section 418 – Upon receiving the Auditor's Report, the Act requires the Council to give at least 7 days public notice of the meeting at which it proposes to present its audited financial reports, together with the Auditor's Report, to the public. The public notice must include a statement that the business of the meeting will include presentation of the audited financial reports, the Auditor's Report and a summary of the financial reports.
- 6. Section 420 – Any person may make submissions in respect of the Council's audited financial reports or the Auditor's Report. Such submissions must be in writing and lodged with Council within 7 days after the public meeting at which these reports are presented. Copies of all submissions received must be referred to the Council's Auditor. The Council must take such action as it considers appropriate with respect to any submissions received, including giving notice to the Director General of the Division of Local Government of any matter that appears to require amendment of the



Council's Financial Statements. In order to facilitate the public notice, meeting and submission process, it is considered appropriate that Council delegate to the General Manager authority, upon receipt of the Auditor's Report by Council, to:

- a) Arrange for the public notice of this meeting, in the required format, to be placed in the Manly Daily, advising of the meeting at which the Auditor's Reports will be presented.
  - b) Arrange for the Council's audited financial reports and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and at the Council's Civic Centre and libraries at Belrose, Dee Why, Forestville and Warringah Mall.
  - c) List the audited financial reports and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7-day public notice requirement.
7. Section 428 - The audited financial reports must be included in the Council's annual report.
  8. Clause 215 of the Local Government (General) Regulation 2005, requires that the Statement under Section 413 (2) (c) on the annual financial report must be made by resolution of the Council and signed by the:
    - Mayor
    - at least one (1) other Councillor
    - General Manager
    - Responsible Accounting Officer.

Annual financial reports have now been completed for:

- Warringah Council
- Kimbriki Environmental Enterprises Pty Limited
- Rural Fire Service

The Council is required to consolidate into its annual financial statements, its share of and interest in these joint ventures and committees and to eliminate any inter-entity transactions and balances in preparing its general purpose financial statements.

Council is responsible for the preparation of the financial reports and adequate disclosures. This includes the maintenance of adequate accounting records and internal controls, selection and application of accounting policies, and the safeguarding of the assets of Council.

I report that, subject to my comments below, the accounting records have been maintained in accordance with Section 412 of the Act and in a manner that permitted the timely preparation of the General and Special Purpose Financial Statements for the year ended 30 June 2012. Update No.20 to the Local Government Code of Accounting Practice and Financial Reporting was issued on 20 June 2012 and is relevant to the reporting period ending on 30 June 2012. This year no major changes have been made to the General Purpose Financial Statements requirements

**Financial Position of Council as at 30 June 2012(subject to Audit)**

The principal features of the Annual Financial Statements for 2011/2012 are as follows:

<b>Net Operating Result for the year from Continuing Operations</b>	<b>\$ 8.738m</b>
• Income from Continuing Operations	\$143.015m
• Expenses from Continuing Operations	\$134.277m
<b>Net Assets</b>	<b>\$2,444.669m</b>
• Current Assets	\$85.742m
• Non-Current Assets	\$2,393.267m
• Total Assets	\$2,479.009m
• Current Liabilities	\$26.714m
• Non-Current Liabilities	\$7.626m
• Total Liabilities	\$34.340m

The performance measure indicators are as follows:

**Unrestricted Current Ratio 3.35:1**

- This is the ratio of unrestricted Current Assets held that are available to meet Current Liabilities. The Unrestricted Current Ratio is used to assess the adequacy of working capital and the ability of Council to satisfy its financial obligations in the short term. This is an increase on last year's ratio of 2.72 principally due ongoing management of Council's current liabilities. The ratio continues to reflect Council's sound financial position

**Debt Service Ratio 0.54%**

- This is the ratio of Debt Service Costs to Revenue from Continuing Operations. This is a decrease on last year's ratio of 1.54% and reflects Council's only borrowings being finance leases of information technology equipment.

**Rates & Annual Charges Coverage Ratio 58.12%**

- This is the ratio of Rates & Annual Charges to Revenue from Continuing Operations and indicates the percentage of Rates & Annual Charges that make up Revenue from Continuing Operations. This is an increase on last year's percentage of 57.51% and this percentage has risen in each of the last four years from 55.31% and reflects an increasing reliance on Rates and Annual Charges to fund Council's services.

**Rates, Annual Charges, Interest & Extra Charges Outstanding 3.18%**

- This is the ratio of Rates, Annual Charges, Interest & Extra Charges Outstanding to Rates, Annual Charges, Interest & Extra Charges Collectible. This ratio has improved in each of the last four years from 3.96% in 2009 to 3.19% in 2012.

**Building & Infrastructure Renewals Ratio 154.60%**

- This ratio indicates the rate at which assets (buildings and infrastructure) are being renewed and replaced against the rate at which they are depreciating. Council has continued its commitment to maintaining financial sustainability through the elimination of infrastructure backlogs and with ratio having averaged 169.82% over the past three years.

## Carry Over of Unspent Funds

It is proposed to carry over funds for Capital Works Projects to the new financial year 2012-13. This is due to the Projects having already commenced, having expenditure committed but not having been completed as at 30 June 2012. The projects were as follows:

	\$
<b>Operational Facilities Renewal Program</b>	
Wheeler Park - New Public Amenity	11,618
Weldon Oval Public Amenities	14,975
Upgrade of Customer Service Centre	26,356
<b>Community Building Renewal Program</b>	
Beacon Hill Community Centre	9,307
Brookvale Occasional Care Centre	10,914
<b>Surf Club Renewals</b>	
Dee Why Beach Viewing Tower	4,658
<b>Town Centres</b>	
Freshwater Village Town Centre Upgrade	20,314
<b>Parks</b>	
Stony Range	25,315
St Matthews Farm Landscape Masterplan	6,000
<b>Stormwater</b>	
Collaroy Stormwater Outlet	48,800
<b>Natural Environment</b>	
Narrabeen Lagoon Multiuse Trail	58,115
<b>Foreshores</b>	
North Narrabeen - Landscape Masterplan	6,000
	<b><u>242,372</u></b>

Grant funding has also been received for the following projects which will occur after 30 June 2012 necessitating the rollover of these funds.

<b>Parks</b>	
Starkey Park Playground	15,000
Undula Playground	59,600
<b>Foreshores</b>	
North Narrabeen - Landscape Masterplan	70,000
	<b><u>144,600</u></b>
Total Capital Works Rollover	<b><u>386,972</u></b>

## Consultation

Council's external auditors have conducted audit procedures during the year, as an interim to the verification of assets and liabilities at year-end, to assess the reliability of the general ledger to produce financial statements and concurrent to the preparation of the draft general and special purpose financial statements.

Council's Audit & Risk Committee reviewed the Draft General and Special Purpose Financial Statements for year ended 30 June 2012 at a Meeting on Monday 6 August 2012. The Committee endorsed the Financial Statements being presented to Council for certification and referral to Council's external auditors, Hill Rogers Spencer Steer, Chartered Accountants. Recommendations from the Audit Committee were incorporated into the Draft General and Special Purpose Financial Statements contained in the attachment booklet.

**Timing**

Council's financial statements for a year must be prepared and audited in accordance with the Act, i.e. within 4 months after the end of the year concerned.

**Public Presentation**

The holding of a public meeting to consider, inter alia, the auditor's report on the general and special purpose financial statements is determined by the Act, and should occur by 5 December each year and within 5 weeks of receiving the report.

## GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2012

### STATEMENT BY COUNCILLORS AND MANAGEMENT

made pursuant to Section 413(2)(c) of the Local Government Act 1993 (as amended)

**The attached General Purpose Financial Statements have been prepared in accordance with:**

- The Local Government Act 1993 (as amended) and the Regulations made thereunder.
- The Australian Accounting Standards and professional pronouncements.
- The Local Government Code of Accounting Practice and Financial Reporting.

**To the best of our knowledge and belief, these Statements:**

- presents fairly the Council's operating result and financial position for the year, and
- accords with Council's accounting and other records.

We are not aware of any matter that would render this Report false or misleading in any way.

Signed in accordance with a resolution of Council made on **28 August 2012**.

Michael Regan

MAYOR

COUNCILLOR

Rik Hart

GENERAL MANAGER

David Walsh

RESPONSIBLE ACCOUNTING OFFICER

## **SPECIAL PURPOSE FINANCIAL STATEMENTS**

for the year ended 30 June 2012

### **STATEMENT BY COUNCILLORS AND MANAGEMENT**

made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

**The attached Special Purpose Financial Statements have been prepared in accordance with:**

- The NSW Government Policy Statement “Application of National Competition Policy to Local Government”
- Division of Local Government Guidelines “Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality”
- The Local Government Code of Accounting Practice and Financial Reporting.

**To the best of our knowledge and belief, these Reports:**

- Present fairly the Operating Result and Financial Position for each of Council's declared Business Activities for the year, and
- Accord with Council's accounting and other records

We are not aware of any matter that would render these reports false or misleading in any way.

Signed in accordance with a resolution of Council made on **28 August 2012.**

Michael Regan

**MAYOR**

**COUNCILLOR**

Rik Hart

**GENERAL MANAGER**

David Walsh

**RESPONSIBLE ACCOUNTING OFFICER**



<b>ITEM 6.3</b>	<b>ANNUAL REVIEW OF COUNCIL'S INVESTMENT POLICY</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2012/288344</b>
<b>ATTACHMENTS</b>	<b>1 Warringah Council Policy No FIN PL 215</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To review Council's Investment Policy.

### **SUMMARY**

In accordance with the Investment Policy Guidelines Council's Policy has been framed to ensure that it is reviewed annually and that any amendment to the Investment Policy must be by way of Council resolution. No amendments to the Investment Policy are proposed. The Investment Policy was adopted by Council on 23 August 2011 following public exhibition of the amended Investment Policy. The Investment Policy had been amended to ensure compliance with a revised Ministerial Investment Order issued on 17 February 2011.

The Investment Policy ensures that Council complies with the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2005 (LGGR) and the Ministerial Investment Orders and provides a framework to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

During the period since the Investment Policy was adopted by Council on 23 August 2011 there have not been any revisions to the Ministerial Investment Orders and there have not been any amendments to Investment Policy Guidelines issued by the Department of Local Government.

There are no amendments proposed in relation to the Investment Policy. Council's policy for the Development and Management of Policies – PL 910 requires public exhibition only where there is a new policy or amendments are proposed to the existing policy. Accordingly, public exhibition is not required in these circumstances.

### **FINANCIAL IMPACT**

Nil

### **POLICY IMPACT**

The Policy will ensure Council continues to comply with the Act, the LGGR and the Ministerial Investment Orders and provide a framework to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

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## **RECOMMENDATION OF GENERAL MANAGER**

That Investment Policy FIN-PL 215 be noted.

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**REPORT**

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**BACKGROUND**

The Investment Policy primarily sets out to:

- Establish a clear understanding of investment goals and objectives.
- Define and assign responsibilities for investing activities.
- Offer guidance and define limitations regarding the investment of assets.
- Manage assets in accordance with the relevant legislation, prudential standards and regulations.
- Establish the relevant investment horizon for which the assets will be managed.
- Establish a basis of evaluating and monitoring investment performance.

The Investment Policy ensures that Council complies with the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2005 (LGGR) and Ministerial Investment Orders and provides a framework to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

In accordance with the Investment Policy Guidelines Council's Policy has been framed to ensure that it is reviewed annually and that any amendment to the Investment Policy must be by way of Council resolution. There are no proposed amendments to the Investment Policy.

The Policy was placed on public exhibition before it was adopted by Council on 23 August 2011 and no submissions were received. During the period since the Investment Policy was adopted by Council there have not been any revisions to the Ministerial Investment Orders and there have not been any amendments to Investment Policy Guidelines issued by the Department of Local Government.

There are no amendments proposed in relation to the Investment Policy. Council's policy for the Development and Management of Policies – PL 910 requires public exhibition only where there is a new policy or amendments are proposed to the existing policy. Accordingly, public exhibition is not required in these circumstances.

**POLICY IMPACT**

The Policy will ensure Council continues to comply with the Act, the LGGR and the Ministerial Investment Orders and provide a framework to ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

**FINANCIAL IMPACT**

Nil



## **Warringah Council Policy**

### **Policy No. FIN-PL 215**

### **Investment Policy**

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

To ensure Council maintains an investment policy that complies with the Act, the LGGR and the Ministerial Investment Order and ensures it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

#### **2 Policy Statement**

The objectives of this policy are to provide a framework for the investing of Council's funds at the most favourable return available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that Council's liquidity requirements are being met.

An investment is not in a form of investment notified by the Ministerial Investment Order unless it also complies with an investment policy of council adopted by a resolution of council.

When exercising the power of investment council should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio.

Investments are expected to achieve a market average rate of return in line with the Council's risk tolerance.

#### **3 Principles**

##### **3.1 Investment Strategy**

An Investment Strategy will run in conjunction with the investment policy. The investment strategy will be reviewed with an independent investment advisor once a year. The Strategy will outline:

- Council's cash flow expectations;
- Optimal target allocation of investment types, credit rating exposure and term to maturity exposure; and
- Appropriateness of overall investment types for Council's portfolio.

### **3.2 Investment Advisor**

Council's investment advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

Council's currently appointed independent investment adviser is Oakvale Capital Limited and they have provided the required written confirmation to Council.

### **3.3 Approved Investments**

Investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth/State/Territory Government security eg bonds;
- Interest bearing deposits issued by an authorised deposit taking institution (ADI);
- Bills of exchange, (<200 days duration), guaranteed by an authorised deposit taking institution (ADI);
- Debentures issued by NSW Local Government;
- Deposits with NSW Treasury &/or Investments in T Corp's Hour Glass Facility; and
- Investments grandfathered under the previous Ministerial Investment Order.

### **3.4 Prohibited Investments**

This investment policy prohibits but is not limited to any investment carried out for speculative purposes, including;

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

### **3.5 Prudent Person Standard**

Council has a fiduciary responsibility when investing. The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

### **3.6 Ethics and Conflicts of Interest**

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

## 4 Guidelines

### 4.1 Risk Management Guidelines

Investments are expected to achieve a market average rate of return in line with Council's risk tolerance.

- **Preservation of Capital** – the requirement for preventing losses in an investment portfolio's total value;
- **Diversification** – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- **Market Risk** - the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;
- **Liquidity Risk** - the risk an investor is unable to redeem the investment at a fair price within a timely period;
- **Maturity Risk** - the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities; and
- **Leveraging Risk** - the magnification of an investor's risk and return that occurs when the investor takes on financial leverage through an investment product.

### 4.2 Credit and Maturity Guidelines

Investments are to comply with three key criteria relating to:

- **Overall Portfolio Credit Framework**- limit overall credit exposure of the portfolio;
- **Institutional Credit Framework**- limit exposure to individual institutions based on their credit ratings; and
- **Term to Maturity Framework**- limits based upon maturity of securities.

#### 4.2.1 Overall Portfolio Credit Framework

To control the credit quality of the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA (incl. government guaranteed deposits)	A-1+	100%
AA	A-1	100%
A	A-2	60%
BBB	A-3	20%
Unrated**	Unrated**	20%

\* or Moody's / Fitch equivalents

\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities.

#### 4.2.2 Institutional Credit Framework

Exposure to an individual institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA (incl. government guaranteed deposits)	A-1+	45%
AA	A-1	35%
A	A-2	20%
BBB	A-3	10%
Unrated**	Unrated**	10%

\* or Moody's / Fitch equivalents

\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities.

If any of Council's investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

The short-term credit rating limit will apply in the case of discrepancies between short and long-term ratings.

#### 4.2.3 Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits		
Portfolio % <1 year	Min 40%	Max 100%
Portfolio % >1 year	Min 0%	Max 60%
Portfolio % >3 year ≤5 year	Min 0%	Max 30%

## 5 Reporting Requirements

### 5.1 Reporting and Reviewing of Investments

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register. The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

By resolution Council will adopt an Investment Policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet from time to time.

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this policy. Any amendment to the Investment Policy must be by way of Council resolution.



**5.2 Measurement**

The investment return for the portfolio is to be regularly reviewed by an independent financial advisor by assessing the market value of the portfolio. The market value is to be assessed at least once a month to coincide with monthly reporting.

**5.3 Performance Benchmarks**

The performance of the investment portfolio shall be measured against the industry standard UBS Warburg 90 Day Bank Bill Index and/or the Official Cash Rate.

**6 Delegation of Authority**

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.

The General Manager may in turn delegate the day-to-day management of Council's investments to the Responsible Accounting Officer or senior staff, subject to regular reviews.

Officer's delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this policy and understand their obligations in this role.

The General Manager or any other staff member, with delegated authority by Council to invest funds on behalf of Council must do so in accordance with the adopted investment policy.

**7 Authorisation**

This policy was adopted by Council on 22 August 2000 Council Decision No. 433.

The policy was last amended on 23 August 2011.

This amendment is effective from 24 August 2011 and was last reviewed in August 2012

It is due for review in August 2013.

**8 Amendments**

The General Manager or his delegated representative be authorised to approve variations to investment options that may not be consistent with this policy, if the investment is to Council's advantage and/or due to revised legislation.

All such variations are to be reported to Council within 14 days.

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

Chief Financial Officer

**10 Document Owner**

Director Corporate Services

**11 Related Council Policies**

Financial Planning Policy FIN-PL 100

**12 Legislation and References**

All investments are to comply with the following:

- Local Government Act 1993;
- Local Government (General) Regulation 2005;
- Ministerial Investment Order 2008;
- Local Government Code of Accounting Practice and Financial Reporting;
- Australian Accounting Standards; and
- Department of Local Government Circulars

**13 Definitions**

- Act - Local Government Act 1993;
- LGGR - Local Government (General) Regulation 2005;

## **SCHEDULE 1:**

### **Extracts of Legislative Requirements**

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#### **LOCAL GOVERNMENT ACT 1993 - SECT 412 & 625**

##### **Section 412 Accounting Records**

- 1) A council must keep such accounting records as are necessary to correctly record and explain its financial transactions and its financial position.
- 2) In particular, a council must keep its accounting records in a manner and form that facilitate:
  - (a) the preparation of financial reports that present fairly its financial position and the results of its operations, and
  - (b) the convenient and proper auditing of those reports.

##### **Section 625 How May Councils Invest?**

- 1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- 2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- 3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- 4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section.

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#### **LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - REG 206 & 212**

##### **206 Accounting records and accounting practices to accord with the Code**

- 1) A council's accounting records must be kept in a form that accords with the Code.
- 2) A council's accounting practices must accord with the Code.

##### **212 Reports on council investments**

- 1) The responsible accounting officer of a council:
  - (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
    - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or
    - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
  - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- 2) The report must be made up to the last day of the month immediately preceding the meeting.

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#### **LOCAL GOVERNMENT CODE OF ACCOUNTING PRACTICE AND FINANCIAL REPORTING – CL 11.3.4 & 11.3.5**

- 11.3.4 Councils must maintain a separate record of money it has invested under section 625 of the LGA. The record must specify:
  - (a) the source and the amount of money invested; and
  - (b) particulars of the security or form of investment in which the money is invested; and
  - (c) if appropriate, the rate of interest to be paid, and the amount of money that the council has earned, in respect of the money invested.
- 11.3.5 Council must maintain an investment policy that complies with the Act and ensures it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.



Circular No. 11-01  
Date 17 February 2011  
Doc ID: A232163

Contact Finance Policy Section  
02 4428 4100  
dlg@dlg.nsw.gov.au

### REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10-11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.



Ross Woodward  
Chief Executive, Local Government  
A Division of the Department of Premier and Cabinet



**LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER**

(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

**Transitional Arrangements**

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

**Key Considerations**

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.


All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12<sup>th</sup> day of January 2011

  
**Hon BARBARA PERRY MP**  
Minister for Local Government



<b>ITEM 6.4</b>	<b>MONTHLY FUNDS MANAGEMENT REPORT JULY 2012</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2012/307218</b>
<b>ATTACHMENTS</b>	<b>1 Application of Funds Invested</b> <b>2 Council's Holdings as at 30 July 2012</b> <b>3 Investment Portfolio at a Glance</b> <b>4 Monthly Investment Income vs. Budget</b> <b>5 Economic Notes</b> <b>6 Investment Strategy and Portfolio Review 2011-12 Financial Year (Excluded from Agenda)</b>

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## REPORT

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### PURPOSE

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

### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

### REPORT

The following attachments are provided as part of the Report.

1. Application of Funds Invested (Attachment 1)
2. Council's Holdings as at 30 June 2012 (Attachment 2)
3. Investment Portfolio at a Glance (Attachment 3)
4. Monthly Investment Income vs. Budget (Attachment 4)
5. Economic Notes (Attachment 5)
6. Investment Strategy and Portfolio Review – 2011/12 Financial Year (Attachment 6)

### FINANCIAL IMPACT

The actual investment income to 31 July 2012 is \$364,277 which compares favourably to the budgeted income of \$350,000 a variance of \$14,277.

### POLICY IMPACT

The investment strategy was reviewed by our Investment advisors Oakvale Capital, in July 2012 (Attachment 6). They confirmed as of 30 June 2012, that Council's investment portfolio continues to be managed in a prudently conservative manner.

Performance over the 2012/13 financial year to date (July 2012) continues to be strong having exceeded the benchmark, 5.62%pa vs 3.50%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing its cash flows.

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

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**RECOMMENDATION OF GENERAL MANAGER**

That:

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

<b>Application of Investment Funds</b>		<b>Description</b>	<b>Value (\$)</b>
<b>Restricted Funds:</b>			
Externally Restricted	Section 94 Old Plan		26,153,791
	Section 94A Plan Contributions		5,881,180
	Sports fields, ESSR, Domestic Waste, Infrastructure Levies & Unexpended Grants		3,216,487
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, & Beach Parking.	19,311,560
Unrestricted Funds		Funds Allocated to meet Current Budgeted Expenditure	19,212,510
<b>Total</b>			<b>73,775,529</b>

There has been a decrease in the investments held of \$4,096,132, 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		1,975,481
Kimbriki Bank balance		1,808,866

**Investments Funds Report - As at 31-Jul-12**

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	5.8067	HSBC Bank Australia Subordinated Debt	A	1,999,346
23-Apr-14	1,000,000	4.5067	Deutsche Bank AG London Sub Notes	BBB+	957,819
	<b>3,000,000</b>				<b>2,957,165</b>
<b>Floating Rate Note Investment Group - Held to Maturity</b>					
18-Jun-13	1,000,000	4.5933	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-14	1,858,659	3.9450	Emerald Series 2006-1 Class A	AAA	1,370,509
	<b>1,858,659</b>				<b>1,370,509</b>
<b>Term Investment Group</b>					
8-Aug-12	1,000,000	5.5000	Bendigo and Adelaide Bank Limited	A-2	1,000,000
10-Aug-12	2,000,000	6.1500	Suncorp Deposits and Transactions Products	A-1	2,000,000
10-Aug-12	3,000,000	6.0300	ING Bank (Australia) Limited	A-1	3,000,000
21-Aug-12	3,000,000	6.0000	ING Bank (Australia) Limited	A-1	3,000,000
29-Aug-12	2,000,000	6.0000	St. George Bank Limited	A-1+	2,000,000
29-Aug-12	1,000,000	6.0000	St. George Bank Limited	A-1+	1,000,000
7-Sep-12	2,000,000	6.0400	St. George Bank Limited	A-1+	2,000,000
10-Sep-12	1,000,000	5.5500	Members Equity Bank Melbourne	A-2	1,000,000
10-Sep-12	2,000,000	5.3000	Bank of Western Australia	A-1+	2,000,000
18-Sep-12	1,000,000	5.9000	Bank of Queensland	A-2	1,000,000
24-Sep-12	1,000,000	5.2000	Bank of Western Australia	A-1+	1,000,000
26-Sep-12	1,000,000	5.7500	Members Equity Bank Melbourne	A-2	1,000,000
4-Oct-12	2,000,000	5.2000	National Australia Bank Ltd - Govt Business	A-1+	2,000,000
9-Oct-12	2,000,000	5.5500	Members Equity Bank Melbourne	A-2	2,000,000
10-Oct-12	1,000,000	5.9000	Members Equity Bank Melbourne	A-2	1,000,000
10-Oct-12	1,000,000	5.5500	Members Equity Bank Melbourne	A-2	1,000,000
19-Oct-12	2,000,000	5.4500	Bank of Queensland	A-2	2,000,000
26-Oct-12	2,000,000	6.0000	ING Bank (Australia) Limited	A-1	2,000,000
8-Nov-12	2,000,000	5.6000	Bank of Queensland	A-2	2,000,000
12-Nov-12	2,000,000	5.9700	ING Bank (Australia) Limited	A-1	2,000,000
17-Oct-12	1,000,000	5.2500	Bank of Queensland	A-2	1,000,000
19-Nov-12	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
23-Nov-12	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
26-Nov-12	1,000,000	5.9800	ING Bank (Australia) Limited	A-1	1,000,000
26-Nov-12	2,000,000	5.2600	National Australia Bank Ltd - Govt Business	A-1+	2,000,000
29-Nov-12	2,000,000	5.2700	National Australia Bank Ltd - Govt Business	A-1+	2,000,000
10-Dec-12	1,000,000	5.1300	National Australia Bank Limited	A-1+	1,000,000
7-Jan-13	1,000,000	5.1500	National Australia Bank Ltd - Govt Business	A-1+	1,000,000
21-Jan-13	1,000,000	5.1000	Members Equity Bank Melbourne	A-2	1,000,000
23-Jan-13	2,000,000	5.1000	Members Equity Bank Melbourne	A-2	2,000,000
25-Jan-13	2,000,000	5.1800	ING Bank (Australia) Limited	A-1	2,000,000
25-Jan-13	2,000,000	5.2000	Bank of Queensland	A-2	2,000,000
26-Feb-13	1,000,000	6.0100	ING Bank (Australia) Limited	A-1	1,000,000
26-Feb-13	1,000,000	6.0300	ING Bank (Australia) Limited	A-1	1,000,000
26-Feb-13	1,000,000	6.0000	ING Bank (Australia) Limited	A-1	1,000,000
25-Nov-14	2,000,000	5.7000	National Australia Bank Ltd - Govt Business	AA-	2,000,000
	<b>56,000,000</b>				<b>56,000,000</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	1,663,584	4.0000	CBA (Business Saver)	A-1+	1,663,584
Cash Account	44,995	4.0000	CBA Business Saver Narabeen Lagoon	A-1+	44,995
17-Dec-12	1,000,000	4.1500	CBA Term Deposit Kimbriki 35810609 (1)	AA-	1,000,000
13-Dec-12	7,064,725	5.1500	WBC Term Deposit Kimbriki 11-1208	AA-	7,064,725
4-Sep-12	2,163,252	5.8000	WBC Term Deposit Kimbriki 11-4185	AA-	2,163,252
1-Aug-12	511,299	3.6000	CBA Money Market Kimbriki 10162612	AA-	511,299
	<b>12,447,855</b>				<b>12,447,855</b>
	<b>74,306,515</b>			<b>Closing Balance:</b>	<b>73,775,529</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

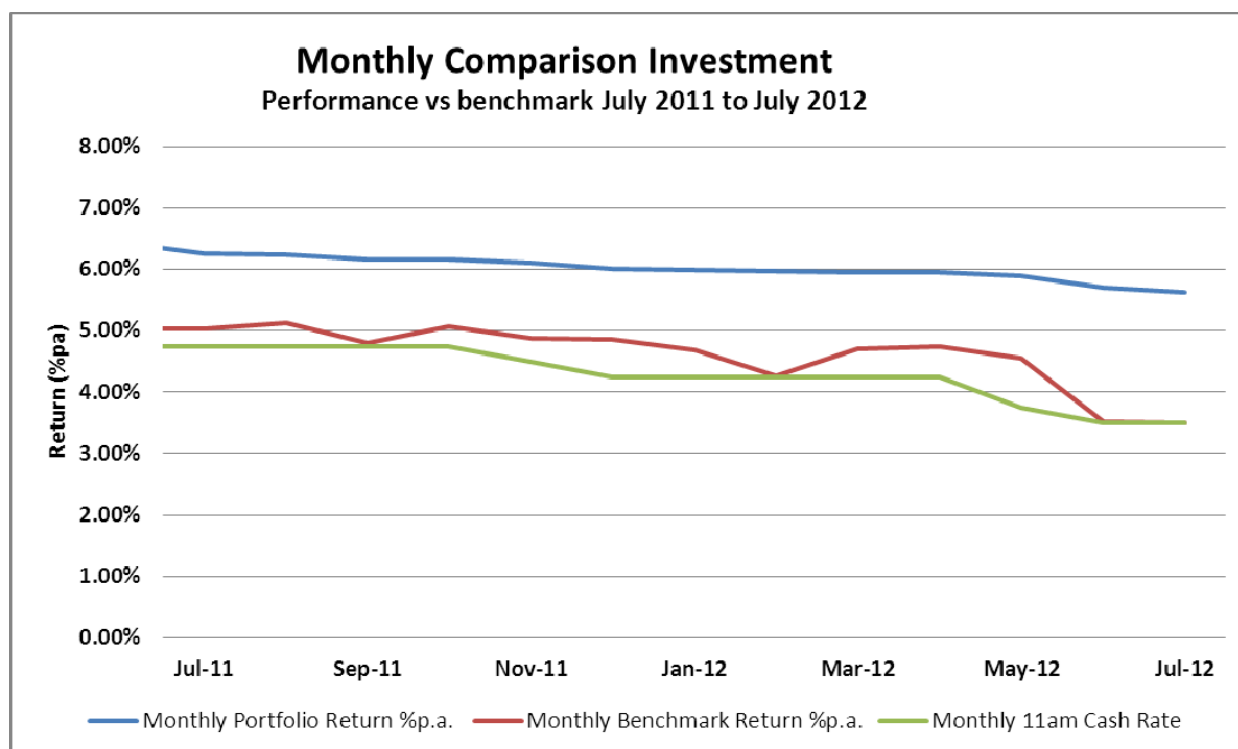
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.
<b>Investment Policy Compliance</b>		
Legislative Requirements	✓	Fully compliant
Portfolio 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	5.62%	3.50%	3.50%
3 Months	5.74%	3.85%	3.58%
6 Months	5.85%	4.21%	3.92%
FYTD	5.62%	3.50%	3.50%
12 Months	6.00%	4.57%	4.23%

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

\*\* This benchmark relates to Cash Fund holdings

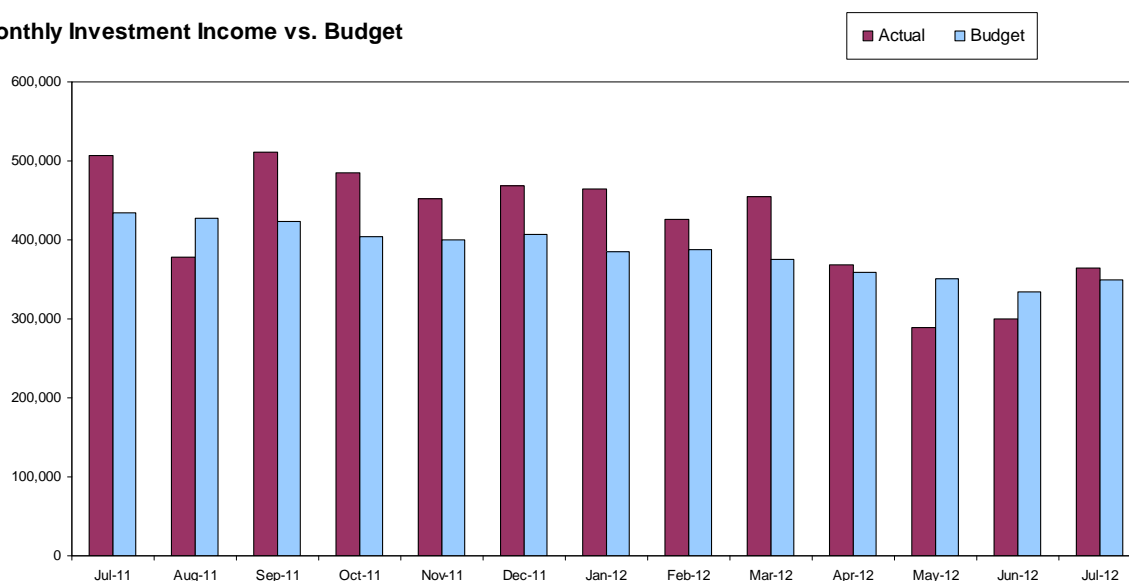


**Monthly Investment Income\* vs. Budget**

	<b>\$ July 12</b>	<b>\$ Year to Date</b>
Investment Income	352,170	357,170
Adjustment for Fair Value	12,107	12,107
Total Investment Income	364,277	364,277
Budgeted Income	350,000	350,000

\*Includes all cash and investment holdings

**Monthly Investment Income vs. Budget**



In June we have reflected a fair value increase of \$12,107 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:**

- EU authorities approved Spain's €100b (\$118b AUD) bank bailout. Despite this, Spanish 10-yr bond yields kept surging, peaking at a record high of 7.50% as it emerged that one of its regional governments sought central government aid.
- The European Central Bank President promised to do everything possible to prevent the collapse of the Eurozone and the single currency. However, markets were disappointed when these strong words were not backed up with immediate action.
- The People's Bank of China joined the Bank of England and the European Central Bank in easing monetary policy while the US Federal Reserve Chairman said that more policy stimulus would be introduced if economic conditions worsened.

### **Domestic issues:**

- After 3 straight months of growth, employment fell by 27,000 in June. The employment rate increased from 5.1% to 5.2%.
- The annual pace of inflation fell to 2.0% in the June quarter, which is at the lower end of the RBA's 2-3% inflation target. The low inflation result allows the RBA to lower rates further if it deems it necessary.
- Despite commodity prices falling during July, the AUD ended at 1.05 against the USD (its highest level since March) and 0.85 against the Euro (a record high).

### **Interest rates:**

- The RBA kept Australia's official cash rate unchanged at 3.50% following its July meeting.

### **Investment Portfolio Commentary**

Council's investment portfolio, predominately comprised of fixed rate term deposits, had an overall yield of 5.62%pa during July versus the benchmark's 3.50%pa return. This is based on the actual interest rates being received on existing investments.



<b>ITEM 6.5</b>	<b>RATES AND ANNUAL CHARGES RECOVERY ACTION AND HARDSHIP POLICY</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2012/293952</b>
<b>ATTACHMENTS</b>	<b>1 Rates and Annual Charges Recovery Action and Hardship Policy</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To recommend to Council the adoption of the Rates and Annual Charges Recovery Action and Hardship Policy following public exhibition, and the rescission of FIN – PL 510 Rates & Charges Recovery Action and FIN – PL 515 Hardship Resulting From Land Valuation Changes policies.

#### **SUMMARY**

Council's Rates and Charges Recovery Action Policy (FIN – PL 510) and Hardship Resulting from Land Valuation Changes Policy (FIN – PL 515) have been in place for a number of years and are both due for review. As part of the periodic review of these policies, it was deemed appropriate to propose to combine them and expand on the hardship provisions in line with the guidelines provided by the Local Government & Shires Association in August 2011.

Council, at its meeting on 26 June 2012, resolved that the draft Rates and Annual Charges Recovery Action and Hardship Policy be endorsed for public exhibition. The Policy was placed on public exhibition until 25 July 2012. No submissions were received.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

The proposed changes will combine the Rates and Charges Recovery Action Policy (FIN – PL 510) and Hardship Resulting from Land Valuation Changes Policy (FIN – PL 515) and expand on the hardship provisions as well as formalise existing council practices relating to the recovery of outstanding rates and charges (i.e. the making of alternate payment arrangements and extensions with ratepayers suffering financial hardship due to circumstances such as unemployment, sickness and divorce).

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

That

- A. The Rates and Annual Charges Recovery Action and Hardship Policy be adopted.
  - B. FIN – PL 510 Rates & Charges Recovery Action and FIN – PL 515 Hardship Resulting from Land Valuation Changes policies be rescinded.
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**REPORT**

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**BACKGROUND**

FIN – PL 510 Rates & Charges Recovery Action policy, and FIN – PL 515 Hardship Resulting from Land Valuation Changes policy are both long standing policies that have been in place for a number of years with little or no amendments.

It was deemed appropriate to combine these policies and expand on the hardship provisions as well as formalise existing council practices relating to the recovery of outstanding rates & charges (i.e. the making of alternate payment arrangements and extensions with ratepayers suffering financial hardship due to circumstances such as unemployment, sickness and divorce).

Council has a responsibility to recover monies owing to it in a timely, efficient and effective manner to finance its operations and ensure effective financial management.

Council aims to ensure effective control over debts owed to Council, including overdue rates, charges and interest and to establish debt management procedures for the efficient collection of receivables and the recovery of outstanding debts including deferment and alternative payment arrangements.

Council's existing Hardship Policy only recognises hardship resulting from land valuation changes. In developing the proposed policy council aims:

1. To establish clear guidelines on appropriate debt recovery and write-off procedures to ensure effective control over Rates and Annual Charges that become due and payable.
2. To establish guidelines when dealing with ratepayers, suffering genuine financial hardship, with the payment of their Rates and Annual Charges
3. To fulfill the statutory requirements of the Local Government Act, 1993 (the Act) with respect to both the recovery of outstanding Rates, Annual Charges and Interest and the provision of assistance to those ratepayers who are experiencing genuine financial hardship with the payment of their Rates and Annual Charges.

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay rates when they become due and payable to Council. It is not the intention to cause hardship to any ratepayer through Council's recovery procedures and consideration will be given to acceptable arrangements to clear the debt prior to the end of the current financial year, where possible.

The proposed policy recognises that due to exceptional circumstances, owners may at times encounter difficulty in paying rates and charges as they fall due, or adhere to a regular payment arrangement. This policy provides the framework to be followed to provide assistance to those owners who are suffering genuine financial hardship.

The Act provides Council with the following options for providing assistance to ratepayers who are finding it difficult to pay their rates and charges because of financial hardship:

1. Assistance by Periodical Payment Arrangements (Section 564)
2. Assistance by writing off accrued interest and costs (Section 567)
3. Assistance to extend pensioner concession to avoid hardship (Section 577)
4. Abandonment of Pensioners' Rates and Charges (Section 582)
5. Assistance due to General Revaluation of the Local Government Area (Section 601)
6. Deferral of Recovery Proceedings against Eligible Pensioners (Section 712)

These changes will bring the policy in line with the guidelines recommended by the Local Government & Shires Association in August 2011. Council's that wish to apply for a special rate variation are required to have an appropriate hardship policy.

**CONSULTATION**

The draft Policy was on exhibition until 25 July 2012. Promotion of the draft Policy included advertisement in the Manly Daily on Saturday 30 June 2012.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

The proposed changes will combine the Rates & Charges Recovery Action Policy (FIN – PL 510) and Hardship Resulting from Land Valuation Changes Policy (FIN – PL 515) and expand on the hardship provisions as well as formalise existing council practices relating to the recovery of outstanding rates & charges (i.e. the making of alternate payment arrangements and extensions with ratepayers suffering financial hardship due to circumstances such as unemployment, sickness and divorce).



## **Warringah Council Policy**

### **Policy No. Number**

### **Rates and Annual Charges Recovery and Hardship Policy**

---

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

To establish clear guidelines on appropriate debt recovery and write-off procedures to ensure effective control over Rates and Annual Charges that become due and payable.

To establish guidelines when dealing with ratepayers, suffering genuine financial hardship, with the payment of their Rates and Annual Charges

To fulfil the statutory requirements of the Local Government Act, 1993 (the Act) with respect to both the recovery of outstanding Rates, Annual Charges and Interest and the provision of assistance to those ratepayers who are experiencing genuine financial hardship with the payment of their Rates and Annual Charges.

#### **2 Policy Statement**

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay rates when they become due and payable to Council. It is not the intention to cause hardship to any ratepayer through Council's recovery procedures and consideration will be given to acceptable arrangements to clear the debt prior to the end of the current financial year, where possible.

The General Manager has the delegated authority to approve or reject payment arrangement plans from any customer after receiving a written request.

The General Manager has the delegated authority to proceed with legal action to recover outstanding rates and charges where an arrangement plan has defaulted or if the ratepayer has failed and/or neglected to pay one or more instalments or a suitable attempt has not been made to clear the outstanding balance within a time specified as reasonable by Council.

Council recognises there are cases of genuine financial hardship requiring respect and compassion in special circumstances. This policy establishes guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements. It applies to all applications for waiving, alternative payment arrangements or writing off rates, fees, annual charges and interest accrued on such debts.

The General Manager has the delegated authority to assess applications due to hardship and payment arrangement plans from any customer after receiving a formal application for hardship assistance.

#### **3 Principles**

##### **3.1 Debt Recovery**

Council has a responsibility to recover monies owing to it in a timely, efficient and effective manner to finance its operations and ensure effective financial management.

Council aims to ensure effective control over debts owed to Council, including overdue rates, charges and interest and to establish debt management procedures for the efficient collection of receivables and the recovery of outstanding debts including deferment and alternative payment arrangements.





Policy No. Number

The other key principles that will apply to the collection of overdue rates and charges are as follows:

- a) Council's aim is to collect all rates and charges by the end of each rating year;
- b) A fair and reasonable approach to recovery will apply;
- c) Council will individually assess cases of financial hardship;
- d) Council will not reduce rates or charges, but will consider alternative approaches to dealing with cases of financial hardship;
- e) Council will consider periodical payment arrangements in cases of hardship or extenuating circumstances;
- f) Council will utilise the services of Mercantile Agents where required;
- g) Council will aim to keep its Rates and Annual Charges Ratio at or below Industry Best Practice however, it will not pursue through legal action the collection of outstanding Rates and Annual Charges from pensioners;
- h) Council will apply the provisions of the Act relating to the sale of land to recover overdue Rates, Annual Charges and Interest when appropriate.

### **3.2 Hardship Assistance**

This policy recognises that due to exceptional circumstances, owners may at times encounter difficulty in paying rates and charges as they fall due, or adhere to a regular payment arrangement. This policy provides the framework to be followed to provide assistance to those owners who are suffering genuine financial hardship.

The Act provides Council with the following options for providing assistance to ratepayers who are finding it difficult to pay their rates and charges because of financial hardship:

#### **3.2.1 Assistance by Periodical Payment Arrangements**

Section 564 of the Act provides that Council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person and may write off or reduce interest accrued on rates or charges if the person complies with the agreement.

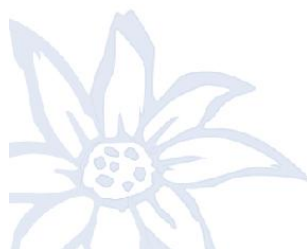
#### **3.2.2 Assistance by writing off accrued interest and costs**

Under Section 567 of the Act Council may write off accrued interest on rates or charges payable by a person if, in its opinion

- a) the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control, or
- b) the person is unable to pay the accrued interest for reasons beyond the person's control, or
- c) payment of the accrued interest would cause the person hardship.

#### **3.2.3 Assistance to extend pensioner concession to avoid hardship**

Section 577 of the Act, enables Council to make an order deeming certain persons who are jointly liable with an eligible pensioner(s) or solely liable, but who are not themselves eligible, to be eligible pensioners for the purpose of a mandatory reduction in rates and charges to avoid hardship.





Policy No. Number

**3.2.4 Abandonment of Pensioners' Rates and Charges**

Under Section 582 of the Act Council may waive or reduce rates, charges and interest due by any person who receives a pension, benefit or allowance under Chapter 2 of the Social Security Act 1991 of the Commonwealth and is the holder of a pensioner concession card issued by or on behalf of the Commonwealth Government.

**3.2.5 Assistance due to General Revaluation of the Local Government Area**

Under Section 601 of the Act a ratepayer who incurs a rate increase in the first year following a revaluation of land and suffers substantial hardship, may apply to Council for relief. Council has the discretion to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as it thinks fit.

**3.2.6 Deferral of Recovery Proceedings against Eligible Pensioners**

Under Council's Rebate of Pensioners' Rates and Charges Policy (FIN-PL 511) where in Council's opinion payment of Rates and Charges would cause hardship eligible pensioners over the accepted male retirement age may be allowed to accrue Rates and Charges against their estate. Interest charges are to accrue on overdue Rates and Charges on a daily basis in accordance with s566 of the Act. Accrued interest is to be applied to assessments on a weekly basis subject to procedures for issuing Notices.

Council recognises the large number of pensioner ratepayers in the community and recognises the difficulties some pensioner ratepayers have in meeting their Rates and Annual Charges payments.

Under Section 712 of the Act proceedings for the recovery of a rate or charge may commence at any time within nineteen years from the date when the rate or charge became due and payable. The Local Government Rating and Revenue manual advises Councils have discretion to accrue rates, charges and interest against a pensioner's estate. The Division of Local Government advises if Councils wish to utilise this discretion, agreement is required from the pensioner ratepayer.

Where the eligible pensioner requests a delay in recovery action to allow outstanding rates, charges and interest to accrue against their estate and is willing to enter into an agreement, Council will:

- a) Provide an annual rates notice of all outstanding rates, charges and interest as it does for all ratepayers as well as instalment reminders.
- b) Not commence recovery action until there is a change in ownership of the property, either or both ratepayers leave the property (except where the pensioner is in a care facility on a temporary basis being less than 12 months) or either or both become ineligible for a concession. Should any of these events occur, rates and annual charges will become due and payable.
- c) However, given the constraints set out in Section 712 of the Act, Council will require pensioners to commence payment of overdue Rates and Annual Charges such that their total debt to Council does not exceed nineteen years.



Policy No. Number

## **4 Procedures**

### **4.1 Rates and Annual Charges**

Rates Notices are issued prior to 31st July each year in accordance with Section 562 of the Act. Instalment notices will be issued one month prior to the instalment due date in accordance with Section 562 (5) of the Act.

Instalments are due on the following dates each year:

- 31 August
- 30 November
- 28 February
- 31 May

### **4.2 Debt Recovery**

#### **4.2.1 Payment Arrangements**

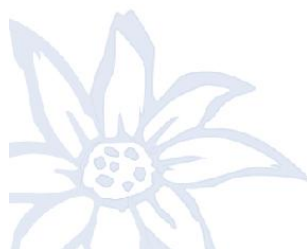
The Council recognises that some owner may experience financial difficulties in meeting their Rates commitments. Council will seek to assist owner to make arrangements that are consistent with the owner's capacity to make regular payments.

- a) An owner may at any time make arrangements to pay off their outstanding rates and annual charges by regular payments, subject to the following guidelines:
  - i) The amount and frequency of the payments under the arrangement are to be acceptable to Council.
  - ii) Arrangements should seek to have the outstanding rates and annual charges cleared within a period of 12 months, where possible.
- b) All owners who enter into an arrangement will continue to have interest charged on the outstanding amount in accordance with Section 566 of the Act, (unless there are extenuating circumstances).
- c) However, where a owner has not honoured a previous arrangement, Council has the discretion as to whether to accept a new arrangement or continue with further recovery action.
- d) In the event that an owner fails to make a payment in full under an arrangement and does not notify Council of any financial difficulties, the total amount outstanding becomes payable and is subject to Council's normal recovery procedures.

#### **4.2.2 Recovery Action**

Recovery of rates and charges is to be conducted according to the following:

- a) All owners are to be issued with an Annual Rates Notice in accordance with Section 546 of the Act and, where required, Rates Instalment Notices in accordance with Section 562 of the Act;
- b) The Rates Instalment Notice is to include any amount that is overdue. This amount is to be shown separately and identified as being overdue and subject to interest charges;



Policy No. Number

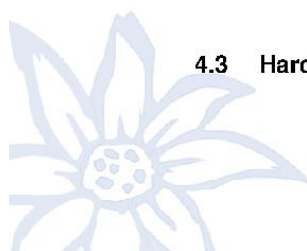
- c) An Instalment Reminder Notice will be issued to all owners who have not paid the instalment due amount in full, approximately 14 days after the due date;
- d) Interest charges are to accrue on overdue Rates and Annual Charges on a daily basis in accordance with Section 566 of the Act. Accrued interest is to be applied to assessments on a weekly basis subject to procedures for issuing Notices;
- d) Where an owner has rates and charges that are overdue (excluding accruing pensioners under Policy No. PL 511 Rebate of Pensioners' Rates and Charges), Rates staff will issue a letter (Final Notice) requiring payment or a mutually agreeable payment arrangement of the overdue amounts within 14 days from receipt of the letter;
- e) If rates and charges remain unpaid after the expiry of the Final Notice, Rates staff (or Council's agent) will forward a letter of demand allowing for seven days payment prior to instigation of legal action. Generally the legal action starts with a Statement of Claim, and where necessary, is followed by Judgment then a Writ of Execution or Garnishee Order, and/or other enforcement procedures as required.

If no payment is received or no arrangement made following the issue of the notice of intent, a statement of Claim will be prepared, issued and served by Council or its recovery agent. Following the expiration of the statutory period, to protect Council's interest in the matter and all available actions to recover the amount outstanding, if the debt is not cleared, a Notice of Motion Default Judgment will be lodged.

Recovery action by Council or its agent to recover outstanding debts that will be considered include, but not be limited to a garnishee of income; a writ of execution on goods and chattels, an examinations summons, a service or a rent order where the property is tenanted and/or other enforcement procedures as required.

- f) In accordance with Section 459 of the Corporations Act 2001, where the ratepayer is a company and has been served with a creditors statutory demand (Section 459E of the Corporations Act 2001) and the ratepayer has not complied within the 21 day period, Council has the right to commence proceedings to have the debtor company wound up and a liquidator appointed. All debts regarding the issue of a creditors' statutory demand must exceed the sum of \$2,000.00;
- g) All legal costs and expenses incurred in recovering outstanding rates and charges shall be charged against the property in accordance with Section 605 of the Act;
- h) Arrangements for payment may be accepted after legal action has commenced, subject to the continuation of legal action should the ratepayer not adhere to the approved arrangement;
- i) As a result of Council entering judgment, debtors will automatically be listed on the Credit Reference Listing by credit listing bodies.
- j) Where legal action is unsuccessful and Rates and Annual Charges remain overdue for more than 5 years the property is to be sold by public auction in accordance with Section 713 of the Act, subject to a resolution of Council.

#### **4.3 Hardship Assistance**





Policy No. Number

All applications for Hardship Assistance must be made on the Hardship Rate Relief Application Form attached to this Policy. This form is also available from Council's website [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au) or Customer Service Centre.

**4.3.1 Assessment Process**

Upon receipt an applicant's Hardship Rate Relief Application will be assessed by the relevant Council Officers. If Council is satisfied it falls within a category of hardship, it has the discretion defer the payment, and write off any accrued interest at its sole discretion, subject to the following conditions:

In determining eligibility Council will use the criteria used by Centrelink for granting of a pensioner concession, including the assets and income test.

- a) The applicant must be the owner or part owner of the property and be liable for the payment of rates on the property.
- b) The property for which the hardship application applies must be the principal place of residency of the applicant/s.
- c) The property for which the hardship application applies must be categorised as "Residential" for rating purposes.
- d) The application for hardship must be accompanied with supporting documentation which may include but is not limited to:-
  - i) Reasons why the person was unable to pay the rates and charges when they became due and payable.
  - ii) Copy of recent bank statements for all accounts.
  - iii) Details of income and expenditure.
  - iv) A letter from a recognised financial counsellor or financial planner confirming financial hardship or in cases of sickness or injury a certificate from a registered medical practitioner.
- e) Application for hardship under Section 601 must be submitted within 3 months of the posting date of the rates notice in the first year of the General Revaluation for rating purposes.
- f) It is Council's intention that whilst rates will not be reduced or waived, Council has the authority to defer payment of rates for a maximum period of 2 years once a hardship application is approved. This ensures that Council's Rate revenue is protected. Where the application is approved and payment of the increased Rates is made in accordance with the arrangement, interest charges will be written off.
- g) This policy applies to all rateable owners whose land value has increased by more than the average increase for the particular rating category. An application to defer Rates payment due to hardship under Sec 601 is to be assessed based on:
  - i) The percentage increase in land value.
  - ii) The corresponding ownership interest in the ratable property;
  - iii) Any arrears of rates & charges at the time of application.

**4.4 Writing off of Rates, Annual Charges and Interest**

In the cases where Council determines to write off Rates, Annual Charges or Interest, the General Manager shall have a delegation to do so for an individual ratepayer to an



Policy No. Number

amount not exceeding \$10,000 per assessment and report such write off at a meeting of Council. Any amount above that may only be approved by Council resolution.

## **5 Authorisation**

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

It is effective from [insert date].

It is due for review on 31 December 2015.

## **6 Amendments**

This is a new Policy and this policy supersedes:

FIN-PL 510 – Rates and Charges Recovery Action which was originally authorised by Council on 27 March 2001 and superseded Policy no. 8.1.06 Rate Collections and Recovery authorised by Council on 14.8.1984

FIN – PL 515 Relief from Hardship Resulting from Land Valuation Changes which was originally authorised by Council on 31 May 1995 and superseded Policy 8.1.07 Relief from Rates Hardship authorised by Council on 7.2.1989.

## **7 Who is responsible for implementing this Policy?**

Chief Financial Officer

## **8 Document owner**

General Manager

## **9 Related Council Policies**

FIN-PL 511 – Rebate of Pensioners' Rates & Charges Policy

FIN-PL 525 – Pensioners' Kerb and Guttering Charges

## **10 Legislation and references**

Local Government Act 1993

Local Government (General) Regulation 2005

Civil Procedures Act 2005

Corporations Act 2001

Division of Local Government – Council Rating and Revenue Raising Manual

## **11 Definitions**

Arrangement	An agreement accepted by Council or its agents to repay a debt within a specific period of time.
Statement of Claim	Court issued document defining the amount due and the debt that is due to be paid. Debtors have 28 days from being served this document to lodge a defence.
Judgment	Court issued statement acknowledging the debt recorded against the debtor.
Garnishee	Court order to withhold funds from a debtors pay or bank account
Examination Order	Court issued order to have their financial affairs "examined" for the purposes of determining their capacity to make payments.
Writ	Court issued document identifying goods to be sold in order to liquidate the judgement debt.

Policy No. Number



## HARDSHIP RATE RELIEF APPLICATION FORM

Approved by the Director General of the Department of Local Government, in accordance with clause 135 of the Local Government (General) Regulation 2005 under the Local Government Act 1993.

### APPLICATION FOR HARDSHIP RATE RELIEF FOR THE WHOLE OR PART OF THE YEAR COMMENCING 1 JULY 20\_\_\_\_\_

*\*please answer all questions relevant to you using block letters and ticking appropriate boxes.*

Property Reference No. \_\_\_\_\_

I, \_\_\_\_\_  
(Full name in block letters)

of \_\_\_\_\_  
(Address)

telephone number \_\_\_\_\_ apply for a hardship relief on the basis of financial hardship.

(1) Do you receive any pensions or benefits? ☐ Yes ☐ No  
If Yes, please provide type of pension and amount received per fortnight.  
Pension: \_\_\_\_\_ Amount: \_\_\_\_\_

(2) Do you have a current Pensioner Concession card issued by the Commonwealth Government? ☐ Yes ☐ No

(3) Have you claimed a pensioner concession on any other property this year? ☐ Yes ☐ No

\_\_\_\_\_  
(4) Is this property your sole or principal place of living? ☐ Yes ☐ No  
The property for which I am claiming has been my sole/principal place of living since \_\_\_\_\_

(5) I am liable for the payment of rates and charges on this property, together with others as listed below. (If no others, write "SOLE OWNER") \_\_\_\_\_



Policy No. Number

Please provide details of all "other" persons indicated in Question 5. **(ALL OWNERS other than the applicant should be listed, including your spouse):**

Name	PCC Holder Y/N	Pension No	Date of Grant	Relationship to me (eg: spouse, father, co-owner etc)	Resident of Property Y/N	% of ownership

Evidence of joint ownership is attached/has been provided to council previously (circle whichever is applicable).

- (6) Is the property owned as shares in a company title? ☐ Yes ☐ No  
 If you do not own or rent the property, please explain why you are liable to pay the rates \_\_\_\_\_

- (7) Are there people living at the property other than those listed at Question 5? ☐ Yes ☐ No  
 How many people live at the property? \_\_\_\_\_

- (8) Please indicate who these people are?
- ☐ Self
  - ☐ Spouse
  - ☐ Children (State ages \_\_\_\_\_)
  - ☐ Boarders
  - ☐ Relatives
  - ☐ Other (please specify)

- (9) Do you own (either fully or partially) any other land or buildings? ☐ Yes ☐ No  
 If yes, list addresses.

\_\_\_\_\_

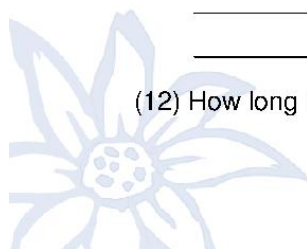
\_\_\_\_\_

\_\_\_\_\_

- (10) How many children do you support? \_\_\_\_\_ State ages \_\_\_\_\_

- (11) What is the cause of financial hardship? \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- (12) How long have you been experiencing hardship? \_\_\_\_\_





Policy No. Number

(13) Please state gross weekly amount received in dollars and cents from the following sources of income:

a) Pensions and benefits	\$ _____
b) Compensation, superannuation insurance or retirement benefits	\$ _____
c) Spouse's income	\$ _____
d) Income of other residents of the property	\$ _____
e) Employment Income	\$ _____
f) Family Allowance	\$ _____
g) Interest from banks/credit unions/building societies	\$ _____
h) Income from shares	\$ _____
i) Rent from other properties	\$ _____
j) Business income	\$ _____
k) Any other form of income	\$ _____
<b>Total</b>	<b>\$ _____</b>

(14) Please provide name and current balance of all bank, credit union or building society accounts held by you.

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(15) Please state details of fortnightly outgoings.

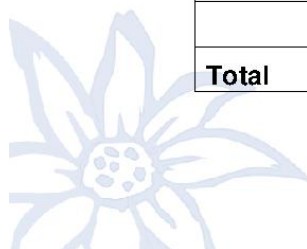
<b>Outgoing</b>	<b>Owed to</b>	<b>Amount</b>
Rent/Home Loan		\$ _____
Other Mortgages		\$ _____
Personal Loans/Hire Purchase		\$ _____
Health Costs		\$ _____
Council Rates and Charges		\$ _____

(16) Do you have any assets other than your principal home, including household contents, vehicles, land, furniture etc?

☐ Yes ☐ No

If yes, please provide details:

<b>Type of Asset</b>	<b>Estimated Value</b>
	\$ _____
	\$ _____
	\$ _____
	\$ _____
<b>Total</b>	<b>\$ _____</b>





Policy No. Number

Please attach a separate page with any other relevant information you feel may assist your application.

**\* Please include copies of any documents which may support your application, examples of which may include but are not limited to a Last Will and Testament, Documents from the owner showing you are responsible for paying the rates or showing you have life tenancy or a life lease etc.**

I hereby declare that the information provided is true and correct. **If you make a false statement in an application you may be guilty of an offence and fined up to \$2,200.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **IMPORTANT NOTICE CUSTOMER CONSENT**

For the sole purpose of authorising the council to confirm with Centrelink whether or not the detail I have provided to the council matches Centrelink or other Commonwealth portfolio department or agency records in relation to the current status of my Commonwealth Benefit:

I, \_\_\_\_\_ (full name) authorise the council to confirm with Centrelink the following details:

- Pension No.
- Name
- Address
- Postcode, and
- That I am a valid concessional card holder

I agree that, unless I revoke my consent, this Customer Consent record is a permanent consent, and may be relied on by the council until such time as I revoke it.

I may revoke this Customer Consent record at any time by giving the council written notice that my consent is revoked. I understand if I revoke this consent, I may not be eligible for the concession given by the council.

I acknowledge I have read and understood this Customer Consent record.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 Compliance with Section 10**

The information contained in this application form and any information requested for the purpose of assessing eligibility hardship relief for rate payments.

This information is required before your application for hardship can be processed.

The information is private and confidential and council must not disclose the information to any person or body if it is not directly related to the purpose for which the information was collected.

If you have a complaint about the use of your personal information, contact the Council's Public Officer. The information contained or referred to in this application form may be corrected and updated by you, by contacting the council.



<b>ITEM 6.6</b>	<b>INTERNAL OMBUDSMAN ANNUAL REPORT 2011-2012</b>
<b>REPORTING MANAGER</b>	<b>GENERAL MANAGER</b>
<b>TRIM FILE REF</b>	<b>2012/313129</b>
<b>ATTACHMENTS</b>	<b>1 IO Annual Report 2011-2012</b>

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**REPORT**

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**PURPOSE**

To present the annual report 2011/2012 for the Office of the Internal Ombudsman.

**REPORT**

See the attached annual report.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF GENERAL MANAGER**

That Council note the report.

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Office of the **Internal Ombudsman**  
Annual Report 2011 | 2012



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

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## Introduction

This Annual Report is delivered in accordance with the requirement of the Internal Ombudsman Guidelines<sup>1</sup> and reports on the various business functions and achievements of the Office of the Internal Ombudsman (OIO) for the financial year 2011/12.

The Internal Audit function, whilst contained within the OIO, is reported on separately in the Internal Audit Annual Report 2011/12.

This year's Annual Report has been expanded in order to provide further data and detail in relation to the activities of the OIO.

This year has been notable for an ongoing high level of complaints, although slightly lower than the previous year. A number of major investigations and enquiries have been conducted. Again, the recommendations issued by the OIO have been accepted by Council in almost all cases. Even more than last year, the other significant focus for the year has been the ongoing and enhanced educational work carried out, in particular maintaining the Code of Conduct program and committing significant extra resources to the recent program, "A Bully-Free Warringah".

Individual sections of this Annual Report discuss all these aspects in greater detail.



**Andrew Patterson  
Internal Ombudsman**

<sup>1</sup> The Internal Ombudsman Guidelines are publicly available on the OIO's website [www.warringah.nsw.gov.au/internal\\_ombudsman.htm](http://www.warringah.nsw.gov.au/internal_ombudsman.htm)



## Office of the Internal Ombudsman

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The Office of the Internal Ombudsman was established by Warringah Council in 2003. Warringah was only the third Council in NSW to establish an Internal Ombudsman function. At the

end of the reporting period, there were nine Councils in NSW with such a function, although precise functionalities, titles and responsibilities vary between the nine Councils.







## Office of the Internal Ombudsman

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### Staffing

The OIO has four (4) staff positions on its permanent establishment, being the Internal Ombudsman, one Assistant Internal Ombudsman, the Internal Auditor and the Executive Assistant (split into 2 part-time roles).

During the reporting period, the staffing was supplemented by temporary staff resources, including a second Assistant Internal Ombudsman and an Administrative Assistant due to the increased workload as well as staff departures.

The Internal Ombudsman reports directly to Council's General Manager for administrative purposes.

In relation to operational work, particularly investigative activities, the Internal Ombudsman is autonomous and independent of Council.

The way in which the Office conducts its activities is outlined in the Internal Ombudsman Guidelines, as well as various internal working documents and instructions.

### Functions

The OIO has a range of functions, both reactive and proactive in nature.

The key responsibilities for the Internal Ombudsman function are summarised below. Each key function is discussed in more detail later in this report.

#### **A: Complaint Handling**

The OIO handles complaints from the community and from staff relating to Council administrative processes, customer service standards and issues, and misconduct.

#### **B: Investigative Response**

The majority of complaints received warrant some form of action in response to them. This may be in the form of an enquiry, an investigation or a review, and this forms the reactive arm of this aspect of the function.

From a proactive perspective, the Internal Ombudsman can and does commence investigative activities of his "own initiative".

#### **C: Education**

The OIO has the lead role in Council for formally educating staff in relation to ethics and probity. This role comprises delivering training to staff in workshops, running general awareness sessions, and publishing educational materials.

#### **D: Advisory**

In addition to the educational role, the OIO regularly provides advice across all levels of Council, including the Councillors, in relation to ethical, probity and conduct issues.

#### **E: Interagency Liaison**

The OIO provides Council's primary liaison point for external oversight and investigative agencies, including the Independent Commission Against Corruption (ICAC), the NSW Ombudsman, the Division of Local Government (DLG) and the NSW Police.



## Office of the Internal Ombudsman

### Budget

The operating budget for the Office of the Internal Ombudsman, including the Internal Audit function, is detailed in the following table.

OFFICE OF THE INTERNAL OMBUDSMAN BUDGET 2011 / 2012	
Internal Ombudsman function	\$522,444
Internal Audit function	\$264,642*
<b>TOTAL</b>	<b>\$787,086</b>
<i>*Allocated as Corporate Overheads to Services that the Internal Audit function supports</i>	\$188,895

**Table 1: Office of the Internal Ombudsman Budget 2011 / 2012**





## Annual Business Summary

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### **A: Complaints**

The year saw a slight fall in the number of complaints, as compared to the 2010/11 year. However, the total figure remains well over 200 for the year, and this has a significant impact on the workload for the Office.

### **B: Investigations**

Investigations into serious misconduct and maladministration remained a core activity for the Office, and included the investigation into the conduct of an Executive Director, resulting in termination of employment for serious misconduct. Related investigations uncovered serious misconduct by other staff, including senior managers, in that business division. The year also saw the completion of the long running enquiry into the Queenscliff parking issues.

### **C: Education**

The Code of Conduct training program was continued during the year. However, the predominant resourcing in the educational area was dedicated to the workplace bullying program commenced in February 2010. "A Bully-Free Warringah" was the Office's main educational focus, and the feedback from across the organisation is that this program is making a genuine and important contribution to a healthier workplace culture.





## Complaints

Handling complaints is the predominant reactive function of the OIO. This section of the report provides data relating to the number and nature of the complaints, as well as the response of the Office in handling the complaints. "Complaints" is used to cover all matters reported to the OIO, including applications lodged under the *Government Information Public Access Act* (GIPA).

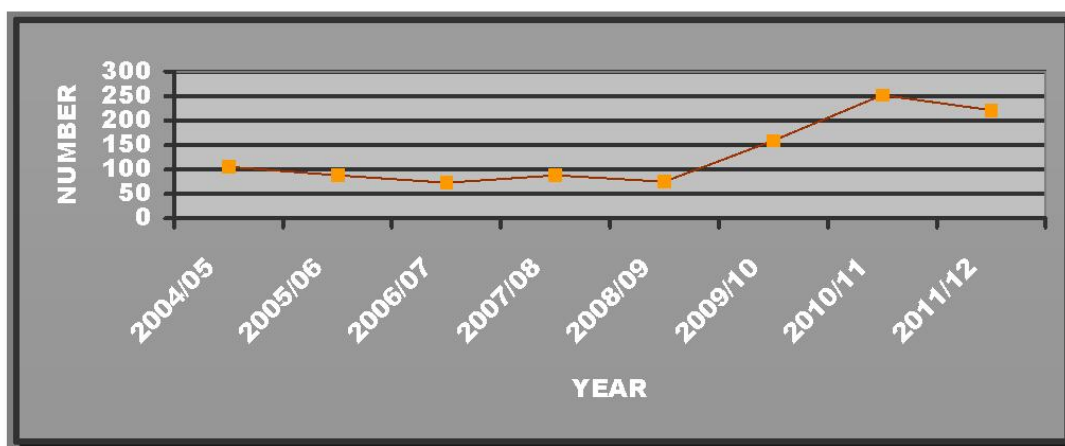
### Complaints Received

This financial year saw a slight decrease (12%) in the number of complaints made to the Internal Ombudsman, as illustrated in the table below.

NUMBER OF COMPLAINTS TO THE INTERNAL OMBUDSMAN								
FINANCIAL YEAR	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
<b>TOTAL COMPLAINTS</b>	105	88	73	88	75	159	252	221

**Table 2: Number of Complaints to the Internal Ombudsman**

The following graph illustrates the increasing trend in complaints received.



**Graph 1: Trend in Complaints Received since 2004**



## Complaints

As for the last financial year, it has been a significant challenge for the OIO to deal with the increased workload whilst maintaining adherence to the OIO customer service standards. This challenge has been exacerbated by resourcing issues within the OIO resulting in a lowering of productivity over several months.

Despite the challenges, it remains again pleasing to report that the OIO has been able to meet the high level of complaints without having to resort to declining complaints due to workload. However, the volume of complaints has again meant that timeframes have suffered to a degree. Through the ongoing support of the General Manager, temporary additional resources have continued to be utilised in order to maintain the effectiveness of the OIO function, and these will flow into the new financial year in order to continue to deal with complaints, without sacrificing the vital and increasing educational role of the Office.

SOURCE OF COMPLAINTS						
FINANCIAL YEAR	EXTERNAL	INTERNAL	IO INITIATIVE	COUNCILLORS	ANONYMOUS	TOTAL
2011/12	121	39	25	26	10	221
TREND	Down 45	Up 4	Up 1	Down 1	Up 10*	Down 31

**Table 3: Source of Complaints 2011 / 2012**

\* Anonymous complaints not listed separately last year.

## Responding to complaints

Complaints against Councillors and the General Manager are dealt with through the Conduct Review Committee (CRC) process (unless a complaint is declined or referred directly to an oversight agency).

All other complaints are the responsibility of the OIO. Complaints received by the OIO can be responded to in a number of ways.

The OIO may respond by declining a complaint, or by actioning it in the form of an Enquiry, an Investigation, or a Review.

All these response options will be discussed in more detail shortly, however the overall summary is shown in the table below.

RESPONSE TO COMPLAINTS						
FINANCIAL YEAR	DECLINED <sup>^</sup>	IO ENQUIRY*	IO INVESTIGATION	IO REVIEW	REFERRED TO CRC	TOTAL
2011/12	79	83	36	4	19	221

**Table 4: Complaints Categorised by Response**

<sup>^</sup> Includes withdrawn matters.

\* Includes GIPA applications.





## Complaints

### Closure Rates

Productivity of the OIO can be measured by analysing the closure rates of files actioned, as compared to the amount of complaints/matters received. Closure rates this year have been negatively impacted by the unstable staffing situation.

All actioned complaints are handled by the Internal Ombudsman and/or either of the Assistant Internal Ombudsmen.

The comparative closure rates for this financial year and the preceding two financial years are detailed in the table below.

CLOSURE STATISTICS			
	2009-2010	2010-2011	2011-2012
Total matters closed	150 (45 declines in period)	231 (106 declines in period)	181 (79 declines in period)
Matters closed (of actioned matters)	105	125	102
Staffing for period (FTE equivalent)	1.6	2	2.3
Closure rate per staff member	66 cases	62.5 cases	44.3 cases

**Table 5: Closure Statistics**

It is also useful, in terms of productivity, to monitor the number of matters remaining open at the end of a given reporting period. The table below details the number of open complaints at the end of the 2011/12 financial year as compared to the previous three financial years.

COMPLAINTS OPEN AT THE END OF THE PERIOD			
FINANCIAL YEAR	IO	REFERRED TO CRC	TOTAL
2008/09	24	1	25
2009/10	25	3	28
2010/11	39	11	50
2011/12	34	10	44

**Table 6: Complaints Open at the End of the Period**

The number of open complaints at the end of the year has fallen since the last reporting period. It is anticipated that this figure will fall further once the staffing of the Office is stabilised.



## Complaints

### Declining Complaints

The OIO, pursuant to its Guidelines, may decline complaints for a number of reasons. The principal reasons, and the associated figures for the year, are detailed in the table below.

ANALYSIS OF DECLINED COMPLAINTS	
REASON FOR DECLINING A COMPLAINT	2011/2012 NUMBER OF COMPLAINTS
Matter is premature – the relevant business area of Council has not had adequate opportunity to address the complaint.	45
Matter is outside jurisdiction.	12
Matter is frivolous, vexatious or not made in good faith, or concerns a trivial matter.	5
A remedy elsewhere exists or referral elsewhere is appropriate.	4
Insufficient information available to proceed.	1
Matter recorded as information only.	6
Matter withdrawn.	6
<b>Total</b>	<b>79</b>

**Table 7: Analysis of Declined Complaints**





## Complaints

### Nature of Complaints

The range of services provided by Council is vast, so it is no surprise that the variety of complaints received is considerable. The following table provides figures on the category of issue complained about.

TYPES OF COMPLAINT CATEGORIES	
ISSUE CATEGORY	2011/2012 NUMBER OF COMPLAINTS
Abuse of Office	4
Building - Approval Process and Procedures	15
Building - Other	10
Bullying/Harassment	25
Compliance - Failure to Enforce	11
Compliance - Infringement Notices	3
Compliance - Objection to Enforcement	6
Conduct Review Committee - Councillor	22
Conduct Review Committee - General Manager	6
Conflict of Interest	7
Corruption	20
Customer Service	18
Development and Assessment	8
Failure to Answer Correspondence/Respond to Phone Calls	8
GIPA Complaint	5
GIPA Request	5
Maladministration	7
Misconduct (NOT Bullying/Harassment)	32
Outside Jurisdiction	5
Reviews	4
<b>Total</b>	<b>221</b>

**Table 8 Types of Complaint Categories**

SUMMARY OF OUTCOMES						
DECLINED	SUSTAINED	NOT SUSTAINED	OTHER	CRC	ONGOING	TOTAL
79	18	47	34	19	24	221

**Table 9 Summary of Complaint Outcomes**





## Complaints

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Due to the significant organisational restructure mid way through the reporting year, the traditional breakdown this report provides annually about the areas of Council affected by complaints is not possible, as the data for the first half of the year is

not comparable with that from the second half. This breakdown will recommence in the next reporting year as it is anticipated that the new structure will be in place for the entire reporting year.





## Enquiries, Investigations & Reviews

The three active modes of response to complaints (excluding Councillor and GM complaints) are Enquiries, Investigations and Reviews. Additionally, any of these modes of response may be initiated by the Internal Ombudsman without a complaint, namely "own initiative" matters.

The three different modes of the investigative function all involve enquiry work in the ordinary meaning of the word "enquiry". The difference lies more in the nature of the matter being examined.

1. The term "investigation" tends to be reserved for those matters where it is likely that a disciplinary allegation could potentially be the result of the enquiries made.
2. The term "review" tends to be used for those matters where it is more the nature of a process being examined, and not the application of a process or other conduct.
3. All other matters therefore fall within the term "enquiry".

Naturally an "enquiry" may escalate into an "investigation", and, in theory, a "review" could develop into either an "enquiry" or an "investigation". All three modes of enquiry may potentially involve significant time and resources.

Councillor and GM complaints are reported on separately in the Conduct Review Committee section, starting on page 23 of this report

TOTAL COMPLAINTS RECEIVED 2011 / 2012				
FINANCIAL YEAR	TOTAL COMPLAINTS RECEIVED	DECLINED (Includes Withdrawn & Information Only Matters)	REFERRED TO CRC	REMAINING COMPLAINTS HANDLED BY OIO
2011/2012	221	79	19	123

**Table 10 Total complaints received 2011/2012**

The breakdown of the active matters and their outcomes are detailed in the following two tables.

MODE OF ACTIVE RESPONSE				
MODE OF RESPONSE	ENQUIRY	INVESTIGATION	REVIEW	TOTAL
2011/2012	83	36	4	123

**Table 11 Mode of Active Response**



## Enquiries, Investigations & Reviews

OUTCOMES OF IO MATTERS					
OUTCOME	NOT SUSTAINED	PARTLY SUSTAINED*	SUSTAINED	OTHER**	ONGOING***
2011/2012	47 (38.2%)	1 (0.8%)	17 (13.8%)	34 (27.6%)	24 (19.5%)

**Table 12 Outcomes of IO matters**

- \* Some matters involve more than one distinct aspect to a complaint. Therefore the end result might be that one aspect is sustained, whilst another aspect is not. Hence they are classified as "partly sustained".
- \*\* "Other" includes discontinued investigations, withdrawn complaints, reviews, GIPA requests, etc.
- \*\*\* Of the 123 matters actioned in the year, at the date of writing this Annual Report a number of matters were yet to be finalised. Hence they are classified as "ongoing".

There are a range of associated aspects to the investigative function which are of interest in terms of reporting. Recommendations arising from matters are discussed in a subsequent section, as are matters reported to the ICAC and the NSW Police.

The following 3 tables below detail the number of matters treated as Public Interest Disclosures within

the meaning of the *NSW Public Interest Disclosures Act 1994*, as well as those matters commenced as "own initiative" files, which is one measure of the proactive work of the Office.

The tables also list those matters where disciplinary allegations were served, including the finding in relation to those allegations.





## Enquiries, Investigations & Reviews

ASSOCIATED INVESTIGATIVE ASPECTS FOR MATTERS HANDLED BY THE IO OFFICE		
INVESTIGATIVE ASPECT	PUBLIC INTEREST DISCLOSURES	INTERNAL OMBUDSMAN OWN INITIATIVE
2011/2012	9*	25

**Table 13: Associated Investigative Aspects for matters handled by the OIO**

\* Only includes matters handled by the Internal Ombudsman's Office

PUBLIC INTEREST DISCLOSURES				
TOTAL PUBLIC INTEREST DISCLOSURES	REFERRED TO CONDUCT REVIEW COMMITTEE	REFERRED TO OVERSIGHT AGENCY	HANDLED BY INTERNAL OMBUDSMAN	TOTAL
2011/2012	2	1*	9	12

**Table 14: Public Interest Disclosures**

\* This 1 matter subsequently referred to the CRC.

DISCIPLINARY CASES					
DISCIPLINARY CASES	MATTERS SERVED	MATTERS SUSTAINED	MATTERS NOT SUSTAINED	MATTERS ONGOING	RESIGNATION BEFORE BEING SERVED
2011/2012	18 cases (15 staff)	13 cases (10 staff)	1 case (1 staff)	4 cases (4 staff)	12 cases (3 staff)

**Table 15: Disciplinary Cases**



## Recommendations

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One of the key facets to the work of any type of Ombudsman function is the making of recommendations in relation to system and process issues.

The OIO, with its function to enquire into Council's work and systems, has a solid history of making recommendations to Council's Executive Management Team in relation to improving practices and processes. Additionally, given the investigative function of the OIO in relation to misconduct allegations, recommendations for disciplinary action against staff may also result from the OIO's work.

It must be stressed that recommendations are just that, and they are not binding on Council. Council's General Manager and/or relevant Deputy General Manager may accept or not accept recommendations made by the Internal

Ombudsman. This year recommendations are again reported on by individual case. However, due to the organisational restructure reporting by business division has been suspended this year. As for last year, it is most pleasing to report that almost all of the recommendations issued by the OIO were accepted by the Council business divisions to whom they were issued. This reflects well on both the relevance of the recommendations and the willingness of Council to listen to the independent voice of the OIO. The table below reports on the recommendations made during the financial year.





## Recommendations

TOTAL INTERNAL OMBUDSMAN RECOMMENDATIONS MADE 2011 / 2012				
IO FILE	RECOMMENDATION TYPE	NUMBER OF RECOMMENDATIONS MADE	NUMBER OF RECOMMENDATIONS ACCEPTED	NUMBER OF RECOMMENDATIONS NOT ACCEPTED
971	System	1	1	0
1002	System	1	1	0
1003	Disciplinary	1	1	0
1004	System	2	2	0
1006	Disciplinary	1	1	0
1054	System	3	3	0
1054	Disciplinary	1	1	0
1061	Apology	1	1	0
1061	System	1	1	0
1097	Disciplinary	1	1	0
1131	Disciplinary	1	1	0
1240	System	2	Pending	Pending
1213	Apology	1	1	0
1213	System	1	Pending	Pending
1213	Guidance to staff	1	Pending	Pending
1181	System	1	0	1
1012	Disciplinary	1	1	0
865	Disciplinary	1	1	0
890	Disciplinary	1	1	0
1074	Disciplinary	1	1	0
1166	Disciplinary	1	1	0
1196	Disciplinary	1	1	0
1218	Disciplinary	1	1	0
<b>TOTALS</b>		<b>27</b>	<b>22</b>	<b>1</b>

**Table 16: Total Internal Ombudsman Recommendations made 2011 / 2012**





## Recommendations

### Disciplinary Recommendations

Disciplinary matters arising from misconduct investigations, where allegations have been found to be sustained, are worthy of their own reporting, as well as being included in the total figure.

It should be remembered that sometimes staff members facing disciplinary action may resign their employment before a disciplinary recommendation can be made. Similarly, after a disciplinary recommendation is made, but before disciplinary action is taken, a staff member may resign in lieu of disciplinary action. For the reporting purposes here, cases in the latter group are treated as the

recommendation being accepted by the General Manager.

The Internal Ombudsman, upon finding a disciplinary allegation to be sustained, will only recommend to the General Manager that "appropriate disciplinary action" be taken. The recommendation will never suggest what the actual disciplinary outcome should be – that is a decision entirely for the General Manager and Group Manager Human Resources. The table below details the sustained disciplinary matters for 2011/12.

SUSTAINED DISCIPLINARY MATTERS AND RECOMMENDATIONS 2011 / 2012	
Matters with sustained disciplinary findings	13
Disciplinary recommendations made	10
Disciplinary recommendations accepted	10
Matters where staff member resigned before recommendation could be made	0
Matters where staff member resigned before recommendation could be implemented	1

**Table 17: Sustained Disciplinary Matters and Recommendations 2011 / 2012**

It should be noted that a number of investigation matters of a disciplinary nature were still ongoing at the end of the period. Hence, a finding may have been made, but a recommendation not yet formally issued.

The above figures do not include those staff members who resigned whilst under investigation and before any finding had been made.





## Education, Ethics & Cultural Change

### Training

One of the fundamental aspects of an organisation's ethical tapestry is the education of its staff in relation to conduct and professional standards and behaviours. All public sector organisations are required to educate their staff in relation to their Codes of Conduct.

At Warringah Council, the OIO has the responsibility to deliver this educational function. All new staff must attend the training as part of their induction program. Existing staff are required to complete refresher Code of Conduct training every two years.

The delivery of training for the year is shown in the table below:

"A Bully-Free Warringah", a major educational initiative in relation to ethical workplace behaviour, has been the dominant focus of the OIO's educational efforts this year, with well over half the staff of Council having now completed this program. This training is a joint initiative with the Learning & Development Unit of Human Resources and is mandatory for all staff in Council. The positive impact on workplace culture is already starting to be felt according to feedback received from a variety of sources across Council.

ANNUAL TRAINING SUMMARY 2011 / 2012		
COURSE	NUMBER OF SESSIONS DELIVERED	NUMBER OF STAFF TRAINED
Code of Conduct	19	258
"A Bully-Free Warringah"	41	412

**Table 18: Annual Training Summary 2011 / 2012**

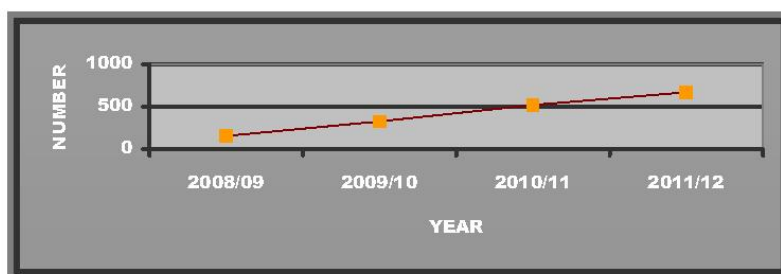
### Total Training Units

Given the commitment of the OIO to education as the primary tool in building and maintaining an ethical workplace culture, an additional measure of the OIO's productivity in this area has been devised. A "training unit" is defined as one staff member put

through one training program. Given that the OIO is involved in a number of training programs, especially over time, this new measure provides a common comparison point for the total training contribution by the OIO.

NUMBER OF TRAINING UNITS DELIVERED				
FINANCIAL YEAR	2008/09	2009/10	2010/11	2011/12
TOTAL TRAINING UNITS	156	326	520	670

**Table 19: Annual Summary 2011 / 2012**



**Graph 2: Trend in Training Units Delivered**





## Education, Ethics & Cultural Change

### Code of Conduct

The new Code of Conduct training program continued this year. The backlog of staff who were due for their two year refresher training unfortunately rose slightly. This was partly due to resources being prioritised towards the workplace bullying program, and partly due to the reclassification of some staff for mandatory training purposes. However, this backlog will be addressed in the next year.

Whilst the enhanced training commitment continued to draw heavily on the resources of the OIO, this expenditure of effort cannot be understated in its value. An ethical culture cannot be achieved without a concerted educational effort.

STAFF DUE FOR CODE OF CONDUCT REFRESHER TRAINING	
AUDIT DATE	NUMBER OF STAFF DUE
December 2009	369
May 2010	236
June 2011	43
June 2012	121

**Table 20: Staff Due for Code of Conduct Refresher Training**

CODE OF CONDUCT TRAINING – COMPARATIVE FIGURES		
FINANCIAL YEAR	NUMBER OF SESSIONS	NUMBER OF STAFF TRAINED
2008/09	13	156
2009/10	32	321
2010/11	28	375
2011/12	19	258

**Table 21: Code of Conduct Training – Comparative Figures**

It should be noted that this high level of training delivery was again achieved in addition to meeting the increased complaint-related workload. This remains a significant achievement for the OIO.





## Education, Ethics & Cultural Change

### Educational Publications

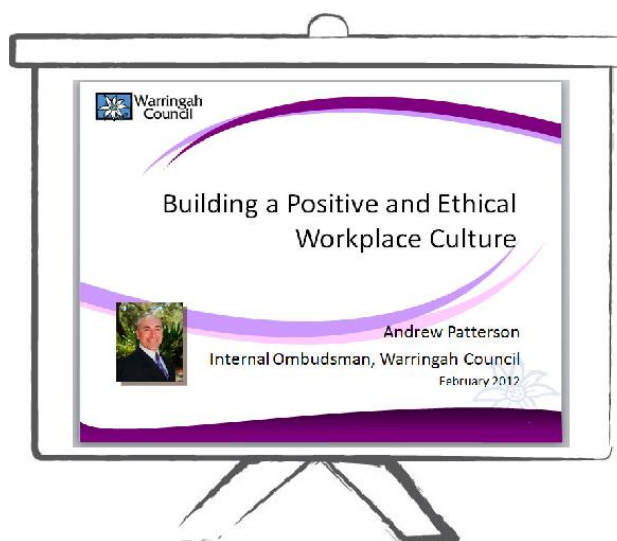
Another aspect of the OIO's educational role is the publication of educational material for staff. This was put on hold this year due to the demands of the face-to-face training programs.

### Future Developments

Aside from the ongoing commitment to the existing Code of Conduct and workplace bullying programs, the OIO will be becoming involved in the Customer Service training, following a specific request by the General Manager.

### External Conference Presentation

In November 2011 the Internal Ombudsman was invited by the ICAC to present at the Australian Public Sector Anti-Corruption conference in Fremantle, WA. The Internal Ombudsman delivered a paper on the current work being done at Council in relation to cultural change, entitled "Building a Positive and Ethical Workplace Culture". A similar paper was presented again in February 2012, following an invitation to present at a national Ethical Leadership conference held in Sydney. Again, these conferences allowed Warringah Council to showcase its anti-corruption and cultural change approaches.



**Presentation by Andrew Patterson, Internal Ombudsman – February 2012**



## Conduct Review Committee

Council's Code of Conduct (the Code) establishes a Conduct Review Committee (CRC) mechanism in order to deal with complaints which allege breaches of the Code by Councillors or the General Manager. These complaints are outside the jurisdiction of the Internal Ombudsman.

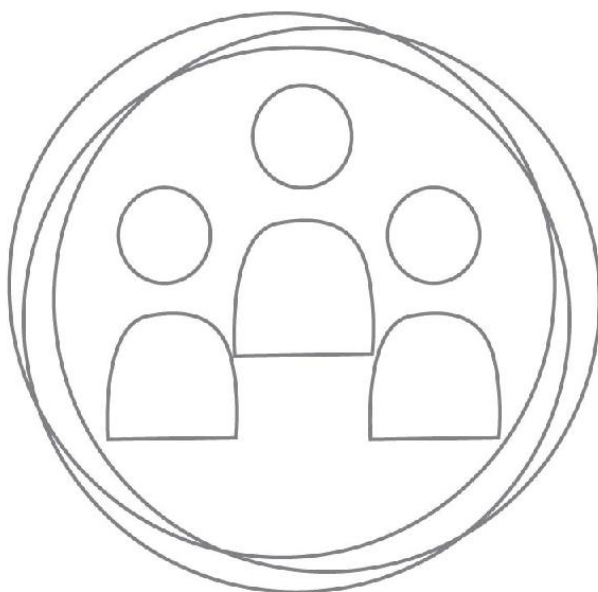
It should be noted that the role of the Internal Ombudsman in these complaints is simply to administer and coordinate the process.

After the 2008 Council elections the Conduct Review Committee Panel, a panel of appropriately qualified people external to Council, was established in order to provide for the functioning of the CRC. In late 2010 an additional Panel was established in order to meet the rising number of Councillor complaints. As at the end of this reporting period there are now fourteen people on the Panel available to deal with relevant complaints.

The CRC function can be performed either by a Committee of three members, or by a Sole Reviewer. The Code prescribes that certain matters must be dealt with by a full Committee. In all other matters the allocation to a Committee or a Sole Reviewer is decided on the circumstances of each case.

The noticeable trend over the 4 year life of this elected Council has been the growing use of this complaint mechanism, in particular by a small minority of Councillors. This unfortunate trend has resulted in significant expenditure for Council and therefore the ratepayers of Warringah.

The following tables summarise the figures for these complaints. Some complaints may be declined because they are recorded for information only or referred to an outside agency.





## Conduct Review Committee

COMPLAINTS AGAINST COUNCILLORS AND GM				
FINANCIAL YEAR	COMPLAINTS RECEIVED	AGAINST CLLRS	AGAINST GM	COMPLAINT ISSUES
2008/09	3	3	0	<ul style="list-style-type: none"> <li>- Offensive language / name calling (x 1)</li> <li>- Inappropriate behaviour (x 1)</li> <li>- Phone bill reimbursements (x 1)</li> </ul>
2009/10	10	10	0	<ul style="list-style-type: none"> <li>- Offensive language / name calling (x 3)</li> <li>- Inappropriate access to information (x 1)</li> <li>- Undue influence (x 1)</li> <li>- Inappropriate behaviour (x 2)</li> <li>- Breaching confidentiality (x 1)</li> <li>- Undisclosed conflict of interest (x 1)</li> <li>- Breaching Code of Meeting Practice (x 1)</li> </ul>
2010/11	19	16	3	<ul style="list-style-type: none"> <li>- Offensive language / name calling (x 4)</li> <li>- Inappropriate access to information (x 1)</li> <li>- Inappropriate behaviour/language (x 1)</li> <li>- Breaching confidentiality (x 1)</li> <li>- Undisclosed conflict of interest (x 5)</li> <li>- Attempt to interfere with Parliamentary privilege (x 2)</li> <li>- Biased/unfair treatment (x 2)</li> <li>- Provision of incorrect information (x 1)</li> <li>- Failure to act on Council Resolution (x 1)</li> <li>- Receipt of sexual services (x 1)</li> </ul>
2011/12	28	22	6	<ul style="list-style-type: none"> <li>- Undisclosed conflict of interest (x 6)</li> <li>- Biased/unfair treatment (x 2)</li> <li>- Offensive language / name calling (x 1)</li> <li>- Inappropriate behaviour (x 10)</li> <li>- Breaching media policy (x 3)</li> <li>- Corruption (x 1)</li> <li>- Misleading statements/information (x 4)</li> <li>- Maladministration (x 1)</li> </ul>

**Table 22: Complaints (against Councillors and GM)**

SOURCE OF COUNCILLOR / GM COMPLAINTS COMPARATIVE STATISTICS									
FINANCIAL YEAR	TOTAL COMPLAINTS	CRC RESPONSIBILITY						OIO RESPONSIBILITY	
		CLLR AGAINST CLLR	STAFF AGAINST CLLR	PUBLIC AGAINST CLLR	ANONYMOUS AGAINST CLLR	CLLR AGAINST GM	PUBLIC AGAINST GM	CLLR AGAINST STAFF	CLLR AGAINST PROCESS
2009/10	17	5	3	2	0	0	0	3	4
2010/11	36	6	2	4	4	2	1	11	6*
2011/12	46	4	1	9	8	4	2	11	7*

**Table 23: Source of Councillor / GM Complaints Comparative Statistics**

\* This includes GIPA applications.





## Conduct Review Committee

The Code provides for CRC complaints to be handled in a graduated manner. When the General Manager, or the Mayor in the case of a complaint against the General Manager, receives a complaint, the General Manager (or Mayor) can:

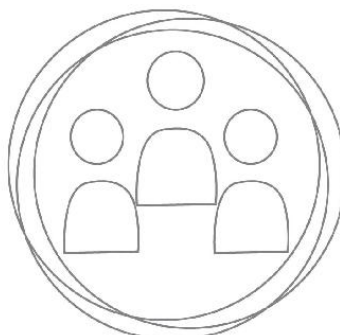
1. Decline the complaint.
2. Resolve it through alternative means such as mediation or informal discussion.
3. Refer it to another entity if necessary (e.g. the ICAC).
4. Allocate the matter to the CRC.

COMPLAINTS (AGAINST COUNCILLORS AND GM)					
FINANCIAL YEAR	TOTAL COMPLAINTS	DECLINED/ OUTSIDE AGENCY	ALTERNATIVE RESOLUTION	TO CRC FULL COMMITTEE	TO CRC SOLE REVIEWER
2008/09	3	1	1	0	1
2009/10	10	1	3	1	5
2010/11	19	3	0	0	16
2011/12	28	9	0	0	19

**Table 24: Complaints (against Councillors and GM)**

When a complaint is allocated to the CRC, the Committee or Sole Reviewer first makes an assessment of the matter to determine whether enquiry into the matter is warranted. If the determination is that no enquiry is warranted, then the matter is discontinued and returned to Council. Where it is determined that an enquiry is required, the Committee or Sole Reviewer proceeds to conduct that enquiry.

The finding is then reported to a meeting of Council. This is the case for all matters where enquiries are made, irrespective of whether the allegation is found to be sustained or not sustained. In relation to sustained complaints, it is then a matter for Council to decide upon appropriate sanctions. The following table illustrates the outcomes for complaints allocated to the CRC.





## Conduct Review Committee

OUTCOMES FOR COMPLAINTS ALLOCATED TO THE CRC					
FINANCIAL YEAR	COMPLAINTS ALLOCATED TO CRC	DETERMINED WITH NO ENQUIRY	ENQUIRY WITH SUSTAINED FINDING	ENQUIRY WITH NOT SUSTAINED FINDING	ONGOING
2008/09	1	1	0	0	0
2009/10	6	2	1	3	0
2010/11	16	6	3	2	3
2011/12	19	13	1	1	4

**Table 25: Outcomes for Complaints Allocated to the CRC**

The costs associated with the operation of the CRC comprise the payment of fees to the external CRC members for complaints handled, as well as the internal costs to Council of administering the CRC process.

The internal costs are generally absorbed by the OIO and the Corporate Lawyer. The table below details the external costs associated with the CRC.

CRC COMPARATIVE EXTERNAL COSTS		
FINANCIAL YEAR	COMPLAINTS ALLOCATED TO CRC	TOTAL EXTERNAL CRC COSTS (Figures rounded & Excl. GST)
2008/09	1	\$360
2009/10	6	\$10,330
2010/11	14	\$41,850
2011/12	19	\$83,310
TOTAL		\$135,850

**Table 26: CRC Comparative External Costs**

It should be noted that there are still seven (7) matters ongoing with Conduct Reviewers and three (3) additional matters that are completed but the invoices are yet to be received for payment. Therefore the figures above refer to only the actual dollar expenditure for the reporting periods.



## Oversight Agencies

The external agencies with some form of oversight role in relation to Local Government are the Independent Commission Against Corruption (ICAC), the NSW Ombudsman, and the Division of Local Government (DLG). All these agencies may receive

complaints about Council and may, if they determine that the complaints warrant further enquiry, either investigate the matters themselves or refer them to Council for investigation. The table below provides comparative figures, as available, for complaints made to the oversight agencies.

COMPLAINTS ABOUT WARRINGAH COUNCIL MADE TO THE OVERSIGHT AGENCIES			
FINANCIAL YEAR	ICAC	NSW OMBUDSMAN	DLG
2002/03	Not available	Not available	78
2003/04	Not available	Not available	19
2004/05	Not available	Not available	57
2005/06	Not available	9	23
2006/07	Not available	14	9
2007/08	11	20	12
2008/09	3	17	20
2009/10	6	13	10
2010/11	23	29	17
2011/12	15	26*	Not available

**Table 27: Complaints about Warringah Council made to the Oversight Agencies**

\* NSW Ombudsman figure is preliminary only.





## Oversight Agencies

It is pleasing to again report that there were no adverse reports or mentions made by any of the three oversight agencies regarding Warringah Council during the financial year.

In addition to complaints being made to the oversight agencies, there are occasions in which Council is legislatively obliged to report matters to the oversight agencies. There are also occasions where matters properly need to be referred to the NSW Police.

The OIO is responsible for preparing the required reports to the ICAC<sup>2</sup> (for the General Manager's signature) and also for referring any allegations involving criminal conduct to the NSW Police.

Council also has reporting obligations to the NSW Ombudsman in relation to child protection matters, but those matters are not handled by the Office. The table below summarises these external reports made by the Office.

REPORTS TO EXTERNAL AGENCIES 2011 / 2012	
Reports to the ICAC	23
Referrals to the NSW Police	0

**Table 28: Reports to External Agencies 2011 / 2012**



<sup>2</sup> These are reports of allegations of "corrupt conduct" as defined by the *ICAC Act*, and required to be reported by Section 11 of that Act.



## Probity & Conduct Advice

The OIO also serves as Council's point of reference for advice on all issues relating to probity, conduct and organisational integrity. This is a vital service as it provides staff and Councillors with an avenue to proactively seek advice on contentious issues they

face in their daily duties, thereby facilitating ethical decision making and conduct.

During the year, the OIO provided advice to staff and Councillors on a wide range of issues, including the following areas:

- ✓ **Conflicts of interest**
- ✓ **Gifts and benefits**
- ✓ **Use of Council equipment**
- ✓ **Email and Internet usage**
- ✓ **Lost property**
- ✓ **Tendering processes and associated probity issues**
- ✓ **Public Interest Disclosures**
- ✓ **Provision of information**
- ✓ **Recruitment and selection probity**
- ✓ **Bullying and harassment in the workplace**
- ✓ **Access to Council electronic data**
- ✓ **Communication with the public**
- ✓ **Workplace surveillance**
- ✓ **Fundraising**





## The Local Gov. Internal Ombudsman Network (LGION)

The OIO is a member of the Local Government Internal Ombudsman Network (LGION). The Internal Ombudsman and/or the Assistant Internal Ombudsman attend each LGION meeting.

An officer from the ICAC usually attends each meeting, and guests are sometimes invited from other agencies such as the NSW Ombudsman and the DLG.

The LGION is scheduled to meet on average on a quarterly basis and is a useful forum to discuss emerging probity issues in the Local Government sector as well as exchange information and methodologies for the performance of Internal Ombudsman functions.

During the financial year there were ten Councils with LGION membership, with one further Council (Shoalhaven) joining the group for the year to come.

- |                            |                            |
|----------------------------|----------------------------|
| • Auburn Council           | • Shoalhaven Council*      |
| • Burwood Council          | • Sutherland Shire Council |
| • City of Sydney Council*  | • Warringah Council        |
| • Hurstville City Council  | • Wollongong City Council  |
| • Ku-ring-gai Council      | • Wyong Shire Council      |
| • Parramatta City Council* |                            |

\* Parramatta, Shoalhaven and Sydney Councils do not have an Internal Ombudsman as such, however their governance functional areas have LGION membership at their request.





## The Year Ahead

This year has again proved challenging for the OIO, given the remaining high level of complaints, the significant ongoing commitment to education and training, and the resourcing issues for the Office.

The first priority for the new year is to stabilise the staffing situation for the Office, and at the time of writing recruitment is well underway. The General Manager has again demonstrated his unequivocal support for the Office and its work, and this is reflected in his support by way of providing resources as required.

The OIO's educational efforts, which are the key element to achieving lasting cultural change, will again continue to be made an absolute priority, with

particular emphasis on "A Bully-Free Warringah" program.

September 2012 will see a newly elected Council and it is expected the new Model Code of Conduct from the Division of Local Government will also be enacted at around the same time. It is hoped that this will reduce the making of Code of Conduct complaints by Councillors, thereby freeing up much needed resources for more productive work for the benefit of Warringah Council and the Warringah community.



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OFFICE OF THE INTERNAL OMBUDSMAN ANNUAL REPORT 2010-2011



## **7.0 COMMUNITY DIVISION REPORTS**

<b>ITEM 7.1</b>	<b>CONSIDER AN APPLICATION TO INCREASE OF SOCIAL GREEN FEES FOR WARRINGAH GOLF CLUB</b>
<b>REPORTING MANAGER</b>	<b>ACTING GROUP MANAGER BUILDINGS, PROPERTY &amp; SPATIAL INFORMATION</b>
<b>TRIM FILE REF</b>	<b>2012/302290</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To consider an application from Warringah Golf Club to have the ability to increase green fees for their golf course over the next two years.

#### **SUMMARY**

Warringah Golf Club last sought an increase in their green fees in July 2009 (School Children's Green fees in 2007) along with the introduction of a Seniors Cardholders fee for social play in September 2010.

These increases of fees, along with a decline in player numbers since that time, have not seen a great increase in revenue. However, the cost of maintaining and improving the course has increased over the same period of time by 6%.

The Club therefore seeks Council's consent to increase its green fees as required, in order to increase revenue and lessen the impact of rising costs over the next 2 years should the market allow for the increase.

The proposed increase in fees of approximately 10% since the last increase, is in line with CPI of 11% over the same period.

#### **FINANCIAL IMPACT**

Council will not see an increase in the rent we receive for the lease; as Council receives a base rent linked to CPI with a 3 yearly rent review. The current lease expires in June 2014.

#### **POLICY IMPACT**

There is no impact on Council policies, with the request from the Warringah Golf Club increase in fees being allowed for in the relevant policies of Council, subject to Council consent.

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

That

- A. Council approves the green fee increases for Warringah Golf Club Limited.
  - B. Warringah Golf Club Limited is required to provide reasonable and appropriate notification of any approved increase to golf course users.
-



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**REPORT**


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**BACKGROUND**

Warringah Golf Club last sought an increase in their green fees in July 2009 (School Children's Green fees in 2007) along with the introduction of a Seniors Cardholders fee for social play in September 2010.

These increases of fees, along with a decline in player numbers since that time, have not seen a great increase in revenue. However, the cost of maintaining and improving the course has increased over the same period of time by 6%.

The proposed increase in fees of approximately 10% since the last increase, is in line with CPI of 11% over the same period.

The Club therefore seeks Council's consent to increase its green fees in order to increase revenue and lessen the impact of rising costs over the next 2 years should the market allow for the increase.

Table 1 below sets out current Green Fees at Public Golf Courses within Warringah and proposed fees for Warringah Golf Club.

Course	Twilight	Current Fees 18 Holes (\$)		Current Fees 9 Holes (Long Reef & Mona Vale 10 holes)		Current Fees Pensioner/Senior Concession		Current Fees School Student/Junior Concession
		18 Holes	18 Holes	9 (10,11) Holes	9 (10,11) Holes	18 Holes	9(10,11) holes	18 Holes
		Week day	Weekend	Weekday	Weekend			
Long Reef Current	25	50	60	30	38	20		20
Mona Vale	25	39	55	27	31.5	29.5		7.5
Bayview	22	40	50	24	29	29/34	16/20	24/29
Wakehurst		38	44	25	25	29		25
Warringah	19	40	40	24	24	24/28	19	*8/25
<b>Proposed</b>	<b>23</b>	<b>44</b>	<b>44</b>	<b>28</b>	<b>28</b>	<b>29/32</b>	<b>23</b>	<b>*12/29</b>

\*School Children fees approved prior to 2007

**Table 1**

**CONSULTATION**

The proposal was sent to Parks, Reserves and Foreshores for their comment with no objection to the proposed increase.

**TIMING**

Should Council approve this recommendation the Club intends to increase the Public Green Fees when the market will allow giving reasonable and appropriate notification to users of the clubs facilities.

**FINANCIAL IMPACT**

Council will not see an increase in the rent we receive for the lease; as Council receives a base rent linked to CPI with a 3 yearly rent review. The current lease expires in June 2014.

**POLICY IMPACT**

There are two Council documents which need to be considered

- A Policy GOV-PL883 which allows for the increase in green fees for Council controlled golf clubs.

*2. Policy Statement*

*Council will consider public green fee increases for golf clubs in September/October of each year, with any increase to be effective from 1<sup>st</sup> January each year.*

*Should extenuating circumstances require, each Club may approach Council outside of this arrangement to receive special consideration for an increase in public green fees.*

In this instance given the last increase was 3 years ago it is recommended that the increase be considered now.

- B The lease contains a clause:

Clause 22 (a): *"The green fees chargeable to members of the public shall not exceed those approved annually by the Lessor on the Application of the Lessee."*



<b>ITEM 7.2</b>	<b>ADVISING NOTICES ONLINE</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER COMMUNITY</b>
<b>TRIM FILE REF</b>	<b>2012/306316</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To secure Council approval to write to the Premier and appropriate Ministers reviewing the Local Government Act to request a change to the current requirements for Council to advertise in print publications.

### **SUMMARY**

The State Government will be undertaking a review of the Local Government Act and EPA Act in the near future and Council seeks to make representations to change the requirements placed upon Local Government in various Acts and Regulations regarding advertising.

Councils are required under various Acts and Regulations to advertise in local and metropolitan newspapers on the adoption of policies, tenders, granting of leases and licenses, job advertisements, fees and charges, financial statements and development application consents to name a few.

The cost of regularly placing advertisements in newspapers is considerable and a large financial burden for councils. In 2011/12 Warringah Council advertised approximately 1,200 notices, which include notifications and advertising of application lodgements and post determination notifications. There is a significant level of non-response to notification / advertising.

Given the rapid advancement of digital communications and high consumer uptake of computers the mandated use of print advertising should be considered for legislative review and change.

### **FINANCIAL IMPACT**

There would be the potential to minimise expenses and also reduce community costs.

### **POLICY IMPACT**

No policies will need to be revised to write to the Premier, however if there are changes to the Local Government ACT several policies will need to be reviewed for potential amendments.

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

That the General Manager to write to the Premier, Hon Barry O'Farrell, the Minister for Planning and Infrastructure, Hon Brad Hazzard MP and the Minister for Local Government, Hon Don Page MP stating that:

- A. Council respectfully requests that in the review of the Local Government Act and EPA Act, the State Government give consideration to amending the Acts to give Councils the option of using either electronic means on the consent authorities websites or a newspaper to place post notices/advertisements.
  - B. If changes occurred Council would commit for an interim time period require a small notice
-

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to be placed in the paper stipulating how to look for the consents (i.e. refer to Council's website / go to Customer Service Centre).

- C. Council supports other NSW Councils requesting the elimination of mandatory print advertising.
  - D. Council would commit to other existing notification and consultation requirements.
-

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**REPORT**

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**BACKGROUND**

The State Government will be undertaking a review of the Local Government Act in the near future and Council seeks to make representations to change the requirements placed upon Local Government in various Acts and Regulations regarding advertising.

Councils are required under various Acts and Regulations to advertise in local and metropolitan newspapers on the adoption of policies, tenders, granting of leases and licenses, job advertisements, fees and charges, financial statements and development application consents to name a few.

The cost of regularly placing advertisements in newspapers is considerable and a large financial burden for councils. In 2011/12 Warringah Council advertised approximately 2,000 notices, which include notifications and advertising of application lodgements and post determination notifications.

In an age where, increasingly, people are turning more and more to the internet for information and news, it is not conducive to achieving the aims and objectives of public notification, to continue to insist on advertising notices in newspapers. In addition, the use of digital consultation methods has increased the number of submissions received and increased community participation in decision making.

Council respectfully requests that in the review of the Local Government Act, the State Government give consideration to amending the Act to give Councils the option of using either digital means or print to place advertisements.

**CONSULTATION**

There has been extensive internal consultation across the different divisions within the organisation and across other Councils.

**TIMING**

This resolution would be enacted by the 8th September 2012.

**FINANCIAL IMPACT**

There is a cost to the community and to Council of in excess of \$200,000 with a nett cost to Council of over \$20,000. Council already has a mechanism to post and advertise notices online which could be utilised.

**POLICY IMPACT**

No policies will need to be revised to write to the Premier, however if there are changes to the Local Government ACT several policies will need to be reviewed for potential amendments.





## **8.0 ENVIRONMENT DIVISION REPORTS**

<b>ITEM 8.1</b>	<b>ANNUAL REPORT 2011-2012</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/301492</b>
<b>ATTACHMENTS</b>	<b>1 Actions Behind Schedule (Excluded from Agenda)</b> <b>2 Annual Report 2011-2012; circulated separate to the Agenda</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To present the Annual Report 2011–2012 including the State of Environment Report 2010-2012.

#### **SUMMARY**

Council is required to prepare an Annual Report on its achievements against objectives and performance targets set out in the Strategic Community Plan 2011. The Annual Report 2011-2012 (circulated separate to the Agenda) details Council's financial position as well as achievements over the last 12 months to 30 June 2012 in delivering on actions in the document.

The Annual Report 2011-2012 is presented in two sections. Sections 1 to 5 are presented now while the Financial Statements (Section 6) are in a separate report to Council titled Draft General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2012 (Item 6.1). The audited statements are to be considered by Council on 23 October 2012 and will then be incorporated in the Annual Report and submitted to the Department of Premier and Cabinet – Division of Local Government.

The State of the Environment Report 2010-2012 is appended to the Annual Report. Amendments in October 2009 to the Local Government Act 1993 require the SOE be produced at the end of a council's term of office and report on environmental objectives in the Strategic Community Plan. This initial report reflects when the new requirements came into operation.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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

That:

- A. The Annual Report 2011–2012, sections 1 to 5 be received and noted..
  - B. The State of the Environment Report 2010–2012 (appended to the Annual Report) be received and noted.
-

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## REPORT

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### BACKGROUND

The Local Government Act 1993 (The Act) and The Local Government (General) Regulations 2005 (The Regulation) require Council to provide progress reports and an annual report on the implementation of the Strategic Community Plan 2011. The requirements are:

#### *Progress Report*

- The general manager to report at least every 6 months on the principal activities (16 key services) (s404(6) of The Act); and
- Council's responsible accounting officer to report quarterly a budget review statement (cl203(1) of The Regulation)

#### *Annual Report*

- The Council must prepare within 5 months of the end of the financial year an annual report on its achievements against objectives and performance targets set out in the Strategic Community Plan (s428 of The Act)
- The content of the annual report is detailed at cl217 of The Regulation

The Annual Report has been produced shortly after year end, as such a separate progress report on the June Quarterly Budget Review Statements has not been produced.

The Annual Report 2011-2012 is presented in two sections. Sections 1 to 5 are presented here while the Financial Statements (Section 6) are to be presented in a separate report to Council - Draft General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2012. The audited statements are to be considered by Council on 23 October 2012.

### Navigating the Annual Report

The Annual Report details our achievements over the 12 months to 30 June 2012 in delivering on the Community Strategic Plan.

During the year the Strategic Community Plan 2011 required the performance of 156 actions. Our progress in achieving the actions can be viewed at Section 3 of the Annual Report where they are aligned to the five Community Outcomes:

**Living Environment:** A community that values the natural environment protecting its health and diversity

**Living Communities:** A vibrant and diverse community supported by innovative services and effective communication with Council

**Living Spaces:** Safe outdoor spaces that are well maintained, accessible, sympathetic to the environment and meet the needs of the community

**Living Enterprises:** A strong local economy that provides employment and training opportunities

**Living Organisation:** An innovative and flexible organisation with strong leadership

Progress was monitored quarterly on 154 actions through the Quarterly Budget Review Statement – 82% of actions were completed or on schedule and 18% were behind schedule as at 30 June 2012. **Attachment 1** contains the actions behind schedule including the reason for the delay. The key reasons include additional consultation with affected stakeholders, technical issues with the project, insufficient funds for the works, or delays by other stakeholders. Of the projects behind schedule most have commenced and will be completed in 2012-2013.

A snapshot of the performance of our 16 key services is provided in Section 4, Service Highlights. It shows the performance of these key services against key performance indicators as well as detailing notable activities undertaken during the financial year.

Section 5, Statutory Returns, provides detailed responses to requirements relating to the following Acts and Regulations:

Local Government Act 1993

Local Government (General) Regulation 2005

Government Information (Public Access) Act 2009

Environmental Planning and Assessment Act 1979

While the Annual Report has been produced in a more timely fashion, not all measures in the report have been updated as some data is not available until later in the year. Interim figures have been used to provide an accurate estimation and as final data is made available the following measures will be updated on-line:

- Water quality - Beaches
- LGA Electricity Consumption
- LGA Water Consumption
- Educational Qualifications
- Housing Affordability
- Mode of Transport
- Road Safety
- Gross Regional Product

### **State of the Environment**

The State of Environment (SOE) report is incorporated into the 2011-2012 Annual Report and reports on progress towards achieving our environmental objectives in the Strategic Community Plan (SCP).

Previous SOE reports were compiled at a regional level by SHOROC. This is the first report produced following changes in October 2009 to the Local Government Act 1993 to implement a new integrated planning and reporting framework. The new reporting framework requires that the SOE be produced at the end of a council's term of office and report on environmental objectives in the Strategic Community Plan. This initial SOE covers the financial years 2010-2012, reflecting when the new requirements came into operation. Future SOE reports will cover the full four year Council term. The SOE report is against the 8 goals from the SCP relevant to the environment.

The SOE report shows good progress has been made against most environmental objectives over the last 2 years with a few notable exceptions. The overall success in relation to our environmental goals results from systematic and innovative approaches, effective partnerships and focused delivery on projects. A number of Council's sustainability projects have received industry recognition or awards. Council continues to build on these achievements, with recent initiatives or ongoing programs for each goal.

**TIMING**

The Annual Report 2011–2012 needs to be submitted to the Department of Premier and Cabinet, Division of Local Government, by 30 November 2012. The Annual Report will be available on the website after the audited financial statements are tabled at the October 2012 meeting of Council. Hard copies of the Annual Report 2011-2012 will not be printed.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

## Placeholder for Attachment 2

Annual Report 2011-2012

Annual Report 2011-2012; circulated separate to the  
Agenda





<b>ITEM 8.2</b>	<b>END OF TERM REPORT 2010-2012</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/307231</b>
<b>ATTACHMENTS</b>	<b>1 End of Term Report 2010-2012 Council Achievements (Excluded from Agenda)</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To report on progress on Outcomes, Goals and Strategies in the Strategic Community Plan (SCP), for the period 2010-2012.

### **REPORT**

This End of Term Report outlines Council's progress in implementing our Strategic Community Plan (SCP), addressing our "quadruple bottom line" sustainability by assessing progress towards our social, environmental, economic and civic leadership goals. The End of Term Report is in a separate attachment document.

Section 428 (2) of the Local Government Act 1993 requires that in the year in which an ordinary election of councillors is to be held councils must report achievements in implementing the community strategic plan over the previous 4 years. This provision was introduced as part broader amendments made to the NSW Local Government Act 1993 (assented to on 1 October 2009) reforming the way councils in NSW prepare and report on strategic/corporate plans and budgets. The legislation provided for a staged implementation and Warringah elected to implement the new framework as of 1 July 2010 when it adopted the Strategic Community Plan 2010.

As the new framework was adopted part way through the Council term, the End of Term Report covers a two year period from 1 July 2010 to 30 June 2012 against the goals in the Strategic Community Plan 2010.

Further direction on the End of Term Report has been provided by the Division of Local Government in Circular 12-06. The Circular states it must:

- Show progress using the SCP's performance measures and assessment methods
- Focus on initiatives that Council has direct influence over
- Outline impediments where objectives are not met and how these might be overcome in future
- Provide commentary about any unintended outcomes from actions taken to implement the SCP
- Submit the report at the final meeting of the outgoing Council.

Overall there is good progress against almost all of our 13 goals, and the community's overall satisfaction with Council has improved substantially in the last two years to 79%.

These results stem from Council's systematic and innovative approaches, effective partnerships and focused delivery on quality projects. All our strategies and plans have been developed with community engagement, evidence, best practice and sound decision-making. Eleven of Council's projects have received industry recognition or awards for their high quality, six of which were

awarded for our sustainability initiatives. Our financial health and asset management are also sound and set a standard in our region.

## **CONSULTATION**

The reporting of Council's achievements is largely based on the performance measures outlined in the SCP, including some results from annual community surveys. Other sources of community input include air quality complaints received by Council. As such community feedback is a consideration in many of our goals:

Goal 1.1 Indicator: Environmental friendliness

Goal 1.2 Indicator: Air quality complaints received by Council

Goal 2.1 Indicators: community connectedness and community safety

Goal 2.2 Indicator: Overall satisfaction with council's performance

Goal 3.1 Indicators: satisfaction with parks and recreation; and community pride

Goal 4.2 Indicator: Managing the impact of visitors

Goal 5.1 Indicator: Overall satisfaction with council's performance

The results of staff satisfaction surveys are also included in Goal 5.1 for staff satisfaction and wellbeing.

The report will be made available to the community on Council's website as an addendum to the Annual Report 2011-2012 as required by the Division of Local Government Circular 12-06. It will also be made available on Council's website.

## **FINANCIAL IMPACT**

Nil

## **POLICY IMPACT**

The End of Term Report will be one source of information considered by the new Council in developing the new Community Strategic Plan.

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

That the End of Term Report 2010-2012 be received and noted

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<b>ITEM 8.3</b>	<b>COMMUNITY STRATEGIC PLAN - COMMUNITY ENGAGEMENT STRATEGY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/239070</b>
<b>ATTACHMENTS</b>	<b>1 Community Strategic Plan - Community Engagement Strategy</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To endorse the Community Engagement Strategy for the new Community Strategic Plan (CSP).

### BACKGROUND

The Local Government Act 1993 requires councils to prepare a long-term Community Strategic Plan (10 years), mid-term Delivery Program (four years) and annual Operational Plan. In the year immediately following local government elections councils must undertake a comprehensive review of the Community Strategic Plan.

The legislative provisions and guidelines also require the preparation of a Community Engagement Strategy to support the development of new/revised plans. At a minimum, the Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods of engaging each group based on social justice principles of equity, access, participation and rights. Due consideration must also be given to the expected levels of services expressed by the community when preparing the Community Strategic Plan. (Local Government Act 1993 s402)

The proposed Community Engagement Strategy for developing the Community Strategic Plan is provided in **attachment 1**, and will be conducted over three stages, with periodical updates to Council on progress:

- Community visioning (Stage 1): An early visioning exercise that will guide the long term direction of the LGA. This commenced in May 2012 and will end in September 2012.
- Goal and Priority setting (Stage 2): The goal and priority setting which will consider the priorities for the Council term and the Operational Plan for the immediate year ahead. This will take place from October to November 2012.
- Development and exhibition (Stage 3): Public Exhibition of the draft CSP, Delivery Program and Operational Plan. This stage will take place from April to May 2013.

The proposed Community Engagement Strategy takes account of the mandatory requirements above and provides a detailed implementation schedule and identifying proposed methods, purpose and target audiences for engagement until May 2013.

### FINANCIAL IMPACT

The cost of the consultation outlined in the Community Engagement Strategy has been provided for in the Council's budget.

### POLICY IMPACT

The Community Engagement Strategy has been developed in accordance with Council's Community Engagement policy (PL520 Engagement) and the best practice framework developed by the International Association of Public Participation (IAP2).

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the proposed Community Engagement Strategy be adopted.

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# **Community Engagement Strategy**

## **Community Strategic Plan**

### **DREAM. CREATE. LIVE.**

#### **Introduction**

Council must develop a Community Strategic Plan (CSP) on behalf of the Warringah Community. The CSP is a 10 year, whole-of-community plan for the entire Local Government Area. The CSP is the basis for Council's Delivery Program and Operational Plan, which details the specific operational actions that Council will undertake to achieve the strategies and objectives in the CSP.

It must contain:

- A vision statement for the community
- High level objectives to be achieved over the 10 years
- Strategies that will achieve the objectives

The purpose of this Community Engagement Strategy is to outline how the Council will engage with the community. We have developed this engagement strategy to outline the specifics for this project, please see our Community Engagement Policy for more detail on our approach to engaging with the community.

Community engagement is about involving the community in decisions which affect them. It is critical in the successful development and implementation of acceptable policies and decisions and for improving services by being responsive to the needs of the community. Community engagement does not necessarily mean achieving consensus. However it does involve seeking broad informed agreement and the best possible solution for Council and the community.

#### **Purpose**

The CSP is community's aspirations for the future, Council's role is to facilitate discussions and reflect these aspirations in the document. This engagement strategy outlines how we are to have these discussions, with whom, and what the intended outcomes will be. The strategy also tries to identify any challenges that may be faced in gaining input from all sections of the community and all of the key stakeholders that need to be involved.



Council's approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation (IAP2).

The five levels of engagement are:

**IAP2 PUBLIC PARTICIPATION SPECTRUM**

**INCREASING LEVEL OF PUBLIC IMPACT**

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.

***Social Justice Principles***

Social Justice Principles include rights, equity, access and participation. The Strategy is designed to ensure that all members of the community have the opportunity to actively participate. The Strategy includes:

- A wide range of engagement methods which will allow us to reach a range of target groups.
- Engagement activities delivered in various locations across the Local Government Area to maximise access.
- Promotion of engagement activities through community media and local networks.
- Engagement information prepared in plain English.
- The delivery of additional engagement activities which directly target particular communities if there has been insufficient representation of a community group.

## Implementation Schedule

There are three stages to implementing the Community Engagement Strategy which are summarised below:

- Community Visioning
- Goal and Priority Setting
- Development and Exhibition

Stage 1 - Community Visioning				
When	Engagement method	Target Audience	Purpose	Reference to IAP2 Spectrum
May/June	Survey	General community (randomly selected)	To explore the vision for Warringah and identify current issues	Consult
June	Focus Groups	General community, (random and self selecting) Strategic Reference Groups, Youth		
August	Northern Beaches Business Expo	Business community	To explore the vision for Warringah and identify current issues.	Inform and consult
August/ September	Mail-out to households	General community,	To inform people on how to get involved	
	Local press advertisements	General community,	To raise awareness and inform people on how to get involved	Inform
	Website/Social Media/Multi-media	General community,	To raise awareness and inform people on how to get involved To explore the vision for Warringah and identify current issues.	Inform and consult
	Youth survey promoted via local schools and youth events	Youth	To explore the vision for Warringah and identify current issues. To inform people on how to get involved	Consult
	Community Outreach	Groups that are aged, disabled, culturally and linguistically diverse, or Aboriginal		Consult
	Listening posts - shopping centres and events	General community		Inform and consult
September/ October	Working parties	Strategic Reference Group representatives	Ensure that public aspirations are consistently understood and fairly reflected in the development of the vision and directions	Collaborate
October	Milestone achieved: Summary of stage 1 engagement			

<b>Stage 2 - Goal and Priority Setting</b>				
<b>Date</b>	<b>Engagement methods</b>	<b>Target Audience</b>	<b>Purpose</b>	<b>Reference to IAP2 Spectrum</b>
October	Councillor Workshop	Councillors	Clarify the vision and directions	Inform
	Mail-out to households	General community,	Clarify the vision, directions and set priorities	Consult
October/ November	Local press advertisements	General community	Update on the progress of the project Raise awareness and inform people on how to get involved	Inform
	Website/Social Media/Multi-media	General community,	Clarify the vision, directions and set priorities Plus project update and signpost to engagement	Inform and consult
	Listening posts - shopping centres and events	General community	Clarify the vision, directions and set priorities	Inform and consult
	Community Outreach	Groups that are aged, disabled, culturally and linguistically diverse, or Aboriginal	Clarify the vision, directions and set priorities	Consult
	Targeted feedback requests (letters and meetings)	Government agencies, SHOROC, adjoining councils	Clarification of Federal/State and Regional priorities. Identification of joint priorities and partnerships	Collaborate
November	Business Survey	Business community	Clarify the vision, directions and set priorities	Consult
	Community Workshops – one in each ward	General community	Clarify the vision, directions and set priorities	Consult
<b>December</b>	<b>Milestone achieved: Summary of stage 2 engagement</b>			
December/ January	Working parties	Strategic Reference Group representatives	Ensure that public feedback is consistently understood  Clarify priorities and information on vision and directions.  Test vision and priorities  Discussions about levels of service and resourcing.	Collaborate
February/ March	Councillor workshop	Councillors	Finalise preliminary content for Community Strategic Plan, Delivery Program and Operational Plan.	Collaborate
March	Summary of engagement outcomes uploaded to website	General community	Project update and notification of draft exhibition schedule	Inform
<b>March</b>	<b>Milestone achieved: Summary of the outcomes of engagement</b>			

<b>Stage 3 - Development and Exhibition</b>				
<b>Date</b>	<b>Engagement Method</b>	<b>Target Audience</b>	<b>Purpose</b>	<b>Reference to IAP2 Spectrum</b>
April/ May	Local press advertisements/ Website/ Social Media/ Multi-media	General community	Update on the progress of the project and inform people on how to get involved	Inform
April/ May	Community Outreach	Groups that are aged, disabled, culturally and linguistically diverse, or Aboriginal	Providing information on the draft Community Strategic Plan to generate feedback on the draft content	Inform and consult
April/ May	Listening posts - shopping centres and events	General community		
May	Strategic Reference Group	Strategic Reference Group representatives	Ensure that public feedback is consistently understood and reflected	Collaborate
<b>June</b>	<b>Milestone achieved: Adoption of completed Community Strategic Plan, Delivery Program and annual Operational Plan</b>  <b>(Ongoing community participation, contribution and awareness to its implementation)</b>			

### Relevant Stakeholder Groups

To ensure all perspectives are considered, the following stakeholder groups have been identified for targeted engagement:

<b>Key Stakeholder Group</b>	<b>Engagement Methods</b>
Youth	Youth Forum, Youth Focus Group, Youth Workshop
People from culturally and linguistically diverse backgrounds (CALD)	Outreach – Community support groups
Aboriginal and Torres Strait Islander people	Outreach – Community Support groups
Seniors	Outreach – Northern Beaches Seniors groups
State/Federal representatives	Direct stakeholder engagement
Councillors	Councillor briefings
Business community	Business survey, business workshops, attendance at Northern Beaches Business Expo
People with disabilities	Outreach – Disability organisations in Allambie Heights and community support groups

### **Challenges to engagement**

During the development of the engagement strategy the following risks to engagement were identified:

- Failure to engage hard to reach groups – targeted approach for these groups
- Incorrect facilitation style – employ different facilitation techniques
- Limited participation – range of opportunities and media to engage, use of Council staff to publicise and promote engagement, opportunities for varying levels of involvement
- Accessibility – Meet people in accessible, comfortable settings; option of both electronic and non-electronic forms of engagement; schedule engagement activities at different times

Management of these risks formed part of the project plan. The approach to engagement will be fluid to allow for additional activities if appropriate engagement is not achieved, and we shall be consulting with our stakeholders throughout the process on their preferred methods of engagement.

### **How do we know if the engagement strategy has been successful?**

A range of qualitative and quantitative measures will be used to assess the success of the engagement process. This will include:

- Formal submissions to Council
- Number of people attending face-to-face sessions
- Number of visitors to the Your Say Warringah CSP website
- Contributions people make at workshops, meetings and on-line forums
- Media coverage
- Number of questionnaire responses
- Attendance figures at focus groups and workshops
- Surveys of participants – have their views, visions, aspirations and priorities been heard and accurately recorded.

<b>ITEM 8.4</b>	<b>EXHIBITION OF ADDITIONAL FEES 2012-2013</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/292328</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To adopt these additional fees for 2012 – 2013.

#### **BACKGROUND**

Council approved the exhibition of proposed new fees for 2012-2013 on 26 July 2012. The proposed fees enable individuals or groups suffering financial hardship as well as groups staging one-off community events in limited circumstances to have fees waived (fee set at \$0.00). The waiving of fees for community events will be done in accordance with the Grants and Sponsorship Policy.

The proposed fees were advertised in the Manly Daily on 30 July 2012 and displayed at the Civic Centre Dee Why, libraries, and online. The exhibition and submission period closed on Monday 30 July, no submissions were received.

#### **FINANCIAL IMPACT**

The waiving of fees will be determined on a case by case basis and is not expected to have a significant financial impact.

#### **POLICY IMPACT**

The fees need to be established to give effect to Council's Grants and Sponsorship Policy which allows for value in-kind sponsorship for activities such as hiring of parks and community centres.

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

That the following fees be adopted for 2012-2013:

- A. Fee reduction for financial hardship – \$0.00
  - B. One-off venue hire for event that deliver broad community benefit - \$0.00
  - C. Provision of services to one-off event that deliver broad community benefit - \$0.00
-





<b>ITEM 8.5</b>	<b>PLANNING PROPOSAL TO AMEND WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/275511</b>
<b>ATTACHMENTS</b>	<b>1 Narrabeen Height of Buildings - Land Application Map (Excluded from Agenda)</b> <b>2 Letter from the Department of Planning and Infrastructure Dated 18 June 2012</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To report to Council the results of a staff investigation into various anomalies present within Warringah Local Environmental Plan 2011 (WLEP 2011) and to recommend resolution of these matters.

#### SUMMARY

WLEP 2011 was made on 9 December 2011. Since the making of WLEP 2011, Council has become aware of several anomalies within the plan.

It is recommended that Council resolve to prepare a Planning Proposal to correct the identified anomalies / errors and improve the operation of WLEP 2011.

#### FINANCIAL IMPACT

The work will be undertaken by staff within the existing budget allocation.

#### POLICY IMPACT

Various amendments to WLEP2011 and if required, amendments to the Warringah Development Control Plan (WDCP) to ensure that appropriate development controls apply to the subject land in accordance with the amending WLEP 2011.

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### RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Prepare a Planning Proposal for amending WLEP 2011 and refer this to the Minister for Planning and Infrastructure (Minister) that will:
  - a. Permit boat building and repair facilities in the IN1 General Industrial zone.
  - b. Delete "registered clubs" as a permitted use in the RE2 Private Recreation zone and
    - i. Zone Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club RE1 Public Recreation.
    - ii. 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.

- 
- c. 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.
  - d. Omit Lot 1 DP960506 from the Land Reservation Acquisition Map.
  - e. Map all properties listed within Schedule 1 Additional Permitted Uses of WLEP 2011.
  - f. Omit clause 6.1 Acid Sulfate Soils and insert the latest Model Local Provision 7.1 Acid Sulfate Soils.
  - g. Amend the Land Zoning Map to accurately record the boundaries of National Parks within the Local Government Area.
- B. Should the Minister require additional information to enable the amending WLEP 2011 to proceed, endorses Council staff to respond as required.
- C. Upon receipt of the NSW Minister for Planning and Infrastructure Gateway Determination, and in accordance with any directions contained therein, authorises the public exhibition and consultation requirements to progress the Planning Proposal.
- D. If the Minister supports the Planning Proposal, endorses Council staff to review and if required prepare amendments to the WDCP.
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## REPORT

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### BACKGROUND

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. The purpose of this Council report is to address the identified anomalies present within the plan.

### PLANNING PROPOSAL

The Planning Proposal is proposed to address the following matters:

#### **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 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 zone and hence should not have been included contrary to Council's stated intention.

Resolution of this issue in a way that meets Council's planning intentions and also meets the Department's requirements can be achieved as follows:

- Making registered clubs prohibited in the RE2 Private Recreation zone and adding the four existing registered clubs located on public land to Schedule 1 Additional Permitted Uses, thereby confirming their 'permitted' status (irrespective of whether they are zoned RE1 or RE2), or
- Making registered clubs prohibited in the RE2 Private Recreation zone and allowing the "Existing Use" provisions of Part 4 Division 10 of the Environmental Planning and Assessment Act to prevail (irrespective of whether the existing registered clubs located on public land are zone RE1 or RE2).

As a preferred option, it is recommended that the Planning Proposal:

- Deletes "registered clubs" as a permitted use in the RE2 Private Recreation zone, and
- Zones Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club RE1 Public Recreation, and
- Adds 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.

Alternatively, a Planning Proposal could as a least preferred option,;

- Delete "registered clubs" as a permitted use in the RE2 Private Recreation zone, and
  - 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, or
  - Allow the "Existing Use" provisions of Part 4 Division 10 of the Environmental Planning and Assessment Act to prevail.

## **Height of Buildings Map**

In translating WLEP 2000 into WLEP 2011 an error occurred on the Height of Buildings Map. 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 (see attachment 1). 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.

It is recommended that Council staff prepare a Planning Proposal to reduce the maximum building height of the said land from 11 metres to 8.5 metres on the Height of Buildings Map.

### **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. A subsequent mapping amendment is not required to the Land Zoning Map, as the land is zoned RE1 Public Recreation under WLEP 2011.

It is recommended that Council staff prepare a Planning Proposal to delete Lot 1 DP960506 from the Land Reservation 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.

It is recommended that Council staff prepare a Planning Proposal to map all properties listed within Schedule 1 Additional Permitted Uses of WLEP 2011 and identify the properties on the map by a numbering system that corresponds to the relevant item in Schedule 1.

### **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.

It is recommended that Council staff prepare a Planning Proposal to satisfy the request of the Department.

### **National Parks**

In preparing the Land Zoning Map, the boundaries of National Parks within the local government area were verified against the data source provided by the former National Parks and Wildlife Service. Since that time, the National Parks and Wildlife Division of the Office of Environment and Heritage has updated its data base. As a result, several anomalies exist within the Land Zoning Map.

Council became aware of such anomalies through a submission of the former Department of Environment and Climate Change during the public exhibition of WLEP 2011. At its meeting of 8 June 2012, Council resolved (at 4.1V(ii)) to address the 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:*

*(ii) Discussions with Department of Climate Change and Water regarding their advice on the revised boundaries of national parks.*

It is recommended that Council prepare a Planning Proposal to amend the Land Zoning Map to accurately record the boundaries of National Parks within Warringah.

## **TIMING**

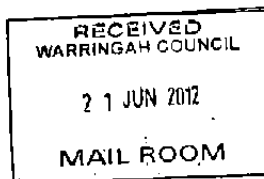
Following Council's submission of the Planning Proposal to the Minister, a Gateway Determination will be issued by the Minister (or delegate) and this will specify whether the Planning Proposal is to proceed and if so, in what circumstances. Hence, Council cannot predict the timing of this process as it is dependant on the Department.

## **CONSULTATION**

Consultation must be undertaken in accordance with the Gateway Determination. The Planning Proposal must be publicly exhibited for a minimum of 28 days and the Minister (or his delegate) may require Council to refer the Planning Proposal to public authorities for their consideration and comment. In addition to the required consultation under the Gateway Determination, it is recommended that in respect of the amendments to the Height of Building Map, Council notify all affected landholders in accordance with Council's Notification DCP 2012.

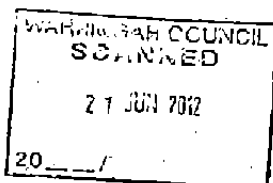
## **CONCLUSION**

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. It is recommended that action be taken to address the items mentioned in the report due to the potential risks associated in not reviewing council's planning instrument.

**Planning &  
Infrastructure****Office of the Director General**

Mr Rik Hart  
General Manager  
Warringah Council  
Civic Centre  
725 Pittwater Road Dee Why  
NSW 2099

11/15405



18 June 2012

Dear Mr Hart:

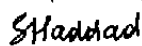
I am writing to you to inform you of a change to the Model Local Provision 7.1 *Acid sulfate soils*.

The Department has reviewed this clause and is clarifying 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. Also, additional information has been added to the "General Information" accompanying the clause to advise this.

As a result, the acid sulfate soils local provision will need to be revised at the time of your next housekeeping LEP in line with this advice, or via a Gateway proposal if council considers it necessary to amend the clause sooner.

Should you have any queries regarding the implementation of the revised clause, including in published LEPs, please contact your local office of the Department of Planning and Infrastructure.

Yours sincerely



Sam Haddad  
Director General



Note: The proposed edits are shown in blue.

## Model local clauses for Standard Instrument LEPs

### General Information

The Acid sulphate soils - Planning maps can be downloaded from  
<http://www.canri.nsw.gov.au/download/>.

An addition to this clause will be needed in sugar cane areas. Please contact the Department for details.

If the works involve the disturbance of more than 1 tonne of soil a development application is required.

If the work or works are likely to lower the water table, a development application is required.

Works may include, but are not limited to those which occur in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations or flood mitigation works.

Development consent is *not* required under clause 7.1(6) *only* in instances where both criteria specified are met (i.e. where the works involve less than 1 tonne of soil disturbance *and* where the works are not likely to lower the watertable).

### 7.1 Acid sulfate soils [local]

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
- (2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land	Works
1	Any works.
2	Works below the natural ground surface.  Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface.  Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface.  Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height

Datum on adjacent Class 1, 2, 3 or 4 land.

- (3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the *Acid Sulfate Soils Manual* and has been provided to the consent authority.
- (4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:
  - (a) a preliminary assessment of the proposed works prepared in accordance with the *Acid Sulfate Soils Manual* indicates that an acid sulfate soils management plan need not be carried out for the works, and
  - (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.
- (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):
  - (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
  - (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
  - (c) minor work, being work that costs less than \$20,000 (other than drainage work).
- (6) Despite subclause (2), development consent is not required under this clause to carry out any works if where both of the following criteria are met:
  - (a) the works involve the disturbance of less than 1 tonne of soil, ~~such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations or flood mitigation works, or~~ and
  - (b) the works are not likely to lower the watertable.
- (7) Clause 10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* does not apply to development that requires development consent under this clause.

**Drafting direction.**

Subclause (7) will need to be amended when the proposed Exempt and Complying SEPP commences.



<b>ITEM 8.6</b>	<b>ASSET MANAGEMENT POLICY</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2012/282887</b>
<b>ATTACHMENTS</b>	<b>1 Asset Management Policy</b>

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**EXECUTIVE SUMMARY**

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**PURPOSE**

To seek Council's endorsement of a revised Asset Management Policy.

**SUMMARY**

At its meeting on 26 June 2012, Council resolved to publicly exhibit a revised draft Asset Management Policy (GOV-PL550). The draft Asset Management Policy was publicly exhibited for a period of fourteen (14) days. One (1) submission was received. It is recommended that Council adopt the revised Asset Management Policy.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

This Policy replaces Council's current Asset Management Policy (GOV-PL550).

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That Council adopt the revised Asset Management Policy.

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**REPORT**

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**BACKGROUND**

Council's Asset Management Policy was reviewed and updated to comply with the Division of Local Government's Integrated Planning & Reporting requirements and the statutory requirements of the Local Government Act 1993.

At its meeting on 26 June 2012, Council considered a report regarding the revised Asset Management Policy (GOV-PL550) and resolved to publicly exhibit the revised Policy for a period of fourteen (14) days.

In accordance with Council's resolution, the draft revised Asset Management Policy was publicly exhibited for a period of fourteen (14) days. One submission was received during the exhibition period. The submission did not relate specifically to the draft Asset Management Policy that was exhibited and provided more general comments about the need for the community to support non-profit local organisations. Whilst the comments made are acknowledged and supported, no changes were required to be made to the draft Asset Management Policy.

It is recommended that Council adopt the revised Asset Management Policy.

**CONSULTATION**

In accordance with Council's resolution on 26 June 2012 and Council's Policy Development and Management Policy (PL910), the revised draft Asset Management Policy was exhibited for a period of fourteen (14) days from 30 June 2012 to 13 July 2012.

Notifications of the public exhibition were placed in the local newspaper and on Council's website. In addition, the draft revised Asset Management Policy and associated documentation was made available and displayed at Council's Administration Centre and at Council's libraries.

No changes have been made to the exhibited version of the Asset management Strategy.

**TIMING**

Subject to the endorsement of Council, the Asset Management Policy will come into effect immediately and be Council's framework for the management of its assets.

**POLICY IMPACT**

This Policy replaces Council's current Asset Management Policy (GOV-PL550)

**FINANCIAL IMPACT**

Nil

## **Warringah Council Policy**

### **Policy No. GOV - PL 550**

### **Asset Management Policy**

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

- To provide a broad framework, guidelines and principles for implementing consistent and coordinated asset management processes throughout Council.
- To ensure that the management of Council's assets is consistent with Council's Corporate Vision, Goals and Objectives.
- To ensure that a sustainable approach is adopted in the provision and management of Council's assets.

#### **2 Background**

Council is the custodian of a large number of physical assets that support core business, which is the delivery of service to the community. Council is committed to implementing a systematic asset management methodology to facilitate best practice asset management processes across all areas of Council.

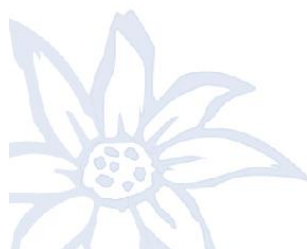
In its commitment to manage assets in accordance with recognised best practice, Council regularly reviews and updates its Asset Management Plans, Policies and Procedures. Council endorsed an Asset Management Policy (GOV-PL 550) on 23 November 1999 which superseded Council's Asset Management Policy MG-PL 704. Council's current Asset Management Policy (GOV-PL 550) has been reviewed and updated to ensure compliance with the Division of Local Government's Integrated Planning and Reporting requirements and to ensure consistency with the criteria set by the National Framework for Asset Planning and Management.

#### **3 Commitment to Asset Management**

Council is committed to managing its assets in accordance with recognised best practice. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's current priorities for service delivery, as identified in Council's Community Strategic Plan. Council will review and manage its assets in accordance with the principles of this Policy.

#### **4 Asset Management Framework**

To facilitate best practice and effective asset management, Council has established a framework for asset management that promotes clear linkages between the Asset Manager, the Service Provider and the Provider of Maintenance Services. Asset Management shall embrace a "Whole of Council" approach and apply to all assets managed by Council, with Council responsible for delivering sustainable services to the community.



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The eight (8) key components of Council's Asset Management Framework are as follows:



1. Asset Management Policy

The Asset Management Policy provides a broad framework, guidelines and principles for implementing consistent and coordinated asset management processes throughout Council.

2. Asset Management Strategy

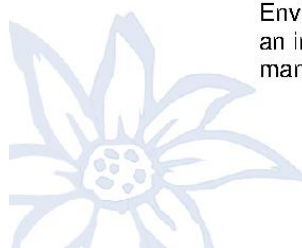
The Asset Management Strategy is Council's high level, 10-Year Action Plan to deliver the Asset Management Policy. The Asset Management Strategy analyses the current situation, specifies asset management objectives and articulates how Council will achieve these objectives. Council is required to prepare a Community Strategic Plan every four years and the Asset Management Strategy will be reviewed every four years to ensure consistency with Council's Community Strategic Plan.

3. Asset Management Plans

Long term asset management plans, for all of Council's major asset classes, will identify agreed Levels of Service (LOS) and costs to deliver services now and in the future (20 year Plans). There will be consistency between Council's Major Asset Management Plans and the Strategic Delivery Program that is contained within Council's Community Strategic Plan.

4. Strategy Documents

Council has prepared a large number of strategy documents that provide long term guidelines and strategic directions for Council (e.g. Recreation Strategy 2009 and Environmental Sustainability Strategy 2012-2022). These Strategy documents provide an invaluable insight into current and future trends and assist in determining asset management priorities.





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5. Enterprise Risk Management Policy

In compliance with Australian Standards, Council has developed a Enterprise Risk Management (ERM) Policy which encourages a coordinated approach across the organisation to manage risks, leading to a well-defined strategic, operational and project related risk actions. Council will continue to review its methods and processes for the management of risk and adopt a proactive and strategic approach in the identification of events that have the potential to compromise Council in achieving its Corporate and Community Objectives. All of Council's Major Asset Management Plans will incorporate risk management strategies.

6. Workforce Management Plan

Council's Asset Management Plans will provide information to support the Workforce

Planning process in keeping with Council's long term commitment to good asset management practice. An emphasis will be on training to support people in their roles, retain corporate knowledge, and facilitate business excellence.

7. Financial Plan

Council's Asset Management Plans will provide information and data required to prepare long term financial forecasts regarding asset management and service sustainability. This information will be used to inform Council's Long Term Financial Plan.

8. Asset Management System

Asset management software has been installed to support the efficient and effective delivery of Council's service obligations, the delivery of critical data for long term financial and workforce management planning, and provide for continuous improvement in asset management by monitoring adherence to legislative requirements and agreed standards. The system will monitor the progress of all key asset management functions and monitor the condition of all key assets and provide a condition report annually in accordance with legislative requirements.

**5 Principles**

To ensure that all decisions and actions relating to asset management are conducted in accordance with best practice and in a consistent manner, Council has adopted eight (8) Key Principles for the management of its assets, as follows:



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August 2012

Version 1

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**1. Full Life Cycle Costing**

Full life cycle costs will be used as the basis for decisions on asset maintenance and asset selection, acquisition, renewal, replacement and disposal.

**2. Best Practice & Statutory Compliance**

Asset Management Plans will be developed that will ensure systematic and appropriate asset management best practice is implemented throughout Council and ensure compliance with statutory requirements.

**3. Consistency with Council's Community Strategic Plan**

Council's Asset Management Plans will be aligned to the Community Strategic Plan and the Long Term Financial Plan.

**4. Defined Service Levels**

Service levels will be defined by the community consultation and engagement processes, in accordance with Council's Community Engagement Policy, and will be reflected in Council's Asset Management Plans.

**5. Risk Assessment & Asset Condition Review**

Council's Asset Management Plans will include initiatives to reduce the exposure to asset failure by the continued application of risk management and asset condition assessment. The need for regular condition assessment is mandated in legislation.

**6. Systematic and Cyclic Reviews**

Systematic and cyclic reviews will be applied across all asset classes to ensure that the assets are managed, depreciated and valued in accordance with appropriate best practice and applicable Australian Standards.

**7. Continuous Improvement & Business Excellence**

Council will undertake 'Continuous Improvement' and pursue 'Business Excellence' to ensure that Council identifies opportunities to improve processes and procedures, and implements best practice across the organisation. It is imperative that Council continues to explore opportunities to improve its asset management processes.

**8. Annual Reporting**

Current asset performance and future life cycle costs will be reported as part of the decision making process for new services and upgrading of existing services (assets). Council's Long Term Financial Plan will encompass all cost elements explored under lifecycle costing and assist in the preparation of Council's annual budget process. A measurement of overall sustainability will be made and reported annually as part of the monitoring process for good asset management practice.

**6 Authorisation**

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

It is effective from **[insert date]**.

It is due for review in June 2016.

**7 Amendments**

This Policy was last amended in February 2003.



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

The elected Council, Executive Management Team, and Service Unit Managers are responsible for ensuring the application of this Policy.

**9 Document owner**

Deputy General Manager – Environment.

**10 Related Council Documents**

- a) Warringah Council Asset Management Strategy 2013 - 2023 [Adoption date to be inserted following CSP finalisation June 2013 in accordance with the dlgs requirements]
- b) Warringah Council's Asset Management Plans.
- c) Warringah Council Community Strategic Plan 2011.

**11 Legislation and references**

- a) Local Government Act 1993.
- b) Planning and Reporting Manual for Local Government in NSW 2010 (dlg).
- c) International Infrastructure Management Manual 2011.
- d) National Framework for Asset Planning & Management.
- e) Warringah Council Community Engagement Policy (PL520).
- f) Warringah Council Community Engagement Toolkit (February 2011).
- g) Warringah Council Community Engagement Matrix (as amended November 2011).

**12 Definitions**

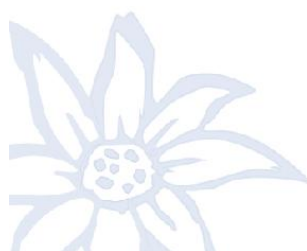
**Critical Assets:** Those assets that are likely to result in more significant financial, environment and social cost in terms of impact on organisational objectives.

**Major Asset**

**Management Plans:** Council's major Asset Management Plans include the following:

- Building;
- Roads;
- Stormwater;
- Parks, Reserves and Foreshores.

**Physical Assets:** An item that has potential value to Council such as plant, machinery, and buildings.





<b>ITEM 8.7</b>	<b>REQUEST TO REVOKE DANGEROUS DOG ORDER</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER DEVELOPMENT ASSESSMENT &amp; COMPLIANCE</b>
<b>TRIM FILE REF</b>	<b>2012/271996</b>
<b>ATTACHMENTS</b>	<b>1 Dangerous Dog</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To seek a resolution from Council to revoke a Dangerous Dog Order.

#### **SUMMARY**

A request has been made by the owner of a dog residing in Warringah LGA to have a Dangerous Dog Order revoked. The Dangerous Dog Order was made by Warringah Council on 10 April 2007 after the dog bit a female neighbour on her arm.

The owner of the dog has resided at the same address for 36 years and the dog has lived at the this property for 11 years. The owner believes that the dog is not dangerous as defined by the Companion Animals Act, 1998 and has had the dog assessed by a qualified behavioural assessor. The findings of this assessment were in the dog's favour as not being a dangerous dog.

A Dangerous Dog Order can only be revoked by a resolution of Council. Council must be satisfied that it is appropriate to revoke the order before doing so.

#### **FINANCIAL IMPACT**

There is no financial cost to Council.

#### **POLICY IMPACT**

Section 3.11 of the Compliance Policy PDS-PL 120 applies to dog attacks and dangerous dogs. The application to have the Order revoked is in line with policy procedures.

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

That Council revokes the Dangerous Dog Order on the dog 'De Beer', Microchip No. 985100005413933.

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**REPORT**

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**BACKGROUND**

A dog owned by Mrs Audrey Woolmer residing within the Warringah Local Government Area was declared dangerous by Warringah Council in April 2007 following an alleged minor attack on a female neighbour. The dog's name is De Beer, Microchip No. 985100005413933 and is a male Tri Colour Miniature Bull Terrier.

Legislation within the Companion Animals Act, 1998 contains the power for Councils to declare a dog dangerous under certain circumstances.

Under the legislation a dog can be described as dangerous if it:

- a) has, without provocation, attacked or killed a person or animal (other than vermin), or
- b) has, without provocation, repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin), or
- c) has displayed unreasonable aggression towards a person or animal (other than vermin), or
- d) is kept or used for the purposes of hunting.

Once a dog is declared dangerous the owner must comply with a number of control requirements which include:

- The dog must be desexed.
- The dog must be kept in a fully enclosed enclosure of not less than 10 square metres that is built in such a way that the dog cannot dig or otherwise escape. It must also be designed to prevent children having access to the enclosure. Strict guidelines apply.
- The dog must not at any time be in the sole charge of a person under the age of eighteen (18) years.
- The dog must wear a distinctive collar and must be kept on a lead and muzzled whenever it is outside the enclosure.
- Transfer of ownership of dangerous dogs is also prohibited.

Under Section 39(1) of the Companion Animals Act, 1998, the owner of a dog that has been declared dangerous can apply to the Council of the area in which the dog is ordinarily kept (whether or not it is the Council that made the declaration) for the declaration to be revoked. This application cannot be made until twelve (12) months after the dog was declared dangerous.

A Dangerous Dog Order can only be revoked by a resolution of Council. Council must be satisfied that it is appropriate to revoke the Order before doing so.

**CURRENT SITUATION**

The dog is currently 11 years old and due to his age spends most of his time contained inside the house. He has resided at the same property within the Warringah LGA for the entire 11 years in which time the owner has complied with the requirements of the Dangerous Dog Order.

Mrs Woolmer feels that the dog is not dangerous nor a threat to the community as defined by the Companion Animals Act, 1998 and has had the dog assessed by a qualified independent Behavioural Assessor. The Assessor, Steve Austin is well regarded by Council staff and is known



and used by Warringah and other Councils as well as companies such as Energy Australia to train employees in how to handle situations when dealing with dangerous dogs.

The assessment by Steve Austin states that the dog is very quiet and stable and shows no form of aggression in any form in any situations.

As a result of the favourable assessment, Mrs Woolmer has applied to Council to consider revocation of the Dangerous Dog Order. The attachment contains the submission made by Mrs Woolmer which includes the Behavioural Assessment completed by Steve Austin.

**TIMING**

To be effective immediately.

**POLICY IMPACT**

There is no financial cost to Council.

**FINANCIAL IMPACT**

Section 3.11 of the Compliance Policy PDS-PL 120 applies to dog attacks and dangerous dogs. The application to have the Order revoked is in line with policy procedures.

**RECOMMENDATIONS**

Based on the considerations of the circumstances of the attack, the professional behavioural assessment, the age of the dog and the fact there have been no incidents of aggression since, it is therefore recommended that Council revokes the Dangerous Dog Order on 'De Beer' Microchip No. 985100005413933.





Name of K9 DeBEER  
BREED BULL TERRIER



dlg

OWNER MRS A WOODWARD



### Temperament Assessment Checklist

The approved temperament assessor MUST:

- COMPLETE and sign this checklist after each assessment.
- SEND a copy of this checklist to both the owner of the assessed dog AND the council which issued the Notice of Intention to Declare Dog a Restricted Dog within 3 working days of the date of the assessment.
- RETAIN a copy of this checklist for their record with the White copy of the completed statement.

**Pre-Assessment** (please indicate 'yes' or 'no')

1	Dog was assessed in a neutral environment that is consistent with the environment where the dog is ordinarily kept	YES
2	Dog was assessed in a controlled area free from unreasonable distraction and influence	YES
3	Identity of the animal being assessed was verified by using a multi-read microchip scanner	YES
4	A certificate attesting to the good health of the dog from a veterinarian, signed within 10 days of the temperament assessment (provided by the animal's owner), was viewed	YES

### **Assessment**

Does the dog show excessive reactivity and potential aggression to the following: (please indicate 'yes' or 'no')

1	Behaviour towards strangers	NO
2	Handling/restraint	NO
3	Resource guarding	NO
4	Visual stimuli	NO
5	Auditory stimuli	NO
6	Chase response	NO

**Result** (please indicate 'yes' or 'no')

Does the dog show unreasonable reactivity or potential aggression towards other persons or animals

### **Comments**

Very quite and stable K9. The dog shows NO form of aggression in any situation



Signed

0007

TA Number

25/6/12

Date

Steve  
AUSTIN



<b>ITEM 8.8</b>	<b>MINUTES OF THE NARRABEEN LAGOON FLOODPLAIN RISK MANAGEMENT WORKING GROUP HELD 7 JUNE 2012</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER NATURAL ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/275652</b>
<b>ATTACHMENTS</b>	<b>1 Narrabeen Lagoon Floodplain Risk Management Working Group Minutes (Excluded from Agenda)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report the minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) Meeting held on 7 June 2012.

#### **SUMMARY**

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

The following matters were discussed at the meeting:

- Narrabeen Lagoon Flood Study Stage 3 update
- North Narrabeen Draft Master Plan on public exhibition
- June 2012 East Coast Low Photographs
- Demonstration of new MHL website
- Date for the next Working Group meeting.

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

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

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

That the Minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group Meeting held at Warringah Council on 7 June 2012 be noted.

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**REPORT**

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**BACKGROUND**

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

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

This report provides the Minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) meeting held on 7 June 2012 chaired by Cr Dr Conny Harris. A summary of the key issues discussed during this meeting is provided below, and the Minutes are provided as Attachment 1.

**KEY ISSUES AT MEETING OF 7 JUNE 2012**

- Narrabeen Lagoon Flood Study

Darren Lyons from BMT WBM gave a presentation on Stage 3 – the hydraulic modelling of the Narrabeen Lagoon Flood Study. This stage included building the hydraulic models, applying the rainfall, calibrating the events and finally calculating peak flood levels and inundation maps. The presentation is included as Attachment 1 of the Minutes.

- Draft Landscape Master Plan for North Narrabeen Beach and Birdwood Park

Warringah Council staff gave a history of the project and advised that the draft was based on a range of community drivers and is on public exhibition until 13 July 2012. All attendees were encouraged to review the draft plan and make a submission.

- Coastal Event

Pittwater Council gave a presentation of photos collected by Pittwater and Warringah Council on the “East Coast Low” weather event from the preceding week. Warringah Council gave a presentation of the new Manly Hydraulics Laboratory website which provides live data on lagoon water levels for staff to estimate the need for a lagoon entrance opening.

- Next Meeting

The next meeting of the Working Group was scheduled for 6 September but due to Council elections being held in September it was agreed to hold the meeting on 2 August 2012.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

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

<b>ITEM 8.9</b>	<b>NOTES OF THE MANLY LAGOON CATCHMENT COORDINATING COMMITTEE MEETING HELD 5 JULY 2012</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER NATURAL ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/292470</b>
<b>ATTACHMENTS</b>	<b>1 Notes - Manly Lagoon Catchment Coordinating Committee (Excluded from Agenda)</b>

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### **EXECUTIVE SUMMARY**

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#### **PURPOSE**

To report the Notes of the meeting of the Manly Lagoon Catchment Coordinating Committee held 5 July 2012.

#### **SUMMARY**

Cr Wilkins chaired the Manly Lagoon Catchment Coordinating Committee meeting and together with Cr Harris, represented Warringah Council at the meeting on 5 July 2012. No Manly Council Councillors were present and therefore there was no quorum for the meeting, hence this report presents a summary of the main issues, and Notes from the meeting instead of Minutes.

The key items discussed at this meeting held on 5 July were:

- Manly Lagoon Flood Study
- Update on MLCCC Memorandum of Understanding (MoU) and Project Agreement
- Protection of Bushland Parcels – Options for Council
- Sydney Water Update
- Manly Golf Course development and the challenges of sustaining the naturalised waterways
- Flood Awareness and SES procedures during flood events

#### **FINANCIAL IMPACT**

Nil

#### **POLICY IMPACT**

Nil

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

That the Notes of the Manly Lagoon Catchment Coordinating Committee meeting held on 5 July 2012 be noted.

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**REPORT**

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**BACKGROUND**

The main function of the Manly Lagoon Catchment Coordinating Committee (MLCCC) is as an advisory body to both Warringah and Manly Councils on matters concerning the management of Manly Lagoon and its catchment. Membership of the Committee comprises representatives from the elected Councils of Warringah and Manly, local community, State Government and Council Officers. Meetings are held quarterly.

Cr Wilkins chaired the meeting and together with Cr Harris, represented Warringah Council at the meeting on 5 July 2012. No Manly Council Councillors were present and therefore there was no quorum for the meeting, hence this report presents Notes from the meeting instead of Minutes.

A number of key issues discussed at this meeting are summarised below. The meeting Notes and presentations are provided in Attachment 1.

**KEY ISSUES****a) Manly Lagoon Flood Study**

A hydrology update was presented by Warringah staff. The Committee was advised the Stage Two Hydrological Modelling Interim Report has been received from the consultants and can be viewed on Warringah Council's website. The project is on schedule with Stage Three Hydraulic Modelling currently being undertaken, and the Stage Three Interim Report being due in August 2012. Completion of Stage Four Climate Change Analysis is scheduled for December 2012.

**b) Update on MLCCC Memorandum of Understanding (MoU) and Project Agreement**

Warringah Council staff advised the MoU and Project Agreement for the Joint Management of Routine Maintenance Operations on Manly Lagoon are being prepared collaboratively between the two Councils.

Warringah and Manly Councils have provided final comments on the Draft MoU, and amendments have been completed. Warringah Council has completed the development and review of the Project Agreement and are waiting on final comments from Manly Council. Delivery of final comments from Manly Council is expected by the end of August.

The Draft MoU and Project Agreement will be presented to the MLCCC prior to consideration by Council.

**c) Protection of Bushland Parcels – Options for Councils**

Cr Harris gave an update on the status of Crown Land within the Manly Dam Catchment. Mr Rees from NSW Department of Primary Industries (Crown Lands) gave an update advising that the land near Mermaid Pool is the subject of a land claim. Mr Rees also advised that it may take Crown Lands 20 to 30 years to process current claims.

It was noted that Cr Harris suggested Council staff investigate zoning for this land and investigate if a conservation covenant is possible. This suggestion is to be put to the next MLCCC meeting with a quorum present.

**OTHER ISSUES****d) Flood Awareness and SES Procedures during flood events**

Mr Mark Simpson, the Manly SES Local Controller, presented on procedures for responding to localised flooding and road closures. He advised that it was not the SES's role to close roads and stressed when the community is concerned about road flooding, the first call should always be to



the Police. The Committee was also informed that the SES does not have the resources in place for organising or supporting community response groups.

Staff informed the Committee of a joint project, the Northern Beaches Flood and Coast Storms Education Strategy, which is currently being undertaken with all northern beaches Councils and the SES. It was suggested that a presentation will be provided in the future and interested community members may be invited to attend.

**e) Manly Golf Course Development and the challenges of sustaining the Naturalised Waterways**

Mr Bradbery provided a presentation on the golf course redevelopment including the challenges facing the Club regarding maintenance of the riparian zones and naturalised waterways.

**f) Sydney Water Update**

Sydney Water's June update of the Northern Beaches Storage Project was provided to the Committee as an attachment to the minutes.

**g) Confidential Session**

The meeting moved into a confidential session to discuss an item.

**CONSULTATION**

NA

**TIMING**

NA

**POLICY IMPACT**

NIL

**FINANCIAL IMPACT**

NIL



<b>ITEM 8.10</b>	<b>FRESHWATER PLAZA SHADE STRUCTURE - CONSULTATION RESULTS</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER ROADS TRAFFIC &amp; WASTE</b>
<b>TRIM FILE REF</b>	<b>2012/303979</b>
<b>ATTACHMENTS</b>	<b>1 Submissions Table - Details of Submissions on Freshwater Village Plaza Shade Structure</b>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To consider the results of consultation on the proposed shade structure over Freshwater Village Plaza following its public exhibition.

### **SUMMARY**

The installation of a shade structure in the Freshwater Village Plaza was initiated by requests from the Freshwater community. Funding was subsequently provided in the 2012/2013 Capital Works Program following the matter being reported to Council on 13 December 2011.

As part of the community consultation process, a concept plan was exhibited for 14 days on 21 July 2012. Public comments and submissions on the proposals were received up until 6 August 2012.

Council sent 2730 letters out and a total of 85 submissions were received. A high proportion (87%) of submissions indicated support for the proposal. Based on the submissions, it is proposed to alter the location of the shade structure moving it approximately 2.5m to the west from the adjoining plaza building, subject to detailed design. Street furniture will be positioned under the shade structure to ensure accessibility and functionality is maintained.

As such, it is recommended that Council proceed with the detailed design and installation of the proposed shade structure as amended.

### **FINANCIAL IMPACT**

The estimated cost of the proposed renewal work will be subject to quotations in accordance with Council's procurement processes. It is expected the value of the work will be within the allocated 2012/2013 Capital Works budget of \$119,000 and the \$7,000 provided by the Freshwater Community Bank.

### **POLICY IMPACT**

The project is not expected to have any impact on Council policies.

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

That Council note the consultation results and that Council proceeds with the detailed design and installation of the proposed shade structure in the Freshwater Village Plaza as amended.

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**REPORT**


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**BACKGROUND**

The Bendigo Bank has previously offered \$7,000 to fund the installation of a shade structure in the Freshwater Village Plaza. An assessment of the proposal identified that it did not meet Council's requirements and that the Bank's contribution was unlikely to meet the full cost of the works.

In accordance with Council's Community Engagement Framework, Council resolved to consult the community on conceptual designs prior to completing detailed design.

This project is included in the 2012- 2013 Capital Works Program.

This project will involve:

- Structural details for footings, support structure and shade fabric
- Shade structures to a height of 3.5 metres to 4.5 metres
- Shade sail fabric that meets Council's durability and solar requirements
- Detailed costing and project delivery timetables

**CONSULTATION**

A concept plan was placed on public exhibition between 21 July and 6 August 2012.

During the exhibition period the draft plan was displayed at the following locations:

- Council's website
- Civic Centre, 725 Pittwater Road, Dee Why
- Freshwater Village Community Noticeboard at Bendigo Bank

Advertising was placed in the Warringah News section of Manly Daily on two Saturdays during the public exhibition period. Letters with copies of the concept plan were sent to 2730 property owners, residents and businesses within 400m of Freshwater Village area advising of the public exhibition period. Comments, concerns and other issues were sought to gather feedback on the concept and other requirements of the community.

**Public Submissions**

Public submissions were sought in the form of an open formatted request for comments, suggestions regarding improvements, modifications or concerns about the proposed shade structure. Table 1 shows the results of consultation whilst Table 2 in the Attachment gives an indication of some of the issues raised and Council's response to them.

**Table 1: Summary of Responses**

	Support	Support with Issues/Concerns/Changes	Not Supported
Number	39	28	10
%	50.6%	36.4%	13%

An outline summarising some of the comments made in the submissions received by Council follows

### **Supportive Submissions**

39 submissions were received offering general support for the proposal. A further 28 submissions also supported the concepts but made suggestions for improvements/raised concerns. Table 2 in the attachments gives a précis of comments received and a response to those comments. Typical comments included;

- Shade structure looks great – go for it
- Great idea, we need more seating in this area, having sun protection is great – Moore Road
- Generally good design – could be a bit larger – Charles St
- We are very happy about it – Undercliff Rd resident
- Good concept
- The shade structures are very necessary in all areas where people congregate to sit and eat – the more shade the better
- A welcome addition to the plaza and have been long overdue
- Just do it. We've waited long enough – Lawrence St resident
- It's a great plan as it will be wonderful to sit and enjoy a meal in comfort

A number of submissions either suggested or assumed the shade structure material would be water proof, similar to the existing structures over the alfresco dining terraces. This is not the case. The intended purpose is to provide shade in summer, not all weather outdoor dining.

The Friends of Freshwater Group have offered their support for the proposal and made the following suggestions:

- The structure should cover the existing furniture around the teardrop pods (garden beds) and be so placed that it is not in close proximity to the plaza's first floor balconies.
- Relocate a plaza light post obstructing the alcove area near the Chicken Shop. The alcove is an ideal location for small performances.
- Furniture needs to be skateboard proof, comfortable and facing the alcove.
- With more people attracted to sit in the plaza area, more bins will be needed.

### **Non-Supportive Submissions**

10 submissions were received that were not in favour of the shade structure. Table 3 in the attachments gives a précis of comments from non-supportive submissions. Typical comments included:

- I think these structures are a complete waste of money. They are too close to the street and are unlikely to be used by families. They are unattractive and block the view of the shops and buildings behind them. Regrettably they are not in keeping with the village atmosphere that everybody loves as they are too white, too bland and devoid of any artistic interest. They dominate the footpath and are an ugly blot on the landscape.
- Design appears weak, noisy and looks like a glorified hills hoist.
- Sorry I don't like it. Plant a tree instead for shade

- Another example of Council wasting ratepayers money with this sort of project. The new shade structure is ugly and creates more of a cluttered look in the street.
- The shade structure and tables will be used at night by teens and after the Harbord Pub closes. It's bad enough with drunks waiting for a cab, now you want to give them shelter.
- Now that the previously useless pod areas are shaded I don't believe that an additional shaded area is required. This area outside the Chicken shop is rarely used and is a nice sunny place. The proposed shaded area would give a closed in effect and also block the flow as you can image a loud group of kids inhabiting this space and our older community members adversely affected.

## **DISCUSSION**

The majority of respondents 51% clearly support and 36% conditionally support the proposed shade structure. Combined, this represents 87% support for the proposal.

The majority of issues identified can be addressed by detailed design. This includes refinement to the location of the structure to avoid conflict with adjoining buildings, safety and vandalism. It is proposed to alter the location of the shade structure moving it approximately 2.5m to the west from the adjoining plaza building, subject to detailed design. The location of tables and chairs will be finalised during detailed design, ensuring accessibility and shade protection are maintained.

The positioning of the shade structure is likely to impact on an existing street light in the plaza area. Options will be investigated to determine whether the light can be relocated to a suitable location, converted to a light bollard or attached to the underside of the structure.

A small number of respondents objected to the proposed structure based on cost, design, or impact on amenity of the plaza area. Notwithstanding these objections, the community have expressed their desire for shade in the plaza area and Council has resolved to proceed.

Other initiatives that can be taken to address various concerns include:

- Installation of signage on tables regarding disposal of rubbish.
- Installation of timber and aluminium tables and chairs, arranged to not impede pedestrian access

## **TIMING**

It is proposed to seek quotations for design and installation of the shade structure in September and then proceed to design, manufacture and installation between October and December. It is intended to undertake works to install footings and other below ground works as early as practicable to minimise disruption to businesses.

## **FINANCIAL IMPACT**

The estimated cost of the proposed renewal work will be subject to quotations in accordance with Council's procurement processes. It is expected the value of the work will be within the allocated 2012/2013 Capital Works budget of \$119,000 and the \$7,000 provided by the Freshwater Community Bank.

## **POLICY IMPACT**

The project is not expected to have any impact on Council policies.

**Table 2 – Submissions - Freshwater Village Plaza Shade Structure**

<b>Précis Of Comments Made In Submissions</b>	<b>Response</b>
How will the shades behave in strong easterly winds/rain, build-up of leaf matter  More bins and a toilet block in Jacka Park – Referred to Parks Reserves and Foreshores. The two existing 80L bins are considered adequate and are emptied daily	Detailed structural design will consider wind loading issues.  The artist impression was unable to show the sloping nature of the sails. It is intended that shade sails be relatively self cleaning.
Removable shade for the Winter months	Sun protection is just as important during the winter as it is during the warmer months. The sun's ultraviolet rays still have the potential to cause sun damage in winter. This suggestion can not be accommodated.
Same shade covering as further up Lawrence Street Tables and chairs are essential	It is not intended to provide all weather protection. Tables and chairs are part of this project and final arrangement will be dependant on detailed design.
Sails to be hung so as to allow for drainage	The sails will be angled, subject to detailed design, however, the shade sail will be permeable (not water proof) so drainage is not a concern.
Concerned with possibility of vandalism of the sails- reachable from tables, chairs	Noted. This requirement will be checked during detailed design. The structure will be a minimum of 3.2m above paving.
Concerned with the wind lifting sails	Detailed structural design will consider wind loading issues.
Not enough shade or tables for the numbers of people. Suggests tables in the concrete alcove in front of chicken shop	The request for tables in the alcove is noted however, the area has been suggested as ideal for performances, eg small bands etc.
Want the area left clear – no tables or chairs Preferred original shade design	Noted. Tables will be arranged so as not to significantly impede the thoroughfare.
Trees around pedestrian crossing restricts drivers vision	Lawrence/Albert St is a 40kph zone. Drivers have adequate vision of Pedestrians.
Becomes very messy with rubbish from Chicken Shop customers.	There are 3 bins in close proximity which are emptied daily, twice daily in summer. Council will monitor waste disposal needs on completion of the work.
Pods need seating	Council is working with restaurants to activate this space.



Précis Of Comments Made In Submissions	Response
Create a seating arrangement in front of Freshie Chickens Shade structure could be redesigned to look like waves, colour of the sky It won't meet needs of community and will be a waste of money. Uninspiring design.	The location of the shade structure is based on the proposal previously submitted by the Freshwater Community.
Request that the construction does not prevent people from entering the plaza, not to commence during October to Jan period or my business will go broke. Consider placing an ad in Manly Daily to advise that businesses are open	It is intended to install the structure in November/December so it is available for as much of summer as possible.  Council will work with local businesses to minimize the impact of any works.
Structures should cover existing furniture, not too close to Plaza's first floor landing.	Noted. Will be considered during detailed design.
Could the light pole be moved towards Plaza Arcade entrance	Options for lighting will be considered during detailed design.
Furniture needs to be strong and facing the nook near the light pole	Noted.
Need more garbage bins with increased no. of people	Existing bin numbers should be adequate. To be monitored as will unauthorised use by nearby businesses.
Vegetation in the teardrop pods, native colour to accompany existing vegetation?	The project does not include scope for changes to landscaping.
Remove light pole and move slightly SE	Options for lighting will be considered during detailed design.
Encourage beautification of bland concrete planter boxes	This is not within the scope of this project. The design of these structures were considered a common element throughout the village.
Make the shade foldable so can still be used in Winter	Sun protection is just as important during the winter as it is during the warmer months. The sun's ultraviolet rays still have the potential to cause sun damage in winter. This suggestion can not be accommodated.
Don't want cold aluminium chairs	Furniture consistent with existing themes will be used.

Précis Of Comments Made In Submissions	Response
Sun protection for the Albert St phones	Shade of public phones is outside the scope of this project. This suggestion can not be accommodated.
Move the wooden seat at bus stop o/s bakery under the awning	The frontage of the bakery opens the full width of the shop so a seat would obstruct access
Tables & chairs – keep clean Chicken Shop – never clean mess	Noted. Signage at Council owned tables will encourage people to dispose of their rubbish in bins provided. The arcade is a matter for shop proprietors.
Proposed design is ugly, what about 2 triangular sail cloths overlapping at angles	There are many options. The proposed configuration was considered to maximise shade.
Shade structure doesn't go far enough- make it bigger – do the job properly	There are physical limitations on size given the location of landscaping and buildings.
Bins not emptied enough, need more or larger bins	Bins are emptied daily, twice daily in summer. Will monitor and if use warrants it, install additional bins
Will there be additional seating under the structure?, additional garbage bins? Strategies to remedy skateboarders behaving badly?	Picnic table style furniture will be installed that will provide additional seating. The existing three 120L bins are considered adequate given they are emptied daily, twice daily in summer. The need for additional bins will be monitored.  The behaviour of skateboarders is an enforcement issue that has been referred to Council's Rangers.
Request for a long community table	Noted. Will investigate options however, space may limit opportunities.
Shade structure should be external to the pedestrian crossings on Lawrence	The community should take some personal responsibility for their own sun protection. People only take a few seconds to cross the road therefore this is not considered a priority.

**The following comments are from a single submission.**  
**Whilst supportive of the need for shade, it did raise a number of concerns:**

I note that the proposed shade sails in Council's design concept are stated to be ~ 50 square meters each and are to lay flat in their support frames.	No. It is intended the surface of the sail will follow the outriggers of the structure. It was not possible to accurately depict this element in the concept drawings.
As this exposed area has windy periods and the winds also bounce off the buildings next to the proposed shade sails, have smaller sized sails (e.g. 4 x 25 sq. metres shade sails) been	Detailed structural design will consider wind loading issues. The final form of the structure will be subject to competitive design and construct procurement process.

Précis Of Comments Made In Submissions	Response
considered as possibly a better choice?	
Have Council's designer(s) considered what may happen to these large flat areas of shade sails during a period of heavy rain and wind??	Detailed structural design will consider wind loading issues.  The sails will be angled, subject to detailed design, however, the shade sail will be permeable (not water proof) so drainage is not a major concern.
In my experience, I have observed badly designed shade structures with their flat shade sails - collect large amounts of water during heavy rain.	The shade sail will be permeable (not water proof)
Has the option of having sloping/rounded surfaces for the proposed shade sails in Freshwater Village been explored by Council?	No. The original concept proposed by Friends of Freshwater and supported by the community outlined a flat structure supported by five posts.
For Council's information, I have received an Architect's advice that sloping/rounded shade sails are a better design option for this prime Freshwater Village site - in terms of their practicality, maintenance and visual aesthetics.	Noted. Majority of submissions appear to like the proposed form.
Providing a set of concept design drawings that do not seemingly contradict each other. The artists impression has 3 vertical white support poles whereas Council's other design drawings have one vertical white support pole. What is being proposed - 1 or 3 support poles for the shade structure??	The concept clearly shows a single pole structure and 2 nearby light poles. A single support pole is proposed to minimise the number of obstructions within the plaza area.
I note that in the bird's eye view of Council's proposal - that 3 of the 4 pieces of furniture lay outside the shade area. When residents submit development plans to Council, they are required to include shadow diagrams - which show shade shadows at different times of the day.	The location of seats and tables will be refined during detailed design.  Shadow diagrams can be provided if requested.
Has Council done a full analysis of the sun shadowing from their proposed shade structure - to gain assurance that it is the best option and is facing the right way. If so, make this analysis available to assist public comment.	The shade profile of the structure has been assessed and is considered satisfactory.
I showed the shade structure design drawings to and spoke with an Architect mate about them, his professional view was there are a lot of better design options available for this prime Freshie Village site. He also believes that for the \$119k proposed spend, what is being offered is a poor value proposition.	Noted. The design and construct procurement process may establish best value for money.

**Table 3 – Comments against the proposal - Freshwater Village Plaza Shade Structure**

The following comments represent a sample of the comments against the proposal. Whilst Council appreciates that not everyone in the community supports the proposal or has a view about the appearance of the proposal, none of the comments below identify issues that warrant a change or prevent the proposal proceeding. As such, it is recommended that Council proceeds with the shade structure.

<b>Précis Of Comments Made In Some Submissions</b>
This is an example of the rubbish that is erected in Sydney
Prefer simpler design. This does not need to be the opera house of the northern beaches. Want 4 posts and standard design
Design appears weak, noisy limited longevity
New shade structure is ugly and creates more of a cluttered look in the street
The shade structure and tables will be used at night by teens and after the Harbord Pub closes. It's bad enough with drunks waiting for a cab, now you want to give them shelter.
I think these structures are a complete waste of money. They are too close to the street and are unlikely to be used by families. They are unattractive and block the view of the shops and buildings behind them. Regrettably they are not in keeping with the village atmosphere that everybody loves as they are too white, too bland and devoid of any artistic interest. They dominate the footpath and are an ugly blot on the landscape
Sorry I don't like it. Plant a tree instead for shade
The shade structure and tables will be used at night by teens and after the Harbord Pub closes. It's bad enough with drunks waiting for a cab, now you want to give them shelter.
Now that the previously useless pod areas are shaded I don't believe that an additional shaded area is required. This area outside the Chicken shop is rarely used and is a nice sunny place. The proposed shaded area would give a closed in effect and also block the flow as you can image a loud group of kids inhabiting this space and our older community members adversely affected.
Waste of Council funds – what happens in high wind days



<b>ITEM 8.11</b>	<b>COLLARROY ACCESSIBILITY PRECINCT - RESULTS FROM PUBLIC EXHIBITION OF PROPOSED MASTERPLAN</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/304469</b>
<b>ATTACHMENTS</b>	<b>1 Exhibition Plans July 2012 - Masterplan Concept design - Collaroy Accessibility Precinct (Excluded from Agenda)</b> <b>2 Exhibition Plans July 2012 - Handout Pamphlet - Collaroy Accessibility Precinct (Excluded from Agenda)</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To report the results of the public exhibition process and to recommend a funding and delivery strategy for the proposed Collaroy Accessibility Precinct Master Plan.

### SUMMARY

At its meeting on 26 June 2012 Council resolved to publicly exhibit the Master Plan for the Collaroy Accessibility Precinct. The community visions and priorities for Collaroy identified from a comprehensive community engagement process and summarised in the report prepared by Elton Consulting in September 2011 were used to develop the Master Plan.

The public exhibition commenced on 2 July and concluded on 31 July 2012. The public exhibition was extensively notified through advertising in the Manly Daily, letters to property owners and occupiers, letters to business owners, letters to previous respondents, letters to identified stakeholder groups, notifications to Council's Community Engagement Database and notices on Council's web site.

During the exhibition, 391 individuals viewed the plans on-line. Hard copy displays of the plans were also provided at the Customer Service Area, Civic Centre and Dee Why Library.

At the close of the exhibition Council had received 37 on-line submissions, 18 of which supported the proposal. Council also received 16 written submissions, 9 of which were in support of the proposal. A petition (249 signatures) opposing the reconfiguration of parking arrangements south of the surf club was also received.

Considering the wide community notification of the proposal and the number of individuals who viewed the proposals on-line, it is concluded that based on the small number of submissions opposing elements of the proposal, the community is in broad support of the proposal.

### FINANCIAL IMPACT

The cost to complete all the upgrade works proposed by the Master Plan has been estimated to be approximately \$4.61M. Approximately \$1.65M is currently available from existing allocations for the Collaroy Accessibility Precinct to undertake upgrade works proposed on the Master Plan. See body of report for a proposed funding options and delivery strategy.

### POLICY IMPACT

All relevant Council policies have been considered in the development of the Master Plan/ concept design and will be further considered during preparation of detailed designs.

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That:

- A. The Master Plan for the Collaroy Accessibility Precinct proceed to the detailed design phase.
  - B. The location of the proposed playground climbing wall and toilet facility be reviewed with the purpose of locating them so as to minimise the effect on views of the ocean from within the playground, grassed area west of the playground and from street level in Birdwood Avenue. Residents of Birdwood Avenue are to be consulted in the process.
  - C. Other issues of concern and suggestions received in submissions during the exhibition period are considered during the detailed design phase, and where appropriate, suggestions incorporated and relevant respondents and stakeholders will be further consulted to overcome their concerns.
  - D. Following preparation of detailed designs and associated cost estimates, that public tenders be called for construction of Stage 1 works, which are to include works able to be undertaken within the available funding, and which be commence late April 2013 and be finished before November 2013.
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**REPORT**

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**BACKGROUND****March 2011**

At its meeting on 22 March 2011 Council considered a report on the outcome of the public exhibition of two concept design plans for the Collaroy Accessibility Precinct. The main difference between the two plans exhibited at that time was that Option 1 proposed to keep the main car park basically in its current location with little change to the layout, whilst Option 2 proposed relocation of the car park away from the beach to the grassed area west of the playground. Other proposed upgrades were common to both options.

Council received 150 submissions in response to the exhibition of those plans.

In summary, 71% of the submissions supported the common upgrades proposed to renew the facilities at Collaroy. Of the submissions 56% were in support of Option 2 to relocate the car park away from its current location near the beach.

Despite the community feedback favouring Option 2, there was also 41% in favour of Option 1, with 50% based on a desire to retain the grassy slopes and flat area west of the playground. As a consequence Council adopted a recommendation to undertake further community engagement via, a comprehensive community survey and needs analysis to determine the community's values and priorities for Collaroy.

**September 2011**

At its meeting on 28 September 2011 Council considered a comprehensive report prepared by Elton Consulting following a thorough community engagement process. The report included a summary of the features which the community wanted to retain and those that they wanted improved. In addition to adopting recommendations to engage specialist consultants to undertake further designs and studies, Council adopted a recommendation to prepare a Master Plan/ new concept design based on the findings in the Elton Consulting report.

**Preparation of the Master Plan**

The community visions and priorities identified in the report prepared by Elton Consulting were used to develop the Master Plan.

The aspects which the community wanted to retain were:

- the current general location of the car park which provides some parking immediately adjacent to the beach promenade, including disabled parking in proximity to the beach and pool,
- the large open grassed area in the south western corner of the reserve,
- the grassed embankments below Pittwater Road,
- the simple low-key, unsophisticated infrastructure elements, and
- the general layout and relationships of the various areas, including the ability to enter and exit via Birdwood Avenue.

The aspects which the community wanted to improve were:

- safety for all users by reducing conflict between vehicles and pedestrians, including the crossing of Pittwater Road,

- accessibility within and to the precinct for people of all abilities with a network of pathways,
- existing and additional public amenities which meet the needs of all visitors including the disabled,
- improved parking arrangements,
- upgrades to the playground, including provision for children of all abilities, and
- lighting, seating, shelters, picnic/ BBQ facilities, bubblers, bike racks and other park furniture.

The resultant Master Plan layout has been developed to balance some of the conflicting visions and priorities. In particular it was considered necessary to alter the relationship between car park and open space to properly address the community's priorities to reduce conflict between pedestrians and vehicles, and improve overall safety and accessibility. This is considered particularly relevant if Collaroy is to achieve the goal of becoming a truly 'accessible precinct'.

### **June 2012**

On 19 June 2012 Council staff gave Councillors a briefing on the background to the preparation and main elements of the Master Plan. At its meeting on 26 June 2012 Council resolved to publicly exhibit the Master Plan.

### **July 2012 - Public Exhibition of the Master Plan**

Notification of the public exhibition included the following,

- Advertisement in the Manly Daily (Warringah Update) on Saturday 30 June, 7 July and 14 July 2012, including a substantive Mayor's message on 7 July,
- Placement on Council's web site under What's Happening in Warringah with links to a questionnaire and on-line feedback form,
- Notification in Council's Disability Newsletter,
- A notification letter mailed out to 2, 276 property owners, occupiers, target stakeholders and previous concept plan respondents,
- A notification by email to approximately 3,000 people registered on Council's Community Engagement Database
- Hard copy displays in Council's Civic Centre and the Dee Why Library, and
- Two public information/ presentation sessions at the Collaroy Plateau Youth and Community Centre.

The public exhibition commenced on 2 July and concluded on 31 July 2012.

All notification material provided details of how the public could make feedback submission via Council's web site, by email or mail.

### **COUNCILLOR BRIEFINGS**

Multiple Councillor briefings have been conducted on this project, with the most recent being 21 August 2012.

## **PUBLIC EXHIBITION FEEDBACK**

### **Public Information/ Presentation Sessions**

Two sessions were held at the Collaroy Plateau Youth and Community Centre, one on Tuesday 17 July 2012, between 8.00 and 9.00pm, and the other on Saturday 21 July 2012, between 10.00 and 11.00am. Details of these sessions were included in all notification information issued as per the above.

In all a total of 16 people attended both sessions.

At both sessions Council staff delivered a structured PowerPoint presentation, which gave a brief history of the project and explained features and how the Master Plan was developed using the previous community feedback. Council staff answered questions and queries and encouraged everyone to make submissions regarding the proposal. The majority feedback at both sessions was positive and constructive.

### **Review of Master Plan on Council's Website**

Information from Council's server reveals that the site containing the Master Plan details was visited 817 times by 391 individual IP addresses, i.e. 391 individuals visited the site (2 times on average).

### **On-line Submissions**

From the 817 user sessions, Council only received a total of **37 online submissions** during the exhibition period.

The questionnaire contained the following questions, (highest No. shown in brackets)

- What is your age? **(34 over 45)**
- What suburb do you live in? **(27 from Collaroy & Collaroy Plateau)**
- How often do you visit Collaroy? **(31 at least once a week)**
- What are the main reasons you visit Collaroy Beach and Park? **(27 for surfing and beach)**
- To what extent do you support the Draft Collaroy Master Plan? **(19 oppose, 18 in favour)**
- How would you rate the following?
  1. The information sessions held at Collaroy beach in 2011  
(26% NA, 47% Fair to V.Good, 26% Poor to V.Poor)
  2. The information available on the website  
(3% NA, 89% Fair to V.Good, 8% poor to V.Poor)
  3. The information available at community information sessions  
(25% NA, 81% Fair to V.Good, 14% Poor to V.Poor)
  4. Being kept up to date with the project  
(8% NA, 62% Fair to V.Good, 29% Poor to V.Poor)
  5. That your questions were answered  
(37% NA, 34% Fair to V.Good, 29% Poor to V.Poor)
  6. That the draft Master Plan reflects your priorities  
(3% NA, 54% Fair to V.Good, 43% Poor to V.Poor)

- Would you like to register your interest in participating in further consultation activities at Warringah Council? (24 Yes)

The number of online submissions received (37) is considered very low given the number of web site visits (391) by individuals who viewed details of the Master Plan during the exhibition period. Previous experience indicates that the vast majority of people who tend to make submissions are those that have an objection to a proposal.

It is therefore reasonable to conclude that 354 people who viewed the Master Plan considered it to be satisfactory, or at least did not oppose it strongly enough to make a submission. It is therefore noting that only 19 of the 37 submissions oppose the Collaroy Master Plan, with 18 people having strongly enough in support of the proposal that they bothered to provide a response accordingly.

#### **Written Submissions** (via e-mail and mail)

Sixteen individual submissions were received with varying issues raised. In summary, excluding the conditions of support or basis of objection.

<b>Support</b>	<b>Object</b>
9	7

NOTE One submission included a petition with 249 signatures. This is discussed under a separate heading below.

#### **Conditions of Support**

All submissions which indicated support for the Master Plan were generally conditional on Council overcoming their concerns with certain aspects of the design. Many of these concerns were to do with details which could not be shown on a concept stage plan, and will be considered as part of the detailed design stage. Some details will require consultation and input from Council's maintenance and operational staff, target user groups and stakeholders such as the Surf Life Saving Club(SLSC), Sargood and the Disabled Surfers Association, etc.

The main issues of concern are summarised as follows:

- Access and parking provisions for the SLSC for beach patrols and events,
- Accessible footpaths, park furniture and integration of Sargood with the rest of the reserve,
- Accessible ramps from the promenade to the beach,
- Impact of an additional signalised pedestrian crossing on Pittwater Road traffic flow,
- Adequate provision for bicycle riders,
- Impact of playground toilet and climbing wall on views to the ocean from the reserve and Birdwood Ave,
- No additional trees be planted,
- The proximity of the playground toilet to residences in Birdwood Avenue, and
- Certain detailed design aspects associated with the toilets, shade, seating and the all-abilities playground.

Combined Submission from Birdwood Avenue Residents (7 properties) – This submission raised a significant issue of concern which would require a substantive review of the current proposal. Whilst these residents generally support the Master Plan, they have requested that the toilet and

climbing wall associated with the playground be relocated to reduce impact to views from street level in Birdwood Avenue and proximity of the toilet to residences in Birdwood Avenue.

This group strongly support the proposed removal of parking spaces and associated roadway between the playground and the beach promenade. They have even requested that the proposed shared access way between the car park and Birdwood Ave be closed for general vehicular traffic, and only be used for emergency and authorised uses.

**Response** – the playground toilet is considered essential for a successful all-abilities playground. Its location and that of the climbing wall can be further reviewed during the detailed design stage with the objective of finding a location which provides the least impact to existing views to the ocean from within the playground, the grassed area west of the playground and at street level in Birdwood Avenue, whilst being reasonably located away or screened from residences in Birdwood Avenue.

The shared access way is required to provide suitable access for small buses and coaches bringing children and disabled people to Collaroy beach and the all-abilities playground. The turning head of the proposed car park is only suitable for cars and small commercial vehicles. Further consultation with stakeholders regarding the possible restriction of vehicular access to one-way movements south to north will be carried out during the detailed design stage.

#### Removal of car spaces adjoining the beach (7)

**Response** – The resultant Master Plan layout has been developed to balance some of the conflicting visions and priorities determined from extensive community consultation. In particular the altered layout of car park and open space is considered necessary to properly address the community's priorities to reduce conflict between pedestrians and vehicles, and not only improve overall safety and accessibility but to make this foreshore area available for recreational use by the wider community, rather than being dominated by vehicles. This is considered particularly relevant if Collaroy is to achieve the goal of becoming a truly 'accessible precinct'.

#### Existing and proposed car parking spaces.

	<b>Existing</b>	<b>Proposed</b>
No. of car parking spaces not adjoining the beach promenade	<b>54</b>	<b>69</b>
No. of car parking spaces adjoining beach promenade	<b>27</b> (18 east facing)	<b>12</b> (8 east facing)
No. of disabled spaces	<b>3</b> (all suit mini-buses)	<b>3</b> (2 will suit mini-buses)
Additional mini-bus bays	<b>3</b> (unmarked)	<b>2</b> (more may be provided subject to detailed design)
Total No. of car parking spaces	<b>87</b> Includes spots not compliant to current standards	<b>86</b> Compliant to standards

#### Car park Turning Head Reduces Playground and Open Space (2)

**Response** – This is incorrect for two reasons, 1) the proposed playground has the same area as the existing playground, just that its shape has changed in the re-design, 2) the net area of open space has not been altered, as the car park has not been made larger, just reconfigured in shape and slightly relocated.

Accessible Pathway On Sargood Hill Will Adversely Impact On Existing Uses (2)

**Response** – An accessible pathway is required between Beach Road and the beach promenade, not only to provide for Sargood, but as part of a continuous accessible path of travel between Long Reef Golf Club and the Collaroy town centre. The pathway has been design with a grade at 1 in 20 to comply with Australian Standards for accessibility, to suit the topography whilst minimising the height of retaining walls and visual impact and maximising useability of the area. This can be further reviewed at detailed design stage in consultation with relevant stakeholders to determine if a better arrangement can be achieved.

Over Investment – Money Better Used Elsewhere (2)

**Response** – The infrastructure at Collaroy beach and reserve is at the end of its useful life and in need of a major replacement and upgrade. The purpose of the Master Plan is to develop a 'blue print' to guide infrastructure improvements and upgrades incorporating 'best practice' accessibility features in a succinct and coordinated manner.

Whilst it would be highly desirable to undertake all the upgrades as soon as possible, available funding and other priorities may not enable this, and the upgrades may take a number of years to implement as funding is made available. It will ensure that when fully implemented the whole precinct will be seamless and all features fully integrated, functional and accessible.

It is noted that many other respondents have commented that it was about time that Council allocated some funding for improvements at Collaroy and welcomed the improvements proposed by the Master Plan.

Signalised Pedestrian Crossing Not Required (2)

**Response** – The proposed signalised pedestrian crossing is seen as a major element in the success of developing a truly accessible precinct. Two previous reports prepared for Council, the 'Warringah Beach Parking Study (GTK Consulting 2010)' and 'Warringah Pedestrian Access Study and Mobility Plan (Aurecon 2011)' have identified a need for a pedestrian crossing between Eastbank Avenue and Alexander Street and a high demand for crossing Pittwater Road, respectively.

A recent traffic study undertaken on behalf of Council by Opus International for the proposed signalised pedestrian crossing found that even though Pittwater Road is a major obstacle and barrier between the beach and reserve on its eastern side and the shops and residential area on its western side, there was already a high demand for pedestrians to cross Pittwater Road at this location. This study predicts that this will increase substantially once a pedestrian crossing was installed.

Local user groups such as the SLSC and Swim Club also agreed that there was a need for a pedestrian crossing at this location. The pedestrian crossing is proposed to be combined with a new entry/ exit driveway for the car park, to also improve safety for vehicles turning into and out of the car park.

Proposed Upgrades To Small Car Park Near Collaroy Services Club Not Required (2)

**Response** – This area is in poor condition and the size of the existing car park limits opportunities to improve pedestrian passage between the promenade and the pedestrian crossings and bus stops at the intersection of Collaroy Street.

The circular shape of the car park makes proper control and management of the parking by Council staff very difficult. Some re-vamp of this area is greatly warranted, and given the low level of objection to the proposal, this upgrade is recommended to be retained as part of the Master Plan.



Loss Of Street Parking On Pittwater Road Due To Signalised Pedestrian Crossing 1)

**Response** – The proposed pedestrian crossing is still subject to negotiation with the Roads and Maritime Services (RMS) and consultation with property owners and shop proprietors before the exact number of parking spaces to be affected will be known. Should a suitable arrangement for the crossing be reached, consideration will also be given to any opportunities to offset the loss of on-street parking by alternate parking strategies.

Net Loss Of Parking In The New Car Park (1)

**Response** – It should also be noted that if the existing car park were to be reconstructed within its current footprint, it may be found that the number of actual spaces would be reduced because of the need to improve accessibility and comply with current standards, particularly for disabled parking. The existing car park has 87 parking spaces, the proposed car park proposes 86 parking spaces. See table above. car park

Reduced Traffic Connection To Birdwood Avenue (1)

**Response** – The removal of the car park and associated roadway between the playground and promenade is intentional. The aim of the design is to provide a car park configuration which would allow access and circulation to all spaces without the need to exit to Birdwood Avenue, thereby reducing vehicular traffic from this area and increasing safety by reducing potential conflict between pedestrians and vehicles. As stated above it also makes this foreshore area available for recreational use by the wider community, rather than being dominated by vehicles.

Altering Car Park Will Sever A Vital Link To Surfing's Past (1)

**Response** – The proposal has been developed in response to the visions and priorities of the whole community to balance the needs of the wider community. It is unlikely that a change to the location of car parking spaces is likely to substantially alter the wider community's pursuit, enjoyment or interest in surfing at Collaroy beach.

Reconstruction Of Playground Is Unnecessary (1)

**Response** – The existing playground is classified by Council as a regional playground, and was originally installed approximately 14 years ago. Although it has undergone regular maintenance, due to its popularity and high use, major refurbishment and replacement of all the equipment is required.

To compliment the development of Collaroy as a 'best practice' accessible precinct, Council decided to reconstruct the playground in accordance with the latest principles of playground design and create an all-abilities playground. It is not possible to achieve this objective without completely re-designing and re-building the existing playground, whether in its current or proposed footprint.

No Accessible Ramps To Beach Provided (1)

**Response** - Whilst it is conceded that the ramps are not highlighted on the Master Plan, they are shown. One at the north end of the promenade in conjunction with proposed stair access, one in front of the surf club building and one at the southern end of the promenade in the area of the existing ramp. The exact location, form and staging of construction of beach ramps will be subject to further investigation and design to ensure that they withstand wave impact and do not detrimentally impact natural beach processes.

Council Funds Should Be Spent On Beach Stabilisation (1)

**Response** – The issues of sand loss and storm damage are ongoing complex environmental issues which cannot be solved or addressed by the Collaroy Accessibility Precinct Master Plan. Council staff obtained advice from coastal/ marine consultants during development of the Master



Plan, and their recommendations have been taken into consideration in the development of the plan.

Master Plan does not have support from wider community (1)

**Response** – This view is contrary to the feedback obtained via submissions during the exhibition period. See details above under section titled ‘On-line Submissions’.

- *A number of other comments* were also included in the submissions, but these are not considered as objections, but merely opinions and observations provided to substantiate reasons for objection, to suggest alternate solutions and treatments or to provide advice, eg. *there should be more shade shelters between the car park and pool, the mounds in the playground should be retained*. These comments do not fundamentally add weight to the reasons for objection and can be further examined and addressed during the detailed design stage.

**Petition**

One submission, from Ms Vivienne Cresswell, included a petition (249 signatures) under a pre-formatted page which included the following statement:

*“I am a regular user of the southern Collaroy Beach area and have reviewed the Collaroy Accessibility Precinct Master Plan. I am opposed to the proposed changes from the southern end of the Collaroy Surf Life Saving Club for the following reasons*

- *The removal of 16 beachfront car spaces and 2 disabled car spaces*
- *The altered traffic flow in this area to Birdwood Ave*
- *The loss of green space/ playground area taken up by the proposed roundabout*

*I recommend the existing parking and roadway design be maintained at the southern end of the Surf Club and improvements made to the levels and facilities in these areas with a raised pedestrian footpath from the beach to the park next to the 3 bay car spaces as per diagram supplied.”*

It should be noted there are inaccuracies in the statements made in the proforma petition these include:

- The beachfront car spaces are not being removed just relocated. The total number of existing car spaces is 87. The new design will provide 86 spaces. Only 15 spaces are being relocated away from the beach promenade, 14 of which will be within 45 metres of the beach promenade. There will be no loss in disabled parking spaces in this area.
- A vehicular connection is being maintained to Birdwood Ave, albeit the proposed arrangement will discourage and reduce the need to drive a vehicle between the proposed car park and Birdwood Ave. Many members of the community consider this a positive feature and support this aspect of the proposal.
- The statement regarding loss of green space/ playground area is incorrect for two reasons, 1) the proposed playground will have the same area as the existing playground just that its shape has changed in the re-design, 2) the net area of open space has not been altered, as the car park has not been made larger, just reconfigured in shape and slightly relocated. There has merely been a re-distribution of the car park, playground and green space areas.

A submission from the Surfrider Foundation, states that Ms Cresswell collected these signatures over a 10 day period including two weekends before the close of the public exhibition period.

The following comments are made regarding the petition:

- The inaccuracies in the proforma petition may mislead respondents,
- Council is not privy to what other information, or its accuracy, was given to people approached for signatures,
- Having signatories on a petition when there is a formal consultation process undermines the process and effort which Council has taken to consult with the wider community, provide the community with balanced and unbiased information and opportunities to gain full explanation of the design, and the mechanisms to submit feedback in an easy and structured manner,
- It appears that people approached for signatures were only offered one choice, ie to oppose the proposal, an alternate view was not presented which offered people information in support of the proposal or an opportunity to vote that way,
- An alternate approach given that there was plenty of time for people to submit individual submissions, was rather than collecting signatures people could have been encouraged to view the details on Council's web site and submit a response.

Council should not give this petition the same weight as the on-line and written submissions received by individuals, stakeholder engagement, as this would undermine the equity and transparency of the process and potentially misrepresent the opinion of the wider community that was obtained.

## **CONSULTATION**

The submissions from Ms Cresswell, the Disabled Surfers Association and the Surfrider Foundation claim that the community was not well consulted regarding the Master Plan and that Council should undertake further consultation before making any decision regarding the plan.

This view is not supported given the extent of community engagement and consultation which has been undertaken. Despite the detailed consultation process, submissions have been made by the above individual and groups.

The consultation process has been far greater than the public exhibition of the current Master Plan, and includes previous concept plans publicly exhibited during December 2010/ January 2011, and the subsequent extensive community consultation undertaken by Elton Consulting between June and September 2011. People who expressed an interest from each round of consultation were also kept informed of progress, through emails and on-line information on Council's web site.

During all these consultation processes Council has always ensured that a full cross-section of the community had an opportunity to be involved and provide input. The consultation processes undertaken to date are summarised below.

### Public Exhibition of Concept Plans (December 2010/ January 2011)

Notification of the public exhibition included the following:

- Two notices placed in the Manly Daily, advising the community of the proposal and where additional information can be obtained,
- Notification on Council's web site, with a link to the concept design plans, locations and times of additional public information sessions, details for submission of comments and suggestions, and contact names and phone numbers for further enquiries,

- Letters mailed to approximately 3,000 property owners, residents and business owners in the immediate area, with an information pamphlet, Questionnaire and Comments Form and a reply paid envelope enclosed,
- Letters mailed to the Dee Why Chamber of Commerce, the State Transit Authority and the Roads and Traffic Authority, with an information pamphlet, Questionnaire and Comments Form and a reply paid envelope included,
- Public displays of the concept design plans at the Dee Why Library, the Civic Centre Customer Service reception area and Cromer Administration Building reception area,
- Notices near the Collaroy rock pool, at the Collaroy SLSC building and at several shop fronts,
- Three public information sessions held at the Collaroy Plateau Community Centre, and
- An information kiosk manned by Council staff held at Collaroy Beach on two occasions.

#### Community Survey and Needs Analysis by Elton Consulting (June to September 2011)

The community engagement process was widely notified by:

- Advertisement in the Manly Daily,
- By letter to approximately 2,500 property owners, occupiers and business proprietors,
- By letter to identified stakeholders,
- Hanging a banner (1.5m x 4m) on Pittwater Road - inviting public participation,
- Notices on site and,
- Random surveys on site.

A wide range of engagement activities were carried out. These included:

- Face to face and phone interviews with 25 key stakeholders (businesses, organisations, groups and government departments and agencies)
- A user survey administered in the precinct (involving 136 participants)
- An online survey (achieving 128 responses)
- An online forum (20 participants and 54 comments received)
- Interactive community sessions (in which approximately 100 people participated)
- Two focus groups (17 participants)
- A community information and feedback session to report back draft findings (43 attendees).

The consultant reported that there was a strong level of interest and high level of community engagement throughout the process.

#### Public Exhibition of Master Plan (July 2012)

Notification of the public exhibition included the following:

- Advertisement in the Manly Daily (Warringah Update) on Saturday 30 June, 7 July and 14 July 2012, including a substantive Mayor's message on 7 July,

- Placement on Council's web site under What's Happening in Warringah with links to a questionnaire and on-line feedback form,
- Notification in Council's Disability Newsletter,
- A notification letter mailed out to 2, 276 property owners, occupiers, target stakeholders and previous concept plan respondents,
- A notification by email to approximately 3,000 people registered on Council's Community Engagement Database,
- Hard copy displays in Council's Civic Centre and the Dee Why Library, and
- Two public information/ presentation sessions at the Collaroy Plateau Youth and Community Centre.

All notification material provided details of how the public could make feedback submission via either Council's web site, by email or mail.

As reported above, even though 391 people viewed the proposal details on Council's web site, only 37 on-line submissions were received with 18 supporting the plan. 16 written submissions were also received with 9 submissions supporting the plan. One petition (with 249 signatures) opposing the plan was also received.

## **CONCLUSION**

Although the community's preferred response to the first set of concept plans exhibited in 2010/2011 was to relocate the car park away from the beach front to the grassed area west of the playground, Council acknowledged that some sectors of the community wanted to retain some of the existing features. As such the proposed Master Plan has been developed based on balancing the visions and priorities expressed by the wider community as a result of a subsequent comprehensive community engagement process undertaken by Elton Consulting.

The proposed Master Plan has been developed as a compromise layout to retain those features which some of the community considered important, such as parking close to the beach, retention of the grassy embankments below Pittwater Road and the flat grassy area west of the playground.

This balance of community expressed needs has been achieved while providing substantial safety and accessibility improvements in accordance with the visions and priorities of the rest of the Warringah community.

Results of the individual submissions support the Master Plan, albeit with some conditions provided. These issues, are summarised above under '*Conditions of Support*' and will be further investigated and examined for the best possible outcome during the detailed design stage.

**FINANCIAL IMPACT**
**Estimate of Costs**

The following figures are based on very preliminary estimates and all include a contingency amount of 10%. They are intended for budget planning purposes and will have to be confirmed with more accurate estimates following further investigation and preparation of detailed designs.

<b>MASTER PLAN ELEMENT</b>	<b>PRELIMINARY COST ESTIMATE</b>
STORMWATER DRAINAGE UPGRADES	\$500,000
NEW CAR PARK/ PAVING	\$770,000
PROMENADE PAVING	\$82,000
UPGRADES AT POOL	\$20,000
NORTHERN RESERVE AREA	\$133,000
PLAZA AREA ADJOINING SERVICES CLUB	\$308,000
CAR PARK NORTH OF SURF ROCK HOTEL	\$82,500
ALL-ABILITIES PLAYGROUND	\$957,000
BEACH RAMP/ STAIRS	\$600,000
VILLAGE GREEN/ RAMP	\$167,420
NEW TOILETS	\$440,000
NEW PEDESTRIAN CROSSING	\$550,000
	<b>\$4,609,920</b>

**Proposed Funding Strategy**

<b>CURRENT FUNDING SOURCE</b>	<b>AMOUNT</b>	
Available in 2012/13 Budget	\$304,000	
Available in 2013/14 Budget	<u>\$1,350,000</u>	
<b>Sub-total</b>	<b>\$1,654,000</b>	
<b>PROPOSED FUNDING SOURCE</b>		
Roads and Maritime Services	\$550,000	(pedestrian crossing)
Apply for grant	\$1,000,000	(all abilities playground)
Possible Additional Sect 94	<u>\$1,405,920</u>	
<b>Sub-total</b>	<b>2,955,920</b>	
	<b>\$4,609,920</b>	

**TIMING**

<b>Early October 2012</b>	Completion of detailed design and estimates for all Master Plan elements except, beach ramps, new toilets and pedestrian crossing
<b>October 2012</b>	Commence detailed investigations and design for beach ramps, new toilets and pedestrian crossing (subject to agreement with Roads and Maritime Services)
<b>October / November 2012</b>	Call public tenders for elements of work where funding is available and sufficient, including  STORMWATER DRAINAGE UPGRADES * NEW CAR PARK/ PAVING PROMENADE PAVING UPGRADES AT POOL NORTHERN RESERVE AREA PLAZA AREA ADJOINING SERVICES CLUB CAR PARK NORTH OF SURF ROCK HOTEL
<b>11 December 2012</b>	Report to Council recommending tenderer/s and works to be undertaken with available budget as Stage 1
<b>December 2012/ January 2013</b>	Appoint successful contractor/s for Stage 1 works
<b>Late April/ Early May 2013</b>	Commence construction of Stage 1
<b>Late October 2013</b>	Complete construction of Stage 1

\*Recent detailed investigations of the existing stormwater drainage pipes passing through the southern end of the reserve, and modeling of runoff from the upstream catchment has revealed that major upgrades of the existing pipelines through the reserve will be required before any other works in this area can be commenced. Subject to further investigations, design and costs, this upgrade work may delay the ability to commence any other upgrade works as planned in the winter of 2013.

**NOTE:** The exact elements of work included in Stage 1 will be subject to determination of the stormwater drainage upgrade works required, available funding and the tenders received. The elements of work which cannot be delivered as part of Stage 1 will be considered for delivery subject to available funding. The elements of work which make up subsequent stages cannot be planned at this stage as some of the elements will be subject to investigations, detailed design, approvals and all will be subject to available funding.

**POLICY IMPACT**

All relevant Council policies have been considered in the development of the Master Plan/ concept designs, and will be further considered during preparation of detailed designs.

The project has no impact on any current Council policy.





<b>ITEM 8.12</b>	<b>COUNCILLOR REQUESTS - MARCH TO JULY 2012</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/289817</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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**EXECUTIVE SUMMARY**

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**PURPOSE**

To report on the Councillor Requests received in the last 5 months (between 1 March and 31 July 2012).

**SUMMARY**

In 2010, Council resolved to receive an ongoing report on the Councillor Requests that have been received. During the period 1 March and 31 July 2012, 180 Councillor Requests have been received. The breakdown of these requests is outlined in detail in the report that follows.

This report has been brought to Council one month earlier than usual due to this being the last Ordinary Council Meeting prior to the Local Government Elections being held on 8 September 2012.

**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 1 March to 31 July 2012, 180 Councillor Requests have been received. A breakdown of the number of requests during the period of 1 March and 31 July 2012 by complexity, Councillor, cost per Councillor and estimated staff time can be seen in the table below.

<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 De Luca	73	41	\$22665	349
Cr Falinski	7	4	\$2173	33
Cr Giltinan	1	1	\$310	5
Cr Harris	7	4	\$2173	33
Cr Kirsch	18	10	\$5589	86
Cr Ray	5	3	\$1552	23
Cr Regan	1	1	\$310	5
Cr Laugesen	57	32	\$17697	272
Cr Sutton	3	2	\$931	14
Cr Wilkins	8	4	\$2484	38
<b>Total</b>	<b>180</b>	<b>100</b>	<b>\$55884</b>	<b>858</b>

**CONSULTATION**

Nil

**TIMING**

This reflects Councillor Requests between 1 March and 31 July 2012, a period of 5 months.

**POLICY IMPACT**

Nil

**FINANCIAL IMPACT**

These costs have already been incurred.

<b>ITEM 8.13</b>	<b>REPORTING OF STRATEGIC REFERENCE GROUP MINUTES</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/305700</b>
<b>ATTACHMENTS</b>	<b>1 Draft Minutes - Recreation &amp; Open Space - 1 August 2012</b> <b>2 Draft Minutes - Infrastructure &amp; Development SRG - 8 August 2012</b> <b>3 Draft Minutes - Environmental Sustainability SRG - 13 August 2012</b> <b>4 Notes of the Meeting - Community &amp; Culture SRG - 7 August 2012</b>

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**REPORT**

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**PURPOSE**

To report draft minutes of the Strategic Reference Group (SRG) meetings held between 1 August and 13 August 2012

**REPORT**

The Strategic Reference Groups meet quarterly and held one round of meetings in August. It is noted that the Community and Culture SRG meeting did not reach quorum therefore notes of the meeting have been included in these report. The following draft minutes and notes of meeting are submitted to Council for noting:

- Recreation & Open Space SRG meeting 1 August 2012 (Attachment 1)
- Infrastructure & Development SRG meeting 8 August 2012 (Attachment 2)
- Environmental Sustainability SRG meeting 14 May 2012 (Attachment 3)
- Community and Culture SRG meeting 7 August 2012 (Attachment 4)

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the draft minutes of the Strategic Reference Group meetings held between 1 August and 13 August 2012 be noted.

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## DRAFT Minutes

Recreation and Open Space Strategic Reference Group

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### Recreation and Open Space Strategic Reference Group

Held on Wednesday, 1 August 2012  
In the Guringai Room, Civic Centre commencing at 6:00 pm

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#### Attendance

Cr Dr Conny Harris    Chairperson  
Cr Michael Regan  
Mr Paul Smith  
Ms Julie Whitfield  
Ms Lata Wilkinson  
Ms Melissa Palermo  
Mr Chris Thomas    *(arrived 6:10pm)*  
Mr Patrick Wong  
Mr Tony Pecar  
Mr Don Norris

#### Council Officers

Mr Rik Hart	General Manager
Dr John Warburton	Deputy General Manager Community
Mr David Kerr	Group Manager Strategic Planning
Mr Michael McDermid	Corporate Planning Manager
Mr Damian Ham	Recreation Management Manager
Ms Melissa Lee	Governance Manager
Ms Ximena Von Oven	Minutes Governance Team

#### Visitor

Mr Bob Aitken

The Chair opened the meeting and gave an acknowledgment of Country.

#### 1.0 APOLOGIES

Cr Dr Christina Kirsch

#### 2.0 DECLARATION OF PECUNIARY INTEREST/NON- PECUNIARY CONFLICT OF INTEREST

Nil

**4.0 CONFIRMATION OF MINUTES OF LAST MEETING****4.1 Minutes of the meeting held 2 May 2012**

That the Minutes of the meeting held 2 May 2012 be received and noted.

Moved Julie Whitfield

Seconded Tony Pecar

*Supported unanimously*

**5.0 DRAFT MINUTES FROM COMMUNITY COMMITTEES FOR CONSIDERATION****5.1 Draft Minutes of Forestville RSL War Memorial Playing Fields Community Committee held 21 May 2012**

That the Draft Minutes of Forestville RSL War Memorial Playing Fields Community Committee held 21 May 2012 be received and noted.

Moved Michael Regan

Seconded Julie Whitfield

*Supported unanimously*

**5.2 Draft Minutes of Forestville RSL War Memorial Playing Fields Community Committee held 16 July 2012**

That the Draft Minutes of Forestville RSL War Memorial Playing Fields Community Committee held 16 July 2012 be received and noted.

Moved Tony Pecar

Seconded Julie Whitfield

*Supported unanimously*

**5.3 Draft Minutes of John Fisher Park Community Committee meeting held 19 April 2012**

That the Draft Minutes of John Fisher Park Community Committee held 19 April 2012 be received and noted.

Moved Tony Pecar

Seconded Julie Whitfield

*Supported unanimously*

**5.4 Draft Minutes of Stony Range Botanic Garden Community Committee held 3 July 2012**

That the Draft Minutes of Stony Range Botanic Garden Community Committee held 3 July 2012 be received and noted.

Moved Conny Harris

Seconded Julie Whitfield

*Supported unanimously*

**6.0 UPDATE ON ACTIONS FROM LAST MEETING**

Cr Harris reviewed the update on actions from the previous meeting. SRG members received and noted the information.

**5.2 Wet Weather Closure Process**

**Action** Council staff to load the Frequently Asked Questions: Warringah Council's Sport Fields & Wet Weather on Council's website.

**Procedural Motion – Change Order of Business**

That the Order of Business be changed so that Item 7.3 be dealt after Item 6.0.

Moved Julie Whitfield

Seconded Melissa Palermo

*Supported unanimously*

**7.0 REPORTS/PRESENTATIONS TO RECREATION AND OPEN SPACE STRATEGIC REFERENCE GROUP****7.3 Draft Stony Range Management Strategy Landscape Masterplan**

Visitor - Bob Aitken, Deputy Chairman of the Stony Range Community Committee

Bob Aitken, spoke to the group in relation to the Draft Stony Range Management Strategy Landscape Masterplan highlighting that the Stony Range area should be promoted through Council's website and engagement with the general community. The Stony Range Community Committee wants to bring the area up to a recreational and tourism standard. Volunteers play an important role within this Community Committee. He further invited the SRG members to attend the Stony Range open day that will be held on 26 August 2012.

Damian Ham, Recreation Management Manager provided an update in relation to the Draft Stony Range Masterplan. He circulated the Draft Masterplan to the SRG members.

**Recommendation** *That the SRG members support the Draft Masterplan for Stony Range.*

*Supported unanimously*

**7.1a Verge Garden Management**

Damian Ham introduced the briefing note and memo in relation to Verge Garden Management. The Encroachments/Constructions & Road Reserve Lease Policy was received and noted.

**Action** That Council staff contacts Waverly Council and City of Sydney Council to establish how they have successfully implemented verge gardens.

**Action** Council staff to investigate what other Councils have done in relation to verge garden management.

**Recommendation to Council** *That the SRG supports the concept of verge gardens and that further investigation be carried out.*



Moved Chris Thomas  
Seconded Melissa Palermo

*Supported unanimously*

### **7.1b Street Tree Planting Policy**

The Street Tree Planting Policy was received and noted.

- Action** Council staff to include in the Draft Policy a clause covering volunteer groups undertaking street tree planting.
- Action** Council staff to set some criteria in relation to fruit trees and omission of certain soft fruit species.
- Action** Council staff to investigate and provide information in relation to non-indigenous species and leaf drop.
- Action** That the final Draft of the Street Tree Planting Policy be circulated to the SRG members.

### **7.2 Draft North Narrabeen Beach Reserve and Birdwood Masterplan**

Damian Ham advised SRG members that the Draft North Narrabeen Beach Reserve and Birdwood Masterplan had been placed on exhibition. The exhibition period closed on 13 July 2012. Staff will present to the SRG a final analysis of the plan.

- Action** Council staff to report back to the SRG with the public comments in relation to the Masterplan.
- Action** That the detail of the sand dune advice that Council is relying upon is presented back to this SRG.
- NOTE** The below link is provided for your information, no further action is required in relation to the above action.

<http://yoursaywarringah.com.au/northnarramasterplan>

## **8.1 STRATEGIC DISCUSSION TOPIC**

### **8.1 End of SRG Term Report**

Cr Harris thanked the SRG members for their time and efforts during this term. She noted that excursions should be organised to all the sites that are part of the Community Committees that report to the Recreation and Open Space SRG.

Melissa Lee, Governance Manager requested SRG members to provide feedback in relation to their input and work with regards to this SRG. She further noted that the information will be included in the end of SRG Term Report.

**A. Police & Citizen Youth Club**

JW briefed the group in relation to the proposed PCYC application. The group discussed the implications of the PCYC in particular traffic management issues and different sites for the PCYC.

*NOTE Cr Michael Regan left the meeting at 8:10pm*

**B. Policy Matrix Update**

Michael McDermid, Corporate Planning Manager circulated the timetable for reviewing policies to the SRG members. The report was received and noted.

**C. Community Survey Results**

David Kerr, Group Manager Strategic Planning briefed the SRG members in relation to the Community Satisfaction Survey highlighting an increase in the overall performance of Council and its staff. He further highlighted the significant improvements, vision and priorities of the Warringah Community.

**D. End of Year Report 11/12**

Michael McDermid provided a presentation in relation to the 2011/2012 progress against Strategic Community Plan actions. He highlighted the overall progress, the key initiatives and capital works. The presentation was received and noted.

**E. Status of SRG Review**

Melissa Lee, Governance Manager provided a presentation in relation to the SRG and Community Committees review highlighting the workshops, administrative changes and recommendations to Council. The presentation was received and noted.

**F. SRG Involvement in Development of New Community Strategic Plan**

Michael McDermid provided a presentation in relation to the Community Strategic Plan 2013 highlighting the SRG involvement, the integrated planning model, and the engagement strategy of the plan. He further circulated the "Warringah Dream Create and Live" mailout.

Next meeting – Wednesday 7 November 2012

**Meeting Closed 9.20 pm**

## DRAFT Minutes

Infrastructure and Development Strategic Reference Group

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### Infrastructure and Development Strategic Reference Group

Held on Wednesday 8 August 2012

In the Guringai Room, Civic Centre commencing at 6.00pm

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#### Attendance

Cr Jason Falinski	(Chairperson)
Cr Dr Helen Wilkins	(Deputy Chairperson) ( <i>Arrived at 6.05pm</i> )
Cr Dr Conny Harris	( <i>Left at 7.01pm</i> )
Ms Adrienne Lowe	( <i>Left at 7.00pm</i> )
Ms Jane Hauser	
Mr Manjit Rana	( <i>Left at 7.00pm</i> )
Ms Ann Sharp	
Ms Sue Heins	
Mr Michael Syme	

#### Council Officers

Dr John Warburton	Deputy General Manager, Community
Mr Don McQueen	Acting Group Manager Buildings, Property and Spatial Information
Mr Boris Bolgoff	Group Manager, Roads Traffic and Waste
Mr Michael McDermid	Corporate Planning Manager
Ms Melissa Lee	Governance Manager
Ms Fiona Stuart	Administration Officer, Governance

#### 1 APOLOGIES

John Hewitt and General Manager, Rik Hart

#### 2.0 DECLARATION OF PECUNIARY INTEREST/NON-PECUNIARY CONFLICT OF INTEREST

Nil

#### 3.0 CONFIRMATION OF MINUTES OF LAST MEETING

##### 3.1 Minutes of the meeting held 10 May 2012

That the minutes of the meeting held 10 May 2012 be received and noted, with the following amendments to the spelling of Jane Hauser, and the attendance to reflect Jane being absent at the meeting.

Moved	Sue Heins
Seconded	Jason Falinski

*Supported unanimously*

Note: Cr Dr Wilkins entered the meeting at 6.05pm

#### **4.0 NOTING OF DRAFT MINUTES/ MINUTES FROM COMMUNITY COMMITTEES**

##### **4.1 Draft Minutes of Curl Curl Youth and Community Centre Community Committee meeting held 10 May 2012**

That the Draft Minutes of Curl Curl Youth and Community Centre Community Committee meeting held 10 May 2012 be received and noted.

Moved                Michael Syme  
Seconded          Helen Wilkins

*Supported unanimously*

##### **4.2 Draft Minutes of Harbord Literary Community Committee meeting held 20 February 2012**

That the Draft Minutes of Harbord Literary Community Committee meeting held 20 February 2012 be received and noted.

Moved                Sue Heins  
Seconded          Helen Wilkins

*Supported unanimously*

##### **4.3 Draft Minutes of Harbord Literary Community Committee meeting held 12 May 2012**

That the Draft Minutes of Harbord Literary Community Committee meeting held 12 May 2012 be received and noted.

Moved                Sue Heins  
Seconded          Helen Wilkins

*Supported unanimously*

#### **5.0 UPDATE ON ACTIONS FROM LAST MEETING**

Cr Falinski reviewed the update on actions from the previous meeting, the SRG noted the information.

The group discussed the update in relation to Item 5.2 Update of Warringah Design Guidelines – Public Spaces STR-PR 350.

**Action**      That Council staff confirm with D Chung that he has contacted the various Chambers of Commerce and distributed a copy of the draft Urban Design Guidelines for their comment.

Moved                Jason Falinski  
Seconded          Michael Syme

*Supported unanimously*

## **6.0 DISCUSSION TOPICS**

### **6.1 Price of Electricity at Sports Fields**

Cr Falinski drew the attention of the group to the briefing note in the papers, there were no questions.

### **6.2 Police & Citizen Youth Club**

John Warburton briefed the group in relation to Council's submission for a proposed Police and Citizens Youth Club in Dee Why.

**Action** That John Warburton circulates a copy of Warringah's PCYC submission to all I&D SRG members.

Note: Manjit Rana and Adrienne Lowe left the meeting at 7.00pm

Note: Cr Dr Conny Harris left the meeting at 7.01pm

Note: At this stage of the meeting there was a lack of quorum. The members present wished to continue with the meeting, whilst noting that no official decisions could be made by the group.

### **6.3 Policy Matrix Update**

Michael McDermid, Corporate Planning Manager, circulated an updated Policy Matrix to the group. There were no questions raised by the group.

### **6.4 Community Survey Results**

Michael McDermid presented the results of the Community Survey highlighting the overall increase in community satisfaction with Council. There were no questions raised by the group.

### **6.5 End of Year Report 11/12**

Michael McDermid presented the end of year report 2011/12.

**Action** That SRG members be sent a briefing note in relation to the Forestville Skate Facility works and budget issues.

**Action** That the issue of Libraries and their use into the future be listed on the next agenda.

### **6.6 End of SRG Term Report**

Cr Falinski thanked the group for their commitment to the I&D SRG, noting their positive attitude and passion. He also noted that the group has developed and progressed over its term.

### **6.7 Status of SRG Review**



Melissa Lee presented the results of the SRG and CC workshops in May and presented the draft recommendations to Council highlighting the recommendation that SRG's and CC's in the current format are rolled over for 12 months. She also highlighted the administrative changes that will be undertaken to make improvements in the running of the SRG meetings.

#### **6.8 SRG Involvement in Development of New Community Strategic Plan (CSP)**

Michael McDermid discussed the development of the new CSP with the group, outlining the timeline and involvement requested of the SRG members through this process.

### **7.0 GENERAL BUSINESS**

#### **7.1 Libraries**

The group discussed the value of libraries into the future, especially the question around continuing to invest in hard copy books.

Other ideas were raised including investing in other uses for these spaces such as cafés, informal business space, learning (computers) and a general meeting place for children and adults.

John Warburton advised that a project was to be commenced relating the development of Dee Why library and that this group would be requested to provide feedback.

Note: Cr Dr Wilkins expressed thanks to Cr Falinski for chairing the I&D SRG meetings and for the members input.

#### **8.0 Next Meeting – Thursday 8 November 2012**

**Meeting Closed 8.56pm**

## DRAFT Minutes

Environmental Sustainability Strategic Reference Group

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### Environmental Sustainability Strategic Reference Group

Held on Monday: 13 August 2012

In the Guringai Room, Civic Centre commencing at 6.00 pm

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#### Attendance

Cr Dr Christina Kirsch (CK)	(Chairperson)
Cr Michelle Ray (MR)	(Deputy Chairperson)
Cr Michael Regan (MR)	(left at 7:30pm)
Mr Michael Houston (MH)	
Dr Alan Jones (AJ)	
Mr John Mullins (JM)	
Ms Gail Phillips (GP)	
Ms Sian Waythe (SW)	
Ms Michelle Sheather (MS)	

#### Council Officers

Mr Rik Hart (RH)	General Manager
Mr Malcolm Ryan (MR)	Deputy General Manager Environment
Mr Todd Dickinson (TD)	Group Manager Natural Environment
Ms Vivien Howard (VH)	Environment Officer - Biodiversity
Mr Michael McDermid (MMD)	Corporate Planning Manager
Ms Anna Moore (AM)	Coordinator Governance
Ms Ximena Von Oven	Administrator Officer Governance

The Chair opened the meeting at 6:00pm.

#### 1.0 APOLOGIES

Ms Alison Tourle, Mr Cameron Little and Dr Paul Hackney.

#### 2.0 DECLARATION OF PECUNIARY INTEREST/NON-PECUNIARY CONFLICT OF INTEREST

Nil

#### 3.0 ADOPTION OF MINUTES OF LAST MEETING

##### 3.1 Minutes of the meeting held 7 May 2012 (attached)

That the minutes of the meeting held 7 May 2012 be adopted.

Moved CK  
Seconded SW

*Supported unanimously*



#### **4.0 Draft Minutes/Minutes of Community Committees for consideration**

##### **4.1 Draft Minutes of Dee Why and Curl Curl Lagoon Community Committee meeting held on 16 May 2012**

That the draft minutes of the Dee Why and Curl Curl Lagoon Community Committee meeting held on 16 May 2012 be received and noted.

Mover MS  
Second GP

*Supported unanimously*

**Action** That Council staff report back to ES-SRG members and forward a relevant response in relation to the below items 3.1.1 to 3.1.4 from the Dee Why and Curl Curl Community Committee minutes meeting held 16 May 2012.

##### *Item 3.1.1*

*The Dee Why and Curl Curl Community Lagoon Committee be reformed as a Flood Plain Committee, in the mode of the flood plain committees that exist for both Narrabeen and Manly Lagoons*

##### *Item 3.1.2*

*That, in the interim, recommendations or requests made by the Committee in its Minutes be specifically addressed and responded to by the ES-SRG, with the outcome reported back.*

##### *Item 3.1.3*

*That a right of the Chair of a Community Committee to address its relevant SRG be enshrined in the Code of Conduct.*

##### *Item 3.1.4*

*That members of relevant Community Committees be informed by email when SRG Minutes are posted on Council's website.*

#### **5.0 UPDATE ON ACTIONS FROM LAST MEETING**

That the update on actions be received and noted.

#### **6.0 DISCUSSION ITEMS**

##### **6.1 Update on Mountain Biking Policy and the Impacts on the Environment**

VH provided a presentation in relation to the Mountain Biking policy in Warringah highlighting the key constraints and opportunities for mountain biking in the area and the impacts on the natural environment.

**Action** That the strategic management of bushland be included as an ongoing agenda item for the ES-SRG.

**6.2 Report from the Biodiversity Sub-Committee – AJ, MS, SW & MH**

The Biodiversity Sub-Committee gave an update to the group, they highlighted the below:

Council's recently completed Biodiversity Conservation Study ranked all bushland properties within the LGA based on their biodiversity conservation values. A logical next step for Council would be to put in place a process to acquire, or protect through zoning restrictions on development, the highest value properties. This would ensure that high value conservation areas and important wildlife corridors will be conserved into the future.

The Biodiversity Sub-Committee is concerned that key wildlife corridors are being lost and that the ES-SRG is not being consulted on this matter and proposed a number of recommendations.

**Recommendations**

1. *That Council advises the ES-SRG*
  - A) *On the timeframe of the implementation of the Biodiversity Conservation Study outcomes, specifically proposals relating to the acquisition, disposal, development or rezoning of the high conservation value properties.*
  - B) *On the recent sales or proposals for Council land sales for development ex: Frenchs Forest, Oxford Falls, Belrose.*
2. *That EPA procedures are strictly followed and the people of Warringah given ample opportunity to comment on land development processes for rezoning.*
3. *That Development of residential areas are confined to areas of low conservation value both in terms of water conservation and biodiversity value. Wildlife corridors and areas of high conservation value should not be developed.*
4. *That Council reiterates its support to the Department of Health Infrastructure (who are the lead agency in the development of this site) for the preservation of areas of high conservation values and wildlife corridors of the land at Frenchs Forest which was compulsory acquired, if construction of this site proceeds (as per Notice of Motion).*

Moved MS  
Seconded SW

*Supported unanimously*

**Action** That Council staff provide a briefing on the Frenchs Forest hospital as more information becomes available.

**Action** That Council staff provide an update on all planning proposals to amend the Local Environmental Plan (LEP).

**Action** That Council staff provide a briefing on Oxford Falls planning issues.

**Question taken on Notice**

*The following question was asked by JM during the meeting. Council staff will provide a response on the November meeting.*

*Is Council considering the carbon sequestration of land, waterway and potential revenue associated with this?*

*NOTE Items 6.6 and 6.7 were dealt after Item 6.2*

*NOTE MR left the meeting at 7:30pm*

#### **6.6 End of SRG Term Report 11/12 – Todd Dickinson/ Anna Moore**

CK thanked the ES-SRG members for their contributions and expressed her gratitude and joy for working with them. The following items were highlighted:

- Effort and passion of the ES-SRG members
- The steep learning curve for the members with regards to this SRG
- Achievements in relation to Environmental Sustainability Strategy
- The key challenge going forward was to keep discussions at a strategic level
- Opportunity to develop a relationship with the Infrastructure and Development SRG on common issues.

MR thanked and congratulated CK for being the Chairperson and for her commitment with the ES-SRG.

TD briefed the group about the end of term report that has been prepared for the 28 August 2012 Council meeting.

AM requested members to provide feedback about where they believe they had added value to the SRG as this would be fed into the end of term report.

#### **6.7 Status of SRG Review – Anna Moore**

AM provided a presentation in relation to the SRG and Community Committees review highlighting the workshops, administrative changes and recommendations being proposed at the 28 August 2012 Council meeting. The presentation was received and noted.

AM advised that she was completing a project to further improve the functioning of all SRG's and to assist with this project she requested feedback from SRG members on the possible reasons why 50% of ES-SRG members were undecided if their contributions were making a difference.

*NOTE The ES-SRG members congratulated Council staff for the excellent report, workshops and presentation.*

#### **6.3 Policy Matrix Update – Michael McDermid**

MMD, circulated the timetable for reviewing policies, the Fees and Charges 2012-2013 and the Strategic Community Plan 2012 to the SRG members. The documents were received and noted.

#### **6.4 Community Survey Results**

MMD presented the results of the Community Survey highlighting the overall increase in community satisfaction with Council.

**6.5 End of Year Report 11/12**

MMD provided a presentation in relation to the 2011/2012 progress against Strategic Community Plan actions. He highlighted the overall progress, the key initiatives and capital works. The presentation was received and noted.

**6.8 SRG Involvement in Development of New Community Strategic Plan**

MMD provided a presentation in relation to the development of the new Community Strategic Plan highlighting the SRG involvement, the integrated planning model and the engagement strategy of the plan. He also circulated the "Warringah Dream Create and Live" mailout.

**Action** Council Staff to circulate the Engagement Strategy for the CSP.

**7.0 Next Meeting – Monday 5 November 2012**

**NOTE** *The Draft Sustainable Transport Strategy Workshop will be held 20 August 2012 at 6.00pm on the Guringai Room. ES-SRG have been invited to attend.*

**Meeting Closed 9.06 pm**

## Notes of the Meeting

Community and Culture Strategic Reference Group

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### Community and Culture Strategic Reference Group

Held on Monday, 7 August 2012  
In the Guringai Room, Civic Centre commencing at 6.03pm

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#### Attendance

Cr Dr Conny Harris (CH)	(Chairperson)
Cr Michael Regan (MR)	(Deputy Chairperson) <i>(arrived 6:15pm)</i>
Mr Jim Boyce (JB)	
Mr Kevin Martin (KM)	
Ms Kelly Rose (KR)	<i>(left 7:35pm)</i>

#### Council Officers

Mr Rik Hart (RH)	General Manager
Mr John Warburton (JW)	Deputy General Manager Community
Ms Ruth Robins (RR)	Group Manager Community Services
Ms Elizabeth Marshall (EM)	Arts & Cultural Development Officer
Mr David Kerr (DK)	Group Manager Strategic Planning
Mr Michael McDermid (MMD)	Corporate Planning Manager
Ms Anna Moore (AM)	Governance Coordinator
Ms Ximena Von Oven (XVO)	Minutes Governance

#### PLEASE NOTE: Quorum was not achieved for this meeting

CH, declared the meeting open at 6:03pm and gave an acknowledgment of Country. She advised that there was a lack of quorum but that the members present wished to go ahead with the meeting. She noted that no official decisions could be made by the group.

#### 1.0 APOLOGIES

Cr Julie Sutton, Ms Eliza Jane Pross & Ms Maureen Dillon.

#### Procedural Motion – Change Order of Business

That the Order of Business be changed so that Item 2.0 be dealt after Items 3.0, 4.1 and 5.1

#### 3.0 DECLARATION OF PECUNIARY INTEREST/NON PECUNIARY CONFLICT OF INTEREST

Nil

#### 4.0 CONFIRMATION OF MINUTES OF LAST MEETING



#### **4.1 Minutes of the meeting held 14 May 2012**

Due to lack of quorum this item was deferred for the November meeting.

#### **5.0 DRAFT MINUTES/ MINUTES COMMUNITY COMMITTEES FOR CONSIDERATION**

##### **5.1 Draft Minutes Heritage Community Committee meeting held 2 May 2012**

Due to lack of quorum this item was deferred for the November meeting.

*NOTE CH reported that the Draft Minutes of the Heritage Community Committee meeting held 23 July 2012 were circulated at the meeting to the SRG members. She was happy to consider the Draft Minutes. The following actions were raised:*

##### **5.2 Draft Minutes Heritage Community Committee meeting held 23 July 2012**

**Action** Council staff to report back in relation to the following actions 4.5 and 4.6 of the Draft Minutes Heritage Community Committee meeting held 23 July 2012.

###### *Action 4.5*

*The committee requests that Council investigate the possibility of introducing a Rate Rebate for properties that receive a Heritage Listing on the provision that the money saved is spent on maintaining and/or upgrading the fabric of the building.*

###### *Action 4.6*

*Cr Helen Wilkins (HW) will lodge a Councillor request to ask for an update on the status of each of the eight items listed in item 9.1 and adopted by Council 22 April 2008.*

**Action** RR to discuss with Group Manager of Marketing and Communications regarding action 4.4 of the Draft Minutes Heritage Community Committee meeting held 23 July 2012.

###### *Action 4.4*

*The committee requests that Council investigate the possibility of introducing a new Heritage category of the Warringah Community Art Prize and the Committee investigate possible sponsors for a prize.*

*NOTE MR arrived to the meeting at 6:15pm.*

#### **2.0 VISITORS**

EM briefed the group in relation to her new role as Arts and Cultural Development Officer role, she discussed the following:

- Current actions within the Cultural Plan.
- Warringah Art Events.
- Her meeting with Penny Philpott (PPH) regarding the introduction and development of a possible Sculpture Walk in the Warringah area.

**Action** Council staff to review item 5.1, Update on Actions from 14 May 2012, to further advise SRG members of the changes that the Strategic Planning Team schedule will need in order to include the development of a Heritage Plaque Policy.

**Action** Council staff to confirm the origin of the data in relation to the circulated Heritage Plaques spread sheet (Council owned land property).

## **6.0 MATTERS ARISING**

### **6.1 Update on actions from previous meeting**

CH reviewed the update on actions from previous meeting.

AM (on behalf of Don McQueen) circulated a spreadsheet with details of all known cultural assets in Warringah area, including a sample of photographs of the cultural assets of the area. The documents were received and noted.

### **6.2 Dee Why Town Centre Update**

CH advised that as MD was unable to attend the meeting, this item was deferred to the November meeting.

## **7 STRATEGIC DISCUSSION TOPIC**

### **7.1 End of SRG Term Report**

CH provided some feedback in relation to the challenges that this SRG has had to overcome during its term, particularly achieving quorum and the broad scope of the SRG. DK advised that he was preparing the end of term report which would be reported to Council.

AM requested members to provide feedback about where they believe they had added value to the SRG as this would be fed into the end of term report.

**Action** Council staff to investigate with Tina Graham (TG) regarding the status of the Sister Cities agreement in relation to Gitzeria.

### **7.2. Police & Citizen Youth Club (PCYC)**

JW briefed the group in relation to the proposed PCYC application. The group discussed the implications of the PCYC in particular traffic management issues and different sites for the PCYC.

### **7.3. Policy Matrix Update**

MMD circulated the updated timetable for reviewing policies. He also provided members with the Fees and Charges 2012-2013 and the Strategic Community Plan 2012. The documents were received and noted.

### **7.4. Community Survey Results**

DK briefed the SRG members in relation to the Community Satisfaction Survey highlighting an increase in the overall performance of Council and its staff. He further highlighted the significant improvements, vision and priorities of the Warringah Community.



**7.5. End of Year Report 11/12**

MMD provided a presentation in relation to the 2011/2012 progress against Strategic Community Plan actions. He highlighted the overall progress, the key initiatives and capital works. The presentation was received and noted.

**7.6. Status of SRG Review**

AM provided a presentation in relation to the SRG and Community Committees review highlighting the workshops, administrative changes and recommendations being proposed at the 28 August 2012 Council meeting. The presentation was received and noted.

AM advised that she was completing a project to further improve the functioning of all SRG's and to assist with this project she requested feedback from SRG members on the possible reasons why 100% of C&C-SRG members did not agree on the statement that "My Contributions to the SRG are making a difference?"

**Action** Council staff to email question regarding contribution to SRG to all members.

CH thanked the SRG members for their time and effort during the SRG term. Discussion arose in relation to the following matters:

- Lack of quorum
- Resignation of members
- Scope of the Community and Culture SRG
- Agenda Topics
- Acknowledgement of volunteers
- Attendance of Community members to the SRG meetings
- Chances of achieving anything tangible if no funding is allocated to the overall theme

SRG members suggested libraries and crime prevention as possible topics for the Community and Culture SRG Agenda.

**7.7. SRG Involvement in Development of New Community Strategic Plan**

MMD provided a presentation in relation to the development of the Community Strategic Plan 2013 highlighting the SRG involvement, the integrated planning model and the engagement strategy of the plan. He also circulated the "Warringah Dream Create and Live" mailout.

**Meeting Closed 8:49 pm**

<b>ITEM 8.14</b>	<b>REPORTING OF STRATEGIC REFERENCE GROUP END OF TERM REPORT</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/306093</b>
<b>ATTACHMENTS</b>	<b>1 End of Term Report - Environment &amp; Sustainability SRG 2 End of Term Report - Recreation &amp; Open Space SRG 3 End of Term Report - Community &amp; Culture SRG 4 End of Term Report - Infrastructure &amp; Development SRG</b>

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**REPORT**

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**PURPOSE**

To present the End of Term Report of the Strategic Reference Groups (SRG) to Council.

**REPORT**

Strategic Reference Groups are responsible for providing strategic advice and recommendations to Council in relation to matters referred to in their Charters or as otherwise determined by Council. They provide interested community members and other stakeholders with meaningful opportunities to play an active role in contributing to Council decision making and helping shape Council plans, policy and practice.

The SRG guidelines established that all Strategic Reference Groups are required to provide Council, at least annually, with a report outlining key outcomes for the Group over the period. At the end of each Council term the Chairperson must report to Council on the overall contribution of the Strategic Reference Group.

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the end of term reports from the Strategic Reference Groups be noted.

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## END OF TERM STRATEGIC REFERENCE GROUP REPORT

### Strategic Reference Group

Environmental Sustainability

#### Membership

Cr Dr Christina Kirsch (Chairperson)  
Cr Michelle Ray (Deputy Chairperson)  
Cr Michael Regan  
Alan Jones  
Alison Tourle  
Cameron Little  
Gail Phillips  
John Mullins  
Michelle Sheather  
Michael Houston  
Paul Hackney  
Sian Waythe

#### Strategic Reference Group meetings

- 2010: 1 November
- 2011: 23 February, 4 May, 1 August & 7 November
- 2012: 6 February & 7 May

#### Strategic Reference Group meetings

As per the Charter, the Group is comprised of 12 members including 3 Councillors and 9 Committee members. There has been good attendance during this term as shown in the following table. Staff attend in a supporting role as required.

Attendance at Environmental Strategy SRG Committee Meetings							
	1/11/10	23/2/11	4/5/11	1/8/11	7/11/11	6/2/12	7/5/12
Councillors (3 members)	1	2	3	3	2	3	2
Committee (9 members)	5	9	8	8	7	9	9
Total (12 member)	6	11	11	11	9	12	11

#### Brief Summary of the Strategic Reference Group Role/ Objectives

The Environmental Sustainability Strategic Reference Group (ES-SRG) was established to provide strategic advice and direction in terms of bushland & biodiversity, lagoons & waterways, climate change, natural resource management, coastal management and environmentally sustainable practice. In addition to this role, the ES-SRG also considers the reports of two Community Committees; the Dee Why Curl Curl Lagoon Community Committee and the Warringah Coastal Community Committee.

In order to preserve the strategic focus, the Charter states that the ES-SRG will not be involved in operational decision-making, reallocation of funding or resources provided for in current Community Strategic Plans and budgets.

### Overview of matters considered by the ES-SRG

Since its inception in November 2010 through to May 2012, the ES-SRG has met a total of 7 times. During this period, the group have considered over 100 items with a number requesting action of staff, and/or formal recommendations to Council. Generally, the early part of the ES-SRG term was involved more action requests of staff, whereas the latter part of the term involved more recommendations to Council. The allocation of the discussion is summarised as follows:

<b>Issues</b>	<b>Discussion, recommendations and actions from the ES-SRG to staff or Council</b>
Bushland and biodiversity	26
Waterways and lagoons	4
Coastal management	6
Environmentally sustainable practice	23
Policies & strategic document review	14
Strategic Community Plan & Budget	13
Committee functions/process	6
Community Committee recommendations	11

### Bushland and biodiversity

- This area has created the greatest amount of discussion among the ES-SRG. The level of interest in the space has resulted in the creation of a sub-committee, which will help streamlining of discussion of these items at SRG meetings.
- While there has been lot of discussion on operational matters during the term, some significant strategic issues have also been considered including the Warringah Biodiversity Conservation Study, managing recreational impacts on bushland, and the preservation of bushland.

### Waterways and lagoons

- The management of waterways and lagoons has not had as much discussion as environmentally sustainable practice or bushland and biodiversity issues, however some key projects have been discussed including the next stages of the Narrabeen Lagoon Dredging project, and the impact of the Dee Why CBD upgrades on stormwater quality to Dee Why Lagoon.
- In the future it may be beneficial to make a brief report to the ES-SRG on the actions/findings from other Committees that have an interest lagoon management (e.g. Manly Lagoon Catchment Co-ordinating Committee), as well as Council's ongoing work in managing our freshwater creek network.

### Coastal management

- Coastal management has been focussed on the preparation of the Coastal Erosion Emergency Action SubPlan which was endorsed by the Minister for the Environment during the term. The ES-SRG and through it, the Warringah Coastal Community Committee, were both involved in making recommendations to Council on the adoption of the final document.
- Other items considered during the term included discussion around nourishing Warringah beaches with offshore sand, and the investigation into whether dogs should be allowed on Warringah beaches.





**Environmentally sustainable practice**

- Environmentally sustainable practice includes reference to sustainable populations
- This category was a clear focus for the group during the term, having the second highest amount of discussion after Bushland and Biodiversity.
- One of the big successes of the ES-SRG during the term, was the Environmental Sustainability Strategy. The ES-SRG were involved in a number of workshops that helped shape the final document. The Strategy will be a "pillar" document for Council, shaping its approach to environmental sustainability for the next 10 years.

**Policies & strategic document review**

- The group was involved in the review or discussion of a number of important policy matters during the term including street tree policies, NSW Government policies, companion animal management, pesticide management and sustainable event management.

**Strategic Community Plan & Budget**

- The ES-SRG were briefed on a number of occasions on the Strategic Community Plan and Budget for each financial year. This has been important, particularly as the budget begins to be more aligned with the outcomes in the Environmental Sustainability Strategy.
- The group also considered the budgets of a number of operational areas including bush regeneration, Stony Range, and sustainability education.

**SRG/Committee functions/process**

- During the term, the ES-SRG participated in ongoing discussions about the SRG role, its operation and relationship with both Council and the Community Committees. This has been very helpful for staff in refining the processes for interaction between these groups.

**Community Committees**

- The Dee Why Curl Curl Lagoons Community Committee and the Warringah Coastal Community Committee had their respective minutes reported to the ES-SRG and subsequently to Council.

**Chairs Report**

I would like to thank the ES-SRG members for their support. Community engagement and involvement is crucial to ensuring that our environmental sustainability and other matters that are of importance to our community are adequately addressed. The knowledge, skills and experience of the members of the ES-SRG have been a tremendous resource and provided valuable input into the ongoing development and review of strategies and policies.

In Warringah we are blessed with stunning beaches, valuable waterways and pristine bushland. Our unique environment is important to our community and its protection is a high priority for the Warringah community. The ES-SRG plays an important role in helping Council protect this special environment, and also in helping to guide Council in terms of leadership in carbon emission reductions, energy and resource management, and waste management. With increasing demand on limited resources and a growing population, both globally and locally, we need to achieve a significant reduction in our environmental footprint. Engaging our local community and taking them along on this journey requires ongoing interaction and feedback and our community representatives are a crucial link in that regard.

During this term, there has been a focus on the protection and preservation of Bushland and Biodiversity because of the increasing development pressures in our localities and the need to protect the precious remnants of bushland and wildlife corridors in Warringah. One of the key steps in this effort has been the development of the Draft Warringah Biodiversity Conservation Study which will help us prioritise our management of these special areas. There has also been a

particular focus on Environmental Sustainability due to our role in the creation and review of council's Environmental Sustainability Strategy, which will be an important roadmap in guiding the future strategic direction of Warringah Council.

There are many challenges facing Council's Environmental Sustainability in the future, including managing ongoing development pressure, reducing the impact of urbanisation on our natural areas, and incorporating sustainability in decision making. From time to time we can focus on the environmental issues which we are passionate about, but the ES-SRG plays an important role by bringing attention to, and providing advice on the strategic issues confronting Council. In doing so, we must remember the extent of Council's influence, and focus our energy on where we can make the biggest impact. Finally, communication between SRGs, between Community Groups and SRGs, and Council and SRGs could be improved to enable meaningful two-way communication between everyone.

I have thoroughly enjoyed the discussions and deliberations in the ES-SRG and it has been a great pleasure and honour to support the group during our time together. I hope that the ES-SRG and its members will continue to work together effectively and that the impact of the ES-SRG on Council decisions and strategies will increase over time.

#### **How Members Feel They Added Value**

Members were asked how they think they have added value to the SRG. The below is a list of their responses:

- Collaboration with Council staff, Councillors and community members
- Promotion of biodiversity conservation
- Bring a wider range of views to bear
- Ability to air controversial issues
- It has taken some time to grasp the issue – the group is now only fully addressing key issues in a broader way but it is now well functioning.
- Good input from Council staff
- Promotion of value of Warringah's natural environment
- I now read the business papers before the meeting
- Conduit between SRG and local wildlife carers
- Frank and fearless advice to Council
- Information on scientific issues
- Promotion of collaboration with staff and councillors
- Discussion of broad global/national/state issues and applying locally
- Finding ways to shorten the discussion process
- Promoting concept of nexus between human health and well being and access to a high quality natural environment
- Can add further value in the future by improving relations with CC's







**END OF TERM STRATEGIC REFERENCE GROUP REPORT  
FOR THE PERIOD 3 NOVEMBER 2010 TO 1 AUGUST 2012**

**Strategic Reference Group**

Recreation and Open Space

**Membership**

Cr Dr Conny Harris (Chairperson)  
Cr Dr Christina Kirsch (Deputy Chairperson)  
Cr Michael Regan (Mayor)  
Mr Don Norris  
Ms Melissa Palermo  
Mr Tony Pecar  
Mr Paul Smith  
Mr Chris Thomas  
Ms Julie Whitfield  
Ms Lata Wilkinson  
Mr Patrick Wong

**Number of Times Strategic Reference Group has Met**

In the period 3 November 2010 to 1 August 2012 the Recreation and Open Space Strategic Reference Group (SRG) held eight (8) committee meetings and participated in two (2) internal workshops as follows:

- 2010 - 3 November.
- 2011 - 21 February, 20 April, 20 July (Internal Workshop), 3 August and 2 November.
- 2012 - 1 February, 2 May, 29 May (Internal Workshop) and 1 August.

**Membership and Attendance**

The current membership of this SRG comprised three Councillors and 8 community representatives. A ninth member, Dr Rosslyn Morrison, resigned after attending two meetings. The table below outlines the attendance of members in the reporting period.

<b>Table 1: Attendance at Recreation and Open Space SRG Committee Meetings 3/11/10 to 1/8/12</b>								
	3/11/10	21/2/11	20/4/11	3/8/11	2/11/11	1/2/12	2/5/12	1/8/12
Councillors (3 members)	2	3	2	2	2	3	2	2
Community (9 members)	8	8	6	6	7	8	5	7
<b>Total</b> (12 members)	10	11	8	8	9	11	7	9

Relevant Council staff attended committee meetings as required.

**Summary of the Strategic Reference Group Role**

The Recreation and Open Space SRG was established to assist with Council's strategic decision making in relation to:

- Parks, reserves and gardens.
- Sportsgrounds.
- Playgrounds.
- Bike paths, trails and networks.
- Other recreation services, programs and facilities.

The following Community Committees reported their meeting minutes through this SRG:

- Brookvale Park.
- Forestville RSL War Memorial Playing Fields.
- John Fisher Park.
- Stony Range Regional Botanic Garden.

**Overview of matters considered by this Strategic Reference Group**

The Recreation and Open Space SRG has provided advice to Council through:

- SRG committee meetings.
- Participation in internal workshops on the Recreation Strategy 2009 and the SRG review.
- Participation on the stakeholder advisory group for the Warringah Aquatic Centre Site Development Strategy. One SRG community member was on this group.
- Participation on the assessment panel for the two rounds of the 2011/2012 Sporting Groups Capital Assistance Grants Program. Three SRG community members were on this panel.

Members of this SRG also participated in a site visit to Northbridge Oval to better understand the advantages of synthetic sports fields.

This SRG considered a range of recreation matters in its committee meetings. The table below gives an overview of matters considered in this reporting period.

<b>Table 2: Matters considered at Recreation and Open Space SRG Committee Meetings 3/11/10 to 1/8/12</b>	
	Recommendations, advice and actions put forward by the SRG
Recreation Planning	31
SRG operations	18
Capital projects	9
Policies	8
Budget	5
Regional Planning	2
There was a standing agenda item for each committee meeting to consider minutes of meetings received from these committees; Brookvale Park, Forestville RSL War Memorial Playing Fields, John Fisher Park and Stony Range Regional Botanic Garden.	

8

**Recreation Planning - matters considered included**

- Review of the Strategic Community Plan
- Review of Plans of Management e.g. Manly Dam.
- Implementation of the Recreation Strategy 2009.
- Implementation of the Warringah Council Mountain Biking Research and Directions document (2012).
- Review of projects such as the; Dee Why Master Plan, North Narrabeen Beach Reserve Master Plan, District Park Tennis Centre project, Evergreen Tennis Centre, Narrabeen Lagoon Dredging.
- Planning for the future of Stony Range, Manly Dam and Sports Fields.

End of term report for the **Recreation and Open Space** Strategic Reference Group 3/11/10 to 1/8/12

**SRG operations** - Since its formation in November 2010 this SRG has been actively involved in assisting Council in reviewing the way SRGs operate. Advice from this SRG has assisted in improving the effectiveness of meetings and operations. There will be less of a requirement to discuss SRG operations at future meetings.

**Capital Projects - matters considered included**

- Review of the annual capital works program
- Review of projects related to; Warringah Aquatic Centre, Brookvale Park, Cromer Park, South Curl Curl Rock Pool, Stony Range, Long Reef Surf Life Saving Club, PCYC and Sports Fields.
- Synthetic surfaces for sports fields. Staff and some SRG members attended the Northbridge Oval open day 18 May 2011 to inspect the new synthetic surface, the SRG also supported Council's planning for synthetic surfaces and this support was noted at the 24 July 2012 Council meeting.
- Recreation facilities for young people.
- Sporting Groups Capital Assistance Grants.

**Policies - matters considered included**

- Council's review of all policies
- Community Gardens, Dogs on Beaches, Public infrastructure, Street Trees, Sports Fields and Wet Weather
- Proposal for new policies - the SRG requested consideration of a policy about sustainable use of sports fields.

**Budget - matters considered included**

- Budgets 2011/2012, 2012/2013 including fees for use of sports fields and other Council venues. The SRG provided feedback on the 2012/2013 budget which was noted at the 13 December 2011 Council meeting.
- Sporting Groups Capital Assistance Grants Program - the SRG supported continuation of this program.

**Regional Planning - matters considered included**

- Management of coastal reserves - the SRG recommended that Council support advocating the Newcastle Model of aggregate management for coastal reserves to SHOROC, noted at the Council meetings held 13 December 2011 and 28 February 2012.
- Local government reform - Destination 2036.

**Chair's Report**

I would like to acknowledge and thank the members of the Recreation and Open Strategic Reference Group for their commitment and thoughtful advice over the last two years.

Recreation contributes significantly to the well-being of our community and this is reflected in Council's vision for recreation which is:

*A healthy and active Warringah community that has access to a wide range of appropriate, sustainable and quality recreational opportunities, both now and in the future.*

Since our Strategic Reference Group was formed in November 2010 we have encouraged and supported a holistic view of recreation planning that links physical, environmental, economic and social issues and that is underpinned by community involvement.

The Council's annual research emphasises the high value our community places on consultation, communication and recreation - particularly regarding our beaches, environment and parks.

Results from Council's 2012 research indicate improvements in community satisfaction with Council's community consultation and also facilities such as our parks and recreation areas. Our Strategic Reference Group and Community Committees have contributed greatly to these outcomes through provision of advice and guidance on key recreation issues.

Our Strategic Reference Group has also participated actively in the review of Strategic Reference Groups and Community Committees. I would like to encourage the Council to strongly consider the ideas put forward by our group including more effective links with the Community Committees.

There remain many challenges ahead.

Population growth, increasing demand for use our recreation facilities particularly sports fields and our natural environment, equitable access to resources, increasing costs to develop and maintain our facilities, identifying and being responsive to local needs are all key issues to be considered to ensure sustainable recreation planning and management.

I look forward to the continuation of the Recreation and Open Strategic Reference Group as a conduit for community involvement in sustainable recreation planning for Warringah.

#### **How Members Feel They Added Value**

Members were asked how they think they have added value to the SRG. The below is a list of their responses:

- Objective community view
- A younger persons perspective
- Balanced, family view
- Representing the group in consultations (eg. Brookvale Park)
- A balanced view of sporting and community needs
- Good background and experience in sport and recreation and landscape
- Trying to think outside the square
- Advocating for cycling and infrastructure networks
- Views from a health benefit perspective
- Calming influence
- Active listening and considered responses
- Brought more information
- Not afraid to ask questions
- Asked lots of questions
- Asking questions that had not already been asked
- Being pushy, not shy point of view
- Good value add for Council
- Council views checkpoint
- Impacted on certain outcomes (eg. tennis centre, wet weather)
- Represented a section of community views

End of term report for the **Recreation and Open Space** Strategic Reference Group 3/11/10 to 1/8/12



- Part of whole community discussion (eg. Dee Why town planning, grant approvals)
- Acting as a personal conduit between Council and the community
- Allowed community feedback via SRG through members



## END OF TERM STRATEGIC REFERENCE GROUP REPORT

### Strategic Reference Group

Community and Culture

#### Membership

Cr Dr Conny Harris (Chairperson)  
Cr Michael Regan (Deputy Chairperson)  
Cr Julie Sutton  
Eliza Jane Pross  
Jim Boyce  
Kelly Rose  
Kevin Martin  
Maureen Dillon  
Sandra Wilson

#### Number of Times Strategic Reference Group has Met

- 2010: 9 November
- 2011: 23 February, 15 June, 8 August and 14 November
- 2012: 13 February and 14 May

No.	Meeting Date	Community Attendees (apologies)	Councillor Attendees (apologies)	Total Attendees	Vacancies on SRG
1	9 November 2010	7 (2)	2 (1)	9	Nil
2	23 February 2011	7 (1)	2 (1)	9	1
	27 April 2011 (rescheduled due to lack of quorum)	5(3)	3 (0)	8*	1
3	15 June 2011	2 (3)	3 (0)	5*	1
4	8 August 2011	7 (1)	3 (0)	10	1
5	14 November 2011	2 (4)	3 (0)	5*	1
6	13 February 2012	4 (1)	3 (0)	7	2
7	14 May 2012	6 (0)	3 (0)	9	3
8	7 August 2012	3 (3)	3 (1)	6*	3

\*Note: Quorum not achieved

It should be noted that there were three resignations during this period (Mark McMillan – Feb 2011; Stephen Choularton – Feb 2012 and; Diana Bilderbeck Frost – Feb 2012).

#### Brief Summary of the Strategic Reference Group Role/ Objectives

The Community and Culture SRG was established to assist with council's strategic decision making in relation to:

- Community events, celebrations and collaboration
- Community services, facilities & information
- Creative arts

- Heritage conservation & management
- Cultural diversity & expression.

Membership comprised of three Councillors, and six community representatives. There were three resignations during this period. Relevant Council staff attended as required.

The following Community Committees also reported their minutes through this SRG:

- Sister Cities
- Australia Day
- Companion Animals
- Heritage

#### **Chairs Report**

I would like to acknowledge and thank the members of the Community and Culture Strategic Reference Group for their input and advice over the past 2 years.

The group in my view was different to the other 3 SRG's, particularly in the subject matter that could be expected to be discussed at any meeting. The sheer diversity of what could be discussed at any meeting of this SRG is in my view a matter which must be considered with any review. Members had very different expectations and that was not changed. Membership dropped off quickly, but replacement was difficult and often impossible to find. I did not manage to get the group to be a focused enthusiastic mob and whilst that is unpleasant to acknowledge it is important. We usually learn most when problems are barricading our path and I see this as our opportunity to analyze the steps we should have approached differently. The recruitment of members is one step and the focus of the agenda another.

The group was not helped by the fact that the position of cultural officer was unfilled for a prolonged time.

However the group provided the needed feedback on many items Council requested and that was a great help. I thank again those members that came along and gave us their time. I hope that a consultation mechanism for "cultural" issues will be achieved in the next term of council.

#### **Major Achievements/ Projects/ Highlights**

The Community and Culture SRG provided advice back to Council on the following matters;

- Warringah Heritage Review
- cultural and social aspects as part of the Dee Why Master Plan review
- Sister cities program investigations
- Recognition of Aboriginal heritage and cultural issues at major events
- The consideration of a Plaques and Memorials policy

Heritage considerations dominated discussion at the majority of meetings and the group through the Heritage Community Committee successfully lobbied for the commencement of Plaques and Memorials Policy review with a view to creating a series of walks in the future. Council resolved in June 2012 to allocated resources to investigate this project in 2012/13.

#### **Challenges faced by the SRG**

The immediate issue at hand has been meeting attendance and quorum. On 4 occasions a quorum to hold the SRG meetings has not been reached. It is noted that the lack of representation by the community representatives and a number of resignations have made achieving quorum more difficult.



It is also noted that the attempts to fill vacant positions on this SRG were unsuccessful due to the requirement of the charter to separate potential members by Ward. It has been recognised in the Chairs report that cultural and community issues do not fit neatly into the ward structure of Council and as such any review of the SRG should consider the need for this SRG to follow an established criteria or whether alternative arrangements are appropriate.

During the review of the SRG project a workshop was held to ascertain the members view on how the operations of the SRG and their output could be improved. A number of issues were raised that highlighted the different expectations of the members particularly in respect of minute taking, agenda setting and the broad ranging topics that the group could discuss. In order to function effectively and deliver quality strategic advice to the Council these issues will need to be resolved. There are a number of possible options to consider from a do-nothing approach to disbanding the SRG and re-constituting a group that has a more defined focus. This report is not the place to assess these rather it highlights an ongoing issue to be resolved.

#### **Other matters considered**

The SRG considered a number of other matters over its term including;

- Budgets for 2011/12 and 2012/13 including user charges and fees and projects to be delivered through the Capital Works Program
- Regional Planning matters such as Council's response to "Destination 2036" and in part the ongoing review of Local Government in NSW
- Consideration and review of Council's Policy matrix and identification of policies related to the Community and Culture SRG
- The SRG also considered and advised Council on the review of Australia Day celebrations.

#### **How Members Feel They Added Value**

Members were asked how they think they have added value to the SRG. The below is a list of their responses:

- Protest
- Ideas
- Suggestions
- Diversity
- Access
- Raising of Aboriginal Issues
- Help reviving the Charter
- Support for people with a disability
- Focus on sister cities
- Affordable housing
- Community Transport



## END OF TERM SRG REPORT

### Strategic Reference Group

Infrastructure and Development

#### Membership

Cr Jason Falinski (Chairperson)  
Cr Dr Helen Wilkins (Deputy Chairperson)  
Cr Dr Conny Harris  
Adrienne Lowe  
Andrew Collins  
Ann Sharp  
Jane Hauser  
John Hewitt  
Manjit Rana  
Martina Grabner  
Michael Syme  
Sue Heins

#### Number of Times Strategic Reference Group has Met

In the period 18 November 2010 to 10 May 2012 the Infrastructure and Development Strategic Reference Group (SRG) held seven committee meetings as follows:

- 2010: 18 November
- 2011: 24 February, 5 May, 11 August & 17 November
- 2012: 9 February & 10 May

#### Brief Summary of the Strategic Reference Group Role/ Objectives

The Infrastructure & Development SRG was established to assist with Council's strategic and policy decision making in relation to:

- Roads, footpaths & drainage (note: traffic matters are generally the responsibility of the Local Traffic Committee).
- Street lighting, signage & street trees.
- Cleansing & graffiti.
- Waste management.
- Strategic land use planning and transport.
- Public domain improvements.
- Economic development.

Membership comprised three Councillors and nine community representatives. Relevant Council staff attended as required.

The following Community Committees also reported their minutes through this SRG:

- Beacon Hill War Memorial Hall
- Curl Curl Sports Centre
- Curl Curl Youth
- Harbord Literary Institute

## **END OF TERM SRG REPORT**

### **Overview of matters considered by this Strategic Reference Group**

In the period 18 November 2010 to 10 May 2012 the Infrastructure and Development SRG provided advice to Council through:

- The SRG committee meetings

The table below gives an overview of matters considered by this SRG in the reporting period:

<b>Topic</b>	<b>Number of agenda items</b>
Budget	9
Economic development	2
Facilities	5
Land use planning	3
Long term planning	2
Policy	3
Public places	3
Road reserve and drainage	10
Strategic Community Plan	5
Strategic Reference Group operation	9
Transport	2
Warringah Aquatic Centre	3
General information	3
Community Committees	There was a standing agenda item for each SRG meeting to consider minutes of meetings received from these committees: Beacon Hill War Memorial Hall, Curl Curl Sports Centre, Curl Curl Youth, and Harbord Literary Institute

### **Budget – matters discussed include**

- Presentations to the SRG of quarterly business and budget reviews
- Reviewing and providing information on forward budgets
- Presentations from staff on the capital works program

### **Economic development – matters discussed include**

- A presentation by Paul William-Smith on the Warringah Economic Development Plan and Community Engagement Summary
- Inclusion of 'park and ride' in the sustainable transport study

## **END OF TERM SRG REPORT**

### **Facilities – matters discussed include**

- Replacement/upgrade of public toilets
- Dee Why Beach Hut – presentation of designs
- Buildings and Disability Access – upgrading of buildings to provide access

### **Land use planning – matters discussed include**

- Desired future character of Harbord Diggers Club
- Protection of Warringah natural areas from inappropriate development – including Asset Protection Zones
- Protection of non-urban areas
- Rezoning of 26 Campbell Avenue Cromer (Court Sports)

### **Long term planning – matters discussed include**

- Strategic Asset Management
- Destination 2036 – Draft Action plan

### **Policy – matters discussed include**

- Policy Matrix Report – updating the Policy Matrix to include matters that relate to the role and objectives of the Infrastructure and Development Strategic Reference Group.
- Deferring review of policies until after appointment of new SRG following Council elections to enable new membership to become familiar with procedures.

### **Public places – matters discussed include**

- Dee Why Town Centre project – including presentation of 3D model of concept plans.
- Dee Why drainage options.
- Update of Warringah Design Guidelines – Public Spaces STR-PR 350

### **Road reserve and drainage – matters discussed include**

- Warringah Neighbourhood Pedestrian Access Management Plan (PAMP).
- Street tree lopping and suggestions that shrubs to a maximum height of 4m be used to replace damaged trees as part of the Street Tree Policy review.
- Unmade roads/gutters and Council's responsibility.
- Street lights
- Road pavement renewal

### **Strategic Community Plan (SCP) – matters discussed include**

- A recommendation that the draft Strategic Community Plan (SCP) include an indicator of how spend is tracking against budget on items in the previous year's SCP with a forecast for the remainder of the financial year.
- A recommendation that the SRG formally endorse the capital expenditure program on the Curl Curl Sports Centre as part of its submission on the SCP and budget



**END OF TERM SRG REPORT**

- Feedback from individual members of the SRG

**Strategic Reference Group operation – matters discussed include**

- Agreement on receipt by members of hard copies of agendas and business papers.
- “Shaping our Future” – SHOROC document.
- Results of the SRG review process and how the group will continue to operate as a result.

**Transport – matters discussed include**

- Park and ride

**Warringah Aquatic Centre (WAC) – matters discussed include**

- Feasibility Study
- Concept designs for community engagement
- Members of the I&D SRG selected as Committee members for the WAC project

**General information – matters discussed include**

- Talk of the Town results
- Harbord Literary Institute Committee resolutions
- Exhibition of the following:
  - Draft Grants and Sponsorship Policy
  - Electoral Reform
  - Local Government Reform – community engagement and results of on-line forum, submissions

**Chair’s Report**

I would like to thank each of the members of the Infrastructure and Development Strategic Reference Group for your contribution and commitment over the last two (2) years. Your open and robust discussions during the meetings throughout the term have allowed members and staff to appreciate people’s opinions from different perspectives, which has added value to the outcomes.

Infrastructure and Development impacts on most of our community in some form and together, the expertise and enthusiasm of this group has led to improved understanding and regular input into the Strategic Community Plan and Budget during our term. Some of the exciting projects we have been involved with included the Dee Why Master plan, introducing a Pedestrian Access and Mobility Plan, input into the development of a new Public Domain Manual and driving an holistic review of Council Policies. We have had a balance of presentations on Economic Development, street lighting, facilities and road renewal processes to name a few.

It is encouraging to note that there has been a general positive shift in community satisfaction in relation to Infrastructure and Development service areas which can be seen in the results of the 2012 Community Satisfaction Survey. This is something of which we can be proud and that we can continue to improve over time.

Our future challenges include effective strategic management of our aging infrastructure, catering for population and economic growth in a sustainable manner and also achieving a vibrant town centre in Dee Why of which we can all be proud. I also envisage working to forge stronger links between the State Government and Council on matters such as traffic and transport in our LGA.

## **END OF TERM SRG REPORT**

The input into the review of the SRG groups by the members was welcomed, and I hope to be part of this SRG into the future.

Of great concern to the committee is the ongoing lack of investment in transport infrastructure. According to the RMSs figures road will reach maximum capacity in 2016. There is no plan to increase transport bandwidth before then, or indeed after.

Other major issues not resolved include the overwhelming burden that the ratepayers of Warringah bear in the provision of regional facilities, from sports fields to cultural institutions. A more equitable pricing structure will need to be considered in the future.

### **How Members Feel They Added Value**

Members were asked how they think they have added value to the SRG. The below is a list of their responses:

- Provided feedback to staff
- Encouraged community input and discussion
- Professional knowledge
- Local knowledge on strategic issues/ values
- PAMP
- Input into Dee Why Town Centre
- Economic Development
- Ensure accountability and thought have been addressed







<b>ITEM 8.15</b>	<b>REVIEW OF THE STRATEGIC ENGAGEMENT FRAMEWORK COMPRISING OF THE STRATEGIC REFERENCE GROUPS AND COMMUNITY COMMITTEES</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/229929</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li><b>1 Strategic Reference Groups - Initial Discussion Feedback - November 2011 (Excluded from Agenda)</b></li><li><b>2 Strategic Reference Groups Survey Results (Excluded from Agenda)</b></li><li><b>3 Community Committees Survey Results (Excluded from Agenda)</b></li><li><b>4 Strategic Reference Groups Workshop Notes (Excluded from Agenda)</b></li><li><b>5 Community Committees Workshop Notes (Excluded from Agenda)</b></li><li><b>6 Paper - Community Engagement Structures - Alternative Arrangements (Excluded from Agenda)</b></li><li><b>7 Paper - Precinct Review Report - Kempsey Council 2006 (Excluded from Agenda)</b></li><li><b>8 Updated Strategic Reference Groups Guidelines (Excluded from Agenda)</b></li><li><b>9 Updated Community Committees Guidelines (Excluded from Agenda)</b></li></ol>

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## **EXECUTIVE SUMMARY**

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### **PURPOSE**

To report to Council the findings of the review of the Strategic Engagement Framework, comprising the Strategic Reference Groups and Community Committees.

### **SUMMARY**

The Strategic Engagement Framework, encompassing the Strategic Reference Groups and Community Committees as per their current structure was adopted by Council on 23 March 2010.

Further to this the following was adopted regarding a review of the implementation of the framework and investigations into other committee structures as follows:

- *“That implementation of the Strategic Committee Framework be subject to a review twelve (12) months following the first meetings of the Strategic Reference Groups.*
- *That other committee structures including the Precinct Committee System also be further investigated at that time.”*

This report provides a review of the Strategic Reference Groups and Community Committees, including recommendations for improvement going forward, whilst also looking at precinct committees and other alternatives that are available to the current framework in place at Warringah.

This report has a number of recommendations for improvement to both the Strategic Reference Groups and Community Committees, the most pertinent, that both the Strategic Reference Groups and Community Committees (with the exception of the Community and Culture Strategic Reference Group and the Sister Cities Community Committee) continue with their current members until August 2013 (with the exception of any Councillor changes due to the 8 September 2012 Local Government Elections; that new Councillor appointments are made at the first Ordinary Meeting of Council after the Local Government Elections and; minor guideline and charter amendments which will aid in the improved running of these groups.

### **FINANCIAL IMPACT**

There will be a number of financial impacts as a direct result of some of the recommendations of the review including:

- A. Increased salary costs due to the increase in Strategic Reference Group meetings and the required attendance of Warringah Council staff at these meetings to give presentations and briefings; take minutes and; prepare the agendas as well as attendance by staff at the relevant Community Committee meetings as required;
- B. The meal budget will increase due to an increase in the number of Strategic Reference Group meetings per annum, where members, Councillor and staff are provided with a meal prior to the commencement of the meeting.

### **POLICY IMPACT**

The Strategic Reference Group and Community Committee guidelines and charters will have minor amendments made to them as outlined in this report. Strategic Reference Group members and Community Committee members, as well as Councillors and staff have been consulted regarding the proposed amendments and all documentation will subsequently be updated as per the recommendations when adopted by Council.

It is also noted that one of the major recommendations with regard to extending the current term of the Strategic Reference Groups and Community Committees, is in contravention of the guidelines, however this is necessary to achieve the desired outcome.

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

That:

- A. The term of all Strategic Reference Groups and Community Committees, with the exception of the Community and Culture Strategic Reference Group and the Sister Cities Community Committee be extended until August 2013 (with the exception of Councillor changes as a direct result of the results of the 8 September 2012 Local Government Elections).
- B. Staff work with the current members of the Community and Culture Strategic Reference Group on a model for this Group going forward and that a report be brought back to Council in mid 2013 with a recommendation for the future of this group.
- C. That the following amendments to the Strategic Reference Group Guidelines be endorsed:
  - a. The Tenure Clause within the Strategic Reference Group Guidelines be amended to read as follows:

Community representatives shall be appointed to Strategic Reference Groups for a period of up to four (4) years. Where a community representative is replaced in accordance with Council's policy, equal representation from the three (3) Wards of Warringah shall be

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maintained where possible.

- b. The Membership, Roles and Responsibilities Clause within the Strategic Reference Group Guidelines be amended to read as follows under Community:

Community - Nine (9) community members shall be appointed to each Strategic Reference Group in accordance with Council policy. Community representation is to be spread equally across the three (3) wards of Warringah with the exception being when a vacancy occurs within the term of the Strategic Reference Group, and this vacancy is unable to be filled through the normal recruitment process, this will not be part of considerations.

- c. The Frequency, Timing and Duration of Meetings Clause within the Strategic Reference Group Guidelines be amended to read as follows:

Strategic Reference Groups will meet bi-monthly.

There will be flexibility in the start time of the Strategic Reference Group Meetings, whereby a meeting may start between 6pm and 7pm as determined by a majority of members. Meetings are to be no longer than two (2) hours in length, unless the closing time is extended by a majority decision by up to thirty (30) minutes. Any business not dealt with at the close of a meeting is to be carried forward to the next meeting of the Strategic Reference Group.

- d. An additional line be added to paragraph two of the Quorum and voting clause as follows:

If a member is not in attendance for two (2) or more meetings without being granted leave, their membership will be re-evaluated.

- e. The Notice of Meetings and Agenda Distribution Clause within the Strategic Reference Group Guidelines be amended to read as follows:

Notice of meetings of Strategic Reference Groups, including the Agenda, is to be provided to members by Council officers not less than seven (7) days prior to the meeting. Wherever possible, the meeting notice and Agenda should be distributed electronically.

- D. The following amendment to the Strategic Reference Group Charters be endorsed:

That Clause 3, Membership within all Strategic Reference Group Charters, be amended to read as follows under Community:

Community - Nine (9) community members, with representation spread equally across the three (3) wards of Warringah, with the exception being when a vacancy occurs within the term of the Strategic Reference Group, and this vacancy is unable to be filled through the normal recruitment process, this will not be part of considerations.

- E. The following amendment to the Community Committee Guidelines be endorsed:

That an additional paragraph be added to the Quorum and Voting Clause as follows:

No member should be absent for more than two (2) consecutive meetings of a Community Committee without first seeking, and being granted, leave by the relevant Committee. If a member is not in attendance for two (2) or more meetings without being granted leave, their membership will be re-evaluated.

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## REPORT

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### BACKGROUND

The Strategic Engagement Framework, encompassing the Strategic Reference Groups and Community Committees as per their current structure was adopted by Council on 23 March 2010.

Further to this, the following was adopted regarding a review of the implementation of the framework and investigations into other committee structures as follows:

- *"That implementation of the Strategic Committee Framework be subject to a review twelve (12) months following the first meetings of the Strategic Reference Groups.*
- *That other committee structures including the Precinct Committee System also be further investigated at that time."*

This report provides a review of the Strategic Reference Groups and Community Committees, including recommendations for improvement going forward, whilst also looking at precinct committees and other alternatives that are available to the current framework in place at Warringah.

This report has a number of recommendations for improvement to both the Strategic Reference Groups and Community Committees, the most pertinent, that both the Strategic Reference Groups and Community Committees continue with their current members until August 2013 ((with the exception of the Community and Culture Strategic Reference Group; Sister Cities Community and with the exception of any Councillor changes due to the 8 September 2012 Local Government Elections; that new Councillor appointments are made at the first Ordinary Meeting of Council after the Local Government Elections and; minor guideline and charter amendments which will aid in the improved running of these groups.

### Why Review?

Notwithstanding the resolution of Council in March 2010, it was clear after the first twelve months of operation of the Strategic Reference Groups and Community Committees that there were some key observations by Council staff, Councillors and committee members. At the outset, a number of staff changes within the organisation in mid 2010 meant that a new team took over the management of the Strategic Reference Groups and Community Committees. These staff members were not involved in the working party that had made and recommended the changes that were adopted in March 2010, and as such, it was a new process for all involved regarding just how these groups would work in practice.

Now that the Strategic Reference Groups and Community Committees have been running for a period of time, staff have the ability to make informed recommendations to Council regarding changes to the structure and workings of the Strategic Reference Groups and Community Committees, to enhance their value to both Warringah Council as an organisation, and the community representatives that are members of these groups.

It was apparent from the outset that not all Strategic Reference Groups and Community Committees were working effectively for a number of reasons including (but not limited to) the following:

- Lack of quorum at scheduled meetings;
- Lack of appropriate items listed on the Strategic Reference Group agendas;
- Too many items listed on the Strategic Reference Group agendas;
- Ineffective chairing of meetings;

- Meetings not keeping to time and not all items presented being relevant;
- Agenda items not reflecting the strategic nature of the Strategic Reference Groups;
- Considerable staff time and effort being expended in setting up the Strategic Reference Group meetings and agendas;
- Strategic Reference Group members feeling their recommendations not being considered appropriately by Council;
- Interaction between Strategic Reference Groups and Community Committees;
- Community Committees not having adequate Strategic Reference Group staff or administration support.

## **CONSULTATION**

Consultation has taken place with key stakeholders, including staff within Warringah Council which has included the General Manager; Deputy General Manager's; Group Managers; Strategic Reference Group liaison officers and the Governance team. Councillors, Strategic Reference Group and Community Committees members have also been consulted through the review process. This has been at Strategic Reference Group meetings, through surveys with all members of the Strategic Reference Groups and Community Committees (including Councillors), and workshops for both of these groups.

A timeline of events through the review process follows:

- *November 2011*  
  
Consultation occurred with Strategic Reference Group Members at the November 2011 round of meetings, where these groups were initially asked what they thought was working well and what could be improved.
- *January 2012*  
  
From the initial consultation surveys were developed for Strategic Reference Groups and Community Committees was compiled, based in part on issues raised at the November round of meetings and feedback the Governance team had received from Strategic Reference Group and Community Committee members to date.
- *24 January to 12 February 2012*  
  
The surveys were sent to all Strategic Reference Group and Community Committee members (including Councillors) on 24 January 2012, with the survey closing on 12 February 2012.
- *January and February 2012*  
  
Research occurred into Precinct Committees and other models.
- *May 2012*  
  
Results of the surveys were taken to Strategic Reference Groups and sent to Community Committee members for information and further feedback.
- *26 May 2012*  
  
A Strategic Reference Group Workshop was held. 22 members were in attendance, including five Councillors.
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*6 June 2012*

A Community Committee workshop was held. 14 members were in attendance, including two Councillors.

- *June 2012*

Workshop results sent to all Strategic Reference Group and Community Committee members.

- *August 2012*

- Workshop results and final recommendations were presented to the Strategic Reference Groups;
- August 2012 - Final report to be presented to Council.

## **The Timeline**

### *November 2011 – Consultation at Strategic Reference Group Meetings*

At the November 2011 round of Strategic Reference Group meetings, members of these groups were asked what they thought was working well and what they thought could be improved. All of the comments made at the initial consultation with the Strategic Reference Groups can be viewed at Attachment 1 (see separate attachment booklet).

In brief there were a number of common themes that came through the verbatim comments that included:

- Frequency of meetings

This related to meetings being held too infrequently. The Strategic Reference Group guidelines stipulate that meetings are to be held quarterly, however it was recognised at this early stage that this is too big a gap between meetings, which hampered productivity of the groups. At this early stage, the idea of bi-monthly meetings was canvassed.

- Agenda issues

This related to the agendas being too crowded in some instances, with not enough time being allocated to discuss some of agenda items. The order of the agenda was also raised as a concern at this time.

- More informal/ relaxed meetings

This relates to the idea of holding workshops versus formal meetings from time to time. This would largely depend on the items brought to the groups, and the request for input of members in relation to specific council projects. It may also provide a more relaxed environment for members.

- Too much information/ detail

Whilst for the most part, it was recognised that overall, there is a good amount of information available to members, at times this can become feel like information overload and be overwhelming to read prior to meetings (especially when there are large agendas), however the flip side of this is where a vast amount of information is provided at the meetings themselves, members feel overwhelmed with the information that they are required to take in.

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### Chairing of meetings

This relates to the flow of meetings and tighter control of discussion at Strategic Reference Group Meetings, including strategic versus operational discussion and the appropriate wording of actions and recommendations to come out of meetings.

- Minutes feedback/ improvements

The issues raised here include that the Strategic Reference Group members do not have enough time to provide amendments to the minutes to Council staff and that the minutes are not detailed enough. There were also a number of requests for the minutes of Strategic Reference Group meetings to be more detailed. It should be noted that minutes of a meeting are not a verbatim account of what occurred at the meeting, however a record of actions and decisions. The issue of Community Committee minutes not getting to the Strategic Reference Groups was also raised at this early stage of the review.

- SRGs common topics exchange

This related to the potential for Strategic Reference Groups combining where the same presentations are given to all Groups, and engagement of Community Committee members associated with these Strategic Reference Groups.

- Recommendations and action improvements

This related to the recommendations and actions coming out of Strategic Reference Groups. It was suggested that Council staff need to be clear in what they required from the Strategic Reference Groups (for example an action or recommendation). This also related to the length of time that it takes for recommendations of the Strategic Reference Groups to go to Council and that in some instances the actions and recommendations that come out of these groups were not clear and were poorly worded.

- Clarification of role of members/ induction

This related to the brief of the Strategic Reference Group being too broad and that the role of members should be reinforced every once in a while and that the charters/ guidelines should be defined and explained to all members on a regular basis.

### *January/ February 2012 – Survey to all Strategic Reference Group and Community Committee members*

24 January to 12 February 2012 – A survey was sent to all Strategic Reference Group and Community Committee members (including Councillors) on 24 January 2012. A reminder was sent to both groups a week prior to the closing date, with the survey closing on 12 February 2012.

All results of the survey were anonymous. The only information gathered in relation to identifying respondents to the survey was Strategic Reference Group/ Community Committee membership details in order for the data to be analysed by group.

Of the 45 Strategic Reference Group members distributed the survey, 25 responses were received. This equated to a response rate of 56%.

Of the 126 Community Committee members distributed the survey, 51 responses were received. This equated to a response rate of 40%.

### Survey Results – Strategic Reference Groups

There was a preference to maintain meeting start times of 6.00pm (over 50% of all respondents), however there was a very strong preference of respondents of the Recreation and Open Space Strategic Reference Group (over 80%) to move to a later start time of 6.30pm.

There also appeared to be some preference for the Recreation and Open Space Strategic Reference Group to move to Monday nights and the Environmental Sustainability Strategic Reference Group to move to Wednesday (currently this is the reverse). The other Groups preferences of meeting day remained the same.

From the survey results, the Community and Culture and Recreation and Open Space Strategic Reference Groups had a preference to move to two (2) hour meetings with the option of extending by a half hour, whilst the Environmental Sustainability and the Infrastructure and Development Strategic Reference Groups preferred maintaining the current length, with a three (3) hour meeting with option of extending by a half hour.

43% of respondents suggested that they would like to move to bi-monthly meetings. 32% of respondents preferred the current schedule of quarterly meetings; however a further 18% preferred the current frequency with two additional workshops per year. There was also some commentary relating to an increase in the frequency of meetings and a reduction in length working hand in hand.

Overall, there was positive feedback in relation to the venue of meetings, meals provided prior to meetings, room set up and screens, with some feedback in relation to the setup of screens in the meeting rooms. As this helps with minute taking and accuracy, it is not proposed to amend the current set up of the meeting rooms including the screens

Overall, the servicing of committees, advice, timeliness of response and ease of communication with/ from Governance staff and council staff rated well. For the most part respondents across all Strategic Reference Groups were satisfied to very satisfied with the level of service provided.

Strategic Reference Group members were satisfied that their requests were completed in a timely manner and that the quality of the responses to their requests were of a satisfactory nature.

Respondents were neutral to satisfied in relation to the advertisement of positions vacant, forms, the selection process and overall application process for becoming a member of the Strategic Reference Groups. It is noted that this process should be more concise in future recruitment campaigns.

There was some concern raised in relation to the level of interaction with the Community Committees. Overall 23% of respondents were unsatisfied; with over 38% being neutral. Only 19% were satisfied with the current level of interaction. This issue is also raised within the workshops of both the Strategic Reference Groups and Community Committees, and there are a number of recommendations further in this report that look to address this issue.

Most of the respondents to the survey felt that the Community Committee minutes were considered appropriately, most groups falling into the neutral or satisfied area, however the, Infrastructure and Development Strategic Reference Group were particularly unsatisfied with 50% of respondents unsatisfied that the Community Committee minutes were considered appropriately by the group.

For the most part respondents were neutral to satisfied that actions considered (from Community Committees) at Strategic Reference Groups.

Respondents were generally satisfied regarding the chairing of meetings except for the Community and Culture Strategic Reference Group, where 33% were unsatisfied with the current chairing of their meetings.

It was positive to note that overall over 80% of respondents to the survey either agree or strongly agree that their opinions are heard and 73% agreed or strongly agrees that they were contributing to their Strategic Reference Groups.

It should also be noted that 24% of respondents to the survey considered that they were making a valuable contribution to their SRG, however 62% of respondents to the survey were undecided if their contribution to their SRG was making a difference, with another 15% not in agreement with this statement.

Whilst most respondents were happy with the charters and guidelines in their current form, at this stage of the review, there were some minor amendments to the charters and guidelines of the Strategic Reference Groups being considered that included; alignment to the new Community Strategic Plan for 2013-14; ward representation being considered and; an attendance clause.

There was also some commentary about agenda items not being appropriate and/ or enough consideration being given to agenda items as they are too cluttered. This prompted the Governance team to revisit how they were working with the chairs and the liaison officers in relation to agenda setting.

#### Survey Results – Community Committees

There was quite a bit of commentary from the Community Committees that they were unsure what happens with the minutes from their meetings, and if they are considered by the relevant Strategic Reference Groups. Further in this report, it is recommended that Governance close the loop in relation to this and provide feedback to Community Committees in relation to their minutes and their consideration by the Strategic Reference Groups.

It was noted that quite a few of the respondents did not have a copy of the guidelines or charters for their CC. As such, the Governance team will provide a link to Community Committee members to the relevant pages of Warringah Council's website where these documents are available.

There appears to be some concern with the linkages between the Community Committees and the Strategic Reference Groups, this will be considered as part of the long term amendments to the Strategic Reference Groups, which may look at alignment of the Strategic Reference Groups and Community Committees with the Community Strategic Plan.

It appears that some Community Committees are meeting regularly and are happy with the way things are progressing, their relationship with the Strategic Reference Groups and Council, whilst others are not. There is also reference in some of the commentary regarding the provision of administration support and staff attendance to Community Committees.

Attendance was recognised as a significant issue through the survey completed by Community Committee members. This issue is addressed further in the report with a recommendation to add an attendance clause to the Community Committee guidelines.

The full results of these two surveys can be viewed at Attachments 2 and 3 respectively (see separate attachment booklet).

#### *May 2012 - Results of survey taken to Strategic Reference Groups and circulated to Community Committee members*

At the May round of Strategic Reference Groups, the survey results were taken to the Strategic Reference Groups and circulated to all Community Committee members for comment. Three of the four Strategic Reference Groups made recommendations following discussion of the survey results that have been considered and addressed as part of the overall review. The recommendations from these groups were as follows:

The Infrastructure and Development Strategic Reference Group made the following recommendations:

*That:*

- A. Meetings move to bi-monthly with flexibility in the format of the meetings*
- B. Meetings remain 3hrs with a ½ hr extension*
- C. The preference for Wards within the SRG guidelines remain, however when a vacancy exists and it is unable to be filled, that this not part of the considerations.*
- D. Membership be increased by 1 member per Ward (to a total of 15 members including Councillors) be taken to the 29 May workshop*
- E. Community Committee minutes be moved in the order of business to after adoption of the minutes of the previous meeting*
- F. The Infrastructure and Development SRG note that some of the Community Committees should not exist*
- G. Community Committees be invited to attend the relevant SRG to present their actions*
- H. Consideration be given to deleting the definition of 'Community Members' from the SRG guidelines*
- I. Consideration be given to staff members of council attending selected Community Committees (particularly the ones dealing with legislation)*

The Recreation and Open Space Strategic Reference Group made the following recommendations:

*That the SRG members support that:*

- The meetings move to being held bimonthly;
- The meetings are reduced to 2 hours plus ½ hour extension;
- The Recreation and Open Space meetings start at 6:30pm; and that
- The wards pre-requisite in the SRG guidelines be deleted.

The Environmental Sustainability Strategic Reference Group made the following recommendations:

*That the ES-SRG meetings:*

- Move to Bimonthly (6 per year)
- Change to 2 hours with potential of ½ hour extension per meeting
- Run from 6.30-8.30pm
- Have the flexibility to have a workshop or a formal meeting

The Community and Culture Strategic Reference Group did not make a formal recommendation to Council after being presented with the survey results.

As a result of the recommendations from the Strategic Reference Groups, almost all of the Strategic Group recommendations are recommended including; increasing Strategic Reference Group meetings to bi-monthly; reducing the duration of meetings to two (2) hours, with the option of a half hour extension; providing flexibility in the start time of meetings; providing flexibility in ward representation when replacing members; clarification within the attendance clause (here and in the

Community Committee guidelines) flexibility in meeting type; amendments to the order of business and; staff attendance at Community Committees. These are discussed in detail later in this report.

The issue of increasing membership by 1 member per ward was raised at the Strategic Reference Group workshop, however it was not highlighted as one of the issues of major concern on the night.

*May 29 and June 6 2012 - Workshops with Strategic Reference Groups and Community Committees*

#### Strategic Reference Groups

Both workshops were facilitated by Council's Community Engagement Coordinator, and the Governance Manager, with table facilitators taking a lead role during the workshops. The workshops were held to ascertain the members views on how the operations of the Strategic Reference Groups and Community Committees were going and how their output could be improved. The priority areas from the survey results were prioritised on the night for further discussion. The following four topics were highlighted as the main discussion points at the Strategic Reference Group workshop:

- Agenda, appropriateness of items and time etc
- Strategic versus operational discussion
- Interaction and relationship with community committees
- SRG members not working well together.

#### *Agenda, Appropriateness of Items and Time etc*

The discussion surrounding issues related mainly to the role of the chair and the structure of Strategic Reference Group meetings.

It was noted that a strong chair was required to manage the agenda and administer the formal structure of the meeting, whilst also having a good handle on the agenda items, whilst ensuring that all members are given the opportunity to have their say at meetings. It was recognised that this could be difficult as a result of individual views and the strong personalities of group members.

Tightness of the agenda, including appropriate agenda items and scheduled timing of items was raised in this forum, indicating that keeping to time and appropriateness of items needs to be addressed. This is discussed in the administrative changes recommended later in this paper.

#### *Strategic versus Operational Discussion*

It was noted that both staff and community members needed to be well prepared when attending meetings. Staff in order for them to be clear about what they are asking of the Strategic Reference Group, and members in order for them to be well informed prior to attending meetings, and that appropriate questions were raised.

The issue of the agenda was raised again here, with the main issues being that items that are listed should be relevant, listed in the appropriate order on the agenda and that appropriate timeframes be set aside for presentations and discussions topics.

The issue of the chair was also raised here, where it was noted that the chair should be able to refocus the discussion when the discussion goes off track. A parking lot has been suggested later in this paper as one of the administrative changes, and it is hoped that this may alleviate some of these issues.



### *Interaction and Relationship with Community Committees*

Notably, this issue has been raised from the outset in the initial feedback through the survey and again through the workshops by members of both the Strategic Reference Group and Community Committees. It is also noted that the commentary suggests that a lot of the problem lies with the consideration of the minutes of the Community Committees. To alleviate this issue, a number of administrative changes are recommended later in this report, with respect to Governance closing the loop between Strategic Reference Groups and Community Committees, by communicating the Strategic Reference Group meeting dates to the Community Committees, ensuring they are aware of when their minutes will be considered, and further, Governance will advise of any outcomes from the Strategic Reference Groups with respect to the Community Committee minutes. This is discussed in detail later in this paper.

It is also recommended that members of Community Committees be invited to present their minutes to the relevant Strategic Reference Group where they wish for the group to be further informed about an issue, or wish to request action to be taken.

### *Strategic Reference Groups not Working Well Together*

Interestingly, chairing and meeting structure were again raised as issues affecting this.

In particular, it was noted that the Community and Culture Strategic Reference Group appeared to have significant concern in this regard, with the suggestion that the brief for this group being too wide; that the name and charter of the group does not reflect what it should be looking after and the suggestion that the Group should be split into two separate group focussing on different issues (related to widening the scope of the group). This is just the beginning of what leads to the recommendation that this Group not be extended to August 2013, as the other Strategic Reference Groups further in this report.

All of the issues raised and the full Strategic Reference Group Workshop notes can be viewed at Attachment 4 (see separate attachment booklet).

### Community Committees

The priority areas from the survey results were prioritised on the night for further discussion.

The following three topics were highlighted as the main discussion points at the Community Committee workshop:

- Staff support
- The role of Community Committees
- The relationship with Strategic Reference Groups

### *Staff Support*

It was clear from the workshop that the Community Committees fell into two categories: those that want or need staff support and those that don't. It should be noted that staff support also fell into two categories: administrative and specialist. Whilst it is recognised that some committees need the support of staff either administratively or of a specialist nature, this report does not recommend that this be provide to all Community Committees, however it is recommended that both are provided to those Community Committees who request it on an ad-hoc basis.

### *Role of Community Committees*

A number of issues were raised here, including that the Community Committees felt that there was no feedback from the Strategic Reference Groups, and that they did not understand their main goal

or objectives. Members also raised that they wanted to feel valued by Council and the Strategic Reference Groups.

#### *Relationship with Strategic Reference Groups*

With regard to the relationship between Community Committees and Strategic Reference Groups, it was clear that the members present at the workshop felt that the Strategic Reference Groups either did not consider their minutes, or consider them appropriately, noting that they should be in a better place within the Strategic Reference Group minutes for consideration.

They also noted that they did not receive feedback from the Strategic Reference Groups in relation to their minutes so were not sure if and when they were considered by the group or when.

As such as mentioned earlier in this report, one of the administrative changes recommended is that the Governance team advise the Community Committees when their minutes are to be considered at a Strategic Reference Group meeting, and feedback the recommendation of the group to the Community Committees in order to close the loop.

Further to this it is also recommended that where the Community Committees are recommending something that needs action, that a member of that committee present their minutes/ that item to the Strategic Reference Group.

It is also recommended that if there is an item to be considered at a Strategic Reference Group that concerns a Community Committee (such as works at John Fisher Park for example), that the Community Committee be invited to attend that item being presented at the Strategic Reference Group meeting.

All of the issues raised and the full Community Committee Workshop notes can be viewed at Attachment 5 (see separate attachment booklet).

#### *August 2012 – Presentation of workshop results and final recommendations to be incorporated into a report to Council*

At the August Strategic Reference Group meetings, a presentation was given regarding the final stages of the review including the recommendations to Council and the administrative changes that would take place as a result of the review. The presentation was well received by all groups, and promoted further discussion with the Community and Culture Strategic Reference Group, leading to the recommendation not to continue this groups tenure as a result.

#### **Community and Culture Strategic Reference Group**

Throughout the review process it has become apparent, that not all Strategic Reference Groups are working as cohesively as others; in particular the Community and Culture Strategic Reference Group is testament to this.

The immediate issue at hand has been meeting attendance and quorum. On 4 occasions a quorum to hold meetings of this group has not been reached, with only 56% of scheduled meetings achieving quorum. It is noted that the lack of representation by the community representatives and a number of resignations have made achieving quorum more difficult.

It is also noted that the attempts to fill vacant positions on this Strategic Reference Group were unsuccessful due to the requirement of the charter to separate potential members by Ward. It has been recognised in the Chair's report to Council that cultural and community issues do not fit neatly into the Ward structure of Council and as such any review of the Strategic Reference Group should consider the need for this Strategic Reference Group to follow established criteria or whether alternative arrangements are appropriate.

From the outset when consultation first began in November 2011, the group felt that the:

*"...brief of the committee is too broad and as a consequence they never reached an agreement"*

The group also identified at this time that they:

*"...need one or two projects that the committee can own and take charge of"*

Through the survey held in January/ February 2012, the Community and Culture Strategic Reference Group showed concern regarding a variety of items including the chairing of their meetings; their meetings keeping to time; items listed on their agendas are appropriate and; that items listed were given due consideration; that actions from their meetings were dealt with appropriately with 50% of respondents in this Strategic Reference Group disagreeing with the statement 'My contributions to the SRG are making a difference?' and 66.66% of respondents disagreeing with the statement 'Members of the SRG that I am a part work well together?' To compound this, 66.67% of respondents to the survey from the Community and Culture Strategic Reference Group are unsure if they would nominate to be on this group again.

Whilst comments from the survey cannot be pinpointed to a particular person, there were a couple of verbatim comments that made specific mention of the Community and Culture Strategic Reference Group as follows:

*"The C& C SRG needs to grapple with specific projects. It has been drowning in discussion of process, and council presentations. It has also been derailed by one member with a very narrow focus."*

*"I think the Community and Culture committee is really important, and I would still like to be part of it. I think the scope of the committee is really broad, and that the committee has struggled to identify areas of focus to work effectively. I would prefer to be 'fed' issues from Council for us to work on rather than individuals tediously advocating their issues. Signing up, it was my understanding that we would be bringing individual strengths and positions to shared issues that are in the interest of Council- providing strategic community feedback. This hasn't been the experience so far. I think the committee has great potential- it would be a shame to see it go."*

It was early on in the review, that this group recognised that whilst many members see the importance of the group that they represent, that the workings of this group did not necessarily have the best outcomes with regard to the issues that the group was set up to consider. Further to this, during the Strategic Reference Group workshop, there was further commentary provided specifically relating to the Community and Culture Strategic Reference Group as follows:

*"The Community and Culture Strategic Reference Group needs to be broken into two committees; Community and Events and; Arts and Heritage."*

*"The name of the Community and Culture Strategic Reference Group should be changed to the Art and Culture Strategic Reference Group."*

*"The brief on the Community and Culture Strategic Reference Group is too wide, it should be narrowed, more focused."*

During the workshops held to ascertain the members view on how the operations of the Strategic Reference Groups were working and how their output could be improved a number of issues were raised that highlighted the different expectations of the members particularly in respect of minute taking, agenda setting and the broad ranging topics that the group could discuss. In order to function effectively and deliver quality strategic advice to the Council these issues will need to be resolved.

There are a number of possible options to consider from a do-nothing approach to disbanding the Strategic Reference Group and re-constituting a group that has a more defined focus, investigating a number of the issues raised throughout the review.

As a result it is recommended that the term of the Community and Culture Strategic Reference Group not be extended along with the other Strategic Reference Groups and Community Committees, and that the time between now and August 2013, be utilised to consider the options available to this group.

It is anticipated that current members of this Strategic Reference Group will be involved in this process; however no formal meetings of this group will take place. It is recommended that a recommendation regarding the future of the Community and Culture Strategic Reference Group and how Council will deal with Strategic matters in a community and cultural space be presented back to Council by mid 2013.

As such the following is recommended:

*Recommendation to Council*

*That staff work with the current members of the Community and Culture Strategic Reference Group on a model for this Group going forward and that a report be brought back to Council in mid 2013 with a recommendation for the future of this group.*

### **Sister Cities Community Committee**

It was noted as part of this review that the Sister Cities Community Committee has not met since its inception in 2010. As a result it is recommended that this Community Committees term not be extended, and that when all Strategic Reference Groups and Community Committees are formally reconstituted after August 2013, that this groups reformation is reconsidered at this time if there is sufficient membership.

### **Research into Precinct Committees and Other Models**

The research into Precinct Committees and other models suggests that there are three essential elements to community engagement, of which Warringah displays. These include democratic governance; civic engagement and organisation management.

The research suggests that many councils will have key reference committees in place based on function or area, such as SRG or precinct committees, not both. It is noted in the report that many believe that Ward representation is the job of Councillors, not a committee based on precincts or Wards. This can be considered more place based planning, and the report further notes that Warringah does this in other ways including through open days, working parties and community summits such as Talk of the Town.

Precinct committees and other Ward based structures in the main appear to address a range of council's functions but it is noted that all have a major role in advising on major planning and development matters. As Warringah has an existing structure with independent panels in place (WDAP and WDRP), the report suggests that it is questionable whether a precinct system would be viable or needed. It also suggests that much of a precinct committees role and elements are catered for at Warringah through these independent panels and that if anything, current engagement arrangements could be strengthened by utilising some locality-based approaches that do not involve establishing another permanent committee structure.

It is noted that there are advantages and disadvantages to a precinct system (like any system that is in place). It is also interesting to note that some of the issues that our closest neighbour (Manly) with a precinct system in place, is facing similar issues to that of the Strategic Reference Group system that Warringah has in place, which would indicate that any change in the framework could potentially bring about the same issues many of which the current review is looking to address.

These include:

- community view of relevance/ value
- resourcing and operational support
- council response to precinct requests
- representation: not all precincts have a committee, so still need to use a range of strategic approaches to community consultation
- separation between elected Council and precinct committees

The report suggests that a combination of engagement with the community is required for success, and that no one model will be a perfect fit. Further to this one of the recommendations in the review of other structures suggests aligning the Strategic Reference Groups to the Community Strategic Plan, which may be reviewed during the process soon to be embarked upon to create Warringah's Community Strategic Plan. It also suggests a broader use of the community engagement register and more regular locality based engagement and the early preparation of community engagement plans for projects that Council is embarking on.

As the report highlights, there are a variety of engagement methods available and, as a result of the recommendations that come out of this report, which look to alleviate some of the current issues raised with the current system Warringah has in place, it is not recommended that any further investigation into precinct committees or other structures be undertaken.

The full report into Precinct Committees and other models can be viewed at Attachments 6, with the Review of Kempsey Council (referred to as Appendix 2 in the full report can be viewed at Attachment 7 (see separate attachment booklet).

### **Recommendations as a Result of the Review**

As a result of the consultation, the following are the recommendations regarding the Strategic Engagement Framework going forward:

- Extension of the terms of the Strategic Reference Groups and Community Committees to August 2013

Due to a number of factors including: the involvement Council wishes Strategic Reference Group members to have in the new Community Strategic Plan, which will help shape Warringah over the next ten years; as well as to ensure continuity of these groups whilst new Councillors are familiarising themselves with them and their functions during the early stages of their term of office, it is recommended that the term of all Strategic Reference Groups and Community Committees, with the exception of the Community and Culture Strategic Reference Group and the Sister Cities Community Committee be extended until August 2013, (with the exception of Councillor changes as a direct result of the results of the 8 September 2012 Local Government Elections).

#### *Recommendation to Council*

*The term of all Strategic Reference Groups and Community Committees, with the exception of the Community and Culture Strategic Reference Group and the Sister Cities Community Committee be extended until August 2013 (with the exception of Councillor changes as a direct result of the results of the 8 September 2012 Local Government Elections).*

It is noted that this recommendation is in contravention of the Strategic Reference Group Guidelines which stipulates:

*"Term*



*Strategic Reference Groups are formally reconstituted after each general election of Councillors. Following the appointment of members, each Group will continue to operate until the next general election of Councillors (when the tenure of all members will cease), or until the Group is otherwise dissolved by Council."*

However it is anticipated that the benefit of extending the term of these groups in contravention of the guidelines is greater.

Following on from this, it is also recommended that the new Council reconfirms this recommendation at its first meeting, to ensure that they agree with the decision of the outgoing Council.

- Confirmation of the new Council of the current Council's decision regarding extension of the terms of the Strategic Reference Groups and Community Committees and appointments of Councillor representatives to both

As a result of the Local Government Elections on 8 September 2012, all Councillor representatives will need to be appointed to the Strategic Reference Groups and Community Committees. It is appropriate that this occurs at the first meeting of the new Council (currently scheduled for 23 October 2012). Reconfirmation of the decision to extend the Strategic Reference Groups and Community Committees as per the recommendation above should occur in conjunction with this. This will enable both the Strategic Reference Groups and Community Committees to begin meeting as promptly as possible after the Elections (the Strategic Reference Groups are scheduled to meet again in November 2012).

The issues that the Community and Culture Strategic Reference Group have faced have been clearly recognised, and it is noted that with regard to the Strategic Reference Groups and their set up, one size does not fit all. We would like to work with current members to create a more representative and cohesive group which is able to provide strategic decision making to Council.

As such, whilst this report recommends that this Strategic Reference Group is disbanded as a result of its current functionality, Council would like to investigate options for change to this group. As a result the following is recommended:

*Recommendation to Council*

*That staff work with the current members of the Community and Culture Strategic Reference Group on a model for this Group going forward and that a report be brought back to Council in mid 2013 with a recommendation for the future of this group.*

- Changes to the Guidelines of the Strategic Reference Groups and Community Committees

As a direct result of the recommendations that came from the Strategic Reference Groups in May 2012, of which a number of items were identified through the survey and further investigated through the workshops held in May and June 2012, a variety of amendments to the Guidelines and Charters of both the Strategic Reference Groups and Community Committees follow. These include:

- Increasing the meeting frequency of Strategic Reference Groups to bi monthly

This issue was raised initially in November 2011, and again in the survey. Following, is just one of the free text comments noting the difficulty with quarterly meetings. It also points out that these meetings need to be meaningful, which leads into another issue regarding appropriateness of the agenda (discussed elsewhere in this report).

*"Re frequency and length of meetings - I don't mind if they are long and or frequent if there is progress made and outcomes achieved. I believe it has been difficult to 'gain momentum' with quarterly meetings, however more frequent meetings that aren't any more productive would not be preferable."*



- Reducing the duration of meetings to two (2) hours with the option of a ½ hour extension

This was raised in both the initial consultation and again in the survey. Many members of the Strategic Reference Groups felt that they would prefer to meet more frequently, for shorter periods of time, enabling them to have more frequent and appropriate input into current projects.

- Providing flexibility in start times (between 6.00pm and 7.00pm)

Whilst only one Strategic Reference Group (Recreation and Open Space) felt strongly about a change in the start time of their meetings, with 50% of its members preferring a later start time of 6.30pm, it is recommended that there be some flexibility in the arrangements of the Strategic Reference Groups and that the start time of these meetings be determined by a majority of members, dependent on the individual group, as long as this start time was reasonable, being between 6.00pm and 7.00pm on the allocated meeting night of this group. This allows people to contend with work and family commitments, whilst being able to attend their relevant meetings.

The following recommendation encompasses the above three points raised: increasing meeting frequency; duration of meetings and flexibility in start times.

*Recommendation to Council*

*That the Frequency, Timing and Duration of Meetings Clause within the Strategic Reference Group Guidelines be amended to read as follows:*

*Strategic Reference Groups will meet bi-monthly.*

*There will be flexibility in the start time of the Strategic Reference Group Meetings, whereby a meeting may start between 6pm and 7pm as determined by a majority of members. Meetings are to be no longer than two (2) hours in length, unless the closing time is extended by a majority decision by up to thirty (30) minutes. Any business not dealt with at the close of a meeting is to be carried forward to the next meeting of the Strategic Reference Group.*

- Providing flexibility in meeting type (workshop vs informal meeting)

Once again through both the surveys and the workshops, it was clear that members felt that there needed to be flexibility in the meeting type, and where a formal meeting was not required or where a large issue was on the agenda, that a workshop be held to investigate the issues at hand.

- Provide flexibility in Ward representation

Currently the guidelines stipulate that there must be equal Ward representation on the Strategic Reference Groups (three members from each Ward). Whilst this works in theory, in practice this is harder to achieve, especially when replacing members who have resigned. This was noted in various responses to the survey.

As such it is recommended that this clause be relaxed in both the Strategic Reference Group guidelines and charters, when dealing with replacement members on any Strategic Reference Group, where this clause is unable to be met. The importance of Ward representation was noted in the main however, so this clause will remain unchanged when recruiting for community members at the beginning of each Council term.

*Recommendation to Council*

A. *That the following amendments to the Strategic Reference Group Guidelines be endorsed:*

a. *That the Tenure Clause within the Strategic Reference Group Guidelines be amended to read as follows:*

*Community representatives shall be appointed to Strategic Reference Groups for a period of up to four (4) years. Where a community representative is replaced in accordance with Council's policy, equal representation from the three (3) Wards of Warringah shall be maintained where possible.*

- b. *That the Membership, Roles and Responsibilities Clause within the Strategic Reference Group Guidelines be amended to read as follows under Community:*

*Community - Nine (9) community members shall be appointed to each Strategic Reference Group in accordance with Council policy. Community representation is to be spread equally across the three (3) wards of Warringah with the exception being when a vacancy occurs within the term of the Strategic Reference Group, and this vacancy is unable to be filled through the normal recruitment process, this will not be part of considerations.*

- B. *The following amendment to the Strategic Reference Group Charters be endorsed:*

*That Clause 3, Membership within all Strategic Reference Group Charters, be amended to read as follows under Community:*

*Community - Nine (9) community members, with representation spread equally across the three (3) wards of Warringah, with the exception being when a vacancy occurs within the term of the Strategic Reference Group, and this vacancy is unable to be filled through the normal recruitment process, this will not be part of considerations.*

- Clarification of attendance clause (and inclusion of such a clause in the Community Committee guidelines)

It was noted, particularly through the survey and workshop held, that attendance of members at Community Committee meetings was very much an issue, with various instances of continued non-attendance. It was highlighted that in some cases, this made it difficult for both Strategic Reference Groups and Community Committees to achieve quorum and therefore make any decisions.

It is noted that the Strategic Reference Groups guidelines make reference to members having to seek and be granted leave if absent for two (2) or more meetings, however no penalty is currently in place if this does not occur. As such, it is recommended that this clause be strengthened in the guidelines, making reference to re-evaluation of a person's membership should they fail to attend two (2) or more meetings without submitting apologies. It is also recommended that the clause in the Strategic Reference Group Guidelines, including the suggested addition to strengthen the clause should be added to the Guidelines of the Community Committees to strengthen the attendance at these meetings.

#### *Recommendations to Council*

- A. The following amendments to the Strategic Reference Group Guidelines:

That an additional line be added to paragraph two of the Quorum and voting clause as follows:

If a member is not in attendance for two (2) or more meetings without being granted leave, their membership will be re-evaluated.

- B. The following amendments to the Community Committee Guidelines:

That an additional paragraph be added to the Quorum and Voting Clause as follows:

No member should be absent for more than two (2) consecutive meetings of a Community Committee without first seeking, and being granted, leave by the relevant Committee. If a member is not in attendance for two (2) or more meetings without being granted leave, their membership will be re-evaluated.

- That the agenda for Strategic Reference Groups be distributed seven (7) days prior to the meeting

Currently the Guidelines for the Strategic Reference Groups stipulate that the agenda for these meetings should be distributed ten (10) days prior to the meetings. It is recommended that this be amended to seven (7) days in order for agenda's to go out in a more appropriate manner, with the inclusion of all reports and presentations. Currently, as a result of the agenda's needing to be sent out so far in advance, not all the material is available for distribution at this time. It is anticipated that reducing this to seven (7) days will alleviate this issue, and members will receive their agendas still within an appropriate timeframe. It should be noted that this timeframe is standard across the organisation with regard to internal committees of Council and Council Meetings.

#### *Recommendation to Council*

*That the Notice of Meetings and Agenda Distribution Clause within the Strategic Reference Group Guidelines be amended to read as follows:*

*Notice of meetings of Strategic Reference Groups, including the Agenda, is to be provided to members by Council officers not less than seven (7) days prior to the meeting. Wherever possible, the meeting notice and Agenda should be distributed electronically.*

The amended Strategic Reference Group and Community Committee Guidelines can be viewed at Attachments 8 and 9 respectively (see separate attachment booklet).

### **Administrative Changes**

Whilst there are a number of formal recommendations to Council with regard to the Strategic Reference Groups and Community Committees, there are a number of administrative amendments that will occur via the Governance team as a result of the review, which will be implemented between now and the next round of meetings scheduled in November 2012. These include:

- Introduction of a parking lot at Strategic Reference Group meetings

The concept of a parking lot helps a group get back on track when discussion moves away from items on a meeting agenda. Topics raised will be captured by being written on either flip chart paper or post it notes by the chair or designated person. The parking lot should be revisited at the end of a meeting to look at the most appropriate course of action for each item. The outcome may be to table the issue at a future meeting, or forward to a person or group for action or response.

- Governance to meet the chairs of the Strategic Reference Groups prior to their meetings

A member of the Governance team will meet with the relevant chair of each of the Strategic Reference Groups prior to the meetings taking place to discuss the agenda, timings and general running of the meeting, to provide help and advise in relation to the agenda, make any necessary changes to items listed and the order, and discuss with the Chair, how the meeting may run.

- Time allocated to agenda items

When presentations or discussion items are listed on the agenda, an indicative time will be placed on the agenda, in order for both the chair and attendees to have a better idea with regard to how long presentations and/ or discussions will run for, and help the chair time keep their meetings

accordingly. This will aid the chair in keeping to time, and may also aid keeping to the appropriate items listed on the agenda, and keeping the meetings running to time.

- Amendments to the order of the agenda to assist with the flow of meetings

This includes, bringing the consideration of the minutes of Community Committees to directly follow the consideration of the minutes of the Strategic Reference Groups, and also bringing into the agendas an item called 'general business' or similar where items can be raised by members of the groups at the meetings where required.

- Ad-hoc administration assistance to Community Committees and ad-hoc attendance of staff at Community Committee meetings

It has been noted through the surveys and the workshop held with the Community Committees, that assistance was of importance. It should be noted however that there was a clear distinction between the need for staff support in an administrative capacity or a specialist capacity (to provide advice). Whilst this report does not recommend full administrative assistance to Community Committees, or attendance by specialist staff, it recommends that assistance be given to Community Committees in both of these capacities on an ad-hoc basis where requested to provide advice and enable the efficient and effective running of these committees.

- Governance to provide advice to Community Committees in relation to their minutes

It was noted through the review that members of the Community Committees were never quite sure when their minutes were being considered by the relevant Strategic Reference Group, and subsequently the outcome of this consideration.

As such, the Governance team will endeavour to close the loop in relation to this and will advise the Community Committees when their minutes will be considered by the relevant Strategic Reference Group,

This will also give members the opportunity to attend the relevant Strategic Reference Group to present their minutes and any items that they wish the Strategic Reference Group to note or take action against and attend when there is an item on the agenda that is of significance to their Community Committee.

It is anticipated that this may alleviate the issue of Community Committees not knowing when their minutes are considered and not knowing the outcome of this consideration, providing feedback to the committees.

- That Community Committee members have the opportunity to attend Strategic Reference Groups in relation to their minutes

It was noted that Community Committee members did not always know when the Strategic Reference Groups were meeting, and therefore did not know when they could attend, as such, by closing the loop by providing advice to the Community Committees in relation to when their minutes will be considered by the relevant Strategic Reference Group and the outcome of considerations, this will also give members the opportunity to attend the relevant Strategic Reference Group to present their minutes and any items that they wish the Strategic Reference Group to note or take action against.

- Governance to put together an FAQ guide to for both Strategic Reference Groups and Community Committees

A number of questions are asked of the Governance team in relation to the workings and administrative arrangements of both the Strategic Reference Groups and Community Committees. As such, over the next few months, the team will work on a Frequently Asked Questions guide for both groups to aid in the running of both these groups.

It should be noted that whilst a number of administrative recommendations are listed above, where improvements to the administrative arrangements in place relating to both Strategic Reference Groups and Community Committees are noted, these will be considered by staff on an ad-hoc basis, and where a change occurs that effects a Strategic Reference Group or Community Committee, they will be advised of the change in process.

### **Other Considerations**

- Warringah Coastal Community Committee to be granted SRG status

Whilst the passion of the Warringah Coastal Committee, as well as others is recognised, it should be noted that the role of a Strategic Reference Group is strategic and this needs to be maintained across all Strategic Reference Groups. If a Strategic Reference Group runs in an operational capacity, it may not achieve its objective.

Council notes that there are difficult coastal issues that the Warringah Coastal Community Committee deals with and believes that the appropriate place for discussion of these issues is at the Community Committee level.

Whilst it is recognised that the role of the Strategic Reference Group is high level, this does not stop the group to which the Warringah Coastal Community Committee reports (the Environmental Sustainability Strategic Reference Group) discussing relevant coastal issues raised by the Warringah Coastal Community Committee relevant to this group.

- Warringah Coastal Community Committee to report their minutes directly Council instead of the Environmental Sustainability Strategic Reference Group (to which they report).

The Charters of both the Environmental Sustainability Strategic Reference Group and the Warringah Coastal Community Committee requires that the recommendations of the Warringah Coastal Community Committee be reported to the Environmental Sustainability Strategic Reference Group and subsequently via the Minutes to Council. It is recommended that this be maintained as per other Community Committees. It should be noted that with the increase in frequency of Strategic Reference Groups (to bi-monthly), that is recommended in this report, the minutes of the Community Committees will be considered via the Strategic Reference Groups more quickly, and therefore reduce the turnaround time in relation to any actions to come out of these.

It should also be noted that this request was not supported by the Environmental Sustainability Strategic Reference Group at it's meeting in May 2012.

- Full administration support to the Community Committees

Whilst it is recommended that the Governance team provides ad-hoc support to the Community Committees, to enable them to assist themselves over the long term with agendas, minutes etc, it should be noted that full administration support would place a significant strain on staff resources and a business case would potentially need to be put together to ensure appropriate resources were allocated (being staff time). At this stage, the Governance team which administers the Strategic Reference Groups and Community Committees does not have the staff capacity to offer each active Community Committee full administration support including agenda preparation and minute taking at meetings.

- Full staff representation at Community Committee meetings

Whilst it is recommended that staff attend relevant Community Committees when requested regarding an issue or to present information on an ad-hoc basis, it is not recommended that a staff member from the relevant area attends each meeting. This would place a significant strain on staff resources and would require both time and money and a business case would potentially need to



be put together to ensure appropriate resources were allocated, due to these meetings being held at night and the requirement of overtime and the provision of meals for staff to enable them to attend meetings outside of normal scheduled work hours.

### **POLICY IMPACT**

The Strategic Reference Group and Community Committee guidelines and charters will have minor amendments made to them as outlined in this report. All Strategic Reference Group members and Community Committee members, as well as Councillors and staff have been consulted regarding the proposed amendments and all documentation will subsequently be updated as per the recommendations when adopted by Council.

It is also noted that one of the major recommendations with regard to extending the current term of the Strategic Reference Groups and Community Committees, is in contravention of the guidelines, however this is necessary to achieve the desired outcome.

### **FINANCIAL IMPACT**

There will be a number of financial impacts as a direct result of some of the recommendations of the review including:

- A. Increased salary costs due to the increase in Strategic Reference Group meetings and the required attendance of Warringah Council staff at these meetings to give presentations and briefings; take minutes and; prepare the agendas as well as attendance by staff at the relevant Community Committee meetings as required;
- B. The meal budget will increase due to an increase in the number of Strategic Reference Group meetings per annum, where members, Councillor and staff are provided with a meal prior to the commencement of the meeting.





<b>ITEM 8.16</b>	<b>REPORTING OF COMMUNITY COMMITTEE ANNUAL REPORTS</b>
<b>REPORTING MANAGER</b>	<b>DEPUTY GENERAL MANAGER ENVIRONMENT</b>
<b>TRIM FILE REF</b>	<b>2012/305757</b>
<b>ATTACHMENTS</b>	<b>1 End of Term Report Beacon Hill War Memorial Hall CC</b> <b>2 End of Term Report Brookvale Park CC</b> <b>3 End of Term Report Curl Curl Sports Centre CC</b> <b>4 End of Term Report Companion Animals CC</b> <b>5 End of Term Report Dee Why and Curl Curl Lagoon CC</b> <b>6 End of Term Report Forestville RSL War Memorial Playing Fields CC</b> <b>7 End of Term Report Harbord Literary Insitute CC</b> <b>8 End of Term Report Heritage CC</b> <b>9 End of Term Report John Fisher Park CC</b> <b>10 End of Term Report Stony Range CC</b>

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## REPORT

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### PURPOSE

To present the Annual Report of the Community Committees to Council.

### REPORT

Community Committees provide advice and other support to Council relation to issues, initiatives and community assets referred to in their Charters.

The Community Committees work alongside Warringah's four Strategic Reference Groups, regional bodies, community-based groups, residents and other stakeholders and working groups to assist Council in its ongoing planning and decision-making processes.

The guideline of Community Committees established that all Community Committees are required to provide Council, at least annually, with a report outlining key outcomes for the Committee over the period. At the end of each Council term the Chairperson must report to Council on the overall contribution of the Community Committees.

Currently, we have 12 formally constituted Community Committees. Reports have been received from the following committees and are attached to this report:

- Beacon Hill War Memorial Hall Community Committee
- Brookvale Park Community Committee
- Curl Curl Sports Centre Community Committee
- Dee Why and Curl Curl Lagoon Community Committee
- Forestville RSL War Memorial Playing Fields Community Committee
- Harbord Literary Institute Community Committee
- Heritage Community Committee

- John Fisher Park Community Committee
- Stony Range Botanic Garden Community Committee

**FINANCIAL IMPACT**

Nil

**POLICY IMPACT**

Nil

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**RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT**

That the reports of the Beacon Hill War Memorial Hall, Curl Curl Sports Centre, Dee Why and Curl Curl Lagoon, Forestville RSL War Memorial Playing Fields, Harbord Literary Institute, Heritage, John Fisher Park and Stony Range Botanic Garden Community Committees be noted.

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## **END OF TERM COMMUNITY COMMITTEE REPORT**

### **Committee Name**

Beacon Hill Memorial Hall Community Committee

### **Members of Committee**

Ms Lesley Hubbard

Mrs Barbara Quinn

Mr John Koster

Mrs Heather Evans

Mr Mario Mesite

Ms Lise Nielson

Cr Vincent De Luca (OAM)

Cr Bob Giltinan

### **Number of Times Committee has Met**

- 2010: Not formed
- 2011: 14 February, 9 May, 1 August, 7 November
- 2012: 5 March, 7 May

### **Brief Summary of the Committees Role/ Objectives**

The major role of the committee is to monitor conditions at the Community Centre and liaise with Council staff to effect maintenance and repairs. Lobby Council for improvements to the Community Centre especially in relation to the toilet facilities.

### **Chairs Report:**

The Committee met regularly as per the schedule agreed at the AGM in February 2011 and March 2012. Attendance was limited to a core group of Ms Hubbard, Mrs Quinn, Mrs Evans and Mr Koster. Cr De Luca attended the AGM in both years. Cr Giltinan has attended no meetings. The committee would have been more effective if there was direct Council liaison as we received very little feedback and this made it difficult for the Committee to achieve any significant goals. The committee felt that it was ineffectual and powerless.

### **Major Achievements/ Projects**

We achieved no major outcomes for the centre.

### **What has worked well for the committee during the term?**

It provided a forum for discussion amongst regular users of the Community Centre.

### **What do you hope to achieve in the next term of the committee?**

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#### **END OF TERM COMMUNITY COMMITTEE REPORT**

We would like to make a difference and feel that we are contributing directly to the future direction of our local community by advocating for improvements to the Beacon Hill Community Centre. We believe it offers a vital service to the community which is evidenced by the high usage of the centre and we believe that this could be improved if we were able to offer better facilities.



## 2011 Report to Council

### Brookvale Park Community Committee (BPCC)

#### Committee Members

		<i>Meetings Attended</i>	<i>Apologies</i>
Cr Michael Regan (Chairperson)	Mayor, Warringah Council	3	1
Ms Wendi Wettin (Deputy Chairperson)	Brookvale Valley Community Group Representative	4	
Mr Philip Dean (Secretary)	Individual Community Representative	4	
Cr Jason Falinski	Councillor, Warringah Council	3	1
Ms Louise Hislop	Individual Community Representative	4	
Ms Alicia Keogh	Manly-Warringah Sea Eagles Representative	4	
Mr Greg Keogh	Individual Community Representative	2	2
Cr Christina Kirsch	Councillor, Warringah Council	3	1
Ms Bev Maunder	Brookvale Park Public School Representative	3	
Mr Peter Nolan	St Augustine's College Representative	4	

Ms Bev Maunder joined the BPCC as the Brookvale Park Public School Representative prior to the second meeting of the BPCC.

Ms Alicia Keogh ceased to be a member of the BPCC on 18 November 2011 following her resignation as an employee of the Manly-Warringah Sea Eagles. The Manly-Warringah Sea Eagles are to appoint a new representative to the BPCC in 2012.

#### Committee Meetings

Four (4) meetings of the BPCC were held during 2011 at the Warringah Council Civic Centre in Dee Why on the dates listed below:

- 11 May 2011
- 8 June 2011
- 27 July 2011
- 16 August 2011

#### Report on Activities and Outcomes

The Brookvale Park Community Committee (BPCC) held four (4) formal Committee meetings during 2011 to discuss a range of issues relating to Brookvale Park and Brookvale Oval and its use by the Manly-Warringah Sea Eagles, local schools and the Community.

The BPCC considered the DA Plans for Stage 4 of the Brookvale Oval Revitalisation project (DA2011/0544) with no concerns or objections regarding the proposed works as set out in the DA being raised by any Committee member.

BPCC members also attended three (3) workshops conducted by Straight-Talk and McGregor-Coxall to receive briefings on the Brookvale Park Master Plan project. The BPCC provided feedback to the Master Plan project team regarding their concept plans.

During 2011, the BPCC also formally wrote to NSW Treasurer, Mr Mike Baird, requesting his support for funding for the further upgrade of Brookvale Oval and Park.





## END OF TERM COMMUNITY COMMITTEE REPORT

### Committee Name

Warringah Council Curl Curl Sports Community Committee

### Members of Committee

Mrs Coralie Newman	Cromer Netball Club	Chairperson
Mrs Laurel Fisher	M.W.N.A.	Secretary
Mrs Jane Hauser	M.W.N.A.	
Mrs Helen Dean	M.W.N.A.	
Mrs Clare Loughland	Community Representative	
Mr Les Wiltshire	Community Representative	
Mr Peter O'Dwyer	Community Representative	
Ms Maureen McKeellar	Community Representative	
Mr Vincent De Luca OAM	Councillor, Warringah Council	
Mr Bob Giltinan	Councillor, Warringah Council	

### Number of Times Committee has Met

- 2010: Nil
- 2011: 3/2/2011, 10/3/2011, 16/6/2011, 8/9/2011, 24/11/2011
- 2012: 19/4/2012

### Brief Summary of the Committees Role/ Objectives

Management of the Curl Curl Sports Centre

### Chairs Report:

It has once again been a pleasure to chair the meetings of the CCSC. All members of this Committee are very committed and put a lot of time into matters arising as volunteers.

All members I am sure will seek re-election to this Committee. Everyone gets on very well. No one sits back – they all contribute to matters arising.

Councillor Vince De Luca, OAM, has attended most of our meetings. He has been absent on a few occasions when it conflicts with Council matters in his role as a Councillor.

Unfortunately, we have not seen Councillor Bob Giltinan in attendance at any meeting and no apologies have been received from him.

### Major Achievements/ Projects

We have not been able to achieve a great deal due to the fact that the building is undergoing extensive renovations. These building works sadly stopped for just on five months due to the Contractor being placed into Administration.



#### **END OF TERM COMMUNITY COMMITTEE REPORT**

A new Contractor has now been appointed and we look forward to the building being completed by Christmas 2012.

#### **What has worked well for the committee during the term?**

The active members on the Committee have all worked very well together.

#### **What do you hope to achieve in the next term of the committee?**

Once completed, we hope that the building will once again be used by many Community activities.  
The Committee will work diligently to achieve this.

**The Warringah Council Companion Animal Community Committee – Annual  
Progress Update (April 2012)**

**Prepared by** Grazia Pecoraro (Secretary) and Michelle Read-Zorn (Chair)

**Chair:** Michelle Read-Zorn

**Secretary:** Grazia Pecoraro

**Members:** Ms Lesley Nalbandian; Ms Gearie Rose; Ms Darien Northcote, Ms Lorna Miller,  
Mr Peter Prendergast, Ms Toni Barnes, Ms Joana Teo

**Supporting Councillors:** Cllr Helen Wilkins, Cllr Bob Giltinan

**Issues raised for discussion and action:**

- Community education strategy / animal welfare in Warringah – invited Liz Romer to attend and present to the Committee (9 May 2011).
- Funding wildlife fencing on Mona Vale Road discussed. Conclusion that there's a need for engagement by Wires, RTA, our 3 Northern Beaches Councils.
- Pet management during natural disasters discussed in the wake of the Queensland floods and Victorian bushfires. Need for broader preparedness regarding pets agreed on.
- Feral rabbit and fox population control – alternative measures to ensure welfare e.g. shooting; community notification re. baiting. Received letter in response from Gillian Macintyre (Environment Officer – Projects, Warringah Council) at 8 August meeting. Community members helped educate local groups and residents associations that Warringah Council no longer considers Pindone an acceptable practice for poisoning feral rabbits.
- Dogs on beaches. Updates provided by Liz Romer, Cllr Helen Wilkins during the extensive consultation process. Committee members were given an opportunity to speak to councillors regarding their position and / or attend the Council meeting and address the council when the matter was raised. This Committee eagerly awaits the outcome of the decision to have a proposed trial.
- Warringah Council Dog's Big Day Out 2011. Committee members were given promotional material to distribute in their local communities and encouraged to attend to show their support.
- Motion is to be presented by Sydney Mayor Clover Moore regarding a full inquiry into companion animal welfare in NSW. This was raised by the Chair who sought assistance from the Committee to support this motion in 2012. Committee agreed that a letter in response will be sent to local MP, Warringah Council and Committee members for circulating to their Clubs. This will be done at early in 2012 as the motion moves closer towards being formally raised in parliament.
- Discussion regarding Liz Romer's attendance at the Getting to Zero summit held in Queensland. The aim is to see the number of animals euthanized in shelters and pounds greatly reduced. We await any further news and actions to make this a reality.
- Ms Leanne Taylor, GM of WIRES invited to join the committee from May 2012. Ms Taylor would be a positive and valuable member of the committee. She is, however, a non-resident of Warringah. She has been formally invited to attend the May 14<sup>th</sup> Meeting 2012 as a guest.
- Issue of live seafood trade and welfare issues raised by a member. Contact made with RSPCA to find out about applicable welfare codes.
- Currently investigating what is happening with cat rescue and shelter care in the local branch of the NSW Animal Welfare League since Peggy Brown's move to Central Coast.

## END OF TERM COMMUNITY COMMITTEE REPORT

### Committee Name

Dee Why and Curl Curl Lagoons Community Committee

### Members of Committee

Mr Harry Elliffe  
Ms Margaret Lown  
Mr Richard Michell  
Mrs Lorna Plate

Curl Curl Lagoon Friends  
Friends of Dee Why Lagoon  
Friends of Dee Why Lagoon  
Curl Curl Lagoon Friends

Dr Alan Jones  
Mr Carl Oatley

Individual Community Representative  
Individual Community Representative

Clr Dr Christina Kirsch  
Clr Jason Falinski  
Clr Michael Regan (Mayor)

Warringah Council  
Warringah Council  
Warringah Council

### Number of Times Committee has Met

- 2010: 1 (30/11)
- 2011: 5 (20/1, 12/4, 10/6, 8/9, 7/12)
- 2012: 3 (7/3, 16/5, 25/7)

### Brief Summary of the Committees Role/ Objectives

The Dee Why and Curl Curl Lagoon Committee members' vision is to see both the Dee Why and Curl Curl Lagoons rehabilitated and maintained as aquatic systems which, together with their surrounding riparian and wetland zones, support a full complement of biodiversity and sustainable low-impact human uses.

### Chairs Report:

In my previous report (December 2011) I wrote:

Following its formation the Committee felt very isolated, with no meaningful contact or interaction with either the ES-SRG or with Council staff. Council's management approach for Dee Why and Curl Curl Lagoons was felt to be in marked contrast to that pertaining to Manly and Narrabeen Lagoons. The Committees associated with those two Lagoons - whose management also involved neighbouring Councils - are fully resourced and funded and have Council and State Government staff involvement.

Communication with Council staff was greatly improved when Todd Dickenson was appointed Manager, Natural Environment in the second half of the year and he agreed to attend Committee



**END OF TERM COMMUNITY COMMITTEE REPORT**

meetings when items of significance were on the agenda. The Committee is very appreciative of Todd's interest.

The lack of interaction with the ES-SRG is still of concern to the Committee. Theoretically, the Committee reports to the ES-SRG and Committee Minutes are forwarded to it. However, there has been no communication from that Group over the entire reporting period. This excludes the Committee from strategic and budget deliberations regarding Dee Why and Curl Curl Lagoons and calls into question its rationale for existence.

Unfortunately, despite significant work by Council's administrative staff including a comprehensive review of all community committees and SRGs, the situation has not changed over the past 12 months. The Committee still feels isolated, impotent and largely ignored.

**Major Achievements/ Projects**Main Projects

Curl Curl Lagoon – Completion of Stage 4 of rehabilitation

Dee Why Lagoon – Reduction of sediment inflow to the Lagoon waterbody

Very little was achieved under either project for the reasons outlined in the Chair's Report

**What has worked well for the committee during the term?**

Committee members have worked very well together and have remained enthusiastic.

**What do you hope to achieve in the next term of the committee?**

For the Committee to become a genuine part of Council's community engagement process and for that process to be effective.





*President R. Gordon  
Treasurer C. Tomkins  
Secretary D. Pecover*

*70 Cutler Village  
Colooli Road  
Narrabeen 2101  
Phone. 99827687*

## **Forestville R.S.L. War Memorial Playing Fields Community Committee**

### **PRESIDENT'S ANNUAL REPORT 2011 - 2012**

The Committee is made up as follows:-

<u>NAME</u>	<u>REPRESENTING</u>	<u>POSITION</u>
Mr Richard Gordon J.P.	Sub-Branch	President
Mr Dennis Pecover O.A.M. J.P.	Sub-Branch	Secretary
Mr Craig Tomkins	Sub-Branch	Treasurer
Mrs Margaret Cliff	Netball	Minute Secretary
Mr Andrew McCallum	Sub-Branch	Committee
Mr Bruce Chisnell J.P.	Children Play Centre	Committee
Mr Mal Wharrie	Club Sporting	Committee
Mr Ted Lindsay	Cricket	Committee
Mr David McAndrew	Rugby	Committee
Mr Jason Falinski	Warringah Council	Committee
Mr Michael Regan	Warringah Council	Committee

Over the past twelve months the Committee, with the assistance of Warringah Council have added table and seating to the popular Children's Playground (Poppy Park). The Children's Playground and BBQ area are continually being appreciated by the local young families. Revitalisation with the replacement of a missing "spaceship" and repairing the rope and slippery dip unit. Costs equally shared by Council and this Community Committee.

Quotes to transform three Netball Courts from grass to hard surface and the resurfacing of the existing asphalt Netball Courts have been received and further investigation is necessary.



Management of the booking for the War Memorial Playing fields for the Rugby, Cricket, Netball, Schools, Scouts, Warringah Council and other Community bodies continues.

New arrangements for the operation of night lights when necessary, are via our mobile phone. We are supporting the Rugby Club for upgrading of the lights to required specifications.

The Committee has been investigating the proposal for a "Park and Ride" Monday to Friday to the City using part of the War Memorial Car Park.

**On the 5 September 2012, the War Memorial Playing Fields will have completed 50 years since its formation. Dennis Pecover O.A.M. has been Secretary during all this time.**

Official acknowledgement of this 50<sup>th</sup> Anniversary is being held at the Forestville R.S.L. on the 5<sup>th</sup> September 2012 and present and past Committee members and representatives of Council and Sporting Sections are being invited.

Thanks to the Management and Staff of Warringah Council for their combined support and assistance in allowing us to provide such a wonderful War Memorial Recreation Area and in so doing upholding the R.S.L. tradition.



Richard Gordon  
President

**HARBORD LITERARY INSTITUTE COMMUNITY COMMITTEE****ANNUAL REPORT**

**The Committee began with six local representatives and Cr. Dr.Helen Wilkins, in a positive note.**

**Discussions , over the year, were mostly to do with the various developments taking place in Freshwater.**

**Cr. Wilkina explained such a lot regarding what Council can do and can not do, in regards to these developments.**

**Cr. Wilkins was also instrumental in bringing the problems of Harbord Community Library to the notice of Council and, as a result, the Library is once able to carry on with the purchase of new books.**

**Unfortunately, we have lost two members. One through illo-health and The other has moved out of the area. We were fortunate in having another nominee, who was accepted by Council.**

**Altogether , we did not change anything but if a local problem is presented to us, we will definitely take note and pass it on to the SRG.**

**WARRINGAH COUNCIL  
HERITAGE COMMITTEE****End of Term Report  
31 July 2012**

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**Charter**

This committee was established to consider and provide advice to Council on matters relevant to the conservation, promotion and management of heritage in Warringah.

Heritage was defined as encompassing:

- Built Heritage
  - Parks and Gardens
  - Natural Heritage
  - Indigenous Heritage
  - Shipwrecks and Marine Structures
  - Movable Heritage
- (Adopted 23 March 2010)

Heritage is thus physical items that have survived from the past which have historical significance. It is one dimension of the recognition and celebration of the history of Warringah, other dimensions being plaques, printed material and electronic information.

**Council Strategies / Plans / Policies**

The reference to Heritage in Warringah Council Strategies, Plans and Policies is expressed in:

- Council Policy Register
- Memorials and Plaques Policy
- Public Art Policy
- Cultural Policy
- Cultural Plan
- Social Plan
- Cultural and Heritage Strategy
- Heritage Review

(Note: There is no Heritage Policy in the Policy Register)

**Guidelines**

Community committees provide advice and other support to Council in relation to issues, initiatives and community assets referred to in their Charters. They provide interested residents with meaningful opportunities to play an active role in contributing to Council decision making and helping shape Council plans, policy and practice.

The objectives are to:

- Harness the views, enthusiasm and expertise of community members
- Assist Council in its understanding of and approach to specific or localised issues, initiatives or community assets

- Provide a structured approach to the ongoing involvement of community members in Council affairs and the democratic process
- Contribute to and complement other elements of Council's broader engagement framework
- Build capacity to ensure the community is well informed and can contribute to Council's Strategic Community Plan, having regard to the broader planning context in which Council operates
- Act in an advisory capacity to Council through its strategic Reference Groups and other community consultation processes.

(Adopted 23 March 2010)

### **Members**

Mr James Boyce  
Mr Donal Carr  
Mr Philip Colman  
Mr Anthony Dawson (Resigned Aug 2011)  
Mr Kevin Martin  
Ms Lisa Truman (Resigned April 2012)  
Ms Sandra Wilson  
Cr Dr Helen Wilkins  
Cr Michelle Ray

### **Meetings**

22 November 2010  
7 March 2011  
16 May  
6 June  
15 August  
17 October  
23 January 2012  
2 May  
23 July

### **Heritage Statement – Warringah Council State of Environment Report 2004-5**

The Report outlined pressures on Warringah Heritage as being:

- Urban Development
- Lack of Public Awareness and Participation
- Vandalism
- Deterioration as a result of natural process
- Overuse / Over visiting
- Lack of Economic incentive to maintain
- Perceived decrease in real estate values (due to heritage listing)
- Rezoning issues
- Major developments involving demolition
- Misrepresentation of Heritage and Planning controls
- Lack of rewards for heritage owners

**Planned Heritage Action – Warringah Council (22 April 2008)**

The following actions were planned to be implemented following the abolishment of the Cultural and Heritage Committee in April 2008:

- Undertake an internal assessment of how Warringah Council manages Heritage resulting in the establishment of an Operational Management Standard
- Enhance Council's existing Heritage educational material including Council's web page resulting in an increased transparency to the public of Council's Heritage management processes
- Research the development of a program of incentives for privately owned and listed heritage properties and more free heritage advisory services
- Complete the Heritage Conservation Plans outlining ongoing maintenance/conservation for heritage listed items or conservation areas owned by or under the care of Warringah Council
- Consult with key heritage community representatives in the preparation of the above conservation plans and in the process of undertaking the impending Heritage Review
- Prepare a Heritage Strategy which encompasses all aspects of Heritage Management. This Strategy would partly form an update of the Cultural and Heritage Strategy 3000
- Implementing opportunities such as adding interpretive signage to publicly owned Heritage Conservation Areas where there are none at present
- Incorporating heritage themes in placemaking projects and programs and assisting local organisations to arrange, conserve and raise awareness of local history and local heritage items.

**Chairs – Report**

The Heritage Committee has struggled to realise its charter and objectives. For the acceptance of the minutes and its provision of advice to the Strategic Reference Group (SRG) and then onto a Council meeting for consideration, the Heritage Committee meetings needed to be held at least six weeks prior to the next SRG. This was not immediately obvious in 2010. The cut-off time for the minutes to be included in the SRG agenda was three weeks prior to the meeting. It usually takes two weeks for draft minutes to be written up and then finalised. Over the period, the volunteer one prepared to be secretary also changed. As a result, there has usually been a long delay in minutes being submitted to the SRG and a response to be eventually communicated to the Heritage Committee. This has been extremely frustrating and particularly when a summary was done of previous minutes to enable an easier consideration by the SRG and Council Staff. It was deemed appropriate by the Governance team that the response had to go to the next SRG before being communicated back to the Heritage Committee. Therefore, the summary which covered a period back to March 2011, was submitted to the SRG in February 2012, the response was tabled at the SRG at May 2012 and finally tabled at the Heritage Committee in July 2012.

There is a general opinion in the Heritage Committee that the SRG has such a broad charter and represents a community approval mechanism similar to the Council that the SRG is unnecessary and the Heritage Committee advice should be submitted directly to Council for consideration.

Accepting for one meeting without a quorum, the meetings have been well attended and the advice proposed to Council is well considered. However, there is doubt that Council staff and councillors endorse the ability of this committee to give advice on conservation, promotion and management as stipulated in the Charter. This particularly applies to the management of heritage in its six types. The statement of abolition of the last Culture and Heritage Committee specifically includes the existence of a transparent management structure.



### **Achievements**

Unfortunately there are not many achievements despite the time put in by our volunteer members. We do believe there is a better acknowledgement of Movable Heritage. The Heritage Review has proceeded and we have appreciated the information from Janine Formica who has addressed our Committee on three occasions. The Committee does find the focus on Historical Themes that underpin the Heritage List that are to be addressed in 2013/14 as an unfortunate timing as it really should precede the detailing of new Heritage items in addition to the existing Heritage List.

### **2012 – 2016 Term**

The Committee would like to see the Council address the Statement of Abolition (22 April 2008). In particular the Committee would like to assist the Council with the following:

- History and Heritage Section on the Warringah Council website
- An updating of the “Heritage in Warringah” booklet which would also be available on the council website
- A transparent description of the Council organisation as it addresses History and Heritage
- A 20 year plan of History and Heritage that can be reviewed in an economical manner
- A Heritage Plaques program that preserves part of the Warringah history story and supplements Heritage items, a website and printed material
- A Council Communication Policy that addresses the appropriate presentation of printed History and Heritage material
- A better consolidation of the place of History and Heritage in the management of Culture in Warringah
- A program of History and Heritage events that can be coordinated with others in the Sydney Metropolitan area.
- A recognition of Heritage tourism as an important economic generator expressing itself in the six types of heritage
- A better recognition of the Manly Art Gallery and Museum as the major regional museum on the peninsula.



**END OF TERM COMMUNITY COMMITTEE REPORT****Committee Name**

John Fisher Park Community Committee

**Members of Committee**

Cr Vincent De Luca OAM

Cr Christina Kirsch

Mr Rodney Abbott replaced by Deborah Moffatt Nov 2011

Ms Jane Hauser

Mr Tony Pecar

Mr Chris Thomas

Ms Ann Sharp

Ms Laurel Fisher

MS Sally Taylor

Ms Monica Clonda replaced by David Lavings September 2011

**Number of Times Committee has Met**

- 2010: 10<sup>th</sup> November
- 2011: 23<sup>rd</sup> February, 7<sup>th</sup> April, 8<sup>th</sup> September, 24<sup>th</sup> November
- 2012: 19<sup>th</sup> April, 26<sup>th</sup> July

**Brief Summary of the Committees Role/ Objectives**

Forum for input and issue discussion for John Fisher Park precinct. Conduit for ideas, information and issues between Warringah Council, local community and committee members

**Chairs Report:**

The John Fisher Park Community Committee has been very active and involved in issues and activities within John Fisher Park through the term of the committee. There is a broad representation on this committee which has ensured all user groups and the local community have been well represented and are better informed of activities and issues that have arisen. Community members have attended consistently and worked well together. Councillor representation has been poor which has made it difficult for the committee to make recommendations to the appropriate strategic reference groups.

The committee feel that reporting to the reference groups is not that useful as the reference group meetings are three monthly and the issues and items raised at the meetings often require a more urgent response. Warringah Council staff have been helpful with information requested about works within the park area.

**END OF TERM COMMUNITY COMMITTEE REPORT**

I would recommend for future community committees that a replacement representative from an elected group be able to attend the community meeting on a one off casual basis. This would ensure a quorum is achieved for all meetings and that all elected groups have representation at all meetings. It would also be helpful if the councillor representatives arrange amongst themselves a roster so one councillor attends the meeting on a rotational basis.

I would like to thank all community committee members for their commitment and passion for John Fisher Park precinct. Being a part of this committee has given me personally an appreciation for the complexities within this multi used area. My thanks also to Chris Thomas for his minute taking at each meeting.

**Major Achievements/ Projects**

Improved communication and interaction between all user groups, the local community and Warringah Council

Consultation and discussions in regard to bubbler locations

Better liaison and communication between sporting groups to ensure they work well together

Continued monitoring and input into maintenance and upkeep of the general John Fisher Park area

**What has worked well for the committee during the term?**

Using CCSC and CCYC for meetings.

Warringah Council support from Anna and Ximena in regard to committee administration has been much appreciated

Good communication between all community committee members although councillor input has been very limited due to lack of attendance

**What do you hope to achieve in the next term of the committee?**

Continue to strengthen the relationships between all park users

Continue to monitor, report, inform and discuss maintenance, upkeep and user group impact within JFP precinct

Increase the ability to communicate quickly and concisely to the appropriate area of Warringah Council to ensure information and actions are accurate and prompt



**END OF TERM COMMUNITY COMMITTEE REPORT****Committee Name**

Stony Range Botanic Garden Community Committee

**Members of Committee**

Chairman, Murray Corrigan, Secretary Eleanor Eakins, Kim Auld, Cynthia Leech, Andre Porteners,  
Bob Aitken, Jennifer McLean, Cr Kristina Kirsch

**Number of Times Committee has Met**

- 2010: 23 November
- 2011: 29 March, 19 April, 28 June, 11 October
- 2012: 10 January, 3 April, 3 July

**Brief Summary of the Committees Role/ Objectives**

To improve the amenity of Stony Range Botanic Garden for both visitors and volunteers, to increase appreciation and knowledge of our native bushland and to provide a quiet sanctuary within the busy suburb of Dee Why.

**Chairs Report:**

As attached

**Major Achievements/ Projects**

Improved Council support for Stony Range to include improvements to the Pavilion including an accessible toilet and improvements to the amenities within the Range including the tracks

Council working with volunteers towards a Management Strategy and Landscape Plan for Stony Range

Provision of Ranger controlled timed parking in car park to free up parking for volunteers & visitors.

Establishment of a Sensory Trail for visitors

Provision of leaflets for children and species planting areas map.

A Council paid bush regenerator to work with volunteers

Quarterly newsletter

Successful Spring Festival in conjunction with Northern Beaches Branch of Australian Plants Society

Community Service by students from Pittwater House School

Educational visits by schools to the Range

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#### **END OF TERM COMMUNITY COMMITTEE REPORT**

##### **What has worked well for the committee during the term?**

Meetings held in an orderly fashion with co-operation from members.

Good co-operation from Council staff and Councillors

WH&S program

##### **What do you hope to achieve in the next term of the committee?**

Continued co-operation with the Council to improve the facilities at Stony Range.

Continued efforts to obtain volunteers

The setting up of a 'Supporter's Group' and a 'Walks & Talks' program

Public monetary support towards the provision of new durable tracks.

Solution to drainage problems emanating from St Luke's Grammar School





**END OF TERM COMMUNITY COMMITTEE REPORT****Chairmans Report****STONY RANGE BOTANIC GARDEN COMMUNITY COMMITTEE REPORT 2011-2012**

Much has happened over that last year, with the formation of the Stony Range Botanic Garden Community Committee replacing the previous long established Volunteer Advisory Committee. The inaugural committee members, chosen by application to Council, were Murray Corrigan, Eleanor Eakins, Kim Auld, Andre Porteners, Bob Aitken, Cynthia Leech, Jennifer McLean and Councillor Christina Kirsch. At the first meeting Murray Corrigan was elected Chairman, Eleanor Eakins as Secretary and Bob Aitken as Deputy Chairman. The committee held four quarterly meetings plus an extra-ordinary meeting during the year.

In the same period Christine Deaner joined the Council as Senior Recreational Service Planner and is organising a Management Strategy Plan for Stony Range which will show us the way ahead.

Approaches have been made to Council for the improvement or replacement of the Pavilion to bring our facilities up to current Council by-laws and WHS requirements. In our 50 years plus history we have never had wheel chair compliant toilets and have extremely difficult, if not impossible, wheelchair access to any toilets!

Work has already begun to improve the Pavilion with interior painting and updating the existing toilet, hand basins and tap ware etc. but handicapped toilet facilities and an urgent replacement of the original clay sewerage pipe system beneath the entrance driveway and mature trees is paramount. We suffer continual root penetration of the multi-jointed pipe system with continuous costly and embarrassing blockages, such as an overflow on the Saturday set-up for our last Spring Festival.

Asbestos roofing/ceiling material has been removed from the workshop and new material fitted. Ranger controlled parking and the installation of three hour parking signs has freed up parking for volunteers and visitors, a problem we have endured for many years.

Our paths need upgrading with winter rain erosion, and excessive delivery of storm water from the St Luke's Grammar School immediately above our property on the eastern boundary requiring control through drainage pipes and culverts to avoid further erosion to our plants and property. There is planning underway for an extended and improved surface for the handicapped/Sensory Track and work has been done to encourage visitors to Look, Smell, Taste, See and Hear as they proceed. Engraved signs have already been sited at appropriate places. Planning is underway for an extended and improved surface for the Handicapped/Sensory Track using Stony Range funds and a legacy from the estate of the Late Janet Martin Cooper. We have expert advisors from Vision



## **END OF TERM COMMUNITY COMMITTEE REPORT**

Australia visiting us on the 17th January to view this project and make suggestions for improvement to our plans.

Irrigation pipes continue to be a problem due to their age and composition throughout the Range. Many are plastic, copper or galvanised iron pipes laid 50 years ago. Irrigation leakage has been manifest and as an interim measure we have switched off ten of our twelve automatic solenoids for the Range for the last seven months. Fortunately we have had excessive rainfall for this period and the Range has been monitored intensely. The two solenoids within the Nursery are controlled by a rain sensor which precludes irrigation in rain and current irrigation is controlled by bi-weekly observation

Gas heating is no longer being provided to the two glass houses due to leakage we discovered. Piping, seals, and one gas meter for the Ranger's house has been replaced.

Due to falling limbs breaking glass the large tropical display house is closed temporarily and has been locked with signs attached warning against access.

To further encourage use of the Range as an educational facility letters were sent to all local primary and high schools letting them know of the facilities that we provide. We already have had visits by local school children with promises of more in the future. A small group of senior students from Pittwater House have been doing community service with us on a fortnightly basis.

We have also produced a small leaflet for children to access as they enter the Range listing simple things for them to find as they walk around the tracks. For adults we have a larger four colour leaflet and one showing the nineteen themed areas that we have established over the years.

Volunteers continue to work in the Range on Tuesday mornings or Saturday afternoons and as we are now part of the 'Friends of the Bush' program we are in the process of adapting new practices to the way we work, always keeping in mind WHS requirements. We also have the supervision of a professional Bush Regenerator, Sheila Briffa. Sheila has given great help and technical support to our volunteers. She is the only Council certified WHS & first aid person working with field volunteers within the Range. Under the recent Council document we all signed we are required to only work under certified supervision, so our positions are untenable. This will mean all weeding, planting and ancillary work has to cease! We trust council will find funding for her to continue her vital work in 2012.

The nursery continues to flourish after problems with the aged watering control system in the propagation glass house were remedied. As well as providing plants for use in the Range, some are also sold at the Spring Festival





## END OF TERM COMMUNITY COMMITTEE REPORT

Work in the Range continues apace with the many activities that need to be done to keep the Range looking its best and in keeping with its status as a Botanic Garden.

Our publicist Andre Porteners has continues to send out an excellent three monthly newsletter, now in colour thanks to a yearly donation that we receive from the Slade Foundation, the original owners of the old Bonds site next door and long time supporter of Stony Range.

We have an excellent Botanic Library with a comprehensive breadth of works relative to all aspects of the Australian flora. We add to the collection when additional parts of flora's or new books are deemed essential to our volunteer work. We provide the public with the best floral display & and education with up to date botanical signs and information.

Murray Corrigan has completed a complete catalogue of all works by title, author, publication year, ISBN #, catalogue category etc to facilitate easy access. We are in need of additional secure bookcase space but cannot proceed until further plans for the Pavilion have been developed and finalised. Currently the Pavilion has too little space and far too much extraneous non Stony Range material. In conjunction with the Northern Beaches Branch of the Australian Plants Society, we held a successful Spring Festival on Sunday 4 September with many visitors, especially family groups, despite it being Father's Day. With the excellent display of flowers, walks, sausage sizzle, sale of native plants, photography exhibition, Feature Creatures display and children's table it was a wonderful way to publicise the Range.

We would like to express our thanks for the support we receive from Warringah Council through Chris Buckley of Manly Dam and to our volunteers who work hard, each with their own skills and interests, to maintain Stony Range as such an asset to the community whether as a place of relaxation - or education, and as a quiet oasis in the heart of bustling Dee Why.

Attendance at our committee meetings has varied, with four scheduled meetings and one extraordinary meeting since foundation, the elected members attendance is as follows;

	Schedule Meetings (4)	Extraordinary Meeting (1)	Total (5)
Murray J Corrigan	4	1	5
Eleanor Eakins	4	1	5
Bob Aitken	4	1	5
Kim Auld	2	0	2
Andre Porteners	4	1	5
Cynthia Leech	3	1	4
Jennifer McLean	1	0	1
Dr Christina Kirsch	3	0	3

## END OF TERM COMMUNITY COMMITTEE REPORT

Councillors Christina Kirsch and Dr Connie Harris – both regular contributors, mentors and sympathisers of our endeavours.

Bush Regenerator – WHS Sheila Briffa  
Manly Dam Co-ordinator

Murray J Corrigan JP  
Chair – Stony Range Botanic Garden Community Committee

15-1-2012

Since the above report there have been many conferences between Stony Range volunteers and Council staff regarding the upgrade of The Pavilion which will include an accessible toilet. There have also been many meetings with Christine Deaner from Council and Julie Mahler from Landscape Architects Phillips Marler in preparation of the Draft Management and Landscape Master Plan for Stony Range.

July 2012





## 10.0 NOTICES OF MOTION

<b>ITEM 10.1</b>	<b>NOTICE OF MOTION NO 27/2012 DA FOR BOARDING HOUSE AT 116 QUEENSCLIFF ROAD, QUEENSCLIFF</b>
<b>TRIM FILE REF</b>	<b>2012/311088</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

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### MOTION

That this Council resolves to:

1. Note with concern:
    - a. That on 22 September 2011 a fire broke out at 116 Queenscliff Road, Queenscliff and 13 backpackers ran for their lives from the unauthorised backpackers building.
    - b. That residents for years have had to unfairly endure excessive noise and disturbances from backpackers using the establishments, out of control parties, people urinating and entering their properties from the backpackers and people fighting outside their properties from the backpackers.
  2. Present the following concerns as a submission to WDAP for consideration of the DA:
    - a. the past behaviour at the site, and
    - b. that the proposal is not in the public interest.
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### BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM

Staff confirmed that this motion can be carried out within the current operational budget.



<b>ITEM 10.2</b>	<b>NOTICE OF MOTION NO 28/2012 GREEN PAPER</b>
<b>TRIM FILE REF</b>	<b>2012/311384</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Dr Christina Kirsch

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**MOTION**

That Council request a further extension of time to respond to the NSW Government Green Paper on reforms to the NSW Planning System.

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**BACKGROUND FROM COUNCILLOR DR CHRISTINA KIRSCH**

Staff confirmed that this motion can be carried out within the current operational budget.





<b>ITEM 10.3</b>	<b>NOTICE OF MOTION NO 29/2012 HARBORD DIGGERS APPLICATION FOR SENIORS LIVING SITE COMPATIBILITY CERTIFICATE</b>
<b>TRIM FILE REF</b>	<b>2012/311406</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Dr Christina Kirsch

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## **MOTION**

That Council object to the application by Harbord Diggers for Seniors Living Site Compatibility Certificate at the Harbord Diggers Club (HDC) site, Freshwater and make a formal submission in that regard to the Director General of the Department of Planning and ask that the application be refused and no Site Compatibility Certificate be issued.

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## **BACKGROUND FROM COUNCILLOR DR CHRISTINA KIRSCH**

Harbord Diggers have applied for a senior living development, which proposes 75 to 125 units, and that the number of units and the height and building envelopes proposed far exceed the development permitted on the site as zoned R2 in WLEP 2011, which allows for low density detached dwellings with maximum height of 8.5.

Under Warringah LEP 2000 the Harbord Diggers Club (HDC) site, Freshwater lies within the H1 Freshwater Beach Locality which is essentially a low density residential locality, and that the site is zoned R2 Low density residential in WLEP 2011.

The application seeks a land use that is, I believe inconsistent with controls for the site in both WLEP2000 and WLEP 2011, and that this application is not in the interests of the Harbord/Freshwater community, and has been submitted without community support.

Staff have already sent such an objection.

Staff confirmed that this motion can be carried out within the current operational budget.



## 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 RFT 2012/031 - Line Marking of Sports Fields
- Item 13.2 RFT 2012/038 - SHOROC - Services For Air Quality, Air Conditioning Services And Maintenance

#### **Matters to be Discussed During Closed Session - Section 10D**

- Item 13.1 RFT 2012/031 - Line Marking of Sports Fields
- Item 13.2 RFT 2012/038 - SHOROC - Services For Air Quality, Air Conditioning Services And Maintenance

#### **Grounds on which Matter Should be Considered in Closed Session – Section 10A(2)**

- Item 13.1 10A(2)(d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it
- Item 13.2 10A(2)(d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

#### **Reason Why Matters are being considered in Closed Session – Section 10B**

To preserve the relevant confidentiality, privilege or security of such information.

- B. That pursuant to Section 10A Subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Closed Session on the basis that the items to be considered are of a confidential nature.
  - C. That the closure of that part of the meeting for the receipt or discussion of the nominated item or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information.
  - D. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as Confidential and be withheld from access by the press and public, until such time as the reason for confidentiality has passed or become irrelevant because these documents relate to a matter specified in section 10A(2).
  - E. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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