

AGENDA

WARRINGAH COUNCIL MEETING

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

TUESDAY 26 JUNE 2012

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



Rik Hart
General Manager

(2012/09)

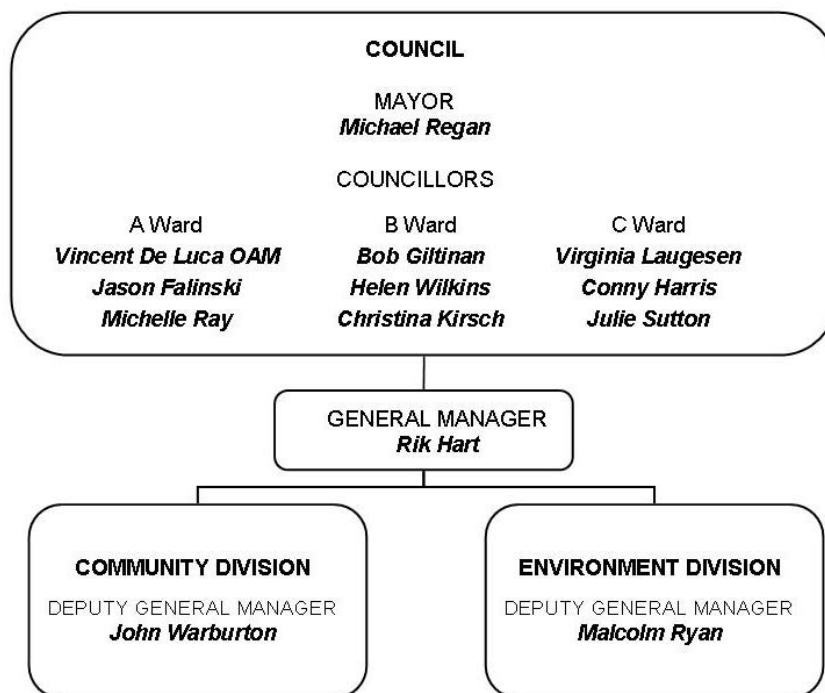


Warringah Council



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 26 June 2012
at the Civic Centre, Dee Why
Commencing at 6.00pm**

ACKNOWLEDGEMENT OF COUNTRY

1.0 APOLOGIES

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Minutes of Ordinary Council Meeting held 22 May 2012

2.2 Minutes of Extraordinary Council Meeting held 5 June 2012

2.3 Minutes of Extraordinary Council Meeting held 8 June 2012

3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

4.0 PUBLIC FORUM

5.0 MAYORAL MINUTES

5.1 Mayoral Minute No 5/2012
Fundraiser for John Colet School
(Report will be circulated prior to the meeting)

5.2 Mayoral Minute 6/12012
Proposal to Reduce the Individual Electricity Costs to the Community
(Report will be circulated prior to the meeting)

REPORTS TO COUNCIL MEETING

6.0 GENERAL MANAGER'S REPORTS..... 3

6.1 Monthly Funds Management Report May 2012 3

6.2 Draft Rates and Annual Charges Recovery Action and Hardship Policy 11

7.0 COMMUNITY DIVISION REPORTS 15

7.1 Enterprise Risk Management Policy..... 15

7.2 Consideration of Internal Audit Report - Asset Management Review 2011
(Effective use of Council's Building Assets) 25

7.3 Council Road Reserve between 3 & 5 Edgecliffe Boulevarde Collaroy Plateau
- Road Closure and Sale of Land 33

7.4 Proposal to Increase Green Fees at Long Reef Golf Club 39

7.5 Glen Street Theatre - Patron 43

7.6 Community Grants Program 2012/13..... 45

8.0 ENVIRONMENT DIVISION REPORTS..... 73

8.1 Adoption of Strategic Community Plan 2012: The Budget 2012-2013 73

8.2	Grant Program - Architectural and Development Services	83
8.3	Amendment to Council Meeting Cycle - Local Government Elections September 2012	95
8.4	Reporting of Strategic Reference Group Minutes May 2012	97
8.5	Community Consultation of Concept Plans for Renewal of Collaroy Basin Roads	99
8.6	Collaroy Stormwater Outlet - Proposed Location for the New Outlet Pipe	115
8.7	Minutes of the Manly Lagoon Catchment Coordinating Committee held 22 March 2012	121
8.8	Minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group	125
8.9	Narrabeen Lagoon Multi-Use Trail - Stage 2B - Stakeholder Agreements	127
8.10	Implementation of Mitigation Measures for Narrabeen Lagoon Trail - Proposed Wildlife Protection Areas	141
8.11	Sydney Coastal Councils Group - Minutes	157
8.12	Results of Study with a View to Trialling Dog Swimming at Curl Curl Beach	161
8.13	Establishment of Alcohol Free Zones and Alcohol Prohibited Areas	175
8.14	Compliance and Enforcement Policy - DRAFT	181
8.15	Asset Management Policy	193
8.16	Town Planning Services Panel	201
8.17	Submission on Sydney Over the Next 20 Years. A Discussion Paper	205
8.18	Draft Environmental Sustainability Strategy	209
8.19	Aboriginal Land Claims 22339, 23192, 22480 and 22597	215
8.20	Celebrate Freshwater Street Event 16 September 2012	225
8.21	Public Exhibition of Proposed Renaming of Aranda Reserve	235
8.22	Collaroy Accessibility Precinct - Public Exhibition of Master Plan/ Concept Design	239
9.0	NOTICES OF RESCISSION	
	Nil	
10.0	NOTICES OF MOTION	251
10.1	Notice of Motion No 20/2012 Naming of Part of Narrabeen Lagoon Trail in Memory of Warringah Resident	251
10.2	Notice of Motion No 21/2012 Bushland Sales to Fund Conservation Activities	253
10.3	Notice of Motion No 22/2012 Heritage Plaques Policy	255
10.4	Notice of Motion No 23/2012 Bicycle Dirt Jump Facility	257
10.5	Notice of Motion No 24/2012 Enforcement of No-Take Zones in Marine Reserves in Collaboration with NSW Fisheries and Local Police	259

10.6	Notice of Motion No 25/2012 Salary Scale for General Managers and Senior Staff.....	261
11.0	QUESTIONS ON NOTICE	263
11.1	Question On Notice No 19/2012 Traffic Congestion and Obstruction Intersection of Pittwater and Fisher Roads	263
11.2	Question On Notice No 20/2012 Continuing Malfunctioning Street Lights Harbord and Abbott Roads	265
11.3	Question On Notice No 21/2012 Installation of Traffic Lights and Removal of Parking Outside Collaroy Cinema and Shops	267
12.0	RESPONSES TO QUESTIONS ON NOTICE Nil	
13.0	CONFIDENTIAL MATTERS – CLOSED SESSION	269
13.1	Provision of Fire Testing and Maintenance Services Tender T41112SHOROC	
14.0	REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION	

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 22 MAY 2012

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council of 22 May 2012, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 5 JUNE 2012

RECOMMENDATION

That the Minutes of the Extraordinary Meeting of Council of 5 June 2012, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

2.3 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 8 JUNE 2012

RECOMMENDATION

That the Minutes of the Extraordinary Meeting of Council of 8 June 2012, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	MONTHLY FUNDS MANAGEMENT REPORT MAY 2012
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2012/258242
ATTACHMENTS	1 Application of Funds Invested 2 Council's Holdings as at 31 May 2012 3 Investment Portfolio at a Glance 4 Monthly Investment Income vs. Budget 5 Economic Notes

REPORT

PURPOSE

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

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

REPORT

The following attachments are provided as part of the Report.

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

FINANCIAL IMPACT

The actual investment income to 31 May 2012 is \$4,804,449 which compares favourably to the budgeted income of \$4,352,793 a variance of \$451,656.

POLICY IMPACT

The investment strategy was reviewed by our Investment advisors Oakvale Capital, in January 2012. They confirmed as of 31 December 2011, that Council's investment portfolio continues to be managed in a prudently conservative manner.

Performance over the 2011/12 financial year to date (May 2012) continues to be strong having exceeded the benchmark, 6.06%pa vs 4.79%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing its cash flows.

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

RECOMMENDATION OF GENERAL MANAGER

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

Application of Investment Funds	Description	Value (\$)
Restricted Funds:		
Externally Restricted	Section 94 Old Plan	25,926,103
	Section 94A Plan Contributions	5,940,428
	Sports fields, ESSR, Domestic Waste, Infrastructure Levies & Unexpended Grants	8,313,485
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.	8,800,309
Unrestricted Funds	Funds Allocated to meet Current Budgeted Expenditure	34,631,697
Total		83,612,021

There has been a increase in the investments held of \$2,759,613, which is in line with budgeted movements at this time of year.

Reconciliation of Cash Book

Description	Value (\$)
Council's Cash Book balance	3,365,565
Kimbriki Bank balance	2,351,237

Investments Funds Report - As at 31-May-12

Maturity date	Face Value	Current Yield	Borrower	Standard & Poor's Rating	Current Value
Floating Rate Note Investment Group					
15-Mar-13	2,000,000	6.6600	HSBC Bank Australia Subordinated Debt	A	1,997,455
23-Apr-14	1,000,000	5.1600	Deutsche Bank AG London Sub Notes	BBB+	957,467
	3,000,000				2,954,922
Floating Rate Note Investment Group - Held to Maturity					
18-Jun-13	1,000,000	5.5300	Suncorp Metway	A+	1,000,000
	1,000,000				1,000,000
Mortgage Backed Securities Investment Group					
Weighted Avg Life *	Face Value				
22-Aug-14	1,858,659	3.9450	Emerald Series 2006-1 Class A	AAA	1,459,600
	1,858,659				1,459,600
Term Investment Group					
1-Jun-12	1,000,000	6.4000	Members Equity Bank Melbourne	A-2	1,000,000
8-Jun-12	1,000,000	6.3000	Bank of Queensland	A-2	1,000,000
8-Jun-12	2,000,000	5.8100	St. George Bank Limited	A-1+	2,000,000
8-Jun-12	2,000,000	5.9500	Members Equity Bank Melbourne	A-2	2,000,000
19-Jun-12	1,000,000	5.8500	Bank of Western Australia	A-1+	1,000,000
22-Jun-12	2,000,000	5.8000	Bank of Western Australia	A-1+	2,000,000
5-Jul-12	1,000,000	5.8000	Members Equity Bank Melbourne	A-2	1,000,000
10-Jul-12	2,000,000	6.0000	Bank of Queensland	A-2	2,000,000
23-Jul-12	2,000,000	5.8500	Bendigo and Adelaide Bank Limited	A-2	2,000,000
24-Jul-12	1,000,000	5.9000	National Australia Bank Ltd - Govt Business	A-1+	1,000,000
30-Jul-12	2,000,000	5.8500	Bank of Queensland	A-2	2,000,000
31-Jul-12	2,000,000	5.2000	Bendigo and Adelaide Bank Limited	A-2	2,000,000
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
18-Sep-12	1,000,000	5.9000	Bank of Queensland	A-2	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
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
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
	60,000,000				60,000,000
Term Investment Group & Cash Deposit Account					
Rollover Date	Face Value	Current Rate	Borrower	Rating	
Cash Account	17,129.56	3.7000	CBA (Brookvale Oval Flood Lighting)	A-1+	17,130
Cash Account	6,634,923.65	4.7500	CBA (Business Saver)	A-1+	6,634,924
Cash Account	1,008,005.27	4.2500	CBA Business Saver Narabeen Lagoon	A-1+	1,008,005
18-Jun-12	1,000,000.00	5.0000	CBA Term Deposit Kimbriki 35810609 (1)	AA-	1,000,000
13-Jul-12	6,866,152.22	5.8000	WBC Term Deposit Kimbriki 11-1208	AA-	6,866,152
4-Sep-12	2,163,251.89	5.8000	WBC Term Deposit Kimbriki 11-4185	AA-	2,163,252
1-May-12	508,037.09	4.2450	CBA Money Market Kimbriki 10162612	AA-	508,037
	18,197,500				18,197,500
	84,056,159			Closing Balance:	83,612,021.36

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

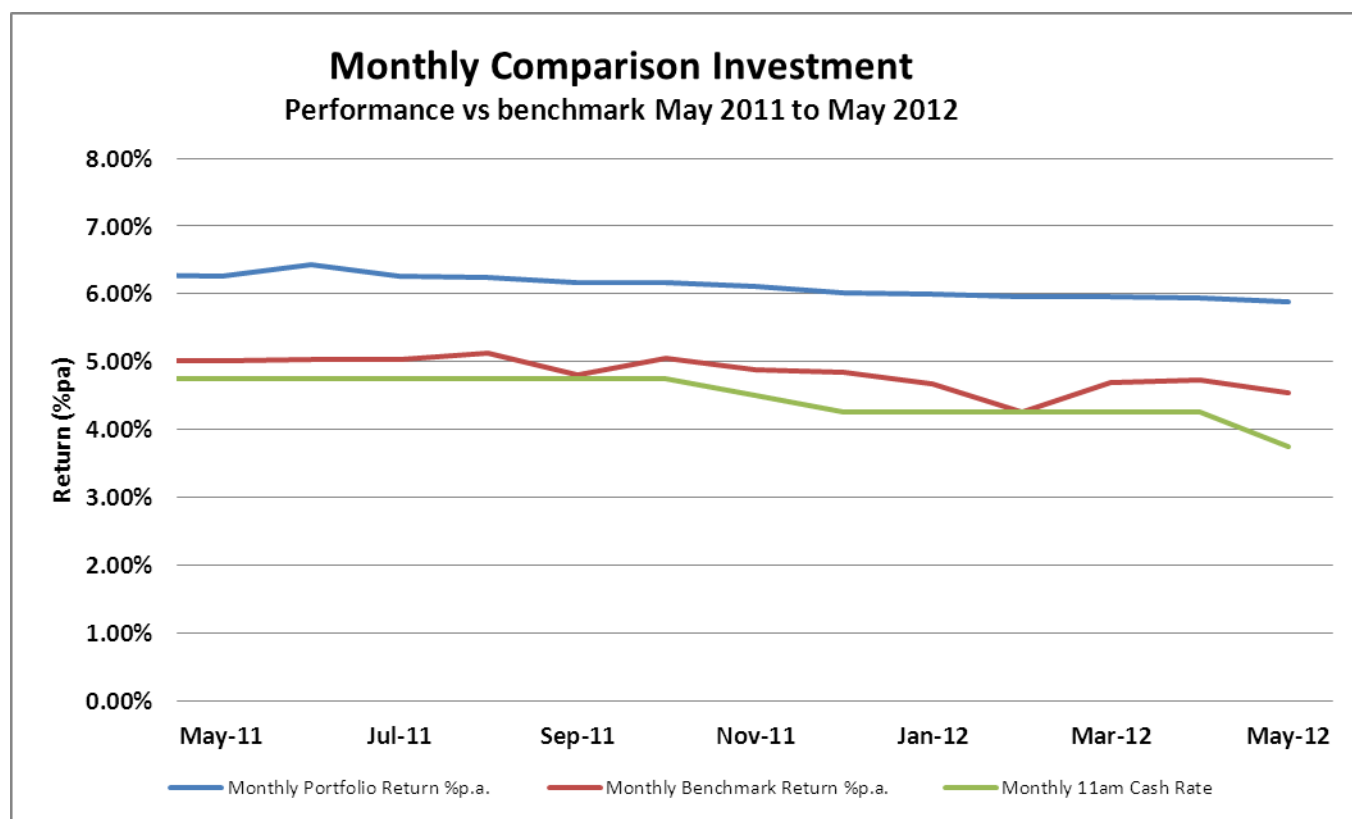
Portfolio Performance vs. 90 day Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✗	Council's income from investments did exceed monthly budget.
Investment Policy Compliance		
Legislative Requirements	✓	Fully compliant
Portfolio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

Investment Performance vs. Benchmark

	Investment Portfolio Return (%pa)*	Benchmark: UBS 90d Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	5.89%	4.54%	3.75%
3 Months	5.93%	4.66%	4.08%
6 Months	5.96%	4.63%	4.17%
FYTD	6.06%	4.79%	4.41%
12 Months	6.11%	4.83%	4.44%

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

** This benchmark relates to Cash Fund holdings

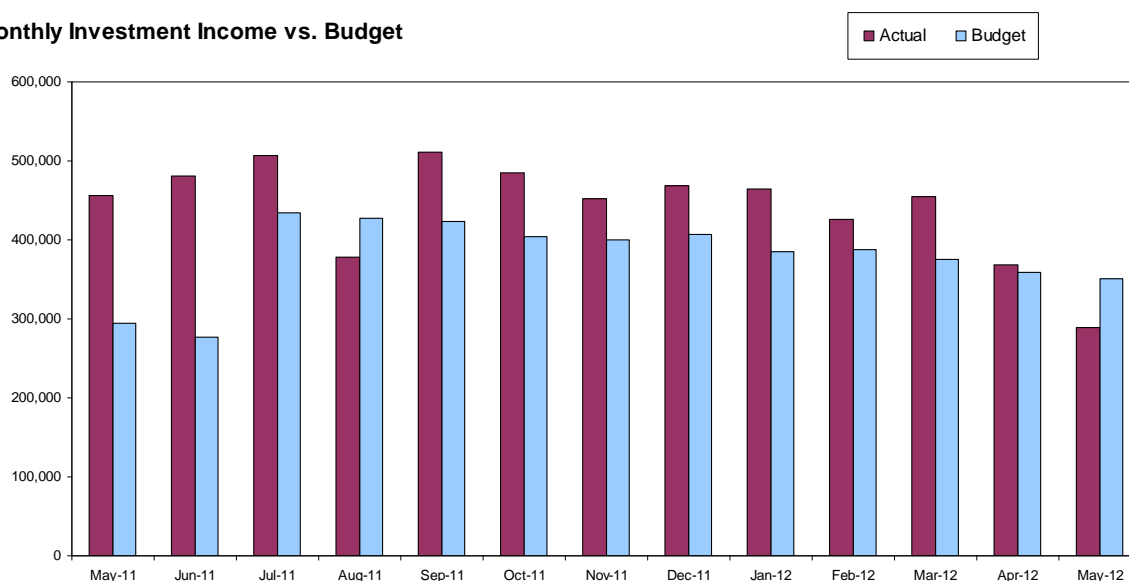


Monthly Investment Income* vs. Budget

	\$ May 12	\$ Year to Date
Investment Income	405,794	4,956,853
Adjustment for Fair Value	(116,095)	(152,404)
Total Investment Income	289,700	4,804,449
Budgeted Income	350,009	4,352,793

*Includes all cash and investment holdings

Monthly Investment Income vs. Budget



In May we have reflected a fair value decrease of \$116,095 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:

- The European debt crisis continues to dictate day-to-day movements in the global financial markets. Shares and commodity markets suffered in May as the threat of a Greek exit from the Euro and a rapidly weakening Spain caused a renewed flight to “safety”.
- German government bonds benefited from this flight to safety as newly issued 2yr bonds commanded an interest rate of zero per cent. Meanwhile Spanish 10 year bonds are fast approaching 7%, which is regarded as the untenable level for sovereign debt repayment.
- The final result of the extended Greek elections, due on June 17, is now the focus of attention. The elections have turned into a referendum on the country’s unpopular austerity measures. A win by the “non-austerity” contingent will likely set in motion an exit from the Euro by Greece, and importantly, a cut-off of European bail-out funds.
- In the US, signs of economic growth remain positive but weak. The calls for further Federal Reserve stimulus to kick-start the economy are growing louder.

Domestic issues:

- Q1 GDP growth increased 1.3% in the quarter and 4.3% over the year. As expected, mining investment was a large contributor to the result however household consumption surprised to the upside.
- Employment rose a strong 38,900 in May. 46,100 full time jobs were created offsetting a loss of 7,200 part-time jobs. Despite this, the unemployment rate increased to 5.1% from a revised 5.0% in April as the participation rate rose from 65.2% to 65.5%.
- The European debt crisis weighed heavily on the AUD, falling from 1.04USD to 0.97USD during the month.

Interest rates:

- For the second consecutive month the RBA lowered Australia’s official cash rate. Following its June meeting, the central bank cut the key rate by 0.25% to 3.50%.
- Despite positive economic domestic data following the latest RBA rate cut, markets remain focussed on global concerns (including the Europe debt crisis, a softening Chinese economy and modest growth in the US) and are still pricing in a cash rate in the 2.50%-3.00% range by December.

Investment Portfolio Commentary

Council’s investment portfolio outperformed its benchmark in May. Without marked-to-market influences, Council’s investment portfolio currently has an overall yield of 5.89%pa. This is based on the interest rates due on existing investments and excludes the underlying changes to the market value of the securities/deposits.

On a marked-to-market basis, taking into account all movements in capital, the portfolio returned 5.96%pa for the month versus the benchmark’s 4.54%pa return.

ITEM 6.2	DRAFT RATES AND ANNUAL CHARGES RECOVERY ACTION AND HARDSHIP POLICY
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2012/256881
ATTACHMENTS	1 Rates and Annual Charges Recovery Action and Hardship Policy (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To approve for exhibition a draft Rates and Annual Charges Recovery Action and Hardship Policy.

SUMMARY

Council's Rates & 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.

This recognises 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. However it also recognises that there are cases of genuine financial hardship requiring respect and compassion in special circumstances and therefore the need for a policy that establishes guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements.

FINANCIAL IMPACT

Nil

POLICY IMPACT

FIN – PL 510 Rates & Charges Recovery Action and FIN – PL 515 Hardship Resulting from Land Valuation Changes policies will be rescinded, and replaced by the new Rates & Annual Charges Recovery Action and Hardship Policy.

RECOMMENDATION OF GENERAL MANAGER

That FIN – PL 510 Rates & Charges Recovery Action and FIN – PL 515 Hardship Resulting From Land Valuation Changes policies be rescinded, and the new draft Rates & Charges Recovery Action and Hardship Policy be put on public exhibition for a period of 28 days and the results be reported back to Council.

REPORT

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 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.

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

That Council endorse the new policy to go on public exhibition for a period of 28 days.

POLICY IMPACT

FIN – PL 510 Rates & Charges Recovery Action and FIN – PL 515 Hardship Resulting from Land Valuation Changes policies will be rescinded, and replaced by the new Rates & Charges Recovery Action and Hardship Policy.

FINANCIAL IMPACT

Nil

7.0 COMMUNITY DIVISION REPORTS

ITEM 7.1	ENTERPRISE RISK MANAGEMENT POLICY
REPORTING MANAGER	GROUP MANAGER BUSINESS & ENTERPRISE RISK
TRIM FILE REF	2012/104963
ATTACHMENTS	1 Draft Enterprise Risk Management Policy

EXECUTIVE SUMMARY

PURPOSE

To request the adoption of the Enterprise Risk Management Policy.

SUMMARY

The attached Enterprise Risk Management Policy has been developed to comply with a better practice approach to risk management. The policy was submitted to Council on 27 March 2012. At this meeting, Council resolved to place the policy on public exhibition to seek submissions from the community. No submissions were received during the public exhibition period. The final version of the policy has been slightly amended to generally improve its readability, and to better define Council's "Risk Appetite".

FINANCIAL IMPACT

Nil

POLICY IMPACT

Risk Management is a top down approach that is integrated into all policies, procedures and systems. Therefore all Warringah Council Policies are in scope and therefore are related to this policy.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

- A. That the Enterprise Risk Management Policy be adopted.
 - B. That following the adoption of the above policy, the current Interim Risk Management Policy (FIN-PL 700) be rescinded.
-

REPORT

BACKGROUND

The Enterprise Risk Management Policy has been developed to improve Council's current approach to risk management. Enterprise Risk Management (ERM) is a coordinated approach of identifying, assessing, evaluating, treating and monitoring the various risks and opportunities that have the potential to impact on Council's survival and/or delivery of services.

The approach endorsed in the policy focuses on the long term impact of risks on Council in its entirety, rather than Council's traditional approach of focusing on the individual performance of a particular service or business unit.

The policy is a key component of Council's Enterprise Risk Management Framework. The framework comprises three elements:

- ERM Policy – the key document establishing the ERM Framework.
- ERM Operational Management Standard – a document consisting of risk procedures, risk assessment guidelines and an action plan for Council staff.
- Risk Register – a centralised and accessible repository for all risks to enable easy access to risk treatment actions.

The policy seeks to replace the current, outdated, *Interim Risk Management Policy (FIN-PL 700)* that was endorsed by Council's Executive in 2002.

AMENDMENTS TO THE POLICY

The policy was submitted to Council on 27 March 2012 for approval to place it on public exhibition. The public exhibition was advertised in the *Manly Daily* on Saturday 31 March 2012 and copies of the policy were available for viewing on Council's website, at all Warringah Libraries and at the Civic Centre Customer Service Centre. The public exhibition period concluded on 30 April 2012.

No submissions were received on the policy during the public exhibition process.

The policy has had several minor amendments made to it since it was brought to the March 2012 Council meeting.

A key improvement to the policy is the inclusion of a "Risk Appetite" statement (clause 4.1). The statement outlines the level of risk that Council may be prepared to accept before taking action is deemed to be necessary. Further, the policy includes a commitment to pursuing opportunities that may have a moderate level of risk, provided they are considered and their impacts fully understood.

This statement affirms Council's commitment to the active management of high level (strategic) risks that may impact our ability to deliver services to the community.

Other minor amendments include improving the readability of the Roles and Responsibilities section, and general improvements to the language to make it more clear and concise (see clause 4.2).

BENEFITS OF ENTERPRISE RISK MANAGEMENT

The adoption of this policy will enable Council to commence its Enterprise Risk Management journey. The ERM Framework will significantly improve the way that Council manages risk in that it will enable, as per the objectives of the policy:

- Consistent management of Council's risks, risk minimisation and identification of potential opportunities.
- The ability to prioritise Council's response to those risks that are of the most relevance and/or consequence.
- Clear direction and "ownership" of risk management, leading to increased accountability and transparency.
- A process to implement continuous improvement of Council's ERM framework so that better practice can be achieved.
- Meeting community and stakeholder needs and expectations to manage risk effectively.
- Improved resource allocation and efficiency through the use of an integrated system.
- Compliance with Australian and International Standards.

Ultimately, the ERM approach established in the policy is a better practice approach and will inform sound decision making.

IMPLEMENTATION OF POLICY

As a result of adoption of the policy, Risk Management will be firmly integrated into Council's governance, strategy and planning, management reporting, policies, values and culture.

An action plan has been developed to outline the staged integration process, and is included in the ERM OMS as a guide to inform business planning. The action plan includes a program of review and monitoring of the ERM Framework to ensure that continuous improvement is built in.

CONSULTATION

In addition to the public exhibition period (27 March to 30 April 2012), comment on the policy was also sought from the Audit and Risk Committee. A general commendation was received from the Committee.

TIMING

Implementation is proposed to commence from July 1 2012.

POLICY IMPACT

Risk Management is a top down approach that is integrated into all policies, procedures and systems. Therefore all Warringah Council Policies are in scope and therefore are related to this policy.

FINANCIAL IMPACT

Nil. Considering and assessing risks is part of the day-to-day activities of staff.

DRAFT

Warringah Council Policy

Policy No. Number

Enterprise Risk Management Framework

1 Purpose of Policy

This policy establishes a robust Enterprise Risk Management (ERM) Framework that is integrated with Council's key practices and processes.

2 Policy Statement

There are many threats and opportunities that could potentially affect the achievement of Council's objectives that are outlined in the Warringah Strategic Community Plan. Good risk management is forward-looking and helps to improve business decisions. It is not just about avoiding and minimising losses, but also about dealing positively with opportunities.

On this basis, it is acknowledged that risks need to be managed consistently and in accordance with better practice principles. Council therefore adopts the risk management approach specified in Australian Standard *AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines*. Council's Enterprise Risk Management Framework is based on the key principles of *AS/NZS ISO 31000:2009*.

Enterprise Risk Management is the holistic management of all risks that impact on Council – internal and external. The ERM Framework enables Council to be innovative, to seek opportunity, and to therefore develop a "risk appetite" that allows for calculated risks to be taken based on sound data and that achieve sustainable results for the community.

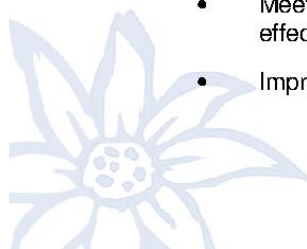
In using the ERM Framework, risks are fully understood, considered and factored into decision making. This approach is supported by the key principles of the Australian Business Excellence Framework, which Council has adopted.

This policy outlines Council's ERM Framework; it assigns key accountabilities and commits Council to a program of continuous improvement and monitoring of its risks and risk treatments.

3 Objectives

The objective of this Policy is to establish a risk management framework that will formalise, complement and build upon current processes. Council will achieve significant benefits including:

- Consistent management of Council's risks, risk minimisation and identification of potential opportunities.
- The ability to prioritise Council's response to those risks that are of the most relevance and/or consequence.
- Clear direction and "ownership" of risk management, leading to increased accountability and transparency.
- A process to implement continuous improvement of Council's ERM framework so that better practice can be achieved.
- Meeting community and stakeholder needs and expectations to manage risk effectively.
- Improved resource allocation and efficiency through the use of an integrated system.



Policy No. **Number**

- Compliance with Australian and International Standards.

4 Principles

4.1 Risk Management Principles, Process & Framework

The Warringah ERM Framework seeks to achieve each of the eleven principles that are prescribed in *AS/NZS ISO 31000:2009*.

The risk management process prescribed in *AS/NZS ISO 31000:2009* (Figure 1) has also been followed. Specifically, risk management at Warringah Council is implemented and maintained as follows:

- Council's commitment to **effectively** managing risk and **why** the ERM Framework needs to be implemented is outlined in this Policy. **How** the Policy will be implemented is contained in an Operational Management Standard, comprising risk procedures, risk assessment guidelines and an Action Plan for staff to plan, prioritise, resource and monitor. A Risk Register captures the risks and **what** actions Council will implement to treat them.
- The ERM Framework will consider both the internal and external **context** and is therefore aligned with strategic objectives, statutory obligations, processes, services, culture and structure.
- Risks are to be considered from a 'top down' basis. The key emphasis is on those higher level 'strategic' risks. This approach enables the full integration of Enterprise Risk Management into all of Council's processes.
- Council is committed to defining its '**risk appetite**', the amount of risk it is prepared to accept before intervening.

On this basis, Council will:

- a) Not accept a risk that has potential consequences of adversely impacting on its long term sustainable future, on loss of life, or on compliance/legal/regulatory matters.
 - b) Actively manage any risk that is assessed to have an overall 'high' or 'extreme' residual score. It is acknowledged that some risks may be outside of Council's control, and so priority can only be given to the controls that are put in place.
 - c) In some circumstances tolerate a risk with an overall 'moderate' residual score in order to pursue an opportunity.
- Continuous monitoring and improvement of the performance of the ERM Framework will occur through reporting on key performance measures to determine the effectiveness and efficiency of the Framework. Reviews will also be conducted to measure stakeholder feedback, to test key elements of the Framework, and to identify improvement initiatives. Results will be reported to the Audit and Risk Committee as relevant.
 - A consistent **risk assessment** methodology will be utilised at all risk category levels - strategic, operational and project based. The assessment will involve risk identification, analysis and evaluation; risk treatment; and risk monitoring.

Risks assessments will be contained in a **Risk Register**, a centralised and accessible repository for all risks to enable easy access to monitor, review and improve.

- **Risk treatment** actions are identified through the risk assessment process and represented in action plans. The progress of these actions is monitored through (a) review by the Leadership Group, (b) the Audit and Risk Committee (as relevant), and

Policy No. **Number**

(c) reporting of key performance indicators and significant milestones in accordance with Council's corporate reporting framework.

- The ERM framework involves ongoing **communication and consultation** with stakeholders at each stage of the risk management process. All staff are responsible for considering and effectively managing risk. Regular communication with staff will occur to raise awareness of their role in relation to risk management.

4.2 Roles and Responsibilities

Key accountabilities for risk management/assessment across the organisation are as follows:

Councillors

Councillors are responsible for:

- Under the NSW *Local Government Act 1993*, having "regard to the long term and cumulative effects of its decisions".
- Adopting and monitoring Council's ERM Policy.
- Giving consideration to the ERM Policy in their decision making.

Audit & Risk Committee (comprising Councillors and independent external members)

In accordance with the Audit & Risk Committee Charter, which is based on the Division of Local Government Internal Audit Guidelines, the Audit & Risk Committee is responsible for the oversight of Council's risk management arrangements.

Internal Auditor

The Internal Auditor provides an 'arms length' assessment of the effectiveness of the ERM Framework, and of individual risks identified therein.

Executive Management Team

The Executive Management Team is responsible for identifying, analysing and evaluating strategic risk, and for monitoring the effectiveness of the ERM Framework.

Leadership Group

The Leadership Group is responsible for (collectively and individually) managing operational risks, and for the treatment of strategic risks.

Group Manager, Business & Enterprise Risk

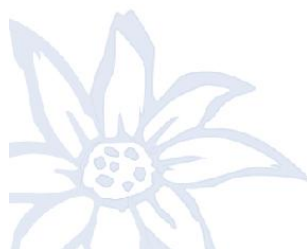
The Group Manager B&ER is responsible for the design, facilitation, monitoring and effectiveness of the ERM Framework.

All Staff

Managers and Group Managers are individually responsible for risk management in relation to their respective areas of operation.

4.3 Resource Allocation

Risk assessments will be conducted, at a minimum, annually, and will inform the business planning cycle. Appropriate financial and human resources will be allocated toward risk treatment actions.



Policy No. **Number**

5 Authorisation

This Policy was adopted by Council on 26 June 2012.

It is effective from 1 July 2012.

It is due for review on 30 June 2014.

6 Amendments

This Policy supersedes the following:

- Fin-PL 700 Risk Management Policy (Interim)

7 Who is responsible for implementing this Policy?

Leadership Group

8 Document owner

Deputy General Manager Community

9 Related Council Policies

Risk Management is a top down approach that is integrated into all policies, procedures and systems. Therefore all Warringah Council Policies are in scope and are related to this policy.

10 Legislation and references

Australian Standard *AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines*.

Internal Audit Guidelines, Division of Local Government, September 2010.

Local Government Act (NSW) 1993

Institute of Internal Auditors, International Professional Practices Framework, January 2011

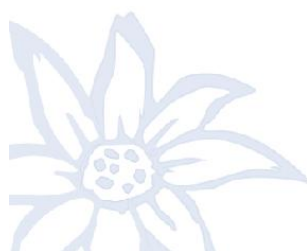
11 Definitions

- **Categories of Risk:**
 - **Strategic** – longer term and/or high level risks/opportunities that have the potential to impact Council's ability to deliver its key services, e.g. preparing for an ageing workforce, poor financial planning, and failure to comply with legislative requirements.
 - **Operational** – day to day risks/opportunities that impact the quality of the services that Council delivers, e.g. poor contract management, the adequacy of the Business Continuity program, or the effectiveness of the Workplace Health and Safety system.
 - **Project** – risks/opportunities that relate to a specific project, typically with a start and end date.
- **Components of Risk Assessment:**
 - **Risk Identification** – the process undertaken to identify the sources of risk, areas of impacts, events and their causes and potential consequences.



Policy No. **Number**

- **Risk Analysis** – the process undertaken to understand the nature of risk and determine the level of risk
- **Risk Evaluation** – the process undertaken to determine, based on the outcomes of risk analysis, which risks need treatment and how to prioritise treatments.
- **Enterprise Risk Management** – A framework that encourages a holistic and coordinated approach for identifying, assessing, mitigating and monitoring the various risks and opportunities that have the potential to impact on Council.
- **Risk** – the possibility of something happening that will impact upon objectives or service delivery. *AS/NZS ISO 31000: 2009* defines risk as ‘the effect of uncertainty on objectives’.
- **Risk Assessment** – the process undertaken to identify, analyse and evaluate risk.
- **Risk Appetite** – involves the level of risk that Council is prepared to accept before mitigation action is deemed to be necessary.
- **Risk Management** - coordinated activities that directs and controls Council with regard to risk. *AS/NZS ISO 31000: 2009* outlines the broad stages of risk management as – (a) establish the context; (b) risk assessment; (c) risk treatment; (d) monitoring and review; and (e) communication and consultation.
- **Risk Treatment** – risk mitigation, the development of preventative measures to address risks identified.



ITEM 7.2	CONSIDERATION OF INTERNAL AUDIT REPORT - ASSET MANAGEMENT REVIEW 2011 (EFFECTIVE USE OF COUNCIL'S BUILDING ASSETS)
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2012/155096
ATTACHMENTS	1 Summary of Audit Report

EXECUTIVE SUMMARY

PURPOSE

To receive, consider and comment on an independent external audit which was undertaken on the management of Council's building assets.

SUMMARY

Council engaged an independent external auditor in August 2011 to examine and report on the effective use of Council's building assets in terms of community value and cost / return / benefit value to the community.

The recommendations made within the report can be found in detail in Attachment 1 however the common themes which need attention in order to improve the management of Council's assets are:

- Review all Community Property assets, identify use and application procedures and develop a policy with respect to the level of subsidy Council leased Community Properties should enjoy;
- Review of booking procedures and access to the community assets;
- Develop procedures on the management of community assets.

Council is currently undertaking a review of all leases and licences and bookings and payment processes for community buildings.

In response to the above key themes, it is proposed that a 5 year implementation plan be put in place. This timeframe is recommended as most of Council's leases and licences have a 5 year term and have renewal dates varying from 2012 to 2017.

The implementation plan will comprise the following specific activities:

1. Review existing leasing and licensing processes and procedures and leasing/licencing policy to cover all users of community facilities and land, where those users obtain a benefit from that facility or land. This will enable a higher level of transparency so Council and the greater community can identify the level of subsidy provided by Council (and hence the Community) to specific community and sporting organisations using public facilities and land.
2. Complete the current review Council is undertaking of the bookings and payments process of community facilities. The aim of the review is to develop an improved process, following that, determine whether electronic reservation system "CLASS" in its existing format can support the process or will Council need to enhance "CLASS".

FINANCIAL IMPACT

The financial implications of undertaking the implementation of the recommendations would need to be scoped. In saying this, Council is obliged to undertake the recommendations if it is to be a prudent administrator of assets and wishes to comply with councils own procedures and policies as well as not leave itself open to criticism by the public or litigation.

POLICY IMPACT

Council has adopted a number of policies and procedures which it is not adhering to and is currently not fulfilling its obligations as a significant prudent owner of assets. The adoption of the recommendations contained within this report will address these concerns.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That the General Manager develop and implement a detailed 5 year implementation plan that addresses the recommendations contained in the summary of the audit report.

REPORT

BACKGROUND

Council engaged an independent external auditor in August 2011 to examine and report on the effective use of Council's building assets in terms of community value and cost / return / benefit value to the community.

The scope of the review included:

- Compliance with policies, procedures and legislation
- Financial component vs. Community good
- Community benefit
- Better practice principles

A representative sample of sites was looked at with recommendations made as to how Council could improve the management of its assets.

The recommendations made within the report can be found in detail in Attachment 1 however the common themes which need attention in order to improve the management of Councils assets are:

- Review all assets, identify use and application procedures and develop a policy with respect to the level of subsidy Council leased Community Properties should enjoy.
- Review of booking procedures and access to the community facilities
- Develop procedures on the management of community assets.

CONSULTATION

In order to undertake consultation and inform all stakeholders of the new policy Council must firstly accept the recommendations contained within the audit, review all leases and licences whether informal or formal. At the same time develop a clear robust Community Facilities Management and Subsidies Policy which when adopted by Council will provide the platform with which to manage the portfolio in a transparent and provide continuity between all lessees and licensees.

TIMING

The review of the leases and licences is underway with the drafting of a policy commencing over the following months for presentation to Council in November/December.

Once reviewed and adopted by Council the policy will apply to all new licences or leases and will progressively be introduced to the current lessees and licensees. The introduction needs to be progressive as agreements may not have clauses contained within them until such time as they expire.

Council is currently undertaking a review of the bookings and payments process. The aim of the review is to develop an improved process, following that, determine whether electronic reservation system 'CLASS' in its existing format can support the process or will Council need to enhance 'CLASS'.

If this is not possible Council will need to determine alternatives as to what system is necessary to meet the needs of the process or alternatively review the process itself.

POLICY IMPACT

Council has adopted a number of strategic plans and policies which will purportedly deliver community outcomes for the management of Councils properties and to which the audit assess as a matter of compliance and there meeting the communities expectations.

Councils Strategic Community Plan 2011 outlines the 10 year strategic direction for Warringah and what Council wants to achieve over the next four years. It also contains an operational plan that details what Council plans to do over the next 12 months.

Council has agreed five Strategic Community Outcomes to provide a framework for making decisions representing what is considered to be most important to the community, being: living environment, living communities, living spaces, living enterprises and living organisation.

In addition to these Council's Social Plan 2010 indicates that Council is striving to meet the diverse needs, wants and aspirations of the Warringah community by complying with the following principles: Equity, Access, participation and rights.

There are also a number of key policies with which Council has adopted in order to meet the community needs being:

- Community Facilities Management and Subsidies Policy
- Asset Management Plans and Strategy

In addition there are 23 Community centres which generate income and bookings are managed through an electronic reservation system 'CLASS'.

FINANCIAL IMPACT

The review of licences and leases is an operation matter and is normally undertaken as best practice when administering a properties portfolio as is a review of policies for the management of Council properties.

The outcome of the review of the 'CLASS' system is unknown at present, as is any financial implication of the outcome.

The exact financial implications of the remainder of undertaking the implementation of the recommendations would need to be scoped. In saying this Council is obliged to undertake the recommendations if it is to be a prudent administrator of assets and wishes to comply with councils own procedures and policies.

Appendix One – Summary of Report

Council has an Internal Audit Plan for 2011/2012 the objective of this corporate plan is to provide *'an independent objective appraisal and consulting function established within Council to examine and evaluate its activities as a service to the Council and the community'*.

In order to fulfil this objective for the property functions of Council, an independent external auditor was engaged in August 2011 to examine and report on the effective use of Councils building assets in terms of community value and cost / return / benefit value to the community.

The scope of the review included:

- Compliance with policies, procedures and legislation
- Financial component v Community good
 - How to measure the Community good and what is the return to the community
 - Understanding the value of the asset – and how the asset is used for the community benefit
 - Financial information – rental subsidies and value of forgone rent
- Community benefit
 - Are they providing a genuine community benefit
 - Value to the community as a whole
- Better practice principles

The review was performed using the following approach:

- Confirm the initial assessment of key risks and key controls
- Agreed on the sample sizes with business unit manager
- Verify the operation of key controls through detailed testing and discussion with staff as necessary
- Develop recommendations for improvement
- Consult with management about issues identified and recommend opportunities for improvement
- Draft a report addressing issues identified and suggest action plans. Provide draft report to stakeholders for comment
- Incorporate management comments and issue the final report to Audit Committee for distribution to all key stakeholders.

Conclusion

Based on the nature and the number of findings, the auditors assigned an overall rating of **WEAK** for the properties assessed. Meaning: *"Limited control framework in place. Significant control weaknesses were noted which if not addressed, may result in material exposure."*

The rating was assigned based on the following key findings arising from the review:

- The subsidy/rent rebate available to users is not currently determined against a set of clearly defined criteria such as the social and community benefit contributed by the user group seeking a subsidy/rebate, or the extent of accessibility of the facility to the community

- Council is not currently complying with its own Policy governing the licensing or leasing of community facilities
- There are no formal agreements (i.e. licence or lease) in place with user groups for 13 of the sample of 24 facilities examined as part of the review (sample excludes Community Centres)
- Council's Community Facilities Management and Subsidies Policy does not clearly identify how Council's management of community facilities links to its Strategic Community Plan and Social Plan and Council's objective of meeting the diverse needs, wants and aspirations of the Warringah Community
- Council has not established clearly defined criteria to assess the eligibility and appropriateness of applications from community groups to utilise Council's community assets
- Council is not effectively measuring or monitoring the benefit the community derives from utilising Council's building assets, including its Community Centres
- Current utilisation calculations within CLASS are inaccurate as the total utilisation percentage is calculated by averaging the utilisation across all the facilities within a Centre
- Not all Community Centres usage by individuals/user groups is being captured in CLASS
- There is evidence of unauthorised access to Council's Community Centres due to poor controls over keys and the maintenance of key registers.

Recommendation

1. Limited guidance/criteria for the calculation of subsidies/rent payable.

The Community Facilities Management and Subsidies Policy should be revised to include guidelines for the determination of rental subsidies and should have regard to the following factors (as a minimum).

- Number of people benefiting from the service being provided
- Nature of the organisation (i.e. private, not for profit etc)
- Services provided to the community
- Extent of accessibility of facility to the community
- Maintenance responsibilities
- Whether the service provide direct competition to commercial ventures
- Whether the service reduces Council's need to provide similar services
- Ability of hirer / tenant to raise revenue from the service being provided (i.e. profit / not for profit).

The revised Policy should include guidance on how market rent (leased facilities) and break even cost (non-leased facilities) are determined.

2. Lack of formal agreements in place for "exclusive use" Council assets

A full review of Council owned assets should be undertaken with the objective of identifying all Council owned „community assets“. All „community assets“ should become the responsibility of the Community Services Team and managed and monitored per the Community Centres (i.e. bookings through CLASS).

If the review identifies Council assets that should continue to be used exclusively, a formal agreement should be agreed. Responsibility for the management of these assets should revert to the Property Team.

3. Community Facilities Management and Subsidies Policy

A definition of what constitutes a „community asset” should be developed and included within the Community Facilities Management & Subsidies Policy e.g. an asset / facility which can be utilised by a wide variety of community groups / individuals.

The Policy should also include:

- Dispute resolution policy / guidelines
- User group responsibilities in relation to outgoings.

4. Community assets usage application criteria is not clear/transparent

Clearly defined criteria for the assessment of applications for the use of community assets should be developed and included within the Community Facilities Management and Subsidies Policy. The criteria should be aligned to the objectives set out within Council's Strategic Community Plan.

Facility usage which cannot be fulfilled should be formally recorded and reported to Management on a periodic basis e.g. quarterly.

5. Community benefit is not measured or monitored by Council

In conjunction with the development of the Asset Strategy, Council should review its existing Key Performance Indicators (KPI's) to ensure that they include measures of the community benefit provided by Council's building assets.

6. Monitoring and reporting of Community Centre utilisation is inadequate/ineffective

A full review of CLASS should be undertaken to ensure Community Centre data is correctly set up within the system, including as a minimum:

- Community Centre Facilities
- Operating hours of Community Centres (i.e. available hours).

Training on the functionality of CLASS should be provided to the Community Centre Section Leaders to enable them to generate tailored reports directly from CLASS, eliminating the need of manual data collation and manipulation.

Community Centre utilisation and attendance reports should be generated from CLASS and submitted to the Manager Community & Cultural Services periodically (i.e. quarterly).

Utilisation rates should be calculated based on a “weighted average” according to the floor space of the Centre or facilities within a Centre.

7. Unauthorised access to Community Assets

Reconciliation between the Community Centre “Key Registers” and CLASS should be undertaken to identify individuals / groups which have Community Centre keys without bookings recorded within CLASS.

Groups / individuals identified from the reconciliation outlined above should be contacted and advised to return the keys as a matter of priority.

The Community Centre Key Registers should be maintained as and when keys are provided and returned. The Registers needs to be monitored on a periodic basis to ensure “outstanding” keys are returned in a timely manner.

A cost benefit analysis should be undertaken on the implementation of "swipe card" access to the Community Centres. This technology would allow tighter controls in relation to access to Community Centres with "swipe cards" being able to be activated in accordance with bookings contained within CLASS.

8. Community Centre Fees and Charges

A formal policy and procedure should be developed with regards to the annual review process of the Community Assets fees & charges. As a minimum it should consider the following:

- Break-even point to cover maintenance and operational costs
- Consumer Price Indexation (CPI)
- Internal & External Benchmarking
- Condition of facilities
- Utilisation of facilities.

Documentation to support the annual review of proposed fees & charges should be retained by management.

9. No Community asset management procedures in place

Procedures governing the management of Council's building assets (including Community Centres) should be prepared and include as a minimum procedures related to:

- Bookings
- Building Inspections / Maintenance
- Fees & Charges
- Reporting Requirements.

ITEM 7.3	COUNCIL ROAD RESERVE BETWEEN 3 & 5 EDGECLIFFE BOULEVARDE COLLAROY PLATEAU - ROAD CLOSURE AND SALE OF LAND
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2012/248963
ATTACHMENTS	1 Plan of Subject Land 2 DP 1167116 Edgecliffe Boulevarde Collaroy Plateau - Location Plan

EXECUTIVE SUMMARY

PURPOSE

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

SUMMARY

In accordance with a Council resolution dated 25 July 2006 regarding this matter; it is proposed to sell the subject land by public auction. The land includes a restrictive covenant over the area on the escarpment for its environmental protection and preservation. Plans of the subject land are included in the report as Attachments A and B. Council is now in a position to relocate the neighbour's overhead power and telephone services affecting the subject land and proceed to sell the land.

FINANCIAL IMPACT

In accordance with Section 43 of the Roads Act 1993, funds generated from the disposal of this surplus road reserve are required to be expended on either acquiring land for public roads or for carrying out work on public roads.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

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

REPORT

BACKGROUND

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

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

In recent years the adjoining owners had approached Council again.

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

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

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

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

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

Current Proposal

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

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

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

1. *That Council authorise an application for road closure to the Department of Lands under the provisions of the Roads Act 1993 for the unformed road reserve land identified in this report between 3 and 5 Edgecliffe Boulevard, Collaroy Plateau.*
2. *That delegation be granted to the General Manager to authorise and execute any documentation required to facilitate any of the actions contained within this recommendation or Council authorise affixing its Seal to the documentation if required.*
3. *That should the road closure application referred to in item 1 of this recommendation be successful, Council, in accordance with its Disposal of Surplus Road Reserve Policy GOV-PL 820 and Property Acquisition and Disposal – (Negotiation on Purchase Price) Policy GOV – PL 810:*
 - a) *Proceed to dispose of the subject land.*
 - b) *Grant delegation to the General Manager to:*
 - i) *Appoint a suitable agent to dispose of the subject land by public auction.*
 - ii) *Set an appropriate reserve price or negotiate a sale price if the property fails to sell at public auction.*
4. *That the sale proceeds be placed in Council's "Road Projects Reserve" in accordance with its "Allocation of Funds Obtained from the Sale of Council Real Property Policy GOV – PL 915" for expenditure on Council's road network in the Collaroy area.*
5. *That the proposed road closure area referred to in item 1 of this recommendation incorporate an appropriate restrictive covenant in respect of escarpment development.*

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

Proposed Sale of Land

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

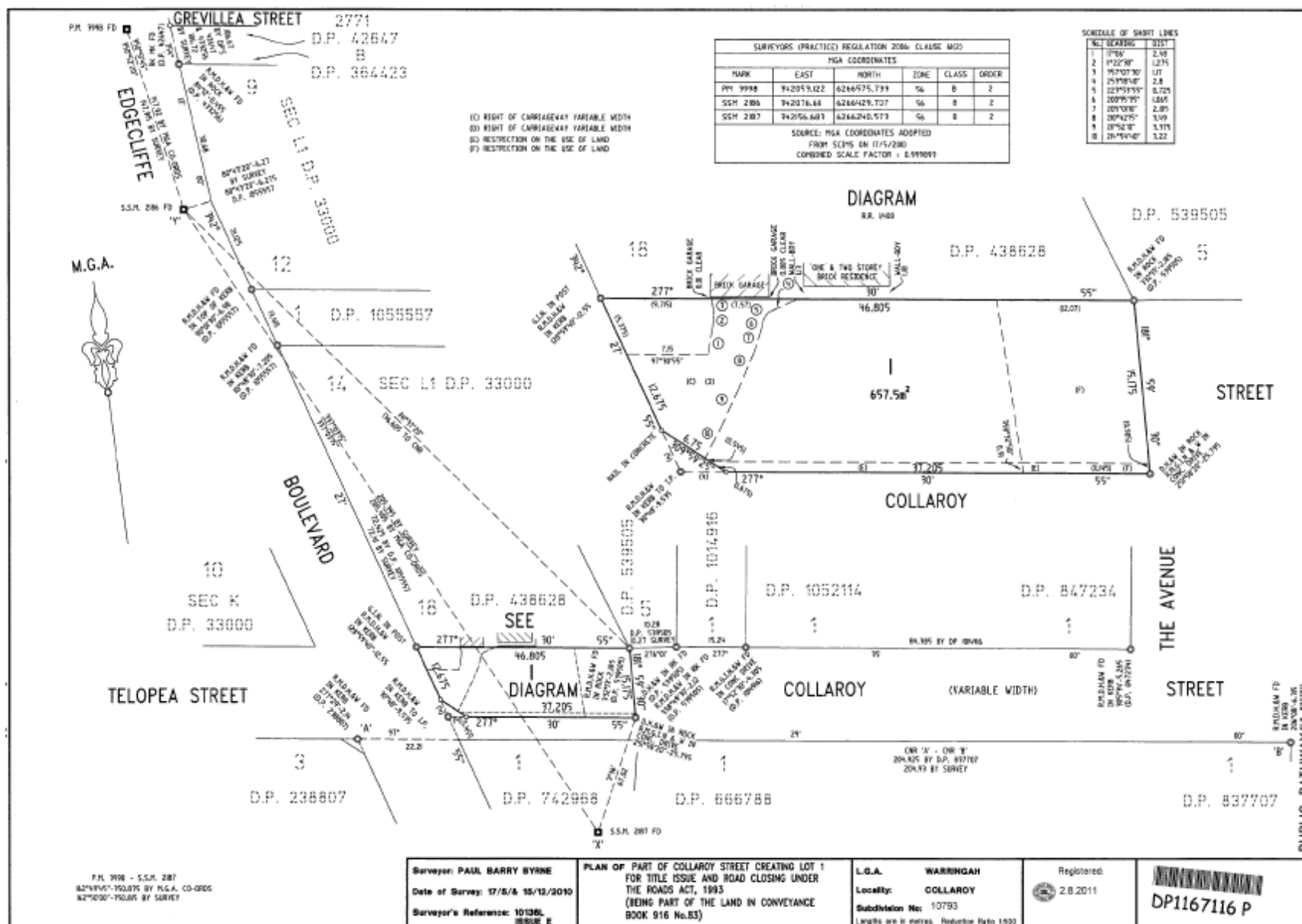
Council is now in a position to relocate the neighbour's overhead power and telephone services affecting the subject land and proceed to sell the land. These costs are covered in existing budgets.

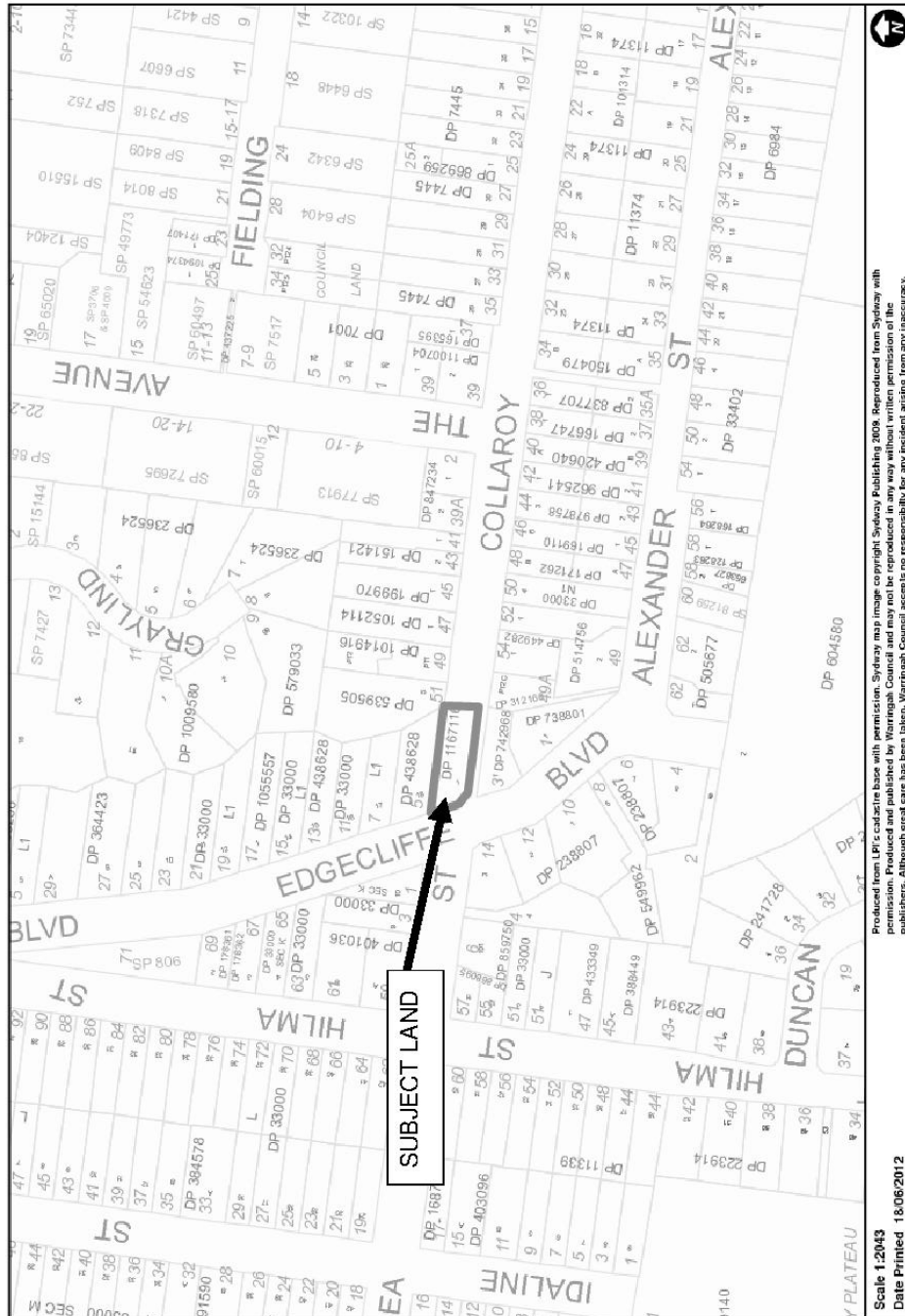
The land is zoned "R2 Low Density Residential" under the Warringah LEP 2011. Therefore, the land is suitable for the development of a single residential dwelling.

Council has obtained independent valuation advice for the subject land.

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

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





ITEM 7.4	PROPOSAL TO INCREASE GREEN FEES AT LONG REEF GOLF CLUB
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2012/236095
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To consider an application from Long Reef Golf Club to increase green fees for their golf course.

SUMMARY

Long Reef Golf Club last sought an increase in their green fees in 2008. This increase along with the increase in membership fees since that time have not seen any increase in revenue, with the cost of maintaining and improving the course increasing over the same period of time by 12.6%.

The Club therefore seeks Council's consent to increase its green fees in order to increase revenue and lessen the impact of rising costs.

FINANCIAL IMPACT

Council will see an increase in the rent they receive for the lease; as Council receives a base rent and an additional percentage of the lessee's revenue.

POLICY IMPACT

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

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

- A. That Council approve the green fee increases for Long Reef Golf Club Limited.
 - B. That Long Reef Golf Club Limited be required to provide reasonable and appropriate notification of any approved increase to golf course users.
-

REPORT

BACKGROUND

Long Reef Golf Club Limited has made a request for Council to consider an increase in the public green fees.

The last increase in green fees was approved by Council in September 2008. Since that time the cost of maintaining and improving the course has increased by 12.6%.

During the period 2008 to 2011 club membership fees have increased 10.4% and despite this combined with the green fee increase in 2008 there has been no increase in the clubs revenue.

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

Table 1

Course	Twilight	Current Fees 18 Holes (\$)		Current Fees 9 Holes (Long Reef 10 holes)		Current Fees Pensioner Concession		Current Fees School Student Concession
		18 Holes	18 Holes	9 (10) Holes	9 (10) Holes	18 Holes	9(10) holes	18 Holes
		Week day	Weekend	Weekday	Weekend			
Long Reef current		45	55	28	35	19		19
Long Reef Proposed		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		17.5
Wakehurst		38	44	25	25	29		25
Warringah	19	38	38	23	23	25		25

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 upon giving reasonable and appropriate notification to its users.

POLICY IMPACT

There are three Council documents which need to be considered

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

2. Council will consider public green fee increases for golf clubs in September/October of each year, with any increase to be effective from 1st 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 4 years ago it is recommended that the increase be considered now.

- 2 The lease contains a clause:

3.9 Green Fees

- (a) *The green fees chargeable to members of the public shall not exceed those as fixed from time to time by the Lessor (acting reasonably).*
- (b) *On the application of the Lessee, the maximum fees fixed under the preceding sub-clause may be varied from time to time by the Lessor (acting reasonably).*
- (c) *The Lessee shall not be obliged to extend to public players the same privileges with regard to fees and charges and use of the Premises as in the case of its own members."*

- 3 Clause 6.3 Lease and licence purposes of Griffith Park Plan of Management 2011 states that:

green fees being set by Council at a reasonable rate for the public

In this instance given the last increase was 4 years ago and the increase is reasonable it is recommended that Council consider the increase now and approve the increase.

FINANCIAL IMPACT

Council will see an increase in the rent they receive for the lease as Council receives a base rent and an additional percentage of the lessee's turnover.

ITEM 7.5	GLEN STREET THEATRE - PATRON
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2012/256783
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To nominate a suitable person as Patron of Glen Street Theatre.

SUMMARY

The majority of cultural institutions have a Patron. A Patron is traditionally a benefactor, champion, promoter, sponsor and supporter of the organisation they are nominated to represent.

To date, in Glen Street Theatre's twenty five (25) year history, there have been many supporters but never an individual Patron. This is a voluntary position. A five year term is recommended.

Glen Street Theatre actively seeks sponsorship and partnerships for its activities and programs from within the community. The theatre currently has one wine sponsor, six community partners, one learning and development partner, five promotional partners, one literary partner and eight supporters. Glen Street Theatre also has a donor program, Glen Street Natives. Donations support the staging of works for young people and it is through the kind assistance of those who share our vision that we are able to deliver a greater range of works to cater for all of our patrons.

In consideration of a suitable Patron for the Theatre it is recommended that Council consider Councillor Julie Sutton to be the inaugural recipient of this privilege. Councillor Sutton was instrumental in the founding of Glen Street Theatre and has actively supported all its programs and activities for the past twenty-five years. Councillor Sutton is an active and dedicated member of the community who would be well placed to work with the Theatre in the promotion of all its activities and partnership relations as well as fronting the Glen Street Natives program. As Councillor Sutton is not standing for re-election to Council there would be no conflict of interest.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council nominate Julie Sutton as the inaugural Patron of Glen Street Theatre for a five year term, effective 1 October 2012.

REPORT

BACKGROUND

The majority of cultural institutions have a Patron. A Patron is traditionally a benefactor, champion, promoter, sponsor and supporter of the organisation they are nominated to represent.

To date, in Glen Street Theatre's twenty five (25) year history, there have been many supporters but never an individual Patron. This is a voluntary position.

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In consideration of a suitable Patron for the Theatre it is recommended that Council consider Councillor Julie Sutton to be the inaugural recipient of this privilege. Councillor Sutton was instrumental in the founding of Glen Street Theatre and has actively supported all its programs and activities for the past twenty-five years. Councillor Sutton is an active and dedicated member of the community who would be well placed to work with the Theatre in the promotion of all its activities and partnership relations as well as fronting the Glen Street Natives program. As Councillor Sutton is not standing for re-election to Council there would be no conflict of interest.

TIMING

The appointment of a Patron would be effective from 1 October 2012. Glen Street Theatre will hold its inaugural Open Day on 14 October 2012 to launch the 2013 Season.

POLICY IMPACT

Nil

FINANCIAL IMPACT

Nil

ITEM 7.6	COMMUNITY GRANTS PROGRAM 2012/13
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2012/257442
ATTACHMENTS	1 Community Development Grants and Community Garden Grants
	2 Cultural Grants
	3 Sporting Clubs Capital Assistance Grants
	4 Assessment Criteria and Funding Distribution Principles

EXECUTIVE SUMMARY

PURPOSE

To allocate the 2012/2013 Community Grants in accordance with Warringah Council's Grants Program 2012-2013 Application Guidelines; the Grants and Sponsorship Policy; and the Community Gardens Policy and Guidelines.

SUMMARY

The annual Community Grants Program (the Program) funds not-for-profit community organisations to implement projects, programs and investments in the Warringah local government area, which align with Council's Strategic Community Plan, Social Plan, Recreational Strategy, Capital Expenditure Program and other key strategic directions and programs.

A total of \$395,000 (ex GST) is budgeted for allocation for the Community Grants Program 2012/13 where \$55,000 is budgeted for general Community Development Grants (both one-off and recurrent); \$50,000 is budgeted for Community Gardens Grants; \$40,000 is budgeted for Cultural Grants; and \$250,000 budgeted for Sporting Club Capital Assistance Grants.

These budget allocations are inclusive of three additional one-off allocations from the 2011/12 budget for general Community Development Grants (\$20,000) and Cultural Grants (\$20,000) as per Council Resolution number 83/12 from Council meeting 27 March 2012 as well as an additional one-off budget allocation for Community Gardens Grants (\$50,000) as per Council Resolution number 262/11 from Council meeting 27 September 2011.

In accordance with Warringah Council's Grants Program 2012-2013 Application Guidelines and Council's Grants and Sponsorship Policy, three independent panels were convened to review Community Development and Community Gardens Grant applications; Cultural Grant applications; and Sporting Club Capital Assistance Grants applications respectively. The recommendations of the three Panels are based on individual panel members' review of each application and each Panel's subsequent joint determination of a priority ranking based on an average score for each application. The prioritised ranking formed the foundation for the Panels' recommendations regarding funding allocations.

A summary of the number of applications recommended for funding by the three Panels is provided below.

Table 1: Summary of applications recommended for funding

Type of grant	Total no. of eligible appl.	No. of appl. Recommended for funding	Total recommended funding allocation 2012/13	Budget allocation from both 2011/12 and 2012/13
Community Development Grants (one-off)	27	10	\$33,917	\$55,000
Recurrent Community Development Grants	15	5	\$20,890 (This would entail further financial commitments of \$17,310 (2013/14) and \$17,310 (2014/15))	
Community Gardens Grants	1	1	\$5,000	\$50,000
Cultural Grants	14	12	\$38,500	\$40,000
Sporting Club Capital Assistance Grants	3	2	\$129,784. The remainder to be available for a second round of applications	\$250,000
Total (2012/13)	60	43	\$228,091	\$395,000

FINANCIAL IMPACT

The Panels' recommended funding allocations as detailed in **Attachments 1, 2 and 3** and summarised in Table 1 above would have a combined financial impact of \$45,000 on the 2011/2012 budget and \$183,091 on the 2012/13 budget bringing the total financial impact for the Community Grants Program 2012/13 to \$228,091. In addition, the recommended transfer of the unallocated Community Gardens Grants funding of \$45,000 to the Community Development Grants budget to fund additional applications in this funding cycle would have a further financial impact of \$45,000 on the 2011/12 budget, where total financial impact on the 2011/12 budget therefore would be \$90,000 should Council resolve to adopt this recommendation.

Note that operational budget allocations from the 2011/12 budget must be committed by 30 June 2012 or will form part of Council's working capital for future years.

The Panel has recommended that \$5,000 be allocated for Community Gardens Grants. If the unallocated funding of \$45,000 is not committed to operational projects before 30 June, the monies will form part of Council's working capital.

POLICY IMPACT

The grants process has been administered in accordance with the Grants and Sponsorship Policy (adopted by Council 13 December 2011) and the Community Gardens Policy and Guidelines (adopted by Council 27 March 2012).

**RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY AND DEPUTY
GENERAL MANAGER ENVIRONMENT**

- A. That the lighting project at Griffith Park funded by the Sporting Club Capital Assistance Grants be incorporated into Council's lighting management system and be managed, maintained and charged in line with current Council Practice.
- B. That the remaining unallocated funds from the Sporting Club Capital Assistance Grants of \$120,000 be readvertised as a second round of funding, open for applications from 30 June until 28 July 2012.
- C. That the Community Grants funding for the 2012/13 funding cycle be allocated as recommended by the three Panels and outlined below:

Community Development Grants (one-off) 2012/13 (total allocation \$33,917)

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

- a. Lifestart Northern Beaches; Sing & Grow Music Therapy; \$2,565
- b. Literacy Network Manly Warringah Inc; Providing one to one free tuition for adults, living in the Warringah LGA, who struggle with reading, writing and numeracy skills; \$4,500
- c. Manly Community Centre; Tibetan Children's Camp; \$4,200
- d. Peer Support Australia; Developing Resilience in Primary & Secondary School Students; \$2,270
- e. Peninsula Senior Citizens Toy Repair Group Inc; Toys for Christmas for Disadvantaged Kids; \$1,200
- f. Royal Rehabilitation Centre; Return2Sport; \$1,382
- g. The Link Church; Link Community Food Care; \$5,000
- h. Tibetan Community of Australia (NSW) Inc.; Capacity Building- Tibetan Learning Centre; \$3,300
- i. Vision Australia; Walking in Warringah- Supported walking group for older people who are blind or have low vision living in the Warringah LGA ;\$5,000
- j. St Vincent de Paul- Northern Beaches; Northern Beaches No Interest Loan Scheme; \$4,500

Community Development Grants (recurrent) 2012/13

In alphabetical order (and listed by organisation; project; grant allocation in 2012/13; 2013/14; and 2014/15 respectively), the Panel recommends funding allocation to the following projects/programs:

- k. Artability, Northern Beaches Creative Leisure and Learning; Artability, under the auspices of Northern Beaches Creative Leisure and Learning INC; \$2,500;\$2,500;\$2,500
 - l. Fighting Chance Australia; The Enterprise Program; \$5,000;\$5,000;\$5,000
 - m. Northern Beaches Community Services Ltd; Warringah Bringing Us Together
-

Community Mural; \$7,000;\$4,000;\$4,000

- n. Northside Enterprise Incorporated; "Bushlink"- Duffy's Forest Endangered Ecological Community Project; \$5,000;\$5,000;\$5,000
- o. Water Skills for Life Inc; Tibetan Learn to Swim Program; \$1,390;\$810;\$810

Community Gardens Grants 2012/13

The Panel recommends funding allocation to the following Community Gardens projects:

- p. Friends of Freshwater Inc; Establishing a community garden at Crown Reserve in Freshwater; \$5,000

Cultural Grants 2012/13

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

- q. ATPC, Australian Tibetan Cookbook Project; \$2,500
- r. FAMS Theatre Company Inc, Gilbert & Sullivan's "The Mikado" ; \$2,500
- s. Forestville Community Groups, Australia Day Breakfast – Lionel Watts Oval; \$2,500
- t. Manly Warringah & Pittwater Historical Society; \$2,000
- u. Manly Warringah Choir, Concert Renaissance To Rutter; \$2,000
- v. Manly Warringah Pipe Band Inc, Uniform Upgrade; \$2,000
- w. Northern Beaches Chorus, Spectacular Sparkling Costumes; \$2,500
- x. Northern Beaches Eisteddfod, Operating expenses of Eisteddfod; \$5,000
- y. Rotary Club Dee Why Warringah, Art & Soul Collective; \$2,500
- z. Shackfolk Inc (The Shack), Northern Beaches Music Festival 2013; \$5,000
- aa. Tibetan Community of Australia (NSW) Inc, Tibetan Losar Festival 2013; \$5,000
- bb. Youth Reach – St Vincent de Paul Society, The UpBeat Program; \$5,000

Sporting Club Capital Assistance Grants 2012/13

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

- cc. Club Weldon Inc – Club Weldon Redevelopment Stage 2, \$79,784
- dd. Collaroy Rugby Club – Upgrade to Griffith Park Lighting, \$50,000

- D. That the unallocated Community Gardens Grants funding of \$45,000 be re-allocated to fund additional Community Development Grant applications in accordance with the Panel's priority ranking:

Additional Community Development Grants (one-off) 2012/13 transferred from the Community Gardens Grants budget (total additional allocation \$45,000)

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends additional funding allocation to the following projects from the unallocated Community Gardens Grants budget as per its prioritised ranking:

-
- a. Autism Community Network; Warringah Autism Community Link Up; \$4,677
 - b. Catholic parish of Warringah - Community Dinners; Community Dinners; \$3,000
 - c. Co.As.It; Women's Wellness Group; \$1,400
 - d. Computer Pals for Seniors Northern Beaches Inc.; Catch the Beauty of Warringah; \$1,478
 - e. Constant Companion; Financially Burdened; \$2,200
 - f. Disabled Alternative Road Travel Service; Australia Day and Anzac Day Community Activities - Inclusion of participants with physical disabilities; \$2,100
 - g. Freshwater Amateur Swimming Club; Enhance community swimming for all ages; \$5,000
 - h. Manly Warringah Pittwater Community Aid Service Inc.; Neighbour Aid/ Social Support- Volunteer Equipment/ Resources; \$2,227
 - i. New South Wales Justice Association; Finding a JP when you want one; \$3,500
 - j. Northern Beaches Interchange Inc; Creating and enhancing stronger networks in the community; \$5,000
 - k. Northern Beaches Mental Health Support Group; Home Visitation Program; \$2,500
 - l. Permaculture Manly Warringah Pittwater; Growing Local Food and Community in Warringah; \$5,000
 - m. Royal Rehabilitation Centre; Return2Sport; \$1,918
 - n. Wheelchair Sports NSW; Junior Wheelie Christmas Camp; \$5,000
- E. That all successful applicants be invited to attend a Council Reception where the grants will be awarded.
-

REPORT

BACKGROUND

Council supports community led initiatives that will promote the overall wellbeing of residents of Warringah through the Community Grants Program. The Program is comprised of five different types of grants, as described below:

Table 2: Overview of Community Grants Program

Type of grant	Purpose	Max. available funds per application
One-off Community Development Grants (for discreet projects)	To build community capacity, community connectedness and developing a sense of place in Warringah in accordance with our Social Plan, the Strategic Community Plan and any other identified community needs.	\$5,000
Recurring Community Development Grants (for staged projects or programs)	To build community capacity, community connectedness and developing a sense of place in Warringah in accordance with our Social Plan, the Strategic Community Plan and any other identified community needs.	Based on need, merit of the application and the funding available
Community Gardens	To assist community members in establishing community gardens in Warringah.	\$5,000
Cultural Grants	To enable artists and communities to develop and participate in a variety of arts and cultural activities that reflects the cultural diversity and capacity of Warringah and celebrates a sense of place.	\$5,000
Sporting Club Capital Assistance Grants	To increase the availability of sporting facilities for use by the community to participate in sport, recreation and physical activity.	Up to \$250,000

With the exception of Community Gardens Grants, Council has in the past allocated these grants on an annual basis to not-for-profit community groups and organisations for projects and programs which make a positive contribution to Warringah residents' quality of life and which are aligned to Council's identified priorities.

The Community Gardens funding allocation is a new initiative, allocated for the first time this year (2012) in response to requests from community members for Council to support the development of community gardens on Council owned or managed land. Funds have not previously been provided for this program and if separate funding for community gardens is not made available in the future, applicants for community gardens projects will need to apply for a general community development grant.

Overview of this year's applications

Council received a total of 60 eligible applications across the four funding streams, which is a testament to the broad community interest in initiating positive change and supporting the whole of the community. Council is grateful for the large number of people who are offering to deliver projects and services that support the overall wellbeing of residents of Warringah.

A summary of applications for each of the funding streams is provided below.

Community Development Grants(recurrent and one-off): A total of 42 eligible applications were received, representing a broad spectrum of services that all met a distinct community need. The Panel recommended funding allocation for 15 projects from the Community Development Grants budget, totalling \$54,807. The Panel was impressed with the quality of applications and suggested that a further 13 priority applications be considered to receive funding from the unallocated Community Gardens Grants budget of \$45,000.

Community Gardens Grants: It was a surprise to learn that despite wide promotion and consultation with the community regarding community gardens; only two applications were submitted (of which one was ineligible). Council remains committed and supportive of community driven establishment and maintenance of community gardens in Warringah.

Cultural grants: A total of 14 eligible applications were considered by the independent Panel and a total of 12 received funding. Seven applicants were granted the full amount as requested and another five applications were allocated amounts less than requested at the recommendation of the independent Panel in accordance with the judging criteria. Two applicants were ranked unsuccessful based on the quality of the application and assessment against the judging criteria.

Sporting Club Capital Assistance Grants: The Panel supported two applications of the six that were received. All six applications impressed the Panel with their quality, however unfortunately three were not eligible and one could not be supported at this time. Of particular note were the diversity, passion and expertise demonstrated by applicants in continuing to supply the recreational needs of the community in partnership with Council.

CONSULTATION

Applications opened on 12th March and closed by close of business on 27th April 2012.

The Program was publicly promoted via the following media:

- Manly Daily: Two paid advertisements on 7 April and 14 April. The Program was also mentioned in the Mayors column on these days.
- Council's website: Online advertisements and calls for applications were posted on Council's website from 12 March to 27 April.
- Facebook: The Program was promoted via Facebook throughout the application period.
- Information sessions: Two separate information sessions for the general public were held on the 19th March (1pm) and (6:30pm) where a total of approximately 30 people attended.
- An online flyer was emailed directly to previous applicants (successful and unsuccessful) via email at the beginning of the application period (12 March).
- Direct contact to other identified stakeholders was conducted via email from the opening of the application period. (12 March)

- Posters were produced and distributed to Council customer service points including Libraries, Customer Service area, the Warringah Aquatic Centre and Glen Street Theatre.
- Phone and email enquiries were attended to within and after the application period.
- The Community Grants Program was promoted at the Sporting Association Quarterly Meeting.
- Direct contact with identified interested sporting and recreation groups was taken prior to the close of applications.

SELECTION PROCESS

All applications were initially screened against general eligibility criteria in accordance with Council's Grants and Sponsorship Policy, namely in regards to whether or not the applying organisation was a not-for-profit and incorporated community organisation.

Three independent panels were established to review all eligible applications for Community Development Grants and Community Gardens applications; Cultural Grant applications; and Sporting Club Capital Assistance Grants applications respectively.

Each Panel was comprised of three voting community representatives; one convenor (Council officer); and one non-voting administration officer (Council). Details of each Panel are provided in the Attachments 1 (Community Development and Community Gardens Grants), 2 (Cultural Grants) and 3 (Sporting Club Capital Assistance Grants).

The Panels applied the following general selection process to assess the grant applications and make their recommendations:

1. Each Panel member assessed all applications individually against defined assessment criteria and provided a numerical score for each application. The assessment criteria fall into four broad categories and are described in more detail in **Attachment 4** as well as in Warringah Council's Grant Program 2012/13 Assessment Guidelines.
 - Project merit (weighted double)
 - Community Development and Participation
 - Organisational Capacity
 - Project Budget
2. Each Panel determined an average score for each application
3. All applications were ranked in terms of their average score
4. Grant applications and their scores/rankings were evaluated by the Panel members to ensure that Panel members were collectively in agreement with the priority ranking.
5. The Panels each reached consensus regarding whether each application should be considered for funding.
6. The Panels' qualitative comments and reasons for the categorisation of each application were documented.
7. On the basis of the Panels' prioritised rankings, scores, and qualitative comments, the project team identified appropriate funding distribution in accordance with the defined funding allocation principles (see **Attachment 4**).
8. Each Panel recommended funding allocation to the identified projects as per **Attachments 1, 2, and 3**

POLICY IMPACT

The grants process has been administered in accordance with the Grants and Sponsorship Policy (adopted by Council 13 December 2011) and the Community Gardens Policy and Guidelines (adopted by Council 27 March 2012).

FINANCIAL IMPACT

The Panels' recommended funding allocations as detailed in **Attachments 1, 2 and 3** and summarised in Table 1 above would have a combined financial impact of \$45,000 in the 2011/2012 budget and \$183,091 in the 2012/13 budget bringing the total financial impact for the Community Grants Program 2012/13 to \$228,091. In addition, the recommended transfer of the unallocated Community Gardens Grants funding of \$45,000 to the Community Development Grants budget to fund additional applications in this funding cycle would have a further financial impact of \$45,000 in the 2011/12 budget, where total financial impact on the 2011/12 budget therefore would be \$90,000 should Council resolve to adopt this recommendation.

Note that operational budget allocations from the 2011/12 budget must be committed by 30 June 2012 or will form part of Council's working capital for future years.

The Panel has recommended that \$5,000 be allocated for Community Gardens Grants. If the unallocated funding of \$45,000 is not committed to operational projects before 30 June, the monies will form part of Council's working capital.

Table 3: Budget allocations for Community Grants Program 2012/13

Budget allocations per financial year	Type	2011/12 – additional one off budget allocations	2012/13
Community Development Grants	Operational	\$20,000	\$35,000
Community Gardens Grants	Operational	\$50,000	-
Cultural Grants	Operational	\$20,000	\$20,000
Sporting Club Capital Assistance Grants	Capital	-	\$250,000
Total budget allocations		\$90,000	\$305,000

Attachment 1 – Community Development and Community Gardens grants

Panel roles and status

Name	Role on Panel	Voting status (organisation)
Ruth Robins	Convenor	Voting Council member
Mette Kirk	Administration	Non-voting Council member
Eliza Pross	Community representation	Voting (SRG)
Kelly Rose	Community representation	Voting (SRG)
Russ Grayson	Community representation	Voting

Projects/programs recommended for funding

The Panel recommends funding allocation as per the three categories (Community Development Grants (one-off); Community Development Grants (recurring; and Community Gardens Grants) as detailed below. Two additional tables provide overviews of applications not recommended for funding; and ineligible funding applications respectively.

The following organisations have been identified by the Panel as high priority and are recommended for Community Development Grants (one-off) funding.

Core Community Development Grants (one-off funding) – listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Panel reasons for rec. (comments)
Lifestart Northern Beaches	Sing & Grow Music Therapy	\$2,564.50	\$2,565	Important proven therapy for children with autism. Funding allows access to program for low cost - access & equity. Also provides respite & support for families/carers.
Literacy Network Manly Warringah Inc	Providing one to one free tuition for adults, living in the Warringah LGA, who struggle with reading,	\$5,000 ¹	\$4,500	Very well established and run program with demonstrated benefits for the wider community in Warringah.

¹ Originally applied for recurrent funding, however there was insufficient funding allocation in this category to grant recurrent funding. Instead the applicant will be encouraged to apply next year.

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Panel reasons for rec. (comments)
	writing and numeracy skills			
Manly Community Centre	Tibetan Children's Camp	\$4,200	\$4,200	Program to meet the needs of disadvantaged groups - provides social inclusion, respite, skills development, & enhances community integration & self-confidence.
Peer Support Australia	Developing Resilience in Primary & Secondary School Students	\$2,270	\$2,270	Develops important life-long skills in young people. Promotes community connectedness, social responsibility & peer support. Provides valuable networks for potential 'at risk' youth.
Peninsula Senior Citizens Toy Repair Group Inc	Toys for Christmas for Disadvantaged Kids	\$1,200	\$1,200	Community connectedness - meaningful activities for aged (toy repair) and support for socio-economically disadvantaged (via donated toys). Environmental sustainability.
Royal Rehabilitation Centre	Return2Sport	\$3,300	\$1,382	Provides independence, inclusion, community connectedness & peer support for people with a disability. Equity & participation.
The Link Church	Link Community Food Care	\$5,000	\$5,000	Important program for highly disadvantaged groups living on very low incomes. Addresses equity.
Tibetan Community of Australia (NSW) Inc.	Capacity Building- Tibetan Learning Centre	\$3,300	\$3,300	Aids community integration. Skills development for disadvantaged group, supports family cohesion, connectedness. Equity & access. Sustainable.
Vision Australia	Walking in Warringah- Supported walking group for older people who are blind or have low vision living in the Warringah LGA	\$5,000	\$5,000	Supports people with a visual impairment to become independent & mobile. Provides community connectedness, develops confidence, & addresses social isolation.
St Vincent de Paul- Northern Beaches	Northern Beaches No Interest Loan Scheme	\$5,000 ²	\$4,500	Highly successful, sustainable program, with a broad reach to many target groups as well as the general community.
TOTAL		\$36,835	\$33,917	

² Originally applied for recurrent funding, however there was insufficient funding allocation in this category to grant recurrent funding. Instead the applicant will be encouraged to apply next year.

Should Council resolve to transfer the unallocated funding (\$45,000) from the Community Gardens Grant budget to the General Community Development Grants (one-off and recurrent) as per Recommendation (D) of this report, in accordance with the Panel's priority ranking, the following organisations are recommended for funding.

Additional Community Development Grants (one-off funding) – Listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Panel reasons for rec. (comments)
Autism Community Network	Warringah Autism Community Link Up	\$4,677	\$4,677	Sustainable program. Provides peer support, informal & formal training for carers, low cost/free therapy for children with autism. Access & Equity for isolated/disadvantaged group
Catholic parish of Warringah - Community Dinners	Community Dinners	\$3,000	\$3,000	Caters to highly disadvantaged groups. Provides support via regular meals, peer support and community connectedness
Co.As.It	Women's Wellness Group	\$1,400	\$1,400	Promotes participation, good physical & mental health & community connectedness for isolated group. Program dependant on funding
Computer Pals for Seniors Northern Beaches Inc.	Catch the Beauty of Warringah	\$1,478	\$1,478	Provides skills development, community engagement & inclusion for aged. Funding for materials which will substantially enhance & expand program.
Constant Companion	Financially Burdened	\$2,200	\$2,200	Covers costs of essential safety equipment for isolated disabled/frail people who are at high risk
Disabled Alternative Road Travel Service	Australia Day and Anzac Day Community Activities - Inclusion of participants with physical disabilities	\$2,100	\$2,100	Access, equity & participation. Funding to attend culturally significant activities for disabled people with high needs. Reduces isolation, develops social skills and community connectedness.
Freshwater Amateur Swimming Club	Enhance community swimming for all ages	\$5,000	\$5,000	Program which provides essential water safety skills. Promotes inclusion & participation. Funding for materials which will substantially enhance & expand program. Accessible to whole community.
Manly Warringah Pittwater Community Aid Service Inc.	Neighbour Aid/ Social Support- Volunteer Equipment/ Resources	\$2,227	\$2,227	Established program that provides support & community connectedness for highly disadvantaged groups including disabled/frail. Funding for essential equipment for volunteers.
New South Wales Justice Association	Finding a JP when you want one	\$3,500	\$3,500	Important advocacy service. Benefits whole community by improved access.
Northern Beaches Interchange Inc	Creating and enhancing stronger networks in the community	\$5,000	\$5,000	Community connectedness. Promotes visibility of identified needs groups. Community integration and peer support. Sustainable program.

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Panel reasons for rec. (comments)
Northern Beaches Mental Health Support Group	Home Visitation Program	\$2,500	\$2,500	Provides support for highly isolated group. Provides community integration, connectedness, inclusion & equity.
Permaculture Manly Warringah Pittwater	Growing Local Food and Community in Warringah	\$5,000	\$5,000	Develops community connectedness & placemaking. Sustainable program - skills transfer. Focuses on young families & aged. Excellent environmental focus.
Royal Rehabilitation Centre	Return2Sport	\$3,300	\$1,918	Provides independence, inclusion, community connectedness & peer support for people with a disability. Equity & participation.
Wheelchair Sports NSW	Junior Wheelie Christmas Camp	\$5,000	\$5,000	Addresses equity & participation. Community development. Promotes peer support, inclusion and skills development.
TOTAL		\$46,382	\$45,000	

The following organisations are recommended for Community Development Grant (recurrent) funding over the next three years, assuming that Council resolves to transfer unallocated funding (\$45,000) from the Community Gardens Grants budget to the general Community Development Grants (one-off and recurrent) as per Recommendation B of this report:

Community Development Grants (Recurrent funding)³ – listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Commitment 2013/14	Commitment 2014/15	Panel reasons for rec. (comments)
Artability, Northern Beaches Creative Leisure and Learning	Artability, under the auspices of Northern Beaches Creative Leisure and Learning INC	\$2,500/ yr	\$2,500	\$2,500	\$2,500	Program for people with a disability to gain new skills & self-expression in a supportive environment. Equity & participation.
Fighting Chance Australia	The Enterprise Program	\$5000/ yr	\$5,000	\$5,000	\$5,000	Community development – the program assists in enabling people with a disability to gain independence & valuable life-long skills via meaningful employment.
Northern Beaches Community Services Ltd	Warringah Bringing Us Together Community Mural	\$7000- yr 1 \$4000- yr 2 \$4000- yr 3	\$7,000	\$4,000	\$4,000	Provides community development, connectedness & inclusion. Visibility of minority groups. Peer & community support
Northside Enterprise Incorporated	"Bushlink"-Duffy's Forest Endangered Ecological Community Project	\$5000/ yr	\$5,000	\$5,000	\$5,000	Supports environmental & social objectives. Contributes to the provision of meaningful employment for people with a disability - self-esteem, connectedness, participation

³ The Panel agreed on a threshold of maximum \$20,000 as per funding allocation principles detailed in **Appendix 4** .

Water Skills for Life Inc	Tibetan Learn to Swim Program	\$1390- yr 1 \$810- yr 2 \$810- yr 3	\$1,390	\$810	\$810	Addresses development of important safety skills, community inclusion & connection, participation.
TOTAL		\$20,890 (y1) \$17,310 (y2) \$17,310 (y3)	\$20,890	\$17,310	\$17,310	

The following organisation is recommended for funding in the Community Gardens Grants category.

Community Gardens Grant – listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended f 2012/13	Panel reasons for rec. (comments)
Friends of Freshwater Inc	Establishing a community garden @ Crown Reserve Freshwater	\$5,000	\$5,000	Sustainable program focused on community connectedness. Develops strong community networks, practical nutrition, good mental & physical health.

Projects/programs not recommended for funding

The following organisations are not recommended for funding in this funding cycle as they were not deemed a priority by the Panel as per the Application Guidelines.

Community Development Grants and Community Gardens Grants not recommended for funding in this funding cycle - – listed alphabetically

Organisation	Project Title	Grant applied for	Amount applied for	Panel reasons for rec. (comments)
Belrose Scouts (The Scout Association of Australia NSW Branch)	Tent replacement program	One-off CDG	\$4,700	Funding sought to cover material costs (tent). Limited community development potential. Scouts have access to other avenues of funding

Organisation	Project Title	Grant applied for	Amount applied for	Panel reasons for rec. (comments)
Co.As.It	Dee Why Senior Italian Social Group	One-off CDG	\$1,300	Funding sought to expand existing program. Limited community development potential. Program not dependant on funding
National Seniors Australia Northern Beaches Day Branch	Purchase of Computer and Equipment	One-off CDG	\$2,000	Funding sought to cover materials costs. Limited community development potential and specific to a small group. Program not dependant on funding
Northern Beaches Business Education Network Inc	Window and Door Dressing Upgrade for Fire Safety	One-off CDG	\$5,500	Funding sought to cover costs of building safety upgrades. Does not directly support objectives of grant program.
Northern Beaches Community Services Ltd	Warringah Community Volunteer Expansion Project	One-off CDG	\$5,000	Funding sought to cover advertising campaign/materials
Sailability NSW	Providing shade for our participant sailors and volunteers on sailing days	One-off CDG	\$4,320	Funding sought to cover material costs (shade sail) - non-essential. Limited community development potential.
Active Opportunities Inc	Saturday Disability Sports Program	Recurrent CDG	\$5000/yr	Majority of requested funding allocated for wages for program staff. Limited sustainability
Disabled Surfers Association of Australia Inc Sydney Branch	DSA Sydney "Hands On Day"	Recurrent CDG	\$3,500/yr	Established program - has access to other avenues of funding. Program not dependant on grant allocation.
Easy Transport Manly Warringah and Pittwater	Maintenance and Operation of Warringah Council Wheelchair Accessible Vehicle	Recurrent CDG	\$5000/ yr	Well-funded, established services. Has access to other funding
Manly Warringah Pittwater Community Aid Service Inc.	Korean Social Support Worker	Recurrent CDG	\$5000- yr 1 \$4456- yr 2 \$4591- yr 3	No defined community development/integration. Poorly developed application, no programming information.
Northern Beaches Community Services Ltd	Carers Support Project	Recurrent CDG	\$9000/ yr	Majority of requested funding allocated for social activities. Does not directly support objectives of grant program or align with Council identified priorities.
Northern Beaches Community Services Ltd	Community Connect Gardening Project	Recurrent CDG	\$10,000- yr 1 \$7000- yr 2	Funding applied for materials for existing program. Limited community development potential. Poorly developed budget. Has potential to

Organisation	Project Title	Grant applied for	Amount applied for	Panel reasons for rec. (comments)
	Support Nursery Project		\$7000- yr 3	access other funding sources.
Northern Beaches Community Services Ltd	Multicultural Carers Support Project	Recurrent CDG	\$9,000/ yr	Majority of requested funding allocated for social activities/parties. Does not directly support objectives of grant program.
Northern Beaches Community Services Ltd	Volunteer Recruitment Project- Big Thank You Christmas Party	Recurrent CDG	\$10,000/yr	Supports recognition of community volunteers however is not a project that demonstrates long term development benefits for the Warringah community.
TOTAL			\$60,820 (2012/13)	With additional commitments of \$52,956 (2013/14) and \$53,091 (2014/15) for recurrent funding

Ineligible projects/programs

The following applications were deemed ineligible in accordance with Warringah Council's Grant Program 2012/13 Assessment Guidelines, the Sponsorship and Grants Policy and the Community Gardens Policy and Guidelines.

Ineligible projects/programs – Community Development Grants and Community Gardens Grants – listed alphabetically

Organisation	Project Title	Grant applied for	Amount applied for	Eligible?
Carers that Drive	Shout Out	Community - recurrent	\$3,000- yr 1 \$1,000- yr 2 \$1000- yr 3	No – is not a not-for profit organisation and the project is commercial
Euphonic Events	Euphonic Events	Community – one off	\$4,400	No – is not a not-for profit organisation nor an incorporated body
Furlough House	Community Development- Community Garden	Community Gardens	\$5,000	No – The applicant is a commercial organisation, the land is not Council owned or managed (it is on private land) and there is not evidence of broad community benefit as it is for residents (only) of an aged care facility.

Attachment 2 – Cultural Grants

Panel roles and status

Name	Role on Panel	Voting status (organisation)
Kath McKenzie	Convenor	Voting Council member
Kelly Kingi	Administration	Non-voting Council member
Anne Bourne	Community representation	Voting (SRG)
Melanie Carson	Community representation	Voting (SRG)
Adam Stewart	Community representation	Voting

Projects/programs recommended for funding

The Panel recommends funding allocation as detailed below. Two additional tables provide overviews of applications not recommended for funding; and ineligible funding applications respectively.

Cultural Grants – listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended for 2012/13	Panel reasons for recommendation (comments)
Northern Beaches Eisteddfod	Eisteddfod program	\$5,000	\$5,000	A well established program that demonstrates a high level of organisational skill and includes a diversity of artistic expressions for a range of age groups in Warringah. The program is highly regarded in the local community and contributes to developing the artistic culture of Warringah. The program also demonstrates a comprehensive budget and sustainability.
Shackfolk Inc (The Shack)	Northern Beaches Music Festival 2013	\$5,000	\$5,000	The event presents a comprehensive business plan with some smart business strategies. It presents as being organised and popularly supported by local music groups and organisations. It offers a range of activities that appear to reach a broad audience in Warringah. It presents a realistic budget and well thought out business/ growth plan.

Organisation	Project Title	Amount applied for	Amount recommended for 2012/13	Panel reasons for recommendation (comments)
Youth Reach – St Vincent de Paul Society	The UpBeat Program	\$5,000	\$5,000	This program offers an important skill based learning program for youth that shows great merit and community development. It presents a sound level of organisation and has the potential to develop a skill based legacy for an important target group.
Manly Warringah Choir	Concert Renaissance To Rutter	\$2,000	\$2,000	This project is a popular event and run by a well established organisation. It demonstrates community benefits through its performance structure and has broad appeal in the Warringah community. It demonstrates sound organisation and a realistic budget.
Manly Warringah Pipe Band Inc	Uniform Upgrade	\$2,000	\$2,000	This project is supported to allow the group the opportunity to maintain their professional standard at a range of community events across Warringah. The group is widely supported and adds to the cultural fabric of Warringah.
Manly Warringah & Pittwater Historical Society	The Brookvale Journal	\$2,000	\$2,000	This project is regarded as being an important resource for the local community, Warringah libraries and schools. Panel support the wide distribution of the journal through the community. The application demonstrates experience in delivering the project and presents a realistic c budget.
Tibetan Community of Australia (NSW) Inc	Tibetan Losar Festival 2013	\$5,000	\$5,000	This project is considered to be very important for a culturally significant target group in the community that also offers the chance for the broader community to engage and support. The application demonstrates experience in delivering the project.
Northern Beaches Chorus	Spectacular Sparkling Costumes	\$4,125	\$2,500	This project will provide an important cultural experience for community groups with limited accessibility. The application was assessed against the criteria and based on merit, organisational capacity and budget the panel recommends a lesser amount than was requested but supports the concept of the project. The panel recommends that consideration be given to exposing the performances to larger audiences in the community to maximise benefit from the costumes.
Rotary Club Dee Why Warringah	Art & Soul Collective	\$5,000	\$2,500	The project concept of an art 'collective' is recognised as having some merit although the panel felt there may be some duplication in the community with existing community art exhibitions. The panel supported the development of the concept with a view to Council providing some advice to the group regarding alternative venues in Warringah to relive the high budget costs.

Organisation	Project Title	Amount applied for	Amount recommended for 2012/13	Panel reasons for recommendation (comments)
ATCP	Australian Tibetan Cookbook Project	\$5,000	\$2,500	The project offers great opportunities for the Tibetan community however the scope of the project and its ability to deliver community development and participation was not well presented in the application.
FAMS Theatre Company Inc	Gilbert & Sullivan's "The Mikado"	\$5,000	\$2,500	Whilst the project was regarded as having merit there was concern about the organisational ability of the project. The panel also expressed concern that the project budget was not clearly presented. The panel assessment in accordance with the guidelines was to allocate some funding to support the project.
Forestville Community Groups	Australia Day Breakfast – Lionel Watts Oval	\$5,000	\$2,500 Funding \$ 550 Fees \$3,050 Total	The panel recognised that the application was delivered within a shortened time frame and was therefore lacking in some details. The project was considered as having some merit however the panel expressed concern for the project's ability to deliver on community participation when there will be two events on Australia Day in the Forestville/ Belrose area. There was also concern about the budget allocation in the project and the high food costs. However, the panel recommends the project be given some support and allocated \$2,500, a lesser amount than requested however consistent with the judging criteria. The panel also recommends that detailed information about the outcome of the project be reported back to Council through the acquittal process. This event would incur additional fees and charges including Reserve Booking fee \$100, Compliance Inspection fee \$200 Waste Management (delivery and pick up of bins) fee \$250 Council recommends these fees and charges be waived for this application only, Australia Day 2013,
TOTAL		\$50,125	\$39,050	

Projects/programs not recommended for funding

The following organisations are not recommended for funding in this funding cycle as they were not deemed a priority by the Panel as per the Application Guidelines.

Cultural Grants not recommended for funding in this funding cycle – listed alphabetically

Organisation	Project Title	Amount applied for		Panel reasons for rec. (comments)
Eramboo	School Holiday Programme - Philosophy	\$5,000		The panel expressed concern about the project merit and although regarded as potentially worthy, they felt it needed further development. The panel also expressed about the project's organisational capacity and budget allocation. The panel felt more information was required to support the delivery of the project and the level to which there would be community development and participation.
Dee Why SKIP Playgroup	Connecting Indonesian Families	\$5,000		The project had limited capacity to reach broader community participation and the application did not provide enough information to support the delivery of the project.

Attachment 3 – Sporting Club Capital Assistance Grants

Panel roles and status

Name	Role on Panel	Voting status (organisation)
Anthony Johansson	Convenor	Voting Council member
Jeremy Smith	Administration	Non-voting Council member
Julie Whitfield	Community representation	Voting (SRG)
Paul Smith	Community representation	Voting (SRG)
Melissa Palmero	Community representation	Voting (SRG)

Projects/programs recommended for funding

The Panel recommends funding allocation as detailed below. Two additional tables provide overviews of applications not recommended for funding; and ineligible funding applications respectively.

Sporting Club Capital Assistance Grants – listed alphabetically

Organisation	Project Title	Amount applied for	Amount recommended 2012/13	Panel reasons for rec. (comments)
Club Weldon Inc	Club Weldon Redevelopment Stage 2	\$79,784	\$79,784	Very strong submission, very strong community benefit and a proven track record of delivering projects.
Collaroy Rugby Club	Sportsfield Lighting Upgrade - Griffith Park	\$50,000	\$50,000	Very strong submission, all approvals are in place and the development supports key recommendations of the Recreation Strategy and the Griffith Park Plan of Management
TOTAL		\$129,784	\$129,784	

Projects/programs not recommended for funding

The following organisations are not recommended for funding in this funding cycle as they were not deemed a priority by the Panel as per the Application Guidelines.

Sporting Club Capital Assistance not recommended for funding in this funding cycle

Organisation	Project Title	Amount applied for	Panel reasons for rec. (comments)
CC Strikers Football Club	CC Strikers Clubhouse Redevelopment	\$250,000	A strong submission with impressive documentation and strong community merit in principle. However the Panel could not support this submission without a formalised agreement in place between Council and the applicant for the ongoing management and access to the building. The Panel also had concerns that the applicant was using Council CAPEX funding as their contribution towards the project.
		\$250,000	

Ineligible projects/programs

The following applications were deemed ineligible in accordance with Warringah Council's Grant Program 2012/13 Assessment Guidelines and the Sponsorship and Grants Policy.

Ineligible projects/programs – Sporting Club Capital Assistance – listed alphabetically

Organisation	Project Title	Amount applied for	Reasons for being ineligible
Jump Squad HQ	Jump Squad HQ Development	\$5,250	Projects on private land cannot be supported (Section 10 of PL 011 Grants and Sponsorship Policy)
Manly Warringah Gymnastics Association	MWGC re-development (stage 2 and 3)	\$213,316	Projects on private land cannot be supported (Section 10 of PL 011 Grants and Sponsorship Policy)
P&C Curl Curl North Public School	Remediation of CCNPS oval	\$47,751	Projects on Government land cannot be supported (Section 4 of PL 011 Grants and Sponsorship Policy)

Attachment 4 – Assessment criteria and funding distribution principles

Assessment Criteria

1. Project Merit (Maximum 10 points) *

The activity is well planned and will contribute to diversity, excellence and innovation, whilst addressing Warringah Council's Strategic Goals, including Council's Social Plan, Cultural Plan and/or Recreational Strategy, with minimal environmental impact. This was considered the most important criterion and was therefore weighted twice than that of the other criteria.

2. Community Development and Participation (maximum 5 points)

The applicant has well developed strategies for engaging and building the capacity of the Warringah community. This is demonstrated by:

- A well developed, evidence based understanding of the needs and expectations of the targeted community and/or audience
- Strategies to increase opportunities for people who are not currently engaged, or who are only minimally engaged
- Appropriate measure to assess the success of these strategies and to integrate knowledge gained into future strategies

And

The project effectively meets one or more of the policy directions below:

- Stimulates community, cultural and/or sports development in Warringah
- Provides opportunities for participation as creators, participants and audiences for one or more of the following:
 - Aboriginal & Torres Strait Islander people
 - Older people (over 55 years)
 - People from culturally and linguistically diverse (CALD) backgrounds
 - People with a disability, including those with HIV/AIDS
 - Women, children and families including men
 - Young people

3. Organisational Capacity (maximum 5 points)

The applicant has:

- Aims and objectives which support the aims of the Grants Program
- The experience and expertise to deliver the activity effectively and efficiently
- A board or management committee that is appropriate to the needs of the organisation
- A history of appropriate financial management, including where relevant, previous Council funding
- Satisfactorily acquitted any previous Council funding (where relevant).

4. Project Budget (maximum 5 points)

The proposed budget:

- Is cost effective

- Includes income and expenditure targets that are realistic and achievable
- Includes adequate provision of insurance and other liabilities.

Funding allocation principles

The distribution of funding amongst the projects identified as high priority by the respective panels was based on a balanced review of:

- Relative value for money compared to other grant applications
- Relative ability to contribute to meeting the stated priorities and goals of Council compared to other grant applications
- Relative ability to be sustainable in the long term and/or require little ongoing support or maintenance to gain ongoing results from the project/program/investment.

The selection process and allocation of funding for the Community Development Grants funding pool was slightly different than for the two other panels, mainly due to the volume of applications to be considered and also due to the different nature of the applications (namely spanning the three categories: general community (one-off) grants; recurrent community grants; and community gardens grants).

Additional funding allocation principles – Community Development Grants

The following *additional* principles applied to the Community Development Grants (recurrent) funding stream (only):

- Recurrent funding was only to be allocated for projects/programmes where there was a documented and sound reason for seeking longer term funding (ie. for programs or staged projects as opposed to discrete projects repeated on an annual basis).
- A maximum of \$20,000 was identified for recurrent funding applications in this funding cycle (2012/13). This principle is based on the premise that the likely funding for community grants will not deviate significantly from the standard funding allocation of \$35,000 per annum in this category and that any allocation of funding for recurrent grants in this year over and above \$20,000 effectively would exhaust or severely diminish the (one-off) Community Development Grants budgets for 2013/14 and 2014/15.

8.0 ENVIRONMENT DIVISION REPORTS

ITEM 8.1	ADOPTION OF STRATEGIC COMMUNITY PLAN 2012: THE BUDGET 2012-2013
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/254315
ATTACHMENTS	1 Summary of Submissions and Discussions on Online Forum - Draft Strategic Community Plan 2012 (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement of the Strategic Community Plan 2012 - The Budget 2012 – 2013.

SUMMARY

The Strategic Community Plan is Council's primary forward planning document and describes how Council intends to make Warringah a better place to live, work and play over the next 10 years or so. It takes account of community aspirations and the broader context, including regional, state and commonwealth plans.

Council approved the *Draft* Strategic Community Plan 2012 (Draft SCP) for public exhibition at its meeting of 27 March 2012. The public exhibition lasted 42 days from 31 March 2012 to 11 May 2012 and generated 39 submissions. Minor changes are proposed to the Draft SCP. Once approved by Council, the amended plan will be the final version of the Strategic Community Plan 2012.

FINANCIAL IMPACT

Budget surplus

The 2012 – 2013 budget projects total operational expenditure of **\$142.7 million** and a Capital Works Program of **\$30.95 million**. It shows that our financial position is sound, with a projected surplus before Capital Grants and Contributions of **\$8.06 million** and a sustainable asset base for the next decade.

Financial Planning

The 10 year Long Term Financial Plan shows that the annual surplus before Capital Grants and Contributions can be maintained each year in accordance with Council's Financial Planning Policy. However, this is dependent on initiatives to maintain the surplus, namely a variety of productivity savings which have been achieved, plus a one-off increase in rates in 2015 -2016. This would equate to an additional increase of 6.5% in annual Rates over an above the Rate Cap for 2015 - 2016.

Independent assurance

To provide an additional level of rigour, an independent auditor – Hill Rogers Spencer Steer – has reviewed the SCP and has provided an Independent Assurance Report that assures Council that it has been based on sound procedures and in accordance with internal guidelines. A final copy of the auditor's report will be attached to the final Strategic Community Plan provided no additional

alterations having a net impact on Council's financial planning will be made other than that recommended in this report.

POLICY IMPACT

Once adopted, the Strategic Community Plan 2012 will serve as Warringah Council's core strategic and financial blueprint for 2012 - 2013.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

A. STRATEGIC COMMUNITY PLAN 2012

That Council's Strategic Community Plan 2012 which includes the recommendations and amendments detailed below to the exhibited *Draft* Strategic Community Plan 2012 be ADOPTED.

B. RATES

- 1) That an Ordinary Residential Rate, to be named 'Residential Ordinary Rate' of 0.195307 cents in the dollar on the land value of all rateable land, being land that falls within the Residential Category in the Warringah Council area, be made for the year 1 July 2012 to 30 June 2013 subject to a minimum Ordinary Residential Rate of \$767.09 in respect of each separate parcel of rateable land in this category.
- 2) That the following business rates be made for the year 1 July 2012 to 30 June 2013:
 - i) An Ordinary Business Rate, to be named 'Business Ordinary Rate' of 0.532156 cents in the dollar on the land value of all rateable land, being land that falls within the Business Category in the Warringah Council area, be made for the year 1 July 2012 to 30 June 2013, subject to a minimum Ordinary Business Rate of \$984.84 in respect of each separate parcel of rateable land in this category.
 - ii) An Ordinary Business Rate Sub-category, to be named 'Warringah Mall Regional Shopping Centre Sub-Category' of 0.947883 cents in the dollar on the land value of all rateable land, being land that falls within the Business Sub-Category in the Warringah Council area, be made for the year 1 July 2012 to 30 June 2013.

C. DOMESTIC WASTE MANAGEMENT CHARGE (DMWC)

That subject to the right of Council during the year to amend or vary such fees or resolve to charge and recover any additional fees as a result of changes in the system of rendering the service, the following charges for Domestic Waste Management be made for the year commencing 1 July 2012:

Availability Charges - Vacant Land	\$72.00
Per 80 litre bin (1 st or additional bins) includes availability charge	\$293.00
Per 120 litre bin (1 st or additional bins) includes availability charge	\$437.00
Supply of additional vegetation bin	\$85.00
Repair of vegetation bin lid	\$15.95*
Repair of vegetation bin wheels	\$9.35*
Service increase fee applies for delivery of larger capacity or additional bin compared to base 80 litre service or existing service level	\$25.00

(*Includes GST in rate)

D. SECTION 611 CHARGES

That subject to the right of Council during the year to amend or vary such fees or resolve to charge and recover any additional fee following public notification for 28 days of such proposal, an annual charge under Section 611 of the Local Government Act be adopted, made and levied for the year commencing 1 July 2012 on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.

E. CHARGE FOR WORKS ON PRIVATE LAND

That the statement of amounts and rates to be charged for works on private land for 2012 - 2013 contained within the Strategic Community Plan and entitled Works on Private Land be adopted.

F. INTEREST ON RATES & CHARGES

That interest charges on rates and charges which remain unpaid after they become due and payable for the year 2012 - 2013, shall accrue on a daily basis at the rate of 10% per annum simple interest. This will be subject to the final determination of the Minister of Local Government

G. VOLUNTARY PENSIONER REBATES – RATES & CHARGES

1. That, for the year 2012 - 2013, Council grant to eligible pensioners who have not reached the accepted male retirement age, to owners in receipt of the blind pension, to owners who have reached the accepted male retirement age and continue to receive either the Carer Payment or Disability Support Pension from Centrelink or either the Totally and Permanently Incapacitated (TPI) Pension or the Extreme Disablement Adjustment (EDA) Pension from the Department of Veteran Affairs, in addition to the statutory reduction under Section 575 of the Local Government Act, a further voluntary 50% reduction of rates subject to a maximum voluntary reduction of \$150.
2. That, for the year 2012 - 2013, Council grant all eligible pensioners, in addition to the statutory reduction under Section 575 of the Local Government Act, a further voluntary reduction of \$36.00 on the Domestic Waste Management Charge where the service is used, irrespective of the bin size or number of bins used.

H. AMENDMENTS TO DRAFT STRATEGIC COMMUNITY PLAN 2012

That the following amendments result in a net increase to the budgeted Operating Surplus of \$3,774,686 in the Strategic Community Plan 2012:

1. Rates and Annual Charges decrease by \$6,929 in 2012 - 2013 reflecting minor adjustments to the calculation of the rate in the dollar;
 - i) User Fees and Charges increase by \$703,067. This principally represents a reallocation from Other Revenues in Kimbriki Environmental Enterprises offset by decreases in Certification of \$80,000, Compliance \$30,000 and Development Assessments of \$55,000 reflecting changes in the wider economy noted in the Quarterly Business Review Statement for March 2012.
 - ii) Interest and Investment Revenues increase by \$110,000 in Kimbriki Environmental Enterprises due to lower levels of capital expenditure related to the Resource Recovery Project.
 - iii) Other Revenues decrease by \$1,177,283. This principally represents a reallocation to User Fees and Charges of \$742,283 in Kimbriki Environmental Enterprises noted above and a decrease of \$435,000 in Compliance related to Fines again reflecting changes in the wider economy.

- iv) Grants and Contributions – Operating Purposes increase by \$1,000 representing an additional Grant in Natural Environment related to the Dee Why Creek Wetland and Habitat Corridor.
- v) Gains on Disposal of Assets increase by \$4,169,903 which relates to the Compulsory Acquisition of Land for Northern Beaches Hospital by New South Wales Health and Infrastructure.
- vi) Employee Benefits & On Costs increase in 2012 - 2013 by \$162,514 principally related to changes in Children's Services following the introduction by the Department of Education, Employment and Workplace Relations of The National Quality Framework which prescribes compulsory, national standards to ensure high quality and consistent early childhood education and care across Australia.
- vii) Materials and Contracts increase in 2012 - 2013 by \$28,417. This principally relates to the rollover of unspent contracted operational expenditure of \$284,000 budgeted in 2011 - 2012 by Marketing & Communications related to the Digital Project offset by a reduction in Kimbriki Environmental Enterprises of \$219,856 and other decreases amounting to \$92,561.
- viii) Depreciation decreases by \$107,440 in Kimbriki Environmental Enterprises due to lower levels of capital expenditure related to the Resource Recovery Project noted above.
- ix) Other Expenses decrease by \$58,420 in 2012 - 2013 principally related to Agency Costs.
- x) Capital Works Program 2012 - 2016 be revised based on the net increase/decrease in the following projects:

	2012-13 \$	2013-14 \$	2014-15 \$	2015-16 \$
Rollover of Projects from 2011/12				
Building Code of Australia and Fire Safety Compliance Works	15,556	-	-	-
Brookvale Occasional Care Centre - stage 1	16,738	-	-	-
Brookvale Oval - Upgrade Works	900,000	-	-	-
Collaroy Access Tourism Precinct - Collaroy Surf Life Savings Club - Component 1A	55,191	-	-	-
Collaroy Access Tourism Precinct - Reserves	25,000	-	-	-
Collaroy Stormwater Outlet	79,594	-	-	-
Cromer No 1 - Synthetic Surface - New	132,364	-	-	-
Dee Why Beach Viewing Tower	98,305	-	-	-
Disability Access and Renewal Project	46,000	-	-	-
Forestville Skate Facility	91,501	-	-	-
Library RFID	350,000	-	-	-
Narrabeen Lagoon Trail	96,158	-	-	-
Nolans Reserve - Flood Lighting Upgrades	45,999	-	-	-
PAIP - Curl Curl Sports Centre	472,000	-	-	-
Ping Pong Tables - Outdoor	15,000	-	-	-
Road widening Pittwater Road Dee Why corner Oaks Avenue	16,000	-	-	-
Playground Improvement Program	95,905	-	-	-
Restoration Narrabeen Lagoon	5,000	-	-	-
Solar Panel System - Cromer Park	40,000	-	-	-

Solar Panels – Surf Life Saving Clubs	40,000	-	-	-
South Curl Curl Rock Pool - Stage 1	45,356	-	-	-
Sporting Club Capital Improvements Fund	96,265	-	-	-
Stony Range Pavilion and Building Works	109,085	-	-	-
Undula Reserve - Playground Equipment	6,360	-	-	-
Upgrade Standard Desktop Operating Environment	215,000	-	-	-
Upgrade Warringah Council Website	150,000	-	-	-
Wheeler Park - New Public Amenity	163,116	-	-	-
Changes to Draft Strategic Community Plan				
Civic Centre - Air Conditioning	400,000	-	-	-
Cromer Soccer Club - Public Amenities renewals	(400,000)	400,000	-	-
Dee Why CBD Drainage	(116,583)	-	-	-
Dee Why Town Centre Parking and Community Facility	-	9,301,977	5,398,023	-
Kimbriki - New Offices and Amenities	-	-	-	750,000
Queenscliff Rock Pool	(135,000)	135,000	-	-
Narrabeen Lagoon Trail	(734,178)	367,525	441,241	-
Pittwater Road Widening and signal adjustments	(387,975)	17,975	370,000	-
Total	2,047,758	10,222,477	6,209,264	750,000

I. FEES AND CHARGES

1. That the following amendments be approved to the exhibited Draft Schedule of Fees and Charges 2012 - 2013:
 - i) The fees for the disability directory in hard copy or on disc on page 64 be deleted
 - ii) Minor wording changes be made to the following fees for community centre on page 25

Current wording	Amended wording
Regular Hirer /Low Risk Function or Activity Bond	Refundable bond /Low Risk Function or Activity Bond
Key Replacement	Key issue

2. That the draft fees proposed below be placed on public exhibitions for a period of 28 days:
 - i) Fee reduction for financial hardship – \$0.00
 - ii) One-off venue hire for event that deliver broad community benefit - \$0.00
 - iii) Provision of services to one-off event that deliver broad community benefit - \$0.00

J. INDEPENDENT ASSURANCE REPORT

That Council note the auditor's Draft Independent Assurance Report and that the final Independent Assurance Report will be attached to the Strategic Community Plan 2012 once it is adopted.

REPORT

BACKGROUND

This report outlines the public exhibition of the Draft Strategic Community Plan 2012, summarises key findings arising from the exhibition, and provides further detail and explanation including recommended changes.

The Draft Strategic Community Plan 2012 was approved for public exhibition by Council at its meeting of 27 March 2012. Once the recommended changes are approved and made, this will form the final version of the Strategic Community Plan 2012.

CONSULTATION AND TIMING

The Draft Strategic Community Plan 2012 (The Budget 2012 – 2013) was exhibited for a total of 42 days from 31 March to 11 May 2012. The total package of documents on exhibition comprised:

- Draft Strategic Community Plan (SCP) 2012
- Draft Schedule of Fees and Charges 2012-2013

The consultation plan included:

- Hard copy exhibition at Council's libraries and Civic Centre. Hardcopies were also provided to Strategic Reference Group members, and made available at the Community Meeting and Community Plan Hearing.
- Summary Brochure delivered to 70,000 households and businesses.
- Web-based exhibition, including a discussion forum on *Your Say Warringah*.
- Community Meeting on 11 May – 11 attendees.
- Community Plan Hearing on 21 May – 5 addresses.

The exhibition was publicised via the Summary Brochure that was delivered to all households, advertisements in the *Manly Daily* and via Council's website.

Residents were encouraged to make a submission in respect of the Draft SCP. The Summary Brochure outlined the draft Budget, referred people to the website, and listed various ways to provide feedback:

- Discussion forum and electronic submission on *Your Say Warringah*
- Email or mail a submission to Council
- Community Plan Hearing

The consultation questions were:

- 1) What are your comments on the proposed Draft Budget 2012 – 2013?
- 2) What other priorities should Council consider?
- 3) What are your comments on the proposed Fees and Charges?

The website also included a set of Frequently Asked Questions (FAQs) to clarify various matters and give further advice on making a submission, attending the Community Meeting and Hearing.

The Website activity showed 3,527 page views by 824 visitors. Some 250 people also downloaded the key documents – the draft SCP, draft Fees and Charges and Summary Brochure

COMMUNITY FEEDBACK

The exhibition closed on Friday 11 May 2012, and a total of 39 submissions were received as:

- 21 emails or letters
- 18 online forms

Of these, 5 people addressed the Community Plan Hearing, one of whom also furnished a petition with 158 signatures.

In addition 19 people made comments on the online forum - *Your Say Warringah*

All submissions were given a unique reference number and their contents transcribed onto Excel spreadsheets. The comments were then edited and sorted to:

- (a) Allow managers to respond to comments contained in submissions, and
- (b) To identify the issues generating the most comment by residents.

A detailed account of comments received on the draft Plan and on the online forum including numbers and the officers response is at Attachment 1.

SUMMARY OF ISSUES

The number of submissions to the Draft SCP 2012 is significantly lower (39) than in previous years where over 1,000 submissions were received. They raise a range of issues across the spectrum of services Council provides; no single issue dominated the submissions.

There was a mixed response to the budget overall with some support and opposition. Two submissions raised concerns about the rate increase in 2012 – 2013; the reliance on a one off special rate increase in 2015 – 2016 to maintain financial sustainability and that other options such as productivity savings should be explored first. Council will continue to look for savings; in making an application to the Independent Pricing and Regulatory Tribunal (IPART) we will need to demonstrate that other options have been considered and that the community has been consulted widely about the proposed increase.

The remaining issues are summarised below:

- Natural Environment: support more funding for:
 - general environment and sustainability
 - sustainability education
 - improve condition of bushland, dunes & lagoons
 - monitoring health/ biodiversity
 - preventing wildlife being run over
 - acquiring high conservation areas/ bushland
- Planning: improving the amenity of the built environment by:
 - better landuse planning
 - improve public transport, links and integration
 - improved town centres designs
 - improving local businesses and village 'atmosphere'
 - establishing a historical plaques programs

- Roads: more funding/works to maintain road and verges for example in Duffys' Forest, Oxford Falls and Davidson.
- Footpaths: improvement to network in Manly Vale, Allambie Heights and Davidson.
- Parks: New playground Allambie Heights and upgraded playground in Dee Why, improved trails for bikes/horses, and more mowing.

Footpaths at specific locations in Manly Vale were raised in three submissions, one of which was a petition with 158 signatures. The locations nominated are not part of the priority network (identified in the Pedestrian Access and Mobility Plan) and following assessment were rated as low priority works.

The issues raised have been carefully considered in the preparation of this report. While amendments are not proposed to the Draft SCP some 14 matters are being actioned as part of Council's maintenance program or considered in future planning exercises. These include:

- Comments regarding the structure and content of the Plan and Summary Brochure – this will be considered in the development of the next document
- Maintenance of roads and stormwater related infrastructure at specific locations
- Maintenance request for a footpath
- Pruning of trees in Dee Why to improve lighting at night
- The key performance measures for the environment, these will be reviewed in the development of the next Plan
- Investigating the development of a historic plaques policy
- Reconstruction of a kerb ramp to improve the slope and width near Manly Vale Public School will be considered in the 2013 - 2014 capital works program

OTHER AMENDMENTS TO THE PLAN

There are a number of changes required to the draft Strategic Community Plan. These changes related to minor typographical, formatting and design changes that do not alter the substance of the document.

CHANGES TO FEES AND CHARGES

A number of minor changes are proposed to the draft Fees and Charges exhibited. The changes are:

- Page 64, delete the fee for purchasing the disability directory on disc (\$5) and in hard copy (\$25) - the directory is no longer produced, the inclusion of the fee was an oversight
- Page 25, amend the description of the following community centre fees:

Current wording	Proposed wording	Reason
Regular Hirer /Low Risk Function or Activity Bond	Refundable bond/Low Risk Function or Activity Bond"	The fee is for a bond and is incorrectly titled
Key Replacement	Key issue	The fee needs to be charged in circumstances where keys are mislaid and later found

A number of fees were left out of the draft Fees and Charges that allow Council to waive fees in the case of financial hardship or where it is demonstrated an event will deliver broad benefits to the Warringah community. These fees were adopted by Council on 13 December 2011 to enable provisions in the Grants and Sponsorship Policy in respect to waiving of fees for community groups/events to be implemented. The fees are as follows:

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

These fees will need to be exhibited for 28 days before Council can adopt them.

POLICY IMPACT

Once adopted, the Strategic Community Plan 2012 will serve as Warringah Council's core strategic and financial blueprint for 2012 - 2013.

FINANCIAL IMPACT

Budget surplus

The 2012 – 2013 budget projects total operational expenditure of **\$142.7 million** and a Capital Works Program of **\$30.95 million**. It shows that our financial position is sound, with a projected surplus before Capital Grants and Contributions of **\$8.06 million** and a sustainable asset base for the next decade.

Surplus before Capital Grants and Contributions per Draft Strategic Community Plan	\$4.286m
Add: Gain on Disposal of Assets – Land for Northern Beaches Hospital	\$4.170m
Less: Contracted Operational Expenditure carried forward from 2011/2012	\$(0.284)m
Less: Reduction in Surplus Kimbriki Environmental Enterprises	\$(0.104)m
Less: Other Minor Adjustments	\$(0.008)m
Surplus before Capital Grants and Contributions per Final Strategic Community Plan	<u>\$8.060m</u>

The Surplus before Capital Grants and Contributions is restricted as follows:

Surplus Kimbriki Environmental Enterprises of Minority Interests (Manly, Mosman & Pittwater Councils)	\$0.958m
S94 and s94A Interest	\$1.376m
Domestic Waste Management	\$1.840m
Development of community facilities - Civic Centre site including a Police Citizens Youth Club	\$4.170m
Less: Contracted Operational Expenditure carried forward from 2011/2012	\$(0.284)m
Restricted Surplus before Capital Grants and Contributions per Final Strategic Community Plan	<u>\$8.060m</u>

Financial Planning

The 10 year Long Term Financial Plan shows that the annual surplus before Capital Grants and Contributions can be maintained each year in accordance with Council's Financial Planning Policy. However, this is dependent on initiatives to maintain the surplus, namely a variety of productivity savings which have been achieved, plus a one-off increase in rates in 2015 - 2016. This would equate to an additional increase of 6.5% in annual Rates over an above the Rate Cap for 2015 - 2016.

Independent assurance

To provide an additional level of rigour, an independent auditor – Hill Rogers Spencer Steer – has reviewed the SCP and has provided an Independent Assurance Report that assures Council that it has been based on sound procedures and in accordance with internal guidelines. A final copy of the auditor's report will be attached to the final Strategic Community Plan provided no additional alterations having a net impact on Council's financial planning will be made other than that recommended in this report.

ITEM 8.2	GRANT PROGRAM - ARCHITECTURAL AND DEVELOPMENT SERVICES
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/257446
ATTACHMENTS	1 Evaluation Panel Report - Architectural and Development Grant Program 2 Assessment Criteria and Funding Distribution Principles

EXECUTIVE SUMMARY

PURPOSE

To allocate the Architectural and Development Services Grant Program 2011-2012 in accordance with the Application Guidelines and the Grants and Sponsorship Policy.

SUMMARY

The Grants' Program supports local not-for-profit community organisations develop plans for new or expanded facilities on public land and obtain the necessary approvals for construction.

A total of four applications were received seeking funds of \$23,732. An independent panel assessed the applications and recommended allocation of \$6,500. Two applications (one in part the other in full) were not eligible for funding under the Policy as they were seeking reimbursement of costs. A further application was also ineligible as the project is inconsistent with the objectives of the Grants' Program.

This is the first time the Grants' Program has been offered. The Panel felt some applicants were disadvantaged as the Policy did not allow reimbursement of costs and that on this occasion only, discretion could be exercised in the application of this provision of the Policy. This is a matter Council can determine and is separately listed as a recommendation.

FINANCIAL IMPACT

A total of \$20,000 (ex GST) is provided for the program in 2011-2012. The independent panel recommended allocation of \$6,500 in accordance with the Grant Guidelines a further \$8,080 is also included in the recommendation to reimburse costs already incurred by clubs in developing plans.

POLICY IMPACT

The grants process has been administered in accordance with the Grants and Sponsorship Policy adopted by Council 13 December 2011. The recommendation will see the Policy varied on this occasion only in respect to funding projects that commenced prior to awarding the grant.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That the successful applicants be invited to attend a Council Reception where the grants will be awarded.
 - B. That the Evaluation Panel's recommendation in respect to the Architectural and Development Services Grant Program 2011-2012 be endorsed and allocated as follows:
 - a. Forest Rugby Club – Fees and approvals for upgrading of lighting at Melwood Oval -
-

\$1,500

- b. Curl Curl Youth Club – fees develop plans to redevelop the amenity block in John Fisher Park near Abbott and Spring Road Curl Curl including a new first floor addition - \$5,000
 - C. That on this occasion only, the Architectural and Development Services Grant Program be extended to reimburse cost as follows:
 - a. Forest Rugby Club – fees for plans to upgrade lighting at Melwood Oval - \$3,080
 - b. Forest Hills Pony Club – fees with plans and approvals for clubhouse extension for Forest Hills Pony Club at JJ Melbourne Hill reserve - \$5,000
-

REPORT

BACKGROUND

Council supports community led initiatives that will promote the overall wellbeing of residents of Warringah through its Grants' Program. The Architectural and Development Services Grant Program is new, it provides funds to assist the community develop plans for new or expanded facilities on public land and obtain the necessary approvals to proceed to construction.

Funding of \$20,000 for 2011-2012 was allocated by Council on 27 September 2011. At this stage funds have not been made available for the continuation of this program in 2012-2013.

CONSULTATION

Applications opened on 28 April and closed on 25 May 2012.

The Program was publicly promoted via the following media:

- Manly Daily: advertisements on 28 April and 12 May.
- Council's website: Online advertisements and calls for applications were posted on Council's website from 30 April to 25 May 2012.
- Information sessions: Two separate information sessions for the general public were held on the 9 May at 1pm and 6:30pm with a total of 2 people attending.
- An online flyer was emailed directly to heads of sporting associations on 6-7 May.
- Phone and email enquiries were attended to within and after the application period.

OVERVIEW OF APPLICATIONS

A total of four applications were received seeking a total of \$23,732. The panel recognised the thought that had been put into the applications. They also acknowledged the passion, expertise and commitment shown by applicants to improving recreational facilities to meet the needs of the community.

The Panel supported two applications (one in full and one in part) and has recommended funding of \$6,500. Unfortunately the Panel could not support the remaining applications as they were not consistent with the Application Guidelines or Policy.

The applications supported by the Panel were

Organisation	Project Title	Amount applied for	Amount recommended
Forrest Rugby Club	Upgrade of lighting at Melwood Oval to playing standard - Fees for private certifier	\$4,580 ¹	\$1,500
Curl Curl Youth Club	Plans for upgrade amenities block including a second floor addition with meeting rooms and storage - near Abbott and Spring Road, Curl Curl	\$5,000	\$5,000
TOTAL		\$9,580	\$6,500

¹ The total funds requested were \$4,580, of which \$3,080 was for reimbursement of monies paid

The applications (or part applications) not eligible were:

Organisation	Project Title	Amount applied for	Reason not eligible
Forest Rugby Club	Professional fees for developing plans for upgrade of lighting at Melwood Oval - new poles to playing standard 100 lux level	\$3,080	Seeking reimbursement of costs incurred
Forest Hills Pony Club	Fees associated with plans and approvals for the new clubhouse extension for Forest Hills Pony Club at JJ Melbourne Hill reserve	\$10,152	Seeking reimbursement of costs incurred
Manly Warringah Cycling Clubs	Fees for professional services to prepare a traffic management plan and traffic control plans to facilitate a historical ride from Manly to Bayview in Pittwater on 23 September 2012	\$4,000	Not compatible with the objectives of Architectural and Development Grant program – focuses on design of public facilities Mandatory application form not submitted – insufficient information to assess the application.

The Panel recognised that this was the first time the grant was offered and community groups were unaware of how the program operated. They were concerned applicants were disadvantaged as the Policy did not allow for reimbursement of costs and that discretion should be exercised in the application of the Policy on this occasion.

APPLICATION OF THE POLICY

The Grants and Sponsorship Policy provides a range of activities that are not eligible for funding including projects which began before a grant is awarded (no assistance will be awarded retrospectively). This is consistent with the position taken by other local, state and federal agencies and allows Council the opportunity to allocate on the basis of the merit of the project.

The history of the development of the policy is as follows:

- 27 July 2011 Council resolves to develop a Policy
- 27 September 2011 Council allocates \$20,000 for Architectural and Development grants
- 18 October 2011 Council approves exhibition of draft Policy
- 13 December 2011 Council approves the Policy.

The costs claimed were incurred by applicants following the initial resolution of Council in July. It is evident from discussions with the clubs as well as information provided in their application that they commenced the work in the belief they would be eligible for the grant. The delay in advertising the Program (advertised in April 2012) has not assisted in clarifying the position.

Council can exercise some discretion in the application of the Policy as \$14,400 remains available if the Panels recommendation is accepted. Financial support to the clubs in this instance could be provided up to the maximum amount allowed by the Policy of \$5,000.

SELECTION PROCESS

Applications were initially screened against general eligibility criteria in accordance with Council's Grants and Sponsorship Policy, namely in regards to whether or not the organisation making the application was a not-for-profit and incorporated community organization, and the costs claimed.

An independent panel was established to review all eligible applications. The panel comprised three voting community representatives and one voting convenor (Council officer). Details of the panel are provided at Attachment 1.

The panel applied the following general selection process to assess the grant applications and make their recommendation:

1. Each panel member assessed all applications individually against defined assessment criteria and provided a numerical score for each application. The assessment criteria fall into four broad categories and are described in more detail in **Attachment 2** as well as in Grant Program 2011-2012 Assessment Guidelines.
 - Project merit (weighted double)
 - Community Development and Participation
 - Organisational Capacity
 - Project Budget
2. The panel determined an average score for each application
3. All applications were ranked in terms of their average score
4. Grant applications and their scores/rankings were evaluated by the panel members to ensure that panel members were collectively in agreement with the priority ranking.
5. The panel reached consensus regarding whether each application should be considered for funding.
6. The panel's qualitative comments and reasons for the categorisation of each application were documented.
7. On the basis of the panel's prioritised rankings, scores, and qualitative comments, the panel identified appropriate funding distribution in accordance with the defined funding allocation principles (see Attachment 2).
8. The panel recommended funding allocation to the identified projects.

POLICY IMPACT

The grants' process has been administered in accordance with the Grants and Sponsorship Policy adopted by Council 13 December 2011. The recommendation will see the Policy varied on this occasion only in respect to funding projects that commenced prior to awarding the grant.

FINANCIAL IMPACT

A total of \$20,000 (ex GST) is provided for the program in 2011-2012. The independent panel recommended allocation of \$6,500 in accordance with the Grant Guidelines a further \$8,080 is also included in the recommendation to reimburse costs already incurred by clubs in developing plans.

Architectural and Development Grant Program

Evaluation Panel Meeting

Held on Thursday, 7 June 2012
Banksia Room commencing at 1.00 pm

Panel roles and status

Name	Role on Panel	Voting status (organisation)
Michael McDermid	Convenor	Voting Council member
Jeremy Smith	Subject matter expert	Non-voting Council member
Lata Wilkinson	Community representation	Voting (SRG)
John Mullins	Community representation	Voting (SRG)
Sue Heins	Community representation	Voting (SRG)

Declaration of Pecuniary Interest

John Mullins and Sue Heins declared a less than significant non financial interest as they had a friendship with Michael Syme, the author of the application from the Forest Hills Pony Club.

Projects/programs recommended for funding

The Panel recommends funding allocation as detailed below. An additional table provide overviews of ineligible funding applications.

Organisation	Project Title	Amount applied for	Amount recomm ended 2011/12	Panel reasons for rec. (comments)
Forrest Rugby Club	Upgrade of lighting at Melwood Oval to playing standard - Fees for private certifier	\$4,580*	\$1,500	Lighting upgrade supported by Recreation Strategy
Curl Curl Youth Club	Plans for upgrade amenities block including a second floor addition with meeting rooms and storage - near Abbott and Spring Road, Curl Curl	\$5,000	\$5,000	Amenity upgrade supported by Recreation Strategy, will include facilities for disabled and provide additional storage for sportsfield users.
TOTAL		\$9,580	\$6,500	

* The amount of \$3,080 could not be considered in accordance with the Grant Guidelines as they were seeking reimbursement of costs already incurred

In relation to the application from the Curl Curl Youth Club the Evaluation Panel recognised the existing building footprint is over two Deposit Plans, one council owned (requiring owners consent) and the other Crown Lands where Council is trustee. The current plan of management for John Fisher Park limits expansion of the building to 25% of the footprint and this will need to be considered as part of the design and before owners consent can be given.

Ineligible projects/programs

The following applications were deemed ineligible in accordance with Warringah Council's Grant Program 2012/13 Assessment Guidelines and the Sponsorship and Grants Policy.

Organisation	Project Description	Amount applied for	Reason for being ineligible
Forrest Rugby Club	Professional fees for developing plans for upgrade of lighting at Melwood Oval - new poles to playing standard 100 lux level	\$3,080	Seeking reimbursement of costs incurred
Forest Hills Pony Club	Fees associated with the new clubhouse extension for Forest Hills Pony Club at JJ Melbourne Hill reserve	\$10,152	Seeking reimbursement of costs incurred
Manly Warringah Cycling Clubs	Fees for professional services to prepare a traffic management plan and traffic control plans to facilitate a historical ride from Manly to Bayview in Pittwater on 23 September 2012	\$4,000	Not compatible with the objectives of Architectural and Development Grant program – focuses on design of public facilities Mandatory application form not submitted – insufficient information to assess the application.

Attachment 2 – Assessment criteria and funding distribution principles

Assessment Criteria

1. Project Merit (Maximum 10 points) *

The activity is well planned and will contribute to diversity, excellence and innovation, whilst addressing Warringah Council's Strategic Goals, including Council's Social Plan, Cultural Plan and/or Recreational Strategy, with minimal environmental impact. This was considered the most important criterion and was therefore weighted twice than that of the other criteria.

2. Community Development and Participation (maximum 5 points)

The applicant has well developed strategies for engaging and building the capacity of the Warringah community. This is demonstrated by:

- A well developed, evidence based understanding of the needs and expectations of the targeted community and/or audience
- Strategies to increase opportunities for people who are not currently engaged, or who are only minimally engaged
- Appropriate measure to assess the success of these strategies and to integrate knowledge gained into future strategies

And

The project effectively meets one or more of the policy directions below:

- Stimulates community, cultural and/or sports development in Warringah
- Provides opportunities for participation as creators, participants and audiences for one or more of the following:
 - Aboriginal & Torres Strait Islander people
 - Older people (over 55 years)
 - People from culturally and linguistically diverse (CALD) backgrounds
 - People with a disability, including those with HIV/AIDS
 - Women, children and families including men
 - Young people

3. Organisational Capacity (maximum 5 points)

The applicant has:

- Aims and objectives which support the aims of the Grants Program
- The experience and expertise to deliver the activity effectively and efficiently
- A board or management committee that is appropriate to the needs of the organisation
- A history of appropriate financial management, including where relevant, previous Council funding
- Satisfactorily acquitted any previous Council funding (where relevant).

4. Project Budget (maximum 5 points)

The proposed budget:

- Is cost effective
- Includes income and expenditure targets that are realistic and achievable
- Includes adequate provision of insurance and other liabilities.

Funding allocation principles

The distribution of funding amongst the projects identified as high priority by the respective panels was based on a balanced review of:

- Relative value for money compared to other grant applications
- Relative ability to contribute to meeting the stated priorities and goals of Council compared to other grant applications
- Relative ability to be sustainable in the long term and/or require little ongoing support or maintenance to gain ongoing results from the project/program/investment.

ITEM 8.3	AMENDMENT TO COUNCIL MEETING CYCLE - LOCAL GOVERNMENT ELECTIONS SEPTEMBER 2012
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2012/226144
ATTACHMENTS	NIL

REPORT

PURPOSE

To amend the cycle of Council Meetings as prescribed in Warringah's Code of Meeting Practice due to Local Government Elections being held in September 2012 and the new provisions under the Local Government Amendment (Elections) Act 2012.

REPORT

Council has an established meeting cycle with an ordinary meeting being held on the fourth Tuesday of every month with the exception of January, February and December each year.

Due to the Local Government Elections being held on Saturday 8 September and the new provisions under the Local Government Amendment (Elections) Act 2012, which commenced on 11 April 2012, that include (in part) providing a regulation making power to the Division of Local Government, limiting the exercise of functions of councils in the 4 weeks preceding ordinary elections, it is necessary to amend the meeting cycle through the period of August, September and October 2012. Once the regulation is made, the Division of Local Government will provide councils with further details of the arrangements that will apply during the upcoming 'caretaker' period. It is proposed to have an additional meeting in the first week of August to allow all necessary council business to be resolved prior to the caretaker period, and no meeting being held in September, the month of the Local Government Elections.

This report will provide staff and councillors certainty around the schedule of meetings through this period. The table below sets out the current and proposed meeting dates:

Current Dates	Proposed Dates
	Tuesday 7 August 2012
Tuesday 28 August 2012	Tuesday 28 August 2012 (<i>note: this is within the caretaker period</i>)
Tuesday 25 September 2012	Nil Meetings in September 2012
Tuesday 23 October 2012	Tuesday 23 October 2012

FINANCIAL IMPACT

Staff time associated with the provision of a further meeting in August 2012. This will be covered in the existing budget.

POLICY IMPACT

The changes to the established meeting cycle are in accordance with GOV-PL 130 – the Warringah Council Code of Meeting Practice.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That:

- A. An additional Council Meeting be scheduled for Tuesday 7 August 2012 to allow all necessary council business to be resolved prior to the caretaker period;
 - B. The Council Meeting of 28 August 2012 go ahead as scheduled, noting that this is within the caretaker period and that there will be limitations as prescribed by the Division of Local Government regarding the decisions that can be made at this meeting;
 - C. The Council Meeting scheduled for Tuesday 25 September 2012 be cancelled;
 - D. The Council Meeting of 23 October 2012 go ahead as scheduled.
-

ITEM 8.4	REPORTING OF STRATEGIC REFERENCE GROUP MINUTES MAY 2012
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2012/242271
ATTACHMENTS	1 Draft Minutes Recreation & Open Space SRG 2 May 2012 (Excluded from Agenda) 2 Draft Minutes Environmental Sustainability SRG 7 May 2012 (Excluded from Agenda) 3 Draft Minutes Infrastructure & Development SRG 10 May 2012 (Excluded from Agenda) 4 Draft Minutes Community & Culture SRG 14 May 2012 (Excluded from Agenda)

REPORT

PURPOSE

To report the draft minutes of the Strategic Reference Group (SRG) meetings held between 2 May and 14 May 2012.

REPORT

The Strategic Reference Groups meet quarterly and held one round of meetings in May 2012. The following draft minutes are submitted to Council for noting:

- Recreation & Open Space SRG meeting 2 May 2012 (Attachment 1)
- Environmental Sustainability SRG meeting 7 May 2012 (Attachment 2)
- Infrastructure & Development SRG meeting 10 May 2012 (Attachment 3)
- Community & Culture SRG meeting 14 May 2012 (Attachment 4)

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the draft minutes of the Strategic Reference Group meetings held between 2 May and 14 May 2012 be noted.

ITEM 8.5	COMMUNITY CONSULTATION OF CONCEPT PLANS FOR RENEWAL OF COLLAROY BASIN ROADS
REPORTING MANAGER	GROUP MANAGER ROADS TRAFFIC & WASTE
TRIM FILE REF	2012/091219
ATTACHMENTS	1 Concept Plan Option 1 with Recommended Amendments 2 Table 3 Submission Summary

EXECUTIVE SUMMARY

PURPOSE

To consider the Concept plan for Renewal of Beach Road and Cliff Road, Collaroy, including the provision of a new footpath in Beach Road for adoption, as amended following its public exhibition and review of submissions.

SUMMARY

Following engagement of a consultant in December 2012, two concept design options were developed for community consultation and exhibition. As part of the community consultation process, the two concept plans were exhibited from 14 March until 18 April 2012. Public comments and submissions on the proposals were received up until 20 April 2012.

A total of 71 submissions were received which generally indicated that most of the residents support exhibited Option 1 with amendment to road width. It is recommended that the Option 1 be adopted, as amended and attached to this Council Report, which does provide for a 5.5m road width and includes a 1.5m wide footpath on eastern side of Beach Road between Ocean Grove and Brissenden Avenue.

FINANCIAL IMPACT

The estimated cost of the proposed renewal work is \$1,300,000. This work will be funded from Council's Road Resurfacing Program 2012/2013 and New Footpath Program 2012/2013.

POLICY IMPACT

A number of Council policies need to be considered in preparing the concept plan and detailed design for this project. These are outlined in the body of this report.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That Council adopts the Option 1 Concept Plan for Renewal of Beach Road and Cliff Road, Collaroy (Attachment 1) with the following amendments:
- Reduce proposed road width to 5.5m (kerb to kerb) from initial proposal of 6.6m, and includes a 1.5m wide footpath on eastern side of Beach Road between Ocean Grove and Brissenden Avenue.
 - Realign section of Beach Road between Florence Avenue and Brissenden Avenue to accommodate grass verges on both sides of the road.
-

REPORT

BACKGROUND

In 1995, Council's then Technical Services Division proposed a Management Plan for Fisherman's Beach, Collaroy Basin following concerns raised by Collaroy Basin residents regarding roadway alignment, road maintenance and traffic problems. The proposed management plan included a 40 km/h zone, traffic calming devices and reduction of carriageway width, however funding was never made available and the plan was not implemented.

Beach Road and Cliff Road consist generally of 4m narrow sealed pavements, 3.8m wide turfed shoulders on each side, then kerb and gutter on both sides. The aging asphaltic concrete pavements are narrow with edge breaks and drops and the grassed shoulders are uneven with potholes caused by poor drainage of stormwater and parking. The existing kerb and gutter is in fair condition, however it needs to be reconstructed in some locations. There are also short lengths without kerb and gutter, linked by concrete pipes.

Beach Road, Anzac Avenue and Ocean Grove (part) were identified by the Warringah Bike Plan and Pedestrian Access and Mobility Plan as on road bicycle routes and collector routes for pedestrians. Parts of Brissenden Avenue and Seaview Avenue are also identified as collector routes for pedestrian.

Due to a number of service requests from local residents in recent years, and the need to prevent further deterioration of road pavement, a project to resurface Beach Road and Cliff Road, has been included under the Council's Capital Works Program 2012/2013. As part of the resurfacing work, it is necessary to retain the road pavement and provide drainage by constructing kerb and gutter.

Council engaged a Consultant to prepare the road design for this work. Concept design plans for two options were completed and placed on public exhibition from 14 March until 18 April 2012.

The key benefits expected through the proposed renewal/rehabilitation of Beach Road and Cliff Road are:

- Improved safety and comfort of road users, including pedestrians and cyclists.
- Improved quality of stormwater run-off and better drainage system.
- Positive impact on aesthetic appearance and environment.
- Improved driveway access.
- Improved street parking.
- The long term performance of the road pavement.
- Reduced maintenance expenditure.

Exhibited Concept Design Options

Option 1 (See attached Plan No 1): The existing pavement is to be widened to 6.6 m width with provision of mountable kerb both sides. The remaining area between the existing kerb and gutter and proposed mountable kerb is to be maintained as grass shoulder in keeping with the existing streetscape. This work also includes construction of concrete driveway extensions and intermittent rain water gardens. These rain water gardens are to treat the stormwater runoff for small rainfall events prior to it entering the drainage system.

Option 2 (See attached Plan No 2): The road pavement is to be constructed and sealed to full width between the existing kerb and gutter with intermittent rain water gardens. This will remove the existing grassed parking areas and replace it with asphalt, giving a sealed pavement width of 7 metres.

The main features which are common to both options are:

- Widening and strengthening of the road pavement to provide safer environment for all road users in the area
- Provision of a suitable surface drainage system together with rainwater gardens to improve the quality of surface run-off into the drainage system
- Provision of concrete footpath in Beach Road section from Ocean Grove to Brissenden Avenue
- Provision of shared zone for cyclists and motorists in Beach Road as per the Warringah Bike Plan
- Completion of the kerb and gutter at the western end of Florence Avenue.

CONSULTATION

Concept design plans for two options were placed on public exhibition from 14 March until 18 April 2012.

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

- Council's website;
- Civic Centre, 725 Pittwater Road, Dee Why;
- Long Reef Golf Club; and
- Long Reef Shops: The Reef Sports Bar & Grill and Collaroy Paint & Hardware

Advertising was placed in the Manly Daily on two Saturdays during the public exhibition period. All the residents, businesses and clubs in the Collaroy Basin area were notified of the public exhibition and feedback was requested to gather information on the preferred option and other requirements of the community.

An information session was held by Council staff and our consultant at Griffith Park for residents on Sunday 25 March 2012. The information session was very well attended by a large group of people.

Residents from the Collaroy Basin area met prior to the Council information session to discuss their collective position in relation to the proposed works. A number of people agreed to coordinate a joint submission on the collective opinions of the residents. Council staff met with the community representatives on 5 April 2012 to clarify technical and policy related issues prior to their joint submission. A further meeting was held to receive and discussion their joint submission.

Public Submissions

Public submissions were sought in the form of a pre-formatted Questionnaire and Comments Form.

The questionnaire contained the following questions:

1. Are you a resident of Collaroy Basin area?
2. Do you support the upgrades proposed in this project?
3. If you agree in principal with the proposed streetscape upgrade of Beach Road and Cliff Road, Collaroy, Which option do you prefer? Can you please outline the main reason for your selection?

4. Based on the concept plans on display, what elements can you suggest should be changed, and how?

5. Other Comments.

The resident representatives met Council staff again on 18 April 2012 and submitted a combined submission signed by 37 residents and provided another 24 residents' e-mails in support of the combined submission.

The joint submission by the Residents Group made the following points:

- Maintain the unique 'look and feel' of the streetscape in Beach Road and Cliff Road. This means narrow roads, grass verges and no signage
- Traffic speed is a big issue for everyone given that both roads are shared by cars, bikes and pedestrians. The residents are unanimous in the view that the total width of the road should be limited to 5 m and the speed limit reduced to 40km/h if this can be achieved without extra traffic calming devices.
- All verges need to be reinstated and/or maintained as grass verges including the eastern side of Beach Road between Brissenden Avenue and Florence Avenue.

Council received separate submissions on behalf of Sargood Centre and Long Reef Golf Club. Their submissions raised issues associated with access for mobility impaired or elderly pedestrians. They sought additional facilities such as raised pedestrian crossing, on street disabled parking and additional footpaths to improve the access. The work proposed is not supported at this time due to budgetary constraints and the work requested being outside the scope of this project. More details are outlined in the attached Table 3: Summary of submissions and Council responses.

Council received a total of 71 submissions, including the joint submissions, during the public exhibition period. The results of the submissions are shown in Table 1.

Table 1: Support for Renewal/Rehabilitation Options

	Option 1	Option 2	None
Number of Basin Residents	47 (73%)	8 (13%)	9 (14%)
Number of non-residents	6 (86%)	Nil	1 (14%)

Table 2: Elements of the proposed works which received the most comments

Elements	Details	Support	Not Support
Road width	Retain the current width	10	7
	5.0 m or Less	17	-
	6.6 m	4	26
	Full width	8	29
40 km/h speed zone for Basin Roads		15	-
Grass Verges		22	4
Rain Garden		13	3
	Beach Road from Ocean	3	9

Elements	Details	Support	Not Support
Footpath	Grove to Brissenden Avenue		
	Other roads	7	-

Discussion

The following issues are the main elements raised in the submissions to Council and are discussed in more detail below. Changes to the exhibited concept plans are also discussed.

Road width

A majority of submissions did not support the provision of a 6.6m wide road pavement. The residents' joint submission strongly advocated for road widths of 5.0m.

The most common reason provided for not supporting the 6.6m wide pavement was the reduction in the width of grass verges and thus impacting on the unique character of the Basin Area and the potential for increased traffic speeds.

The road width must allow vehicles, including trucks and emergency vehicles, to proceed safely at the operating speed intended for that level of road. The safety of pedestrians and cyclists where it is intended they use the carriageway must also be assured by providing sufficient width. The Australian Model Code for Residential Development (AMCORD), a national resource document for residential development, recommends a minimum road width of 5.5m to allow a moving car to pass a truck in an access street with 300 to 1000 vehicles per day.

After careful consideration of Council's Standards, AMCORD and AUSROAD Guidelines, it is recommended to reduce the width of road to 5.5m (kerb to kerb) from initial proposal of 6.6m. This will satisfy the minimum width requirement to allow vehicles, including trucks to safely pass at low speed.

40 km/h Speed Limit

The residents' joint submission raised concerns about the speed of vehicles following the improvements. Prior to making their joint submission, staff discussed the issues of speed restrictions and explained the technical limitations on achieving a 40kph zone.

The Roads and Maritime Services (RMS), formerly known as RTA, is the Authority to approve all speed limits, including 40kph zones, on roads in NSW.

In accordance with the NSW Speed Zoning Guidelines, permanent 40kph speed limits are predominantly limited to High Pedestrian Activity Areas (HPAA) or Local Traffic Areas (LTA) where there is a need to protect vulnerable road users across a network of streets. A key feature of both HPAA and LTA is the provision of physical devices or treatments to create a self-enforcing 40 kph speed environment.

Given, the existing traffic conditions (85th percentile speed of approximately 50 kph) and relatively low pedestrian activities (in relation to requirements of HPAA) in Collaroy Basin area, it is highly unlikely that RMS will support a 40 kph speed limit for these roads without physical devices.

An analysis of the Collaroy Basin area traffic volume data, vehicle speed survey results and accident records has been undertaken during the concept design stage. It did not indicate any need for traffic calming or traffic control devices in Collaroy Basin Area.

Whilst residents were unanimous in support of 40kph speed limits, they did not support additional traffic facilities or signage. As such, the introduction of a 40kph speed zone is not supported at this time. This does not preclude that Council's reconsider this in future if the traffic condition changes.

Grass Verges

All the submissions, except four (4), have supported retaining the existing grass verges on the shoulder to keep the unique character of the area.

Those that did not support grass verges did so raising concern about maintenance difficulty and damages caused by traffic.

The joint submission also sought to reinstate grass verge in Beach Road, between Brissenden and Florence Avenues. This proposal has been assessed and grass verges can be reinstated on the eastern side of Beach Road section between Brissenden and Florence Avenues and western side directly in front of Florence Street with minor changes to the concept design and road alignment.

The provision of mountable kerb will deter the through traffic using the verges and act as a supporting edge to the grass verge.

It is recommended that the concept plan be amended to include the additional grass verges.

Rain Garden

The proposed rain gardens are to treat the stormwater runoff for small rainfall events prior to it entering the drainage system. Some submissions raised concern about the maintenance of these rain gardens. These gardens are designed to function with minimal maintenance requirements. A maintenance schedule will be developed and implemented by Council. It is not proposed to modify the concept plan.

Footpath

The most common reason provided for not supporting the provision of footpath in Beach Road is possible removal of trees and grass verges. It is also pointed out that some of the residents' garages are located too close to the proposed footpath, thus reducing the sight distance when they drive out.

The Warringah Pedestrian Access and Mobility Plan identifies the section of Beach Road between Ocean Grove and Brissenden Avenue as part of Warringah's priority footpath network to provide safe pedestrian access between key destinations of Collaroy Beach and Long Reef Headland. Accordingly, the construction of a footpath has been considered as part of this project.

The proposal to place the footpath on the eastern side of Beach Road received a number of submissions expressing concerns about safety of pedestrians, particularly children, given the existing carports and garages built on the front boundary of 4 properties. Council staff met with one resident onsite to discuss their concerns. A review of design considerations for both sides of Beach Road was undertaken. On balance, the eastern side of Beach Road is favoured for the following reasons:

- Ability to locate footpath adjacent to kerb giving better sight distance at driveways. Whilst there are only two driveways with similar problems on the western side (compared with four on the east side), placing the path alignment against the kerb on the western side would require significantly more excavation and some retaining works. If the footpath were to be located closer to the property boundary to avoid tree removals, sight distance of pedestrians would be significantly reduced.
- Reduced impact on streetscape requiring lesser number of tree removals. There are many smaller trees (10) and some larger trees (7) on the western side that would be impacted by the construction of a footpath. The removal and/or pruning of these trees would have a greater adverse visual impact on the streetscape.
- Improved path alignment. The number of physical constraints on the western side (trees and levels) would result in deviations to the footpath alignment. It is considered preferable from an accessibility perspective to maintain a relatively straight footpath alignment.
- Links to existing adjacent facilities (Florence Avenue pathway and Fox Reserve). The proposed footpath provides direct connections to these existing Council facilities.
- Reduced construction difficulties. The level of the nature strip on the western side prevents placing the footpath against the kerb and recent wet weather highlights the need for

additional drainage to ensure a path on the western side does not become slippery when wet.

- Improved street lighting access from lights opposite

It is proposed to place the footpath on the eastern side of Beach Road considering the higher number of trees, power poles and their positions on the western side. The proposed footpath will be placed adjoining the eastern side kerb, so that there will be adequate clearance between the footpath and the property boundary line.

The provision of more footpaths in other sections of Collaroy Basin roads is considered a low priority by the Pedestrian Access and Mobility Plan.

Further details of issues raised in the submissions and Council's response have been documented in the attached Table 3: Summary of submissions and Council responses.

Other Issues – Proposed Traffic Lights at the intersection of Pittwater Road and Anzac Avenue

During this consultation process, proposed installation of traffic lights at the intersection of Pittwater Road and Anzac Avenue was raised by the residents. Council made a submission to Road and Maritime Services (RMS) in response to their invitation for comments on the proposed installation of traffic light.

In May 2012, RMS informed Council about the final outcome of the Consultation with residents and businesses Community. According to the RMS report, comments received during the consultation generally indicated support for their proposal on the grounds of improved safety.

In response to the submission by Council, RMS made the following changes to the original proposal:

- The double barrier line has been reduced from 48 metres to 20 metres to reduce the loss of parking spaces.
- The No Stopping parking restrictions have been adjusted to meet current standards.
- The double barrier line has been moved to the middle of the road and the lane sizes reduced to increase the clearance for vehicles turning left from Pittwater Road.

The traffic lights installation work started in June 2012, and will take approximately five months to complete.

Conclusion

The public consultation and exhibition of the proposed concept plans for the project has shown that based on the consultation responses the basin residents prefer Option 1. Furthermore, there are a number of other proposed and suggested elements which were assessed and incorporated into the proposed concept design. The following amendments are recommended:

1. Reduce road width to 5.5 m (kerb to kerb) from initial proposal of 6.6m.
2. Realign section of Beach Road between Florence Avenue and Brissenden Avenue to accommodate grass verges on both side of the road.

TIMING

It is planned to complete the detail design by end of July 2012 and commence construction in September 2012.

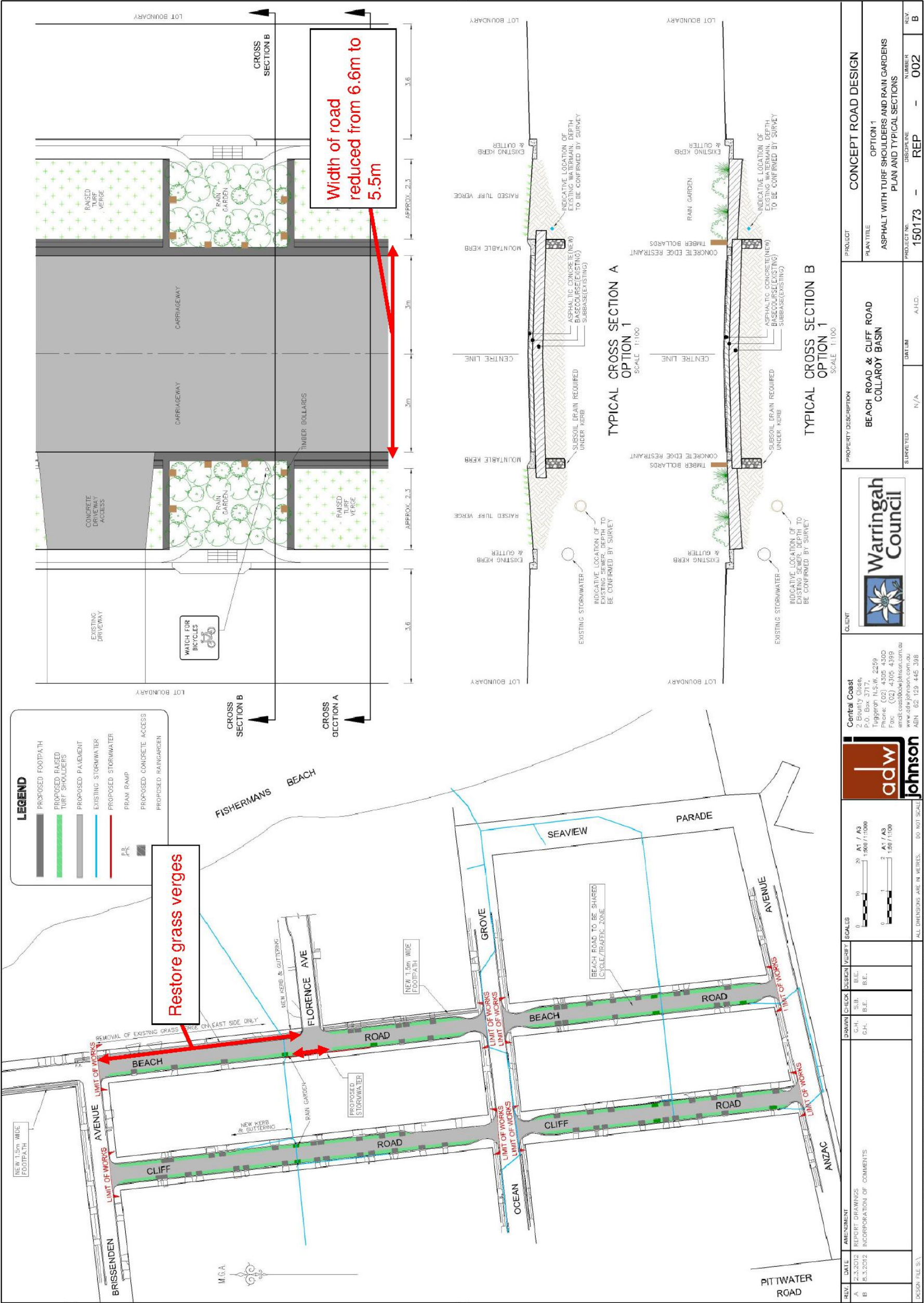
POLICY IMPACT

A number of Council Policies will need to be considered in preparation of the concept plan and detailed designs for this project including,

- Physical Access Policy
- Environmental Sustainability Design & Management of Council Built Assets
- Warringah Pedestrian Access and Mobility Plan
- Warringah Bike Plan 2010

FINANCIAL IMPACT

The estimated cost of the proposed renewal work is \$1,300,000. This work will be funded from Council's Road Resurfacing Program 2012/2013 and New Footpath Program 2012/2013.



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100mm AT FULL SIZE

Table 3: Renewal/Rehabilitation of Beach Road and Cliff Road, Collaroy - Summary of submissions and Council responses
Please note that many of the comments could have fit within multiple themes.

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
Support – 10 Oppose - 7	Retain Current Road width	<p>Support:</p> <ul style="list-style-type: none"> Widening will encourage speeding Widening will require more grass verges to be removed and thus losing the present unique character of the basin area. Rehabilitate existing road by milling and resheeting, no widening <p>Oppose:</p> <ul style="list-style-type: none"> Road need to be widened to allow vehicles to pass safely. Widening will prevent damages to the grass verges caused by the passing vehicles. Improve pedestrian safety 	<p>The current road width does not meet the minimum standard requirements for two way traffic operation of Beach and Cliff Roads.</p> <p>According to Council's Standards, AMCORD and AUSROAD Guidelines, the minimum road width requirement to allow all forms of passing vehicles is 5.5m (kerb to Kerb) in a residential street.</p> <p>In undertaking any new works, it is necessary to comply with current standards.</p> <p>Resheeting the road will not address current drainage issues on the road shoulder.</p>	Not recommended
Support – 16	5m Road Width	<p>Support:</p> <ul style="list-style-type: none"> Narrow roads deliver low average speed. Widening will encourage speeding 5m wide road with grass verges will keep the unique 'look and feel' of the streetscapes. 	A 5m wide road is not acceptable to accommodate all forms of passing traffic, and does not comply with AMCORD standards.	Not recommended
Support – 3	6.6m Road Width	<p>Support</p> <p>Improve pedestrian safety</p> <p>Prevent damages to the grass verge by passing vehicles</p> <p>Oppose:</p> <p>Widening will reduce grass verges and encourage speeding</p>	<p>After careful consideration of Council's Standards, AMCORD and AUSROAD Guidelines, it is recommended to reduce the width of road to 5.5m (kerb to Kerb) from initial proposal of 6.6m. This will satisfy the minimum width requirement to allow vehicles, including trucks to safely pass at low speed</p>	Recommend to reduce the road width to 5.5m (kerb to kerb)
Support – 8 Oppose - 15	Full width Road	<p>Support:</p> <ul style="list-style-type: none"> During wet weather these roads become full of potholes on the shoulders, making it difficult to pass another vehicle in safety Safety for both pedestrian and vehicles. 	<p>Full width pavement will increase the cost of construction and maintenance. A 5.5 m wide pavement will accommodate all forms of passing vehicles. To maintain the unique characteristic of basin area, a 5.5 m wide road pavement with grass</p>	Not recommended

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
		<ul style="list-style-type: none"> • Present grass area uneven and potholes making drainage impossible. • Not suitable for safe walking for this high use area. • Parking in the area is very limited cars are parked on these streets most of the time. Parking on bitumen is preferred. • The current grassed verges are, in many cases, not well maintained which this option addresses. • Bitumen allows marked 'parking bays' to be established (which increases the number of parking spots) 	<p>verges is recommended. Full width is not supported by the majority.</p> <p>Provision of grass verges does not reduce the on street parking availability. Council does not support marking parking bays in residential area.</p>	
	Rain Garden	<p>Support Rain garden will improve the quality of stormwater run-off. More rain garden to slow traffic below 40kph</p> <p>Against:</p> <ul style="list-style-type: none"> • Rain garden catch only a part of the stormwater, most flow into the gutter. • Rain gardens will reduce parking • Rain gardens waste of money and effort 	<p>The run-off from the road will be collected in to the gutter and directed to rain gardens to filter through. In case of large rainfall events, the excess stormwater from these rain gardens will overflow into the existing stormwater inlet pits.</p> <p>Location of rain gardens will be selected in away to maximise the on street parking</p>	No changes required
	Grass Verges	<p>Support:</p> <ul style="list-style-type: none"> • Maintain the traditional heritage look and feel of the basin. • Raised grass verge facilitate maintenance and prevent traffic using it. • All verges in front of #26, 28 and 30 Beach Road should be reinstated. <p>Against: Mowing Garden is a financial burden to Council</p>	<p>Reinstating the grass verges in Beach Road, between Brissenden and Florence Avenues including the Florence Street intersection can be accommodated with minor changes to the concept design and road alignment.</p> <p>As per the current practice, it is hoped that property owners will continue to maintain the grass verges adjacent to their properties, including the proposed grass verges between the new mountable kerb and existing kerb and gutter.</p>	Recommended to provide grass verges both side of Beach Road by changing road alignment slightly.
Support 14	40 kph Speed Limit	<ul style="list-style-type: none"> • Reduce speed limit to 40km/h if this can be achieved without extra traffic calming devices • Not want to have roundabouts or speed humps in order to enforce 40 kph speed limit • From next year, wheelchair residents will be moving through the area (Sargood Centre) 	<p>In accordance with the NSW Speed Zoning Guidelines, permanent 40km/h speed limits are predominantly limited to High Pedestrian Activity Areas (HPAA) or Local Traffic Areas (LTA) where there is a need to protect vulnerable road users across a network of streets. A key feature of both</p>	Not recommended

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
			<p>HPAA and LTA is the provision of physical devices or treatments to create a self-enforcing 40 km/h speed environment.</p> <p>Given, the existing traffic conditions (85th percentile speed of approximately 50 kph) and relatively low pedestrian activities (in relation to requirements of HPAA) in Collaroy Basin area, it is highly unlikely that RMS will support a 40 km/h speed limit for these roads.</p>	
Support – 3 Oppose - 9	Beach Road Footpath	<p>Support Benefit a number of pedestrians using this area</p> <p>Against:</p> <ul style="list-style-type: none"> Disagree with footpath on eastern side of Beach Road as it will destroy trees and grass verge and the aesthetic of the area. Concern with constructing footpath on western side as there are prominent roots from Norfolk Islands Pine that would be affected. 	<p>The Warringah Pedestrian Access and Mobility Plan identifies the section of Beach Road between Ocean Grove and Brissenden Avenue as part of Warringah's priority footpath network to provide safe pedestrian access between key destinations of Collaroy Beach and Long Reef Headland.</p> <p>It is proposed to place the footpath on the eastern side of Beach Road considering the higher number of trees, power poles and their positions on the western side. The proposed footpath will be placed adjoining the eastern side kerb, so that there will be adequate clearance between the footpath and the property boundary line.</p>	Improving sight distance and minimal disturbance to existing trees and vegetation should be considered during detail design stage.
Support – 7	More Footpath	<ul style="list-style-type: none"> More footpaths to facilitate parents with prams and strollers 	<p>The provision of more footpaths in other sections of Collaroy Basin roads is considered a low priority by the Pedestrian Access and Mobility Plan.</p>	No changes required
	Bike shared zone	Delete the bicycle signage to reduce visual pollution	Warringah Bike Plan identifies the section of Beach Road as shared zone for cyclist and motorist. It is the standard requirement to mark it with bicycle logo for the safety of cyclists and motorists.	No changes required
	Traffic Issue	Consider limiting truck/coach access in Anzac Ave which can cause traffic chaos. Consider closing off Ocean Gr and Brissenden Rd to prevent speeding and rat runners	An analysis of the Collaroy Basin area traffic volume data, vehicle speed survey results and accident records has been undertaken during the concept design stage. It did not indicate any need for traffic calming or traffic control devices in Collaroy Basin Area.	No changes required

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
	Traffic Issue	The right of way needs to be changed at Cliff Rd and Ocean Grove intersection	Existing right of way arrangement slows the traffic to and from Pittwater Road	No changes required
	Traffic Issue	Provide 'silent cops' at both ends of these roads	Signage and line marking will be provided during detailed design stage. 'Silent Cops' are no longer in use and do not comply with design standards.	No changes required
	Traffic Issue	Reduce access into Beach Road off Anzac Avenue to single lane for limiting the entry speed of vehicles	Existing traffic condition does not warrant any changes.	No changes required
	Traffic Light	Installation of the new set of traffic lights at the intersection of Anzac Ave and Pittwater Rd is a must for the future traffic control & flow throughout the Basin precinct	The Roads and Maritime Services (RMS) is the Authority to install traffic lights at the intersection of Pittwater Road and Anzac Avenue. RMS has undertaken a Consultation with residents and businesses regarding this issue and decided to install the traffic lights. The work is planned to be undertaken in June 2012.	No changes required
	Tree Maintenance	Trim trees regularly on footpaths particularly near corners and around signage to improve safety and visibility	This Maintenance issue has been referred to Tree Maintenance for action.	No changes required
	Resident Parking	Consideration for resident parking stickers for Seaview Parade	Warringah Council does not operate Resident Parking Schemes (RPS) as parking conditions in the Warringah Council area would not meet the RMS's Guidelines for an RPS. The Guidelines for an RPS stipulate that such schemes be only introduced in locations where residents do not have access to off street parking and there is significant competition for the on street parking with long stay users e.g. commuters, employees, students etc. from nearby developments. Where RPS schemes are introduced, permits may only be issued to residents who do not have off street parking. Residents who do have off street parking would not be entitled to a permit under an RPS. Generally most, if not all properties in Seaview Parade have off street parking and consequently residents would not be entitled to a permit. RPS's are also costly to implement and require significant administrative and enforcement resources.	No changes required

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
Sargood Centre Submission	Parking	<ul style="list-style-type: none">In Beach Road, Cliff Road, Seaview Parade and the eastern end of Anzac Avenue mark 45 degree parking on one side of the road.A carpark for at least 60 can be provided at rear of tennis courts.Basin as a recreation area which attracts many activities require more parkingMark out 'parking bays' on Basin roads'Trailer Only' parking facility at the beachfront needs to be reduced down to 13 spotsParking issue - particularly boats, trailers etc, this problem will grow as unregulated parking areas are harder to find in the area.Parking in the Sargood Centre area is a matter which will need addressing.	Not supported by other residents	No changes required
	Construction timing	Proposed work should be carried out after completion of the Sargood Centre construction or any other current construction, to prevent damage to new pavements and conflict zones	This will be co-ordinated during Construction planning stage with all the parties to minimise the damage and interference.	No changes required
	Sargood Centre	<ul style="list-style-type: none">In Option 1, the soft turf reduces the hard paved area along the street and help to reduce the speeds along Beach Road.	Noted	No changes required
		<ul style="list-style-type: none">Need for a accessible pedestrian facility to connect the foreshore precinct walk areas east of Beach Road to the accessible footpath along the Sargood Site frontage.Require a ramped threshold treatment at the intersection of Beach Road and Brissenden Avenue to allow a continuous level crossing for persons in a wheelchair.Redesign the cul-de-sac at northern end of Beach Road to provide footpath connection to the foreshore parkland areas and two disable parking spaces.	As identified by the Warringah Pedestrian Access and Mobility Plan, 1.5m wide footpath will be provided on the eastern side of Beach Road between Ocean Grove and Brissenden Avenue with kerb ramps to connect the proposed footpath fronting the Sargood Centre. Provision of ramp threshold is not supported due to budgetary constraint and the work requested being outside the scope of this project. A raised crossing is unlikely to meet RMS requirements for this location.	No changes required
Long Reef	Long Reef Golf	<ul style="list-style-type: none">The Collaroy Basin residential area from Collaroy beach	The Warringah Pedestrian Access and Mobility Plan	No changes required

Number of Submissions	Theme	Comment/issue	Discussion	Recommendation
Golf Club Submission	Club	<p>to Anzac Avenue needs to be disabled friendly to integrate with other developments in the basin area, such as Griffith Park, Long Reef Golf Club, Griffith Park Sporting Amenities, Sargood Centre and Collaroy Disabled Precinct.</p> <ul style="list-style-type: none"> • Provide footpaths and access ramps to improve personal transport of senior sports persons of the area and others. • Implement 40kph speed zone • Address potential stormwater pollution to Fishermans Beach and Aquatic Reserve 	<p>identifies the section of Beach Road between Ocean Grove and Brissenden Avenue as part of Warringah's priority footpath network to provide safe pedestrian access between key destinations of Collaroy Beach and Long Reef Headland. A 1.5 m wide footpath is proposed for this section together with kerb ramps.</p> <p>The provision of footpaths in other sections of Collaroy Basin roads is considered a low priority by the Pedestrian Access and Mobility Plan.</p> <p>Speed zones have been addressed above.</p> <p>Proposed rain gardens are to improve the quality of the stormwater runoff for small rainfall events prior to it entering the drainage system.</p>	

ITEM 8.6	COLLARROY STORMWATER OUTLET - PROPOSED LOCATION FOR THE NEW OUTLET PIPE
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/248713
ATTACHMENTS	1 Consultation Outcomes Report - Collaroy Stormwater Outlet (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To update Council regarding investigations into the Collaroy stormwater outlet, and to recommend a preferred location for the new outlet.

SUMMARY

The Collaroy stormwater outlet is a reinforced concrete pipeline and box culvert that extends 85 meters from the seawall at Collaroy beach into the surf zone. The outlet provides essential drainage of stormwater from the northern Collaroy catchment out to sea. The structure was built in the 1970s; however wave action during the life of the structure has damaged the outermost culvert sections and associated support pilings. As a result a new outlet is required to replace the existing failed structure.

An extensive investigation has now been completed into the two options for a new stormwater outlet, including technical constraints, hydraulic modelling, water quality modelling, cost, risk, and legal assessments, together with a community consultation process. The investigation revealed that while neither option is without risk, the option to replace the outlet in the same location is preferred on the basis of price and community consultation.

FINANCIAL IMPACT

The preliminary estimate for the construction cost of the recommended replacement (Middle Beach) option is \$ 1.43 million (ex GST), which together with project management costs and contingency should fall within the allocated budget of \$1,896,175 (ex GST). This construction cost estimate will be updated by an independent Quantity Surveyor following completion of the detailed design phase of the project.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopts the Middle Beach option (replacement at the site of the existing outlet structure) as the location for the new Collaroy stormwater outlet.

REPORT

BACKGROUND

The Collaroy stormwater outlet is located on Collaroy Beach, to the north of the surf club, and provides drainage from the main Collaroy catchment. The current outlet was constructed in the 1970s; however major failure of the structure had occurred by 2005.

In 2008 Council called tenders twice for the reconstruction of the outlet. However no acceptable tenders were received. In 2009 Arup Risk Consulting was commissioned to assess the risk of a number of alternative designs. As a result it was decided to further investigate two options; the relocation of outlet and pipeline approximately 300 metres to the south adjacent to the existing rock pool (Southern Beach option); and a replacement outlet in the current location (Middle Beach option). A Request for Tender (RFT) for the design was issued and following tender assessment, Council resolved to decline the single tender received, and to authorise the General Manager to execute a negotiated contract with persons having the relevant skills and experience (Council meeting of 24 May 2011). Council then entered into a contract with Cardno (NSW/ACT) Pty Ltd to provide consultancy services for the Collaroy stormwater outlet design.

Cardno investigated the two alternative options for the new stormwater outlet, considering a host of technical information and community feedback. A (draft) Options Study and Concept Design Report has now been issued to Council, and the key information is presented below.

TECHNICAL CONSTRAINTS

The topography of the Collaroy catchment contributes to the flood risk in properties to the west of Pittwater Road. Overland stormwater flow by-passes the drainage system due to the steep grades coming off the escarpment. In addition, flows conveyed in the pipes from the escarpment surcharge downstream in the low level area, due to the reduction in grade and the limited capacity of the pipe network downstream.

Pittwater Road is elevated, compared with the area immediately to the west, and acts as a hydraulic control, detaining overland flows, and resulting in flooding in a number of streets including Alexander, Collaroy, Fielding and Jenkins.

These low level areas, west of Pittwater Road, also have limited ability to drain through the downstream stormwater system, which further contributes to the flooding in these areas. At extreme high tides the sea level is similar to the bottom of the pipe (invert) level of the stormwater system in Collaroy Street.

The flooding problem in Collaroy is a separate issue to the replacement of the existing failed stormwater outlet. Although some potential flood alleviation designs have been investigated, this work is currently outside the scope and budget for the outlet replacement project.

HYDRAULIC MODELLING

Cardno have carried out an extensive survey of the stormwater system in the Collaroy catchment including the details of existing pits and pipes, together with survey levels in key areas. This information has been fed into a new hydraulic model of the Collaroy catchment.

A range of scenarios have been modelled and analysed, with the following results:

- The stormwater drainage network upstream of Pittwater Road has a capacity to handle a 2 to 5 year rainfall event (approximately 4 m³/sec), due to inadequate pipe sizes, steep grades, and inlet pit constraints. Heavier rainfall events result in overland stormwater flows bypassing the drainage system, collecting in the low lying areas west of Pittwater Road, before overtopping Pittwater Road, and exiting through the park.

- The 1.8 m diameter stormwater pipe under Pittwater Road, has a capacity to handle a 5 year rainfall event (approximately 10 m³/sec), but does not run full due to inlet constraints upstream.
- Both options under investigation are capable of performing the task of transferring the stormwater from the Collaroy catchment out to sea.
- Flood maps have been developed for the catchment area.
- The impacts of climate change have been investigated, which include increased rainfall intensity and the effect of sea level rise. As may be expected the projected impact of climate change results in increased flooding (regardless of the option).

WATER QUALITY

A combination of field investigation, sampling, and modelling was used to assess water quality impacts of the two options. The modelling focused on faecal coliform concentrations, as these bacteria provide a reliable indicator of the potential health risks associated with human contact.

Unsurprisingly the modelling predicts that the relocation (Southern Beach) option would result in higher faecal coliform concentrations in the ocean in the vicinity of the rock pool. How much of this additional concentration would enter the rock pool would largely depend on the frequency and duration of wave overtopping conditions. In summary, there is a potential for an increased risk to Collaroy Pool users but it is difficult to quantify.

COST

Preliminary cost estimates for the two options have been prepared by an independent Cost Engineering Consultant, based on preliminary engineering designs by Cardno.

The preliminary estimate for the Middle Beach option is \$1.43 million (ext GST). This figure is based on renewal of the culvert section of the existing stormwater outlet, and resetting a number of the existing outlet pipes.

The preliminary estimate for the Southern Beach option is \$7.48 million (ex GST). This figure is based on a new pipe connecting with the existing pipe work in the northern car park, and running through the park, around the surf club building, and connecting to a new outlet adjacent to the rock pool. The high cost is due to the substantially longer pipe length (seven times), the high standard of accuracy required by the very low fall, temporary shoring, and removal of surplus excavated material.

RISK

A risk assessment has been carried out by Cardno as part of their Options Study and Concept Design Report. A range of risks were identified, with appropriate mitigation measures. Many of the major risks identified were common to both options, i.e. failure of the structure due to the marine environment, changing ground conditions, blockages within the system, people climbing in to the outlet, structural collapse, and storm events during construction.

The high level risks specific to the replacement (Middle Beach) option are the risk of a swimmer colliding with the structure, poor water quality in the beach swimming area, and changes to the beach profile. These risks are all present with the existing structure.

The high level risk that is specific to the relocation (Southern Beach) option is the risk of poor water quality in the Collaroy Pool. If realised, this would create a new risk for Council, but would be offset by a reduction in the risks related to the existing structure.

Neither option is without risk. Staff have had the benefit of the risk assessment by Cardno, which confirms this. Given the extreme difference in cost between the two options, it is reasonable from a

risk management point of view to recommend the replacement option, together with whatever mitigation measures have been suggested by Cardno.

COMMUNITY CONSULTATION

A community and stakeholder consultation process was run as part of the investigations into upgrading the Collaroy stormwater outlet. The core components of the consultation process included:

- A community information and feed back session held at Collaroy Beach on Saturday 24 March 2012.
- An online discussion forum and feedback form
- Key stakeholder briefings
- Mail - out to local residents.

Overall the majority expressed – either directly or indirectly – a preference for the Middle Beach option. The full report by Elton Consulting is attached, however in summary:

- Members of the community and key stakeholders expressed concern about the stormwater impacts on the Collaroy pool and reported a strong “if the current position works, why move it” sentiment.
- Respondents expressed moderate concern about the safety risk posed to board riders and swimmers by the Middle Beach option.
- The substantial cost difference between the two options was raised as an issue.
- With both options there was a deep level of concern about perceived environmental impacts on the seabed, surf break, and marine reserve.
- Findings reflected a strong desire for the solution to be “fit for purpose” for fifty years taking into account environmental factors such as climate change, sand recession and sea level changes.

The Warringah Coastal Community Committee were also informed about the proposed solutions and made a recommendation “that as part of the Collaroy Stormwater Outlet replacement Council consider options to recycle water or to use local parks as retention and absorption basins (covered by community gardens or car parks)”. This is a beneficial aim, however the current project scope is limited to replacing the failing stormwater outlet rather than the broader Collaroy stormwater network. There will be further work done to try and minimise flooding upstream of Pittwater Road, and options for recycling, detaining etc can be considered as part of that work.

SUMMARY – THE RELOCATION (SOUTHERN BEACH) OPTION

This option offers the advantage of removing the existing structure from the beach, which would improve the visual appearance of the area, as well as eliminating the potential risk to swimmers and surfers. The view has been expressed that it is “a once in a generation opportunity to get the structure off the beach”.

However this option is considerably more expensive, and may reduce the water quality in the rock pool under certain conditions. This may pose a risk to swimmers, and could result in the need for additional pool cleaning.

During consultation concerns were raised about additional possible impacts on the surf break, the beach, and the Long Reef Aquatic Reserve. A significant amount of investigation would be required to confirm whether or not these issues are real.

The construction impact would result in significant disruption to the use of the reserve, car park, rock pool, surf club, and the Collaroy All-abilities Tourism Precinct Project.

SUMMARY – THE REPLACEMENT (MIDDLE BEACH) OPTION

The two major criticisms of the existing stormwater outlet are its intrusive visual appearance on the beach, and the potential risk of swimmers and surfers colliding with the structure in the surf zone. Council lifeguards have reported a number of such incidents in the past.

However the existing location offers a sound technical solution for the necessary drainage of stormwater, with possibly a limited opportunity to improve on the shape and form of the existing stormwater structure. This could partially reduce the risk for swimmers and surfers, as well as improving the visual amenity.

The cost of the replacement option is considered to be affordable, and the project would have a relatively low construction impact on the use of the reserve, car park, rock pool, surf club, and Collaroy All-abilities Tourism Precinct Project.

As the risk analysis has indicated, neither option is without risk, however given the extreme difference in cost, it is reasonable to recommend the replacement option.

TIMING

Subject to Council adopting the recommendation for the replacement (Middle Beach) option as the location for the new Collaroy stormwater outlet, staff will move forward with the preparation of detailed design and technical specifications to enable construction of the replacement outlet. It is anticipated that construction would occur in the 2013 winter season.

POLICY IMPACT

Nil

FINANCIAL IMPACT

The preliminary estimate for the construction cost of the recommended replacement (Middle Beach) option is \$ 1.43 million (ex GST), which together with project management costs and contingency should fall within the allocated budget of \$1,896,175 (ex GST). This construction cost estimate will be updated by an independent Quantity Surveyor following completion of the detailed design phase of the project.

ITEM 8.7	MINUTES OF THE MANLY LAGOON CATCHMENT COORDINATING COMMITTEE HELD 22 MARCH 2012
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/238914
ATTACHMENTS	1 Minutes of the Manly Lagoon Catchment Coordinating Committee held 22 March 2012 (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To report the minutes of the meeting of the Manly Lagoon Catchment Coordinating Committee held 22 March 2012.

SUMMARY

The main function of the Manly Lagoon Catchment Coordinating Committee (MLCCC) is 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, members of the local community, State Government representatives and Council Officers. Meetings are held quarterly and are currently being chaired by Warringah Council. After September, it will return to Manly Council to chair and administer for two years.

Cr Wilkins chaired the meeting and together with Cr Harris, represented Warringah Council at the meeting on 22 March 2012.

FINANCIAL IMPACT

The projects that were discussed at the meeting involving Warringah Council have been fully budgeted for in line with project plans and financial forecasts.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the minutes of the Manly Lagoon Catchment Coordinating Committee meeting held on 22 March 2012 be noted.

REPORT

BACKGROUND

The main function of the Manly Lagoon Catchment Coordinating Committee (MLCCC) is as an advisory body to both Warringah and Manly Councils on matters concerning the management of Manly Lagoon and its catchment. Membership of the Committee comprises representatives from the elected Councils of Warringah and Manly, local community, State Government and Council Officers. Meetings are held quarterly. Cr Wilkins chaired the meeting and together with Cr Harris represented Warringah Council at the meeting of 22 March 2012.

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

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

The hydrological modelling component of the Manly Lagoon Flood Study is nearing completion. The consultant has been investigating previous flood events and using this data to calibrate the model. The next stages of the flood study are hydraulic modelling and climate change analysis followed by the draft flood study report and public exhibition. More information is available on the project web site at <http://gis.wbmpl.com.au/manlylagoon/About.html>

Manly Council presented photographs and a short video showing flash flooding episodes in Manly in February and March this year. The video also showed entrance conditions after the mechanical opening of Manly Lagoon to demonstrate typical Intermittent Closed or Open Lake or Lagoon (ICOLL) behaviour and the relationship between storm water input and entrance behaviour.

The issue of flood information and local road and lagoon conditions during flood events was discussed, as was the need for emergency action planning. It was recommended that the Manly SES representative be invited to the 26 July meeting to discuss SES procedures during flood in events in the Manly catchment.

b) Draft Warringah Biodiversity Conservation Study

Warringah Council presented an overview of Warringah's Draft Biodiversity Conservation Study, which will be used as a tool in managing bushland in Warringah and aims to give a value to all bush land in Warringah in terms of biodiversity conservation value. It was noted that parts of the Manly Lagoon Catchment are ranked as having very high conservation significance.

c) MLCCC Memorandum of Understanding (MoU)

Warringah Council presented background information on the MLCCC MoU review, which is being undertaken by Manly and Warringah Council staff. The review will produce a document that will focus on addressing broad, ongoing management of the lagoon and its catchment and the development of project agreements for future joint projects.

OTHER ISSUES**d) Water Sensitive Urban Design**

Warringah Council staff provided an update to the Committee on the previous meeting's resolution to investigate a WSUD site in the Manly Lagoon catchment. Staff discussions have included investigating opportunities and mechanisms for implementing WSUD initiatives in the catchment. If such a project were undertaken in the future it would be governed by the new MoU, and, if undertaken as a joint project, would be managed and implemented under a specific project agreement. Any future projects would also need to secure funding through both Councils' budget bid process.

Manly Council staff provided a presentation on Water Sensitive Urban Design (WSUD) and Ecological Sustainable Development (ESD) initiatives in the Manly LGA.

Warringah Council staff provided an update on a national WSUD research project Council is partnering in, Cities as Water Supply Catchments.

e) Summary of ICMS Action Matrix

Warringah Council provided a summary on the progress of the Manly Lagoon Catchment Integrated Catchment Management Strategy (ICMS) Action Matrix of 2004 and advised that close to 95% of the actions are being progressed. Of this percentage, 55% have been completed or deemed no longer appropriate and 40% are currently being implemented.

f) Manly Lagoon Maintenance Issues

Cr Whitting proposed a new four-year management plan that would guide activities from 2012 to 2016 including the following issues:

- regular removal of decomposing seaweed from the entrance channel,
- widening of the ocean beach front at high tides,
- regular clearing of gross pollutant traps; and
- re-establishing a concrete deflector plate on the low flow pipes.

Council staff provided responses on each issue and advised that the new MoU and Maintenance Plan would address lagoon maintenance issues such as these. Council staff will follow up with NSW Fisheries on the issue of removing kelp from the entrance channel.

g) Manly Lagoon Sites 3 and 4

Cr Whitting requested the Councils investigate the cost for a culvert that will assist with water flow next to the inlet close to the skate ramp and Kierle Park and dredging under Pittwater Road Bridge (Sites 3 and 4).

Minutes of previous discussions from the MLCCC meeting held on Thursday 12 June 2008 were tabled. These minutes explain that dredging at these sites was not being undertaken due to unknown flood impacts and costs and a recommendation was made to wait until the Flood Study was reviewed. The Committee considered this response and was satisfied with prior recommendations.

ITEM 8.8	MINUTES OF THE NARRABEEN LAGOON FLOODPLAIN RISK MANAGEMENT WORKING GROUP
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2012/236612
ATTACHMENTS	1 Minutes of Narrabeen Lagoon Floodplain Risk Management Working Group held 1 March 2012 (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To report the minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) Meeting held on 1 March 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 NLFRMWG is jointly managed by Warringah and Pittwater Councils. Warringah Council has carriage of the administration and chairing of the Group for the year 2012. NLFRMWG meeting dates for 2012 are 1 March, 7 June, 6 September and 6 December.

FINANCIAL IMPACT

Nil

POLICY IMPACT

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

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) Meeting held at Warringah Council on 1 March 2012 be noted.

REPORT

BACKGROUND

The Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) is a forum which brings together the expertise and diverse community knowledge needed to address floodplain risk management matters relating to Narrabeen Lagoon and its catchment. It plays an important role in the preparation of the Narrabeen Lagoon Flood Study 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. At Council's meeting of 14 February 2012, Council confirmed Councillors Falinski, Harris and Ray as members of the Working Group, and nominated Councillor Harris as chairperson.

NLFRMWG meeting dates for 2012 are 1 March, 7 June, 6 September and 6 December. The date of the meeting scheduled for 6 September occurs during Council's Caretaker mode prior to the next election. A decision regarding the schedule will be made at the 7 June meeting. One possible alternative date is 2 August 2012, and the Flannel Flower Room has been booked for this date just in case.

This report provides the Minutes of the Narrabeen Lagoon Floodplain Risk Management Working Group (NLFRMWG) Meeting held on 1 March 2012. A summary of the key issues discussed during this meeting is provided below, and the Minutes are provided in Attachment 1.

Key Issues at Meeting of 1 March 2012

- Narrabeen Lagoon Flood Mitigation (Entrance Clearance)

Louise Collier from Cardno gave a presentation following the successful completion of the Narrabeen Lagoon Entrance Clearance project. The presentation is included as Attachment 1 of the Minutes.

- Narrabeen Lagoon Flood Study Project Update

Council staff gave a presentation on Stage 3 of the Flood Study, which involves hydraulic modelling. The presentation is included as Attachment 2 of the Minutes. Hydraulic modelling is currently underway and on track to be completed in April 2012. The major part of the discussion was about the consideration of climate change, which comprises Stage 4 of the project. The anticipated completion dates of the remaining stages are as follows:

- Stage 3: Hydraulic Modelling - completion in April 2012
- Stage 4: Climate Change Impact Assessment - completion in August 2012
- Stage 5: Flood Study Report - completion of Draft in October 2012, and Final in March 2013.

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).

FINANCIAL IMPACT

Nil

ITEM 8.9	NARRABEEN LAGOON MULTI-USE TRAIL - STAGE 2B - STAKEHOLDER AGREEMENTS
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/258626
ATTACHMENTS	1 Public exhibition of the Options report

EXECUTIVE SUMMARY

PURPOSE

This report seeks to update Council on the progress of the agreements for the construction of the Narrabeen Lagoon Trail, the terms of any agreements and to seek authority for the General Manager to conclude and execute the Agreements.

SUMMARY

At its meeting of 22 November 2011, Council considered a report to select the preferred concept for Stage 2B of the Narrabeen Lagoon Multi-Use Trail (NLMUT), being the final section required to complete the lagoon loop. Council endorsed the Option 3B concept including a primarily on-ground trail through the Crown Land adjoining the Sydney Academy of Sport (the Academy) and Cromer Golf Club (the Club) and through an existing track along the foreshore of South Creek Reserve.

Council also endorsed the negotiation of agreements with both the Academy and the Club by 17 February 2012, to allow the trail to be constructed along the lagoon foreshore. Council resolved that a further report be presented to Council on the negotiations with the Academy and the Club, prior to executing any agreements between the parties, together with a report on the public exhibition of the Options Report.

At its February 2012 meeting, Council noted the progress of Agreements with the stakeholders and agreed to extend the period of negotiations from 17 February to 17 May 2012.

This report seeks to update Council on the progress of the agreements for the construction of the Narrabeen Lagoon Trail, the key terms under negotiation and to seek endorsement for the General Manager to conclude and execute the Agreements. The report on the public exhibition of the Options report is attached.

Note that due to ongoing negotiations, some late amendments to this Council Report may be required.

FINANCIAL IMPACT

The terms of agreement being contemplated with the Academy and Cromer Golf Club have been budgeted for and do not vary the \$4.4 million budget for the construction of Stage 2B.

POLICY IMPACT

The NLMUT Project has been developed in consideration of recommendations contained within a number of strategies and plans including Warringah Regional Multiple Use Trail Strategy 2007, Dee Why and South Creek Open Space Corridor Plan of Management 2008, Sydney Metropolitan Strategy "City of Cities" 2005: Draft North East Sub-Regional Strategy, Narrabeen Lagoon Estuary Management Plan 2002, Warringah Recreation Strategy 2009 and the Warringah Bike Plan 2010.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That Council delegates authority to the General Manager to execute an Agreement by 31 July 2012 with Cromer Golf Club incorporating terms 1.1 through 1.9 as set out in this report, which includes a contribution by Council of \$400,000 (ex GST) towards the golf course reconfiguration and securing construction access;
 - B. That, should such agreement in item A above not be achieved within this period, Council delegates authority to the General Manager to negotiate with the Minister administering the Crown Lands Act 1989 as required to enable Council to have occupation of sufficient parts of the Crown Land reserve to construct the Trail;
 - C. That Council delegates authority to the General Manager to execute an Agreement by 30 September 2012 with the Sydney Academy of Sport (or parent organisation) incorporating terms 2.1 through 2.7 as set out in this report, which includes a contribution by Council of \$220,000 (ex GST) towards relocation of watercraft activities away from the Crown Land Reserve;
 - D. That, should such agreement in item C above not be achieved within this period, Council delegates authority to the General Manager to negotiate with the Minister administering the Crown Lands Act 1989 as required to enable Council to have occupation of sufficient parts of the Crown Land reserve to construct the Trail.
-

REPORT

BACKGROUND

At its meeting of 22 November 2011, Council considered a report to select the preferred concept for Stage 2B of the Narrabeen Lagoon Multi-Use Trail (NLMUT) adjacent to the Sydney Academy of Sport, Cromer Golf Club and through South Creek Reserve, being the final section required to complete the lagoon loop.

Council then resolved:

- A. *That Council endorse the Option 3B concept including a primarily on-ground trail through the Crown Land adjoining the Academy of Sport and Cromer Golf Course and through an existing track along the foreshore of South Creek Reserve and that the Options Report (Attachment Booklet 1) containing technical assessments and consultation outcomes be publicly exhibited;*
- B. *That Council endorse the negotiation of an agreement with the Academy of Sport by 17 February 2012 for it to relocate its watercraft activities away from the current boatshed location on Crown land to allow the trail to be constructed along the foreshore (Option 3B) with the public access area fenced one side and open to the lagoon, noting that up to \$220,000 has been included for boatshed relocation and/or rebuilding in the Option 3B budget estimate;*
- C. *That Council endorse the negotiation of an agreement by 17 February 2012 with the Cromer Golf Club to reconfigure the golf course to remove the existing 15th hole and to allow access for the trail to be constructed along the lagoon foreshore. The total of Council's contribution for the golf course reconfiguration, including construction access, approvals and other costs is to be limited to \$400,000;*
- D. *That public access be directed along the Option 3B foreshore route through South Creek Reserve and that development of a contiguous 4 hectare habitat area be further explored by fencing off informal tracks, removing the current unsafe access across the weir and revegetating and limiting general public access to the public reserve along the western foreshore of South Creek;*
- E. *That staff prepare a further report to Council on the outcomes of the public exhibition of the Options Report and negotiations with the Academy and Cromer Golf Club, prior to executing any agreements between the parties.*

At its meeting of 28 February 2012, an interim report on the status of the negotiations and the key outcomes of the public exhibition of the Options Report was presented. Council noted the progress of Agreements with the stakeholders and agreed to extend the period of negotiations from 17 February to 17 May 2012.

This report seeks to update Council on the progress of the agreements for the construction of the Narrabeen Lagoon Trail, the terms of any agreements and to seek authority for the General Manager to conclude and execute the Agreements.

PROJECT STATUS

Concurrent with key stakeholder negotiations, the concept design phase for the Stage 2B section of trail has been largely completed and detailed design has commenced. A Species Impact Statement is being prepared by Council as part of the REF (Review of Environmental Factors) approvals process, concurrent with design development.

Subject to satisfactory agreements being resolved with the Club and the Academy, it is anticipated that design and approval activities could be completed this calendar year, with construction

commencing in March 2013. If delays occur in obtaining stakeholder agreements, certain stages of work could commence to progress the project whilst such delays are resolved, however this will inevitably impact on the construction of the Trail and the progress of the Club's works.

NEGOTIATIONS WITH THE CROMER GOLF CLUB

Council tabled its proposed form of Agreement to the Club on 19 March 2012, with various terms still being finalised between the parties at the date of this report. The key terms proposed by Council include the following matters:

Key Terms:

- 1.1 The Club is to redevelop their golf course to accommodate the proposed Trail development, including removal of the current 15th hole, modifications to the 13th and 16th tees and other consequential works to the course;
- 1.2 Council will contribute \$400,000 (ex GST) towards the Club's works, with defined parameters around the allocation of these funds. Expenditure of the Council funding must be as a direct consequence of the Trail development, be generally applied to third party design and construction costs and be verifiable;
- 1.3 Council funding is to be conditional on both a DA being obtained for the Club's works and separate agreement with NSW Crown Lands Division for modification or replacement of the Club's Permissive Occupancy arrangements. Funding will also be subject to appropriate commercial arrangements to protect Council's interests during construction;
- 1.4 The Club will be given a reasonable period to obtain a DA and construct the course reconfiguration before Council commences its works, but this is not open ended. Generally 12 months will be allowed for the Club to obtain a DA and a further 12 months to complete construction;
- 1.5 The Club is to revegetate the area along the western foreshore adjacent to the 16th fairway to improve the depth of vegetation to South Creek.
- 1.6 The Permissive Occupancy agreement will be modified or replaced with an alternate form of tenure for the Club to better resolve the division between the Club's exclusive recreational use areas and the public access zones. The alignment of a fence and environmental buffer zones will also need to be finalised.
- 1.7 Council requires agreement by the Club to allow access over the Club's private land for Council's contractors to build the Trail. A construction management plan is to be agreed and access via the Academy land will be sought to minimize disruption to the Club, but the basic right for reasonable access over the Club's land is a fundamental condition of the Agreement for Council;
- 1.8 Council is to close off the weir pedestrian crossing in South Creek with fencing for safety reasons at the commencement of construction of the Club's works. At the completion of the Club's works and Council's subsequent Trail works, public access will thereafter be via the completed Trail.
- 1.9 Council, at its discretion, may elect to have the Club undertake certain works on its behalf for convenience, with an appropriate transfer of costs.

Some matters within the Agreement remain contentious (specifically Terms 1.3 and 1.6) as both parties seek to reach agreement, however we consider the general intent of the parties to be reasonably aligned now with compatible concept plans being progressed. It is considered that the resolution of a satisfactory Agreement between Council and the Club to be achievable.

In order to maintain the golf course and Trail construction program, agreement is required by 31 July 2012. Should agreement not be reached within this period then Council would pursue alternative measures to allow Council to occupy the Crown Land reserve and construct the Trail (which may include an application to terminate the Club's permissive occupancy).

The Cromer Golf Club has prepared a concept design for the reconfiguration of its golf course and attended a Development Application pre-lodgment meeting with Council's planners. The Club has advised their intent to lodge a DA by the end of June 2012 with a view to commence the work required to reconfigure the course by September 2012, subject to a satisfactory agreement being reached with Council. These course development works need to be commenced in time to allow a reasonable bedding-in and growing period around seasonal influences. Delays in resolving the Agreement could mean significant delays in the Club's ability to commence its course works, with flow-on delays for Council's Trail construction.

NEGOTIATIONS WITH THE SYDNEY ACADEMY OF SPORT

After a long history of seeking a solution for the development of the Trail through the Academy, there now appears a good alignment of interests between the Academy management and Council in respect of the preferred scheme and discussions have been quite positive. However, Council's proposal results in some consequential costs on the Academy, primarily related to their removal of watercraft activity from the foreshore area.

At this time, NSW Communities (the State department administering the Academy) is unable to commit additional funding to undertake these Trail-related works and is exploring whether alternative solutions which involve zero additional capital cost to the State, could be implemented.

From Council's extensive due diligence on this project over many years the staff view is that any alternate scheme will involve either additional capital costs imposed on Council, and/or significantly reduced amenity for the public and ongoing management issues by retaining the watercraft activities in their current location.

Council staff appreciates the focus this project is having within NSW Communities at this time and they have been briefed on a site visit in May 2012 by the Minister for Sport & Recreation. However with new management only just appointed to its senior levels, NSW Communities has suggested they need more time to review and properly cost the implications for the Academy and to investigate possible alternative schemes before any further determinations by them can be made. They have indicated some modest funding is being allocated to undertake appropriate due diligence.

Council have prepared a draft Agreement and provided it to the Academy. The key terms proposed by Council include the following matters:

Key Terms:

- 2.1 That Council will contribute \$220,000 (ex GST) towards the Academy's works (anticipated at more than \$500,000 ex GST) that are required as a consequence of the development of the Trail and the need for the current watercraft activities area to be relocated away from the public foreshore area.
- 2.2 The Academy is to vacate the public foreshore area by June 2013, including demolition or relocation of their northern boatshed;
- 2.3 The Academy is to retain in place and develop an adaptive reuse for the southern boatshed including fit-out and operations by the Academy, which will have a component of local public benefit incorporated to the satisfaction of Council.

- 2.4 The Academy is to grant Council an easement over part of its land for the purposes of constructing the Middle Creek bridge and providing permanent access for the public to the Crown Land;
- 2.5 The Academy is to allow construction access for the Academy section of the Trail through its land and cooperate with Council's contractor to accommodate the required construction activities within its operating program.
- 2.6 The Academy is to also allow for a construction compound and access to be provided for Council to build the Cromer Golf Club section of Trail from its land, which could be carried out at a separate time from the Academy's works if the project is staged.
- 2.7 Upon completion of the Trail, the Academy is to keep clean and maintain, at its cost, the public foreshore area and will also seek some management rights (to be determined) to control any anti-social behaviour on the public land under arrangements with the Reserve Trust manager (being Council).

There may be amendments required by the Academy to the Agreement and its associated design concept above as proposed by Council, which could be considered subject to the intent of Council's proposal remaining substantially intact. However, should Council's proposal be rejected or NSW Communities not be forthcoming with additional funding for the Academy in order to implement the scheme, Council may take such action as required to enable Council to have occupation of sufficient parts of the Crown Land reserve to construct the Trail (which may include an application to terminate the Academy's permissive occupancy).

It is important to note that action to rescind the Academy's Permissive Occupancy arrangements is considered a last resort should negotiations with NSW Communities break down, and may or may not be successful. It is considered that waiting for a formal response to Council's proposed agreement should occur before any such action is contemplated. It is possible NSW Communities may require up to three months to conclude its due diligence and investigations and provide further advice to Council on its position.

The detailed design of this section of the Trail around the boatsheds can be put on hold in the interim, however the detailed design of the Middle Creek bridge and the boardwalk at either end of the Academy section of trail can be progressed (which are the more critical activities under the program). If a positive response from NSW Communities was ultimately forthcoming, then this delay could be absorbed within the overall project program.

NSW Crown Lands Division

Both the Cromer Golf Club and Sydney Academy of Sport occupy Crown land under Permissive Occupancy license arrangements with the NSW Crown Lands Division. Council also has a role as trust manager for the Narrabeen Lagoon Reserve Trust which incorporates the Academy foreshore area within its management scope. Further resolution between each of the Academy, Crown Lands, Council and Council as Narrabeen Lagoon Reserve Trust manager would still be required to determine the land boundary and lease arrangements between these parties in order to implement the proposed scheme for the Trail. However we expect those arrangements could be satisfactorily resolved once an Agreement between Council and the Academy for development of the Trail has been executed.

Council has kept NSW Crown Lands Division informed of the progress of the negotiations with the Club and Academy. They are awaiting resolution of the agreements between the parties after which they will address the required modifications to or replacement of the Permissive Occupancy arrangements in consultation with all parties.

Replacement of the current Permissive Occupancy arrangements with an alternate form of tenure, will likely involve an adjustment of the boundary of the Cromer Golf Course and the Academy to recognise the current uses and provide a clearer demarcation between public land and the

exclusive use areas of these key stakeholders. This could involve either a sale or long-term lease of parts of the public reserve.

PUBLIC EXHIBITION OF THE OPTIONS REPORT

The Options Report was placed on public exhibition from 25 November to 22 December 2011. A total of 17 submissions were received during this period. Of these submissions:

- Twelve submissions supported the preferred Option 3B, and one opposed it.
- Four submissions supported the removal of the boatsheds as being a good solution.
- One submission supported the financial contribution to the Cromer Golf Club, and two opposed it.
- A number of comments were made concerning the impact on the environment, and with various suggestions for mitigation measures.
- Four submissions supported the efforts and consultative process undertaken to date, and one opposed it

A detailed report on the public exhibition of the Options report has been included in the Annexure. In summary, from the responses received it is considered that Option 3B has community support.

TIMING

The Agreement with the Club is required by 31 July 2012 and will allow construction of the Trail to commence in March 2013. The Agreement with the Academy is required by 30 September 2012 and will allow vacation of the public foreshore by 30 June 2013.

POLICY IMPACT

The NLMUT Project has been developed in consideration of recommendations contained within a number of strategies and plans including Warringah Regional Multiple Use Trail Strategy 2007, Dee Why and South Creek Open Space Corridor Plan of Management 2008, Sydney Metropolitan Strategy "City of Cities" 2005: Draft North East Sub-Regional Strategy, Narrabeen Lagoon Estuary Management Plan 2002, Warringah Recreation Strategy 2009 and the Warringah Bike Plan 2010.

FINANCIAL IMPACT

The terms of agreement being contemplated with the Academy and Cromer Golf Club have been budgeted for and do not vary the \$4.4 million budget for the construction of Stage 2B.

Public Exhibition Comments for Preferred Alignment

Stage 2B Narrabeen Lagoon Trail

Background

At its meeting of 22 November 2011, Council endorsed a preferred alignment for Stage 2B of the Narrabeen Lagoon Multi-Use Trail (NLMUT). The preferred alignment, known as Option 3B, includes a primarily on-ground trail along the foreshore of the Sydney Academy of Sport and Recreation (Academy), the Cromer Golf Club (Cromer GC) and South Creek Reserve. This is the final section required to complete the lagoon loop.

The recommended Option 3B was detailed in an Options Report which documented the extensive investigations, technical analysis, and community and stakeholders consultation that were undertaken since 2008. Prior community engagement included the exhibition of the four most viable options during which time Council received feedback from 47 workshop participants as well as 136 written comments from the Community (May-June 2011).

Following Council's resolution of the 22 November 2011, the Options Report and recommended option was placed on public exhibition from the 25 November to the 22 December 2011. A total of 17 submissions were received during this period and these are summarised below.

1 Preferred Option 3B

A total of 12 comments out of 17 expressed support for the preferred Option 3B as it utilised public land; was primarily on-ground; was in close proximity to the foreshore and it avoided the high costs and environmental impacts associated with a pontoon for example. These comments referred to Option 3B as being a logical/commonsense solution with an appropriate compromise of the various aspects of the environment and recreation. Four comments in particular supported the removal/reconstruction of the boatsheds as being a good solution. These comments were strongly supportive of the project and solution and expressed a desire to see the project's completion.

The 1 comment in opposition to the preferred Option 3B thought it was unacceptable to remove the golf course's 15th hole and believed this option would destroy the beautiful lakeside vista on the southern shoreline at the Cromer GC and the Academy. They thought that Council had ignored numerous and viable options including a boardwalk which they wanted further explored; they didn't think the boardwalk would significantly affect seagrasses and thought the photomontage was misleading.

1.1 Response

A total of five (5) boardwalk options were explored in detail within the Options Report, which included the assessment of 8 preliminary options, 9 exploratory options and 4 of the most viable options which were selected in consultation with key stakeholders including the Sydney Academy and the Cromer GC.

These boardwalk options were also addressed in an Aquatic Environmental Assessment which recommended avoiding any in-water options to reduce impacts on sensitive seagrasses. This advice was also consistent with that of the Department of Primary Industries – Fisheries. Another reason boardwalks were excluded was due to the associated high costs.

The over-water photomontage was developed by Council's landscape architects. This process involved determining heights from existing site features, at a given distances from the view point, using aerial photography. Using this information, a scaled drawing of the proposed structure was then developed and superimposed onto the existing site photo at the given distances using known levels and proposed heights. These landscape architects will also address visual impacts of the trail to ensure there is no adverse impact on foreshore vistas.

Option 3B was found to be the safest option through the Golf Course as it allowed complete separation of the trail users and Cromer GC. To mitigate the impact on the Cromer GC, Council allocated \$400,000 within the project budget for the golf course reconfiguration, construction access and approvals. Council is working with Cromer GC to minimise impact during construction and initial planning exercises indicate that continued golf operations during construction is achievable.

2 Community engagement process

As above Council received strong support for the project and the process which included 1 comment supporting Council's consultation to date and 3 comments congratulating Council on the Project. Another comment (1) objected to the exhibition of the preferred option during the Christmas break and requested a longer exhibition period. A further comment (1) objected to the consultation process, believing community objections were ruled out in a clandestine fashion and that Council was being ruled as a dictatorship.

2.1 Response

The Options Report and recommended option was placed on public exhibition for a total of four weeks ending 22 December 2011. This period of exhibition is in line with Council's normal practice and included over 21 days of exhibition outside of the school holiday period. To notify the community of the Options Report and recommended option, the webpage was updated and an email was sent to 130 people who have registered their interest in the Narrabeen Lagoon Trail Project, 1800 people registered for Council email updates and 1200 people registered on Council's Yoursay Warringah website. A Council Notice was also published in the Manly Daily on the 26 November and the 3 December 2011.

Prior to this exhibition, a number of measures were undertaken to inform and involve the community including the establishment of the Narrabeen Lagoon Projects register for provision of regular project updates to registered community members. Project updates were regularly provided on Council's website, the Yoursay Warringah website, Council publications, the Manly Daily and emails to identified and registered stakeholders. A survey and online forum was also undertaken to seek information on trail usage.

To involve the community in the selection of the Stage 2B alignment, Council held a Community Workshop on 5 May 2011 and publicly exhibited the workshop presentation material from 3 May to 3 June 2011. Overall Council received positive feedback about the workshop, with 82% of participants being either satisfied or very satisfied in the workshop overall. Some participants however outlined they would have preferred to have an opportunity to ask questions in an open forum and to see more technical information, in particular the environmental reports and costs. Council subsequently released the Options Report which includes the technical analysis and background material for which Council has used to base their decision and requested comment. Further community input will be sought once the designs are suitably developed.

3 Golf Club Contribution

One comment (1) expressed support for the contribution to the Cromer Golf Club to resolve access through the 15th hole, seeing this as necessary to solve the problem of re-gaining access to public land.

Two comments (2) stated objections toward the contribution on the grounds that the club should have planned their golf course with the knowledge that they only had temporary occupancy of the land and operated with the expectation that their use of this land could be terminated at any time. Those who objected didn't see the club had any grounds for compensation, were concerned about the use of rate payer's money on the redesign and reconstruction of the golf course and believed that this should be entirely the Cromer GC's problem.

3.1 Response

Council has endorsed a contribution to the Cromer GC of up to \$400,000 for a number of reasons which are detailed in the Options Report. Firstly, this contribution reduced the risk of Council relying on Ministerial discretion in trying to force the issue with the Golf Club. Secondly, the majority of Council's previous comments indicated support for providing a contribution and there was concern that the Club would experience extreme financial difficulties without one. Thirdly, Council requires construction access across the Golf Course in order to reduce costs for construction (as access wouldn't be required by barges for example) and lastly the contribution enables Council to have increased influence over the course design and ensure environmental benefits.

4 Design and costs

A number of comments were received relating to the designs and costs:

- The proposals are grossly engineered, too costly and do not make the best use of the existing foreshore reserve for public recreation (1)
- Consider inclusion of a jetty to allow access to the foreshore for people to experience the lagoon (1).
- The proposed path is 'too wide' (1)
- There is no detail as to the fencing between the Academy and the trail (1).

4.1 Response

To date Council has agreed on an alignment only. The detailed designs, construction techniques and materials will be determined in the design process which is underway. These designs will include detail such as the width of the trail which will be determined based on guidelines for a multiple-use path; fencing adjoining land and any opportunities for the public to access the foreshore. It is Council's intention to publicise these designs on its website when they have been suitably developed. Fencing the boundaries of the Academy is subject to agreements between Council and the Academy

5 Bridge design

The following comments were received regarding bridge design:

- Assuming the bridges will be high enough to allow watercraft to pass underneath (1)
- Current bridge considered structurally over designed (1)
- Would like more information on bridge construction (1)
- Consider running design competition or call for submissions from local architects (1)

5.1 Response

Council will be setting the bridge level at a height appropriate to allow movement of craft and flood water and debris.

The recent bridge constructed over Deep Creek was designed and constructed by Pittwater Council.

In 2010 Council called public tender number RFT T2010/050 - Consultancy Services for the Design of the Narrabeen Lagoon Trail - Stages 2A and 2B. This scope of works included the design of the bridges over Middle and South Creeks. At its meeting on 26 August 2010 Council resolved to accept the tender from Thompson Berrill Landscape Design Pty Ltd for these services. Council subsequently entered into a contract with Thompson Berrill Landscape Design Pty Ltd in September 2010. The architectural and structural concepts for the two bridges are currently being

progressed. It is Council's intention to publicise these designs on its website when they have been suitably developed.

6 Agreements reached through the Cromer Golf Club's DA and the Dee Why Valley and South Creek Corridor Plan of Management

One comment (1) was concerned that the preferred Option 3B did not utilise the public access track approved by the Cromer GC's DA2003/0856 and was inconsistent with the alignment indicated in the Dee Why Valley & South Creek Corridor Plan of Management (Dee Why Valley POM).

6.1 Response

These alignments were considered during the Options Development process and were excluded for a number of reasons. These included:

- The public access track approved by the Cromer GC's DA2003/0856 required the public to fairways on private land owned by the Cromer GC. The Options development process found this alignment would pose an unacceptable risk to public safety and had the potential to create continual conflict between the trail users and the Cromer GC.
- The alignment proposed within the Dee Why Valley POM was based on the above public access track however it extended south of the weir to Toronto Avenue. This alignment was found to cause disturbance to a greater length of the South Creek foreshore which provides important habitat for the endangered species.

Through establishing draft legal agreements with the Cromer GC, Council is achieving an action outlined in the Dee Why Valley POM, being 'Investigate obtaining control of the South Creek Foreshore land... and establish an agreement with the Golf Club regarding the use of the land' (Actions 14 and 15).

7 Environmental Impacts and recommended amelioration measures

Three comments (3) were concerned of the environmental impact of Option 3B and some included a list of suggested 'amelioration measures' to offset the impacts. These recommendations included:

- all species are propagated from local species
- revegetating an area up to 10 times what is disturbed
- setting aside the Cromer GC's Permissive Occupancy area as an environmental reserve
- rehabilitation of saltmarsh
- timing construction to minimise impact on fauna

7.1 Response

Council is working with their appointed ecologists to determine the best way to avoid impact on the environment. Where an impact cannot be avoided, Council will be working toward offsetting impacts through long term commitments to bush regeneration and fencing sensitive areas (to name a few). An environmental assessment is being prepared which will recommend amelioration measures before, during and after construction. Where appropriate, these measures will be publicly notified (e.g. through publication of the designs and/or establishing wildlife protection areas).

8 Long term management of the Cromer Golf Club's permissive occupancy area

Three comments (3) made recommendations regarding the permissive occupancy area adjoining the Cromer Golf Club. These included:

- Retain limited public access in form of narrow foot track for pedestrian use only. Wheeled access would not be suitable.
- Access could be restricted by signs gates or styles.
- Excluding public access would appear as private domain of golf course.
- Revegetating 30 metres of foreshore for screening and protection from golf balls.
- Use of the walking track within corridor for monitoring and education purposes.
- Weir access should not be closed off completely and remain accessible for walkers.
- Replacement of weir with stepping stones would allow limited access.
- Fencing the Cromer GC's private land

8.1 Response

Fencing and use of the permissive occupancy area is subject to agreements with the Crown Lands Division and the Cromer GC and will be dependent on the proposed realignment of the Golf Course.

Once the trail is complete Council will be encouraging trail users to utilise formalised paths on the eastern side of South Creek rather than using the permissive occupancy area adjoining the Cromer Golf Club. This will provide a safer route for trail users away from errant golf balls, provide opportunities for regeneration along the western foreshore of South Creek and reduce disturbance to this ecologically sensitive area. If this area is protected then fencing may be considered to restrict access.

Removal of the weir is not considered a priority by Council at present.

9 Hydrological and Environmental impacts in South Creek Reserve

Three comments (3) expressed concern about the hydrological and environmental impacts in South Creek Reserve. These concerns included:

- Concern about the use of fill in SCR
- Would like to consider elevated sections to allow fauna movement also.
- Wants assurance that no impact will occur on EECs and hydrology
- Need management plan to discourage human activities on the delta and regularly move the effects - often a lot of waste and fishing tackle is left here which is a danger to wildlife.
- Possibly fencing/exclusion should be considered to allow fauna movement and restrict humans.
- Interpretive signage required to highlight why this area is protected from access by people and dogs, the importance of keeping it at as a wildlife refuge, including keeping waterbirds free of disturbance by dogs on the delta area.
- Concern about fencing restricting wildlife and ensuring adequate corridor provided for wildlife away from the roads.
- Needs more detail on the type of fencing.
- Considers SCR to be natural, needs information on historical density.

9.1 Response

Council is obtaining a hydrological impact assessment which will recommend measures to reduce hydrological impacts through South Creek Reserve. This will likely include a mix of boardwalk and on-ground sections with pipes to facilitate drainage. Only clean fill will be used where required.

The impacts on EECs will be assessed as part of Council's environmental assessment which will recommend amelioration measures to reduce the impact on EECs. Where appropriate, these measures will be publicly notified (e.g. through publication of the designs and/or establishing wildlife protection areas).

Interpretative signage is proposed to be developed around the trail loop.

Conclusion

Fewer comments were received during the exhibition of the preferred alignment than the 136 comments received during the previous exhibition of the four most viable options in May-June 2011. The reason for the reduced amount of comments was probably because most the issues had been canvassed via this earlier exhibition plus the exhibition was carried out before the Christmas season.

In summary, most of the feedback received during this exhibition was supportive of the preferred Option 3B. A lot of comments referred to elements of the design and amelioration which will be determined over the following months. It is Council's intention to publicise these designs on its website when they have been suitably developed.

ITEM 8.10	IMPLEMENTATION OF MITIGATION MEASURES FOR NARRABEEN LAGOON TRAIL - PROPOSED WILDLIFE PROTECTION AREAS
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2012/241695
ATTACHMENTS	<ol style="list-style-type: none">1 Land Parcels and Owners consent - Proposed Wildlife Protection Areas - Narrabeen Lagoon Trail2 Submissions assessment table - proposed wildlife protection areas - Narrabeen Lagoon Trail3 Community consultation program summary - proposed wildlife protection area - Narrabeen Lagoon Trail4 Poster - Temporary signage - proposed wildlife protection areas

EXECUTIVE SUMMARY

PURPOSE

To update Council following community consultation undertaken for the declaration of "Wildlife Protection Areas" (WPAs) under the *Companion Animals Act 1998* and recommend that Council declare WPAs over the remaining five Crown land parcels, as recommended within the Species Impact Statement (SIS) for Stage 1 of the Narrabeen Lagoon Trail.

SUMMARY

Community consultation for the proposed WPAs was undertaken during February and March 2012, the current report includes a summary of the submissions (see Attachment 2) and details of community consultation (see Attachments 3 and 4). No objections to the proposed WPAs were received during the consultation process.

The NSW Department of Primary Industries - Catchment and Lands (DPICL) (formerly the NSW Land and Property Management Authority) has raised no objections to the proposal subject to concurrence from the Wakehurst Parkway Reserve Trust (R89191), managed by Warringah Council. Following concurrence from Warringah Council, the five remaining Crown land parcels will be declared WPAs as part of the Mitigation Measures for Stage 1 of the Narrabeen Lagoon Trail.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The declaration of WPAs and associated management is consistent with the following policies and strategies: Warringah Council Dog Control, Free Run Areas: ENV-PL 310; Warringah Council Local Habitat Strategy 2000; *Warringah Regional Multi-use Trail Strategy 2007*; and *Bushland Policy ENV-PL 005*.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Notes the outcomes of community consultation undertaken for the proposed Wildlife Protection Areas
 - B. Declares the remaining five Crown Land parcels listed in Attachment 1 as Wildlife Protection Areas under the *Companion Animals Act 1998*.
-

REPORT

BACKGROUND

The establishment of Wildlife Protection Areas (WPAs) under s14 and s30 of the *Companion Animals Act 1998* is the only legal mechanism to expressly prohibit access by dogs and cats to areas of public land, as recommended within the Species Impact Statement (SIS) for Stage 1 of the Narrabeen Lagoon Trail.

In addition, the declaration of WPAs allows Council to:

- Issue infringement notices to owners of cats and dogs found in the WPA;
- Seize and remove cats or dogs found in reserves if they are not accompanied by an owner;
- Monitor and trap feral and domestic cats within declared parcels of land;
- Monitor and trap wild dogs within the declared parcels of land; and
- Continue monitoring and controlling foxes within declared parcels of land.

Owners consent for declaration of Wildlife Protection Areas

A number of land parcels are proposed for declaration as WPAs as recommended within the Species Impact Statement (SIS) for Stage 1 of the Narrabeen Lagoon Trail. In total, the subject area makes up 12 individual parcels with an area of approximately 54 hectares (Attachment 1).

As these twelve parcels are under different ownership and management, the SIS specified that Council would consult with the relevant landowners before declaring these parcels as WPAs. At the Council Meeting on 27 September 2011, Council resolved to declare seven parcels of land making up approximately 37 hectares as WPAs, as owners consent had been received for declaration of these parcels (Item 10.2 Implementation of the Mitigation Measures for Narrabeen Lagoon Multi-use Trail).

The remaining five Crown land parcels cover an area of approximately 17 hectares. These parcels are subject to Aboriginal land claims and as such, consultation with the Metropolitan Local Aboriginal Land Council (MLALC) has been undertaken as per the request of NSW DPICL. Furthermore, as dog access is usually permissible within most Crown lands, it is appropriate to undertake community consultation before declaring those parcels as WPAs. Following community consultation and discussions with MLALC, Council sought owners consent from NSW DPICL who have raised no objections to the proposal.

It should be noted that while legal advice, gathered subsequent to seeking owners consent, advises that there is no statutory requirement for Council to seek landowners consent under the *Companion Animals Act 1998* or other relevant legislation, Council's proactive approach on the matter has been to consult with all relevant stakeholders in relation to our intentions to declare the WPAs.

The intent of this report is to update Council with the outcomes of community consultation, and recommend declaration of the remaining five Crown land parcels as WPAs.

Prohibition on domestic dogs and cats within the Wildlife Protection Area

As per the SIS, the declaration of these parcels as WPAs will allow Council to place a prohibition on domestic dogs and cats within the area identified for the proposed WPAs, whether on or off lead.

In this instance, the SIS specifies that the prohibition on dogs and cats should be permanent, except for those parcels that the Trail traverses. To facilitate the fox baiting program, dog access will be periodically suspended on the Trail itself. The purpose of this prohibition is to offset for the loss of habitat for Black Bittern and other threatened species resulting from the construction and operation of the Trail.

The prohibition of dogs and cats will:

- Reduce the impacts of predation on native fauna from domestic dogs and cats – including roaming animals
- Reduce the impact of predation on native fauna from wild dogs and feral cats
- Reduce disturbance to breeding and foraging habitat by feral and domestic cats and dogs
- Facilitate the implementation of the integrated vertebrate pest management program – currently, for the safety of domestic cats and dogs, fox and cat control is restricted to areas where domestic animals are prohibited.

This was an outcome negotiated by Council staff with the authors of the SIS in lieu of a permanent prohibition of domestic dogs, on the Trail at all times as required by a preliminary form of the SIS. It is considered that providing dog walking access to Stage 1 of the Narrabeen Lagoon Trail will be of greater benefit to the community than providing informal access to the remainder of the proposed WPAs adjoining Garigal National Park. The only other alternative is to prohibit dogs and cats on the Trail as per the draft SIS. The implementation of the ameliorative and mitigative measures from the SIS is a legislative obligation of the consent to build the Trail.

CONSULTATION

Community consultation for the proposed WPAs was undertaken during February and March 2012. This report recommends the declaration of the remaining five Crown land parcels as WPAs. In accordance with Council's Community Engagement Matrix, Council has undertaken community consultation including notices in the Manly Daily (18 and 25 February 2012), updates to Council's websites, emails to registered contacts, notices at Council libraries and the installation of temporary signage (see Attachments 3 and 4).

A total of seven submissions were received from the community during the exhibition period including two on behalf of larger community groups. Four of the seven submissions stated support for the proposed WPAs and no objections were raised in any submissions. Responses to the issues/comments raised within submissions are addressed in Attachment 2.

Consultation relating to on-going vertebrate pest management activities will be undertaken in conjunction with management activities, including fox baiting. This consists of signage at all reserve entrances, notices in the Manly Daily and letter box drops advising of periods of reserve closure.

TIMING

Upon declaration of the remaining Crown land parcels as WPAs, signage will be placed at all entrances to the parcels of land, followed by a media release in the Manly Daily. Monitoring for vertebrate pest species has commenced, and control measures (if and when required) will not commence until after community consultation is complete.

POLICY IMPACT

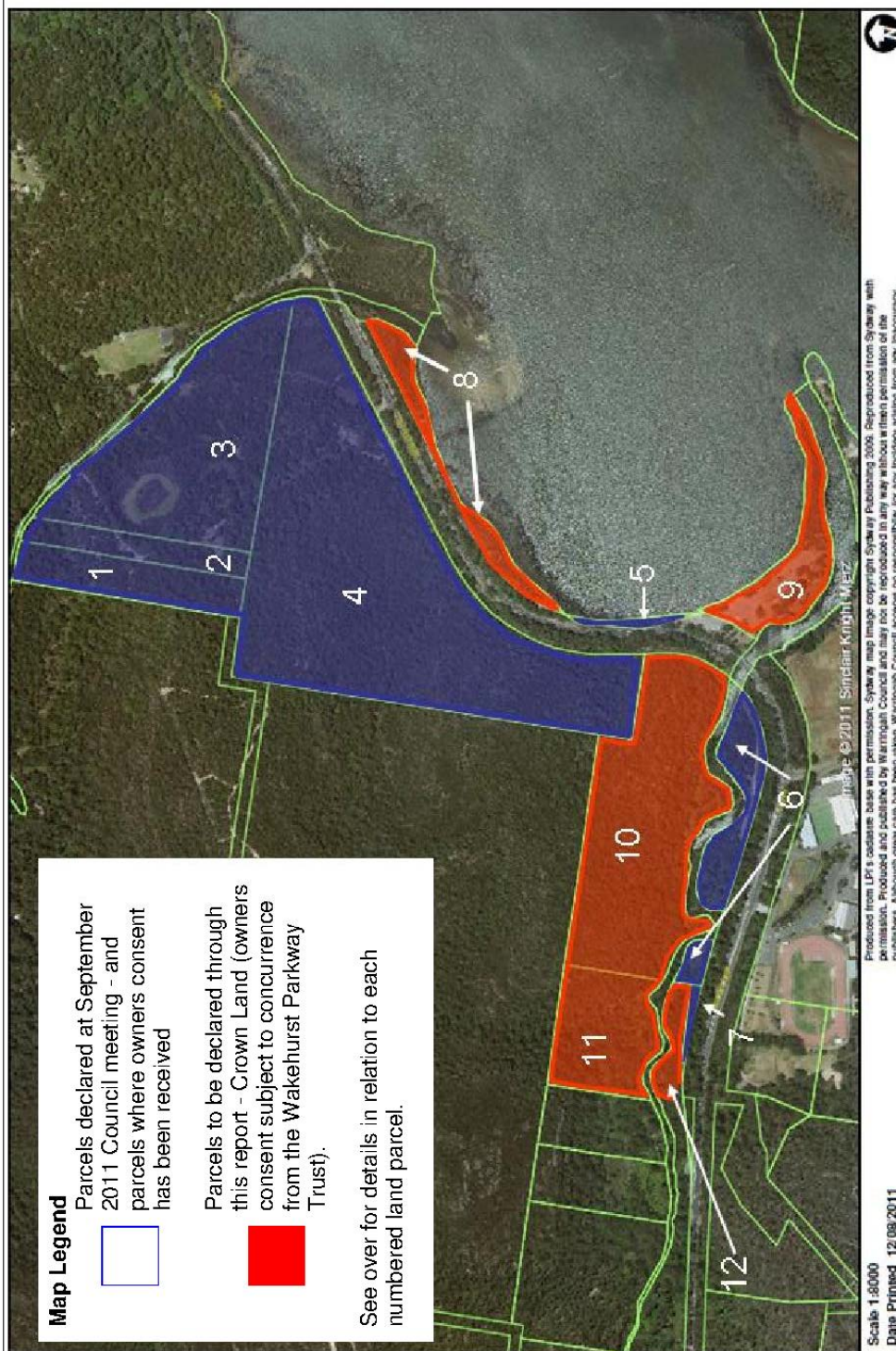
The declaration of WPAs and associated management is consistent with the following policies and strategies: Warringah Council Dog Control, Free Run Areas: ENV-PL 310; Warringah Council

Local Habitat Strategy 2000; Warringah Regional Multi-use Trail Strategy 2007; and Bushland Policy ENV-PL 005.

FINANCIAL IMPACT

Nil

ATTACHMENT 1 – LAND PARCELS AND OWNERS CONSENT



Parcel No.	Lot and DP #	Area	Land Owner	Plan of Management	Owners Consent - Declaration of Wildlife Protection Area	Enforcement Delegations	Declaration status
1	Lot A, DP 372120	25758.5 m ²	Department of Planning and Infrastructure	No adopted Plan of Management, subject to proposed Deep Creek Plan of Management	Owners consent received.	Council has management responsibilities via the EP&A Act and thus has enforcement powers. No further agreement required.	Authorised and declared at 27 September 2011 meeting
2	Lot B, DP 372120	16309.9 m ²	Department of Planning and Infrastructure	No adopted Plan of Management, subject to proposed Deep Creek Plan of Management	Owners consent received.	Council has management responsibilities via the EP&A Act and thus has enforcement powers. No further agreement required.	Authorised and declared at 27 September 2011 meeting
3	Lot 1, DP 1031932	90435.6 m ²	Department of Planning and Infrastructure	No adopted Plan of Management, subject to proposed Deep Creek Plan of Management	Owners consent received.	Council has management responsibilities via the EP&A Act and thus has enforcement powers. No further agreement required.	Authorised and declared at 27 September 2011 meeting
4	Lot 2, DP 1031932	210645.4 m ²	Department of Planning and Infrastructure	No adopted Plan of Management, subject to proposed Deep Creek Plan of Management	Owners consent received.	Council has management responsibilities via the EP&A Act and thus has enforcement powers. No further agreement required.	Authorised and declared at 27 September 2011 meeting
5	Lot 7, DP	2209.2 m ²	NSW Roads and Maritime	No adopted Plan of Management. Multi-Use	Owners consent	No current responsibility or	Authorised and declared at 27

Parcel No.	Lot and DP #	Area	Land Owner	Plan of Management	Owners Consent - Declaration of Wildlife Protection Area	Enforcement Delegations	Declaration status
	749899		Services	Trail located within this parcel.	received.	enforcement powers. Further agreement required.	September 2011 meeting
6	Part Lot 1, DP 74818	18220.5 m ² + 3138.5 m ² = 21,359 m ²	Minister Administering the Sporting Venues Management Act	Part of the parcel for the Sydney Academy of Sport and Recreation. No adopted or proposed Plan of Management	Owners consent received.	No current responsibility or enforcement powers. Further agreement required.	Authorised and declared at 27 September 2011 meeting
7	Lot 887, DP 752038	1530.8 m ²	Minister Administering the Sporting Venues Management Act	No adopted or proposed Plan of Management	Owners consent received.	No current responsibility or enforcement powers. Further agreement required.	Authorised and declared at 27 September 2011 meeting
8	Lot 5, DP 749899	14429.2 m ²	NSW Dept of Primary Industries - Catchment and Lands (Crown Land)	No adopted Plan of Management. Multi-Use Trail located within this parcel.	Deferred subject to concurrence from the Wakehurst Parkway Reserve Trust.	No current responsibility or enforcement powers. Further agreement required.	For declaration through this report.
9	Lot 7361, DP 1164008	25454.8 m ²	NSW Dept of Primary Industries - Catchment and Lands (Crown Land)	Oxford Falls Regional Crown Reserve Plan of Management. Multi-Use Trail located within this parcel.	Deferred subject to concurrence from the Wakehurst Parkway Reserve Trust.	Council has management responsibilities via Crown Lands Act 1989 thus has enforcement powers. No further agreement required.	For declaration through this report.
10	Lot 7062, DP 93798 (Middle	96849.6 m ²	NSW Dept of Primary Industries -	Generic Bushland Plan of Management	Deferred subject to concurrence from the Wakehurst Parkway	Council has management responsibilities via	For declaration through this report.

Parcel No.	Lot and DP #	Area	Land Owner	Plan of Management	Owners Consent - Declaration of Wildlife Protection Area	Enforcement Delegations	Declaration status
	Creek Reserve 2)		Catchment and Lands (Crown Land)		Reserve Trust.	Crown Lands Act 1989 thus has enforcement powers. No further agreement required.	
11	Lot 95, DP 752038	33435.3 m ²	NSW Dept of Primary Industries - Catchment and Lands (Crown Land)	Generic Bushland Plan of Management	Deferred subject to concurrence from the Wakehurst Parkway Reserve Trust.	Council has management responsibilities via Crown Lands Act 1989 thus has enforcement powers. No further agreement required.	For declaration through this report..
12	Lot 7060, DP 1058878	7075 m ²	NSW Dept of Primary Industries - Catchment and Lands (Crown Land)	Generic Bushland Plan of Management	Deferred subject to concurrence from the Wakehurst Parkway Reserve Trust.	Council has management responsibilities via Crown Lands Act 1989 thus has enforcement powers. No further agreement required	For declaration through this report.

ATTACHMENT 2 - SUBMISSIONS ASSESSMENT TABLE

Item	Number of submissions in relation to this comment/issue	Summary of the Community's comments	Staff assessment	Recommendation
1)	4	General support for provision of Wildlife Protection Areas associated with the Narrabeen Lagoon Trail.	Noted	No change or recommendations made.
2)	2	Questioning of who is going to manage, police and or enforce dogs being kept on leash.	Warringah's Companion Animals Management Plan (CAMP) outlines how Warringah Council will fulfil its responsibilities under the <i>NSW Companion Animals Act 1998</i> . Warringah's Rangers enforce the provisions of the <i>NSW Companion Animals Act 1998</i> . The Act provides for a number of 'on-the-spot' fines for breaches. A combination of enforcement and education is considered most appropriate.	Council will be implementing compliance, enforcement and education associated with off leash dog users on the trail.
3)	2	Danger of off leash dogs to passing cyclists and nuisance to walkers	The proposed declaration of Wildlife Protection Areas restricts access to on leash dogs only and is a conditional allowance for the trail itself. Dogs are not permitted in adjoining areas of intact bushland. The <i>NSW Companion Animals Act 1998</i> prohibits dogs from being in public places unless they are on a lead and under the effective control of a competent person. Warringah's Rangers enforce the provisions of the <i>NSW Companion Animals Act 1998</i> .	Council will be implementing compliance, enforcement and education associated with off leash dog users on the trail.
4)	1	Potential for off leash dogs to force wildlife onto the adjacent Wakehurst pathway causing roadkill	The proposed declaration of Wildlife Protection Areas ensures dogs are on leash at all times and thus under the control of their owner. The <i>NSW Companion Animals Act 1998</i> prohibits dogs from being in public places unless they are on a lead and under the effective control of a competent person. Warringah's Rangers enforce the provisions of the <i>NSW Companion Animals Act 1998</i> .	Council will be implementing compliance, enforcement and education associated with off leash dog users on the trail.
5)	1	Interested to know how the WPA's would be sign posted.	Warringah Council will be undertaking signage re-branding during 2012. As part of this process, Council will investigate and decide on appropriate symbology to represent Wildlife Protection Areas.	Install signage as soon as practicable and ensure it is visible.

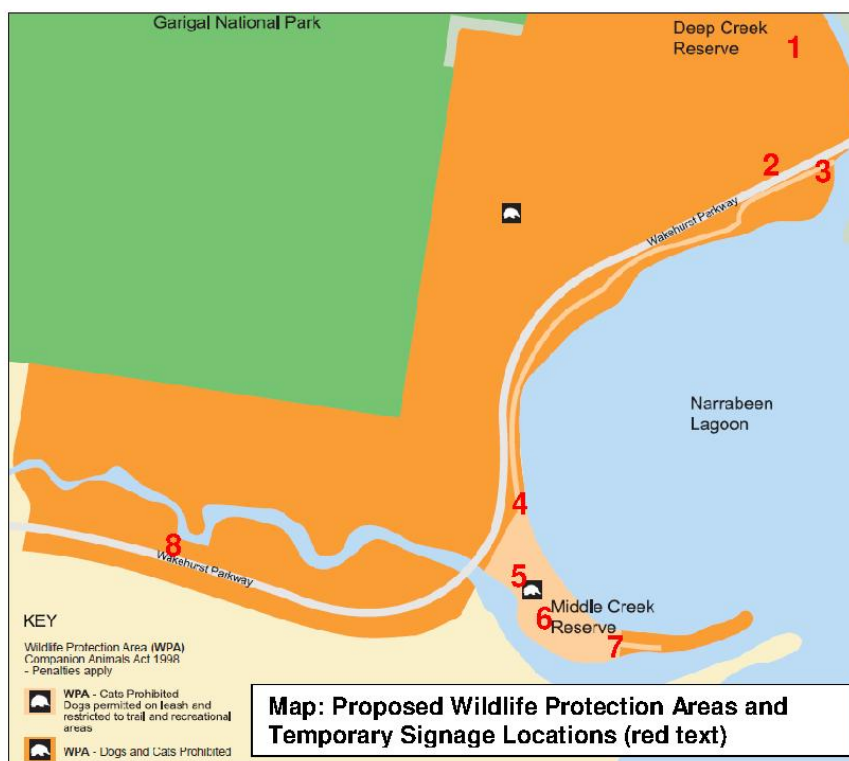
Item	Number of submissions in relation to this comment/issue	Summary of the Community's comments	Staff assessment	Recommendation
6)	1	Increasing use of trail by speeding cyclists	<p>The trail has been designated as a multi-use facility, and will be used by a wide range of users. Public safety has been a major consideration in developing trail options and Council is aware of the possibility of conflict between trail users. Consequently a number of strategies will be adopted to minimise potential conflict, damage or injury. These include appropriate design, including lines of sight, passing / stopping spaces, speed reducing features on ramps, security fencing and avoiding long straight sections where speeds may become excessive. It is also important that trail users take reasonable care, and show consideration for other users. A number of public education measures are planned, such as behaviour signage, education campaigns, and information leaflets. Council will work with key user groups to ensure that this message is effectively communicated.</p>	Council works with key users to ensure proposed education measures are implemented.
7)	2	Direct observation of dog owners rarely complying with existing controls which require dogs to be on leash. Subsequent impacts on sensitive wildlife.	<p>Warringah's Companion Animals Management Plan (CAMP) outlines how Warringah Council will fulfil its responsibilities under the <i>NSW Companion Animals Act 1998</i>. Warringah's Rangers enforce the provisions of the <i>NSW Companion Animals Act 1998</i>. The Act provides for a number of 'on-the-spot' fines for breaches. A combination of enforcement and education is considered most appropriate.</p>	Council will be implementing compliance, enforcement and education associated with off leash dog users on the trail.
8)	1	Increased access by humans (walkers and bike riders) and dogs and subsequent impact on wildlife once lagoon trails are all connected.	<p>The potential environmental impacts of the lagoon trail are subject to rigorous independent environmental assessment, in accordance with all relevant legislation. Reporting arising from the environmental assessment includes recommendations for the implementation of impact mitigation such as the declaration of Wildlife Protection Areas.</p>	Council implements the recommended mitigation measures included in the Species Impact Statement for Stage 1 of the Narrabeen Lagoon Trail.

Item	Number of submissions in relation to this comment/issue	Summary of the Community's comments	Staff assessment	Recommendation
9)	1	Concern that dogs on leash are allowed on the trail and the potential impacts that these barking dogs (on leash) would have on iconic local species of wildlife such as Swans and Water Rats which shelter in proximity to the trail.	The potential environmental impacts of the lagoon trail (including use) are subject to rigorous independent environmental assessment, in accordance with all relevant legislation. Reporting arising from the environmental assessment includes recommendations for the implementation of impact mitigation measures. The impacts of allowing dogs on leash on the Trail has been managed by strict prohibition on dogs elsewhere.	Council implements the recommended mitigation measures included in the Species Impact Statement for Stage 1 of the Narrabeen Lagoon Trail.
10)	1	Request for dogs to be allowed on leash in the portion of the trail where dogs are not allowed at all.	Portions of the trail where dogs are not allowed are within the Pittwater LGA and are not under Warringah Councils care and control.	No change or recommendations made.
11)	1	Why a revised environmental assessment (Species Impact Statement) has not been prepared to account for recent record of Eastern Pygmy Possum nearby on Wakehurst Parkway.	The environmental assessment for Stage 1 of the Narrabeen Lagoon Trail considered the Eastern Pygmy Possum as having potential habitat in the study area. An assessment of significance (7 part test) was carried out in accordance with Section 5a of the <i>Environmental Planning and Assessment Act 1979</i> and found that a significant impact was unlikely to occur for this species.	No change or recommendations made.
12)	1	Why land parcels west of parcel number 11 are not included in the WPA declaration.	These parcels are already under Councils care and control and are subject to pest species controls under existing programs.	No change or recommendations made.

ATTACHMENT 3 - COMMUNITY CONSULTATION PROGRAM - SUMMARY

To consult with the community in relation to the proposed Wildlife Protection Areas, information regarding the proposal was distributed via:

1. Council Notices in two Saturday editions of the Manly Daily
2. Posters (see Attachment 4) and public exhibition documents left at Council libraries (x4) and Civic Centre.
3. Two emails were sent via the community engagement team including emails to 1200 contacts on the Your Say Warringah member list and a further 1800 contacts on the Community Engagement consultation list. Both email lists were sent a reminder part way through the exhibition period.
4. Emails to the 'Narrabeen Projects Register', an online database where Community members (approximately 135 registered members) have been encouraged to register.
5. Letter, email and phone correspondence with the CEO and Housing / Property Manager of the Metropolitan Local Aboriginal Land Council.
6. Council webpage links and 'News Items' including Council's Public comments webpage, Your Say Warringah - Narrabeen Lagoon Trail Stage 1 webpage and Pest Species webpage. A facebook and twitter message
7. Temporary signage (see map below) strategically placed at access points within the proposed Wildlife Protection Areas



**ATTACHMENT 4 – POSTER / TEMPORARY SIGNAGE – PROPOSED WILDLIFE
PROTECTION AREAS**

Proposed Declaration of Wildlife Protection Areas

warringah.nsw.gov.au



Warringah Council is proposing to declare parcels of land adjoining the Narrabeen Lagoon Trail as Wildlife Protection Areas under the Companion Animals Act (1998). The declaration of the Wildlife Protection Areas is a legal requirement and is aimed at preventing environmental impacts associated with the Narrabeen Lagoon Trail.



What is Proposed and Why?

Council proposes to allow leashed dog walking within Middle Creek Reserve and the on the Narrabeen Lagoon Trail.

Dogs and cats would be prohibited in parcels of land on the western side of the Wakehurst Parkway (see map).

In consideration of the sensitive natural environments affected by the trail, the environmental assessment process determined that the above controls were the only way of keeping the Narrabeen Lagoon Trail dog friendly.

Have Your Say

Council is seeking community input on the proposed Wildlife Protection Areas. Comments will be accepted until 19 March 2012, and will be reported to Council.

For more information visit warringah.nsw.gov.au

ITEM 8.11	SYDNEY COASTAL COUNCILS GROUP - MINUTES
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2012/242079
ATTACHMENTS	1 Minutes of Ordinary Meeting - 3 December 2011 - Sydney Coastal Councils Group (Excluded from Agenda) 2 Minutes of Ordinary Meeting 17 March 2012 - Sydney Coastal Council (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of recent Sydney Coastal Council Group meetings.

SUMMARY

Ordinary Meetings of the Sydney Coastal Councils Group (SCCG) were held on 3 December 2011 (hosted by the City of Sydney Council) and 17 March 2012 (hosted by Willoughby City Council). Warringah Council was represented by Cr Harris and Cr Kirsch at the 3 December 2011 meeting and Cr Harris at the 17 March 2012 meeting.

Matters discussed relevant to Warringah Council included the following:

- NSW Reforms to Coastal Management
- Climate Change Adaptation Strategy for Sydney
- NSW Coastal Management Conference
- Marine and foreshore biodiversity awareness and appreciation strategy
- SCCG Summerama 2012
- Presentation by The Hon. Robyn Parker MP, NSW Minister for the Environment

Meetings of the SCCG will be held as follows:

Saturday 16 June 2012 at the City of Sydney (Ordinary Meeting)

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

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Sydney Coastal Councils Group meetings held 3 December 2011 and 17 March 2012, and the resolutions contained therein, be noted.

REPORT

BACKGROUND

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

DISCUSSION

Ordinary Meetings of the Sydney Coastal Councils Group were held on 3 December 2011 (hosted by the City of Sydney Council) and 17 March 2012 (hosted by Willoughby City Council). Warringah Council was represented by Cr Harris and Cr Kirsch at the 3 December 2011 meeting and Cr Harris at the 17 March 2012.

Matters discussed relevant to Warringah Council included the following:

NSW Reforms to Coastal Management (3 December and 17 March)

The issue of what types of development could be referred to the NSW Coastal Panel was discussed at the SCCG meetings held 3 December 2011 and 17 March 2012. Clarification was sought from the Minister for Planning who confirmed that "...the role of the Coastal Panel as a consent authority is subject to three tests. The characteristics of the works must be a sea wall or beach nourishment; those works must be on the open coast or entrance to a coastal lake; and on circumstance where a coastal zone management plan does not apply to the land. Where proposed development involved a mix of building works and coastal protection works, consideration need to be given to the characterisation of the development in order to ascertain the relevant consent authority for the development. If the overall development can be characterised as (for example) a dwelling, then the local council would be the consent authority. Conversely, the Coastal Panel is unable to determine development application other than for works characterised as sea wall or beach nourishment".

Delegates noted disappointment with this response and questioned why such development (i.e. where a dwelling is being proposed together with a seawall or update for seawall) can't be considered "integrated development". It was resolved that the SCCG again write to the Minister for Planning regarding the referral issues of seawalls and dwellings and seek that these issues again be revisited as part of the NSW Planning system reforms for consideration as 'integrated development' status.

Climate Change Adaptation Strategy for Sydney

Mr Christopher Lee – Manager, Impacts and Adaptation (NSW OEH) provided a presentation at the SCCGs 3 December 2011 on the Sydney Adaptation Strategy. This Strategy is identified in the Sydney Metropolitan Strategy (Action G2.1) and will assess Sydney's climate change vulnerability and the expected impacts of climate change on key sectors and communities. Key sectors will cover health, emergency services, critical infrastructure and spatial planning. It will also address planning and preparedness for bush fires, flooding and coastal inundation. The objective of the Sydney Adaptation Strategy is to provide Government's coordinated approach to increasing Sydney's resilience to future climate change.

The Strategy will apply to the Warringah LGA as well as the other 40 LGAs in the Sydney Metropolitan Area. The Project is being coordinated by Climate Change Impacts and Adaptation (I&A) of the Climate Change, Air and Noise Branch (CCAN) of OEH, in conjunction with Metro Branch, Environment Protection and Regulation Group (EPRG) working in partnership with the SCCG and WSROC.

NSW Coastal Management Conference

The SCCG Secretariat and other SCCG delegates attended the NSW Coastal Management Conference. Conference proceedings can be found at www.coastalconference.com. The 2012 NSW Coastal Management Conference will be held during 6-9 November 2012 hosted by Kiama Council.

Marine and foreshore biodiversity awareness and appreciation strategy (3 December)

At the SCCG Meeting held 3 December 2011, Honorary Member Phil Colman proposed the development of a 'Marine and foreshore biodiversity awareness and appreciation strategy'. It was resolved that a working group meeting be convened to address the potential development of such a strategy. At the meeting held 17 March 2012, Mr Colman noted that initial discussions have occurred and a meeting will be convened shortly to address potential issues such as:

- General diversity studies – what do we have now?
- Environmental education; both schools and adults
- Marine biodiversity food chain - how it can effect what we go to buy from the fish market
- Meiofauna – what does the word mean and how terribly important it is
- Coastal Ambassadors – a discussion on one way a Council has attempted to educate the 'masses'
- Clean beaches – a term that is too often abused and sometimes very environmentally unfriendly

SCCG Summerama 2012

Delegates were informed that the Summerama 2012 saw 1,888 participants 'getting amongst it' in the 74 activities taking place across 13 Member Councils.

New activities were added to the program, such as educational talks about sustainability issues which proved popular given the broader awareness of these issues, while the old favourites cemented their place on the program by booking out weeks in advance (Dr Rip's Science of the Surf, Rockpool Rambles put on by various councils).

While more activities this year required a nominal cost-covering fee from participants, the program still offered many free activities to the public, ensuring Summerama is an easy and effective way for Member Councils to encourage their citizens to engage with the coastal environment.

For the first time, the SCCG employed a dedicated Summerama Coordinator, Sarah Billens, to coordinate the compilation and promotion of the program. In order to fund the promotional campaign, sponsorship was sought and the long-time supporter Landcare/Coastcare once again delivered with \$5000 from their Be Natural grant.

The promotional campaign was run via multiple channels: print, web, outdoor, social media, press and a competition. Branding was refined to exploit these channels, all using a new fresh, fun and 'beachy' look and feel designed for Summerama 2012. Campaign results were pleasing, with online metrics showing that the website hits, amount of Facebook 'likes' and Twitter followers all increased on last year.

Overall, feedback from participating Member Councils shows that the press exposure and word-of-mouth are fruitful methods of encouraging participation. While Councils appreciated the effort made with the promotional materials produced, they most valued the new website and the comprehensive press kits (logos/photos/various lengths of promotional text).

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

The Hon. Robyn Parker MP, NSW Minister for the Environment has confirmed that she will provide a presentation on the State Government's environmental directions and considerations for coastal zone management in NSW.

Meetings of the SCCG

Meetings of the SCCG will be held as follows:

Saturday 16 June 2012 at the City of Sydney (Ordinary Meeting)

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

POLICY IMPACT

Nil

FINANCIAL IMPACT

Nil

ITEM 8.12	RESULTS OF STUDY WITH A VIEW TO TRIALLING DOG SWIMMING AT CURL CURL BEACH
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT ASSESSMENT & COMPLIANCE
TRIM FILE REF	2012/245115
ATTACHMENTS	<ol style="list-style-type: none">1 Proposed Dog swimming and unleashed exercise area on Curl Curl Beach (Excluded from Agenda)2 Final report - dogs on beaches research - Jetty Research 2011 (Excluded from Agenda)3 Submissions Dogs on Curl Curl Beach For & Against (Excluded from Agenda)4 Curl Curl Beach Dog Off Leash Area Flora and Fauna Assessment (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To report results of study into proposal to trial dog swimming at Curl Curl Beach, during non-peak hours and not within 100 metres of the flags.

SUMMARY

A study was undertaken into the feasibility of allowing dog swimming on a trial basis at Curl Curl Beach. The study involved an environmental assessment into possible effects on threatened species. A public consultation period also was undertaken as part of the study.

Submissions were received from 580 people plus 8 stakeholder groups. Of the individual responses 351 were against trialling dog swimming and 239 were for. Of the groups, Manly and District Dog and Kennel Club and the Petcare and Information Advisory Service (PIAS) were supportive of the proposal to trial dog swimming at Curl Curl Beach, while Curl Curl Lagoon Friends, Manly Selective Campus, Surfrider Foundation, North Curl Curl SLSC, South Curl Curl SLSC and Curl Curl Boardriders were not.

The study also included obtaining some information on beach usage and actions of dog owners in relation to picking up after their dogs in the adjoining dog unleashed area at Curl Curl.

Based on the results of the submissions and consideration of Council's Policy relating to Dog Control Free-run Areas which states that "*Before allocating an area as a free-run area for dogs Council will ensure there is no conflict with other users of the area*" it is recommended that Council does not proceed with the proposal to trial dog swimming at Curl Curl Beach.

A review of the feasibility of using Hinkler Park Queenscliff as an alternate location for dog swimming was shown to be unlikely due to environmental concerns.

As a result of the study a number of recommendations regarding improvement to the Curl Curl unleashed area are detailed within the report which include maintenance, dog exercise equipment and shower installation.

FINANCIAL IMPACT

Improvements contained within recommendation B will require funds of up to \$100,500 to be allocated to Parks Reserves and Foreshores

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That Council does not undertake a trial for dog swimming at Curl Curl Beach at any time.
 - B. That the following works be undertaken in the current unleashed dog exercise area behind the beach within Flora and Ritchie Roberts Reserve in order of priority, subject to funding becoming available:
 - 1. Install gates at the 6 entrances to the beach (approx \$1,500)
 - 2. Install dual shower (approx \$10,000)
 - 3. Improve fencing around sand dunes (\$37,000)
 - 4. Increase maintenance of park (approx \$30,000/annum)
 - 5. Install agility equipment for the use of dogs and their owners (approx \$10,000)
 - 6. Installation of bench seats (\$12,000).
-

REPORT

BACKGROUND

Since the introduction of the Companion Animals Act 1998 dogs have been effectively banned from all beaches. However there are many people who contravene this prohibition and regularly take their dogs to Warringah's beaches. This is particularly an issue when people take their dogs to environmentally sensitive areas such as Long Reef Aquatic Reserve.

In 2011 a study was undertaken on whether any beaches in the northern area of Warringah were suitable for allowing dog swimming and unleashed exercise. All beaches in Warringah from Dee Why north were reviewed and found not to be suitable due to environmental impacts primarily with regards endangered species. The results of this study were submitted to Council on 22 November 2011 (Item 9.9).

Following on from this, Council moved to examine whether Curl Curl Beach would provide a suitable location for dog swimming and exercise as this was seen as the final possible location for this activity.

At the Council meeting on 13 December 2011 the following resolution was passed:

- A. That Council note the results and conclusions of the research paper.
- B. That Council undertake a study with the view to trialling dog swimming at Curl Curl Beach, during non-peak hours and not within 100 metres of the flags and that the study be returned to Council at the earliest possible opportunity.
- C. That the Curl Curl Lagoon Friends and North Curl Curl SLSC and South Curl Curl SLSC be consulted.
- D. That Council investigate the possibility of establishing access for dog swimming at the off leash area at Hinkler Park.

Location

Based on the requirement for the dog exercise area to be no closer than 100 metres from the areas flagged for swimming on the beach an area approximately 470 metres long was identified. The entrances to the beach would be down walkways from the current unleashed dog exercise areas. (Map Attachment 1)

CONSULTATION**Previously**

1. In July 2010 Council's Natural Environment Unit commissioned a report on the Environmental Perceptions of the community which included a random phone poll. While the focus was on the environment such as the lagoons and climate change two questions were posed regarding dog access to beaches.

The findings based on a survey of 601 participants showed that 76% of those surveyed thought that all beaches should be dog free. The biggest concerns were focused on dog droppings (79% of respondents) and the perception they were not being picked up followed by health and safety concerns for beach users (58%).

2. In March 2011 Council ran a "Your Say Warringah" on-line forum in relation to whether dogs should be allowed on any of Warringah's beaches. The results showed that the community was divided on whether or not dogs should be allowed on any beach. The main reasons given against dogs being allowed onto the beaches were owners failing to clean up their dogs' droppings, dogs not being under effective control and generally

irresponsible dog owners. Those in favour raised the enjoyment of being able to exercise their dogs on the beach as well as health benefits for the dogs and their owners. The results of this forum were summarised in the report tabled at Council on the 22 November 2011.

3. In July 2011 a Random Telephone Survey of 600 Warringah residents was undertaken to get a more representative view from the community. Of the notable results when asked whether they agreed or disagreed with opening up selected beaches in the Warringah area to dogs off-the-leash, 29 per cent were strongly opposed with a further 9 per cent slightly opposed (i.e. 38 per cent in all). Conversely 24 per cent were strongly supportive and 22 per cent slightly supportive (for a total of 46 per cent). The balance, (16 per cent) were neutral or unsure. This was referred to Council in item 9.9 on 22 November 2011. A complete copy of this report is in the Attachment 2.

Current

As part of the current study regarding specifically Curl Curl Beach as a possible unleashed dog swim area a number of strategies were undertaken:

1. Letters were sent to 653 residents in the close surrounding area on the 3 February 2012. The letter also invited them to attend information stalls being held on 18 and 19 February at the end of Flora Ritchie Roberts Reserve, Curl Curl.
2. Letters were sent to significant stakeholders which included Curl Curl Lagoon Friends, South and North Curl Curl Surf Life Saving Clubs and the Curl Curl Boardriders.
3. Emails were sent to approximately 1800 people on Council's community engagement register as well as to approximately another 1200 registered with "Your say Warringah".
4. Emails were sent to participants from the random phone survey who had indicated they would like to be notified regarding this issue.
5. The public comment period was advertised in the Manly Daily (12 February), on the Council website as well as being placed in the libraries and Civic Centre.
6. Information stands were held from 10 a.m. -12 p.m. at Curl Curl at the end of Flora Ritchie Roberts Reserve on 18 and 19 February and were manned by Council staff. This was notified in the resident and stakeholders' letters and also aimed to distribute information to users of the beach who were not local residents. Approximately 80 people were spoken to during this period.
7. A meeting was held with representatives of Curl Curl Lagoon Friends and phone contact was made with the Surf Club representatives.
8. The Companion Animal Advisory Committee was notified as this included dog owner and industry representatives.

Results of Consultation

The consultation resulted in 588 written submissions. Of these, eight were from stakeholder groups while some individual responses claimed to be representing families of up to 17 people.

Of the individual responses 239 (40%) were in favour of allowing a trial of dog swimming at Curl Curl Beach whilst 351 (60%) were against dogs being allowed on the beach at any time.

Individual Responses

Those in favour cited the following general reasons why they would like dogs on the beach (note some gave more than one reason):

1. Dog needs to swim /I need to swim with dog – 1.7%
2. Non dog owners are vocal minority and dog owners have a right to beach access – 1.3%
3. Community feeling / pets good for health – 17.6%
4. Works well in other places – 15.5%
5. Large number of dogs in area need facilities – 5%
6. No specific reason – just wanted – 52.8% (note 42% of these indicated they were Warringah Residents with 20% indicating they were from suburbs outside Warringah while 38% did not specify)
7. Dog enrichment – good exercise – 8%
8. Water quality in lagoon poor/ need better quality water – 4.2%
9. Acceptable only with conditions such as increased rangers – 3.8%

Those against cited the following general reasons why they would not like dogs on the beach (note some gave more than one reason):

1. Indicated they owned a dog but did not think dogs should be on the beach – 12.5%
2. Unsustainable numbers of dogs would use beach as only surf beach in main part Sydney – 15.4%
3. Demands on parking in area – 2.8%
4. Scared of dogs but use this beach – 6.6%
5. Dog faeces is not always picked up – 70.4%
6. Resources to ensure compliance not available or economical – 25%
7. Dogs won't be under effective control as required – 18.8%
8. Dog owners vocal minority – majority don't want dogs on beach – 5.7%
9. Conflict with other users eg joggers, fishermen, elderly, children – 33.6%
10. Dogs will urinate on belongings/ urine can't be picked up – 15.4%
11. Nippers use extended beach which would include proposed dog area – 2.8%
12. General non compliance of dog owners to stick with rules – 25.6%
13. Environment/wildlife impact – 19.1%
14. Lagoon is already adequate for swimming – 18%
15. Risk to safety especially elderly and children – 38.8%
16. Seen damage done at other locations where dogs are allowed on beach – 5.1%
17. Attract sharks – potential for attack – 6.8%
18. Disease issues from zoonotic diseases from dog faeces – 10.8%

19. General disturbance to peace and quiet on beach – 6.6%
20. Dangerous to be swimming in the proposed area – 3.7%
21. Surfers concerns – 1.4%
22. Other general comments/generally don't want – 2%

(See Attachment 3 for more details on these results)

Group / Stakeholder Responses

Stakeholder groups in favour

1. **Manly & District Kennel & Dog Training Club** – the not-for-profit dog training club which operates on the peninsula with the patronage of four Mayors (Warringah, Manly, Pittwater and Mosman), has approximately 500 members in the Club of which half live in Warringah.

In the Club's General Meeting, it was moved and carried unanimously that the Club would fully support provision of an area of surf beach to which we could take our dogs.

2. **Petcare Information and Advisory Service** – found the prospect of a trial highly commendable. They noted that healthy communities require open space access that accounts for multiple user groups. They felt that there is a significant imbalance as no Sydney ocean beaches are available for dog owners. They stated that dogs deliver a host of health benefits to their owners and broader community. Off-leash exercise has been shown to assist dogs by relieving boredom, releasing pent up energy and socialising for dogs. Other Australian cities have managed to successfully integrate dogs into beach areas and the benefits are for the dog owners and not the dogs as such. Councils need to take into account dogs and their owners' needs when planning open space access.

Stakeholder groups in opposition

1. **Curl Curl Lagoon Friends Inc.** – they listed a number of concerns which included:

Environmental and ecological Impacts – concerned that unleashed dogs will intrude into the last remaining refuge for native flora and fauna along the dunes which will be exacerbated by large volume of dogs. They claimed that Richard's Pipit was wiped out in the lagoon area when the dogs gained access. Penguins have also been observed on the beach as well as other marine birds which would be impacted by dogs in the area. They are also concerned by potential for disease as a result of the dog faeces. Generally they felt dogs are incompatible with native wildlife.

Social Impacts – Curl Curl Beach is in a densely populated area and is a popular beach and has all the potential for human confrontation and conflict. They had concerns over harm to other beach goers by over excited dogs. Observations of excited dogs at the lagoon have given an indication of the barking and noise that is in contrast to the tranquillity and peaceful purpose people want to use the beach. They also raised the issue of dog faeces on the beach and council's inability to ensure compliance.

Danger Impacts – Curl Curl Beach is well known for its hazardous conditions at times. They feel that for any authority to condone or endorse this part of the beach for swimming without lifesavers present is a serious contradiction to important water safety conduct and defies comprehension. Even without Council not condoning this it will still happen. A dog caught in a rip may result in a sequence of tragic events.

Financial Impacts – Council rangers will need to be present to ensure compliance which will come at a cost to council and rate payers.

Conclusions – The proposal would seek to reverse a long standing and fair policy which states “Before allocating an area as a free run area for dogs, Council will ensure there is not conflict with other users of the area”. The conflict and division already evident in the community is they believe a forerunner and insight if dogs are permitted on Warringah’s beaches.

2. South Curl Curl Surf Life Saving Club

Curl Curl Beach is used early mornings by a large amount of joggers - to introduce unleashed dogs in the early mornings is a recipe for disaster. Dog owners, although with the best intentions, do not clean up their animals poop. Warringah Lifeguards should be on the beach to patrol between the flags, and to watch over surfers. These lifeguards do not need the additional distraction caused by unleashed dogs. This also applies to volunteer lifesavers. Wildlife - Curl Curl Beach does have numerous types of birdlife - unleashed dogs would impact this birdlife. Danger to beachgoers - unleashed dogs do pose a threat to beachgoers. Whilst most owners do have relative control over dogs, the same cannot be said for all owners. Curl Curl Lagoon is already used by dog owners for off-leash exercise. This area allows their dogs to swim, run, and exercise and is away from where people swim.

3. North Curl Curl Surf Life Saving Club – they were shocked by the proposition to allow dogs on the beach and felt that it would conflict with their members who often train early morning and evening. The area is popular for walking and it seems unfair to be sharing the area with unleashed dogs. As it is now members of the public who do not want to be where dogs are can do so by staying out of the park. With the numbers of dogs using the park now the concept of allowing that many animals loose on the beach in an unconfined area would be impossible to patrol or confine so they do not run the length of the beach. They felt allowing dogs on the beach would cause conflicts.

4. Northern Beaches Secondary College Manly selective Campus – students use Curl Curl Beach every Wednesday for sport including beach walking and volleyball. To ensure safety of the students and keep the beach pristine and clean for these activities they are opposed to the trial.

5. The Surfrider Foundation – Oppose the trial based on a number of reasons. These include:

- Lack of adequate resources to truly monitor the effects of such a trial.
- Lack of control over the 'catchment area' this ocean beach dog run will extend to. (To the best of our knowledge this will be the only ocean beach in the Sydney Metro Area where dogs can run free).
- Lack of adequate resources to successfully deal with problems that will arise in this area.
- Lack of adequate explanation as to why current policy of no dog run areas on ocean beaches requires changing apart from a loud minority demanding it.
- Lack of a plan to adequately fund trial and, heaven forbid, continuation of run free area...it's just another thing ratepayers will pick up along with faecal matter left by less responsible dog owners.
- Lack of environmental evaluation of area to date for baseline.
- Opportunity cost of rangers time at this location while other areas such as Long Reef which has exceptional environmental value go unpatrolled. 'Off peak' time schedule is in fact "peak hour" for surfers and those who do not own dogs or feel intimidated by same will not use beach at these times (as has been reported already to us).

- Surfriders number one principle is that we recognise the biodiversity and ecological integrity of the planet's coasts are necessary and irreplaceable. SURFRIDER is committed to preserving natural living and non-living diversity and ecological integrity of the coastal environment. Surfrider believes the proposed dog run area will greatly compromise this ideal as domestic dogs unleashed are not a natural part of this ecosystem.

6. Curl Curl Boardriders

They run competitions all year round from 7.30 a.m. until early evening. This can occur on any part of the beach except in flagged areas. Their concerns are:

- Having dogs running freely and swimming will cause there to be too many dogs for such a small area of beach.
- Dog owners do not stick to the rules now and can see conflict with lifeguards.
- There are already a number of dog parks in Curl Curl and an area used for swimming.
- Not everyone is a dog lover and they have the right to relax on the beach all year round.
- People who are scared of dogs are unable to use the area behind the beach which has become a dog only area as there are dogs running wild everywhere.
- We do not want the same on our beach. People who fear dogs also pay rates. Curl Curl is too small to be the beach for all dogs in Sydney as people will travel for miles and the expanse of beach will become unusable for the average beachgoer.

Environmental Study Curl Curl

Eco Logical Australia was contracted to undertake a flora and fauna assessment of the proposed unleashed area on the beach. A report was supplied which made the following observations and recommendations.

The report concluded that the proposed off-leash dog exercise area at Curl Curl Beach is unlikely to significantly impact threatened or migratory shorebirds because the site does not contain any rocky shoreline, is not sheltered, is a sufficient distance from the mouth of Curl Curl Lagoon and foraging habitat for shorebirds is marginal.

Sand Spurge was not identified on site (as it was at Narrabeen), despite the presence of suitable dune formations and vegetation. The proposal is unlikely to result in a significant impact to Sand Spurge which has potential habitat in the form of a soil seed bank in the dune vegetation at the proposed site. Unleashed dogs will be prevented from straying from Curl Curl Beach into potential Sand Spurge habitat by ongoing repair and maintenance of dune fencing.

Currently the existing habitat is in poor condition, with high levels of weed invasion and dog faeces from dogs straying from the unleashed exercise area in Flora & Ritchie Roberts Reserve. The inclusion of effective fencing as a part of the proposal in combination with ongoing rabbit control and weed control/revegetation works within the dune vegetation as mitigation measures should improve Sand Spurge habitat.

The report recommended mitigation measures include:

- Undertake ongoing maintenance and repair to dune fencing to prevent dog access into the dune vegetation.
- Undertake ongoing and effective rabbit control.
- Undertake weed control and management of shrubby vegetation for small bird habitat at the site.

- Install an adequate and readily accessible supply of bins and bags for dog faeces

A full copy of the report can be found in the Attachment 4

Coastal Consultative Committee and Strategic Reference Group Comments

In addition to submissions received the Warringah Coastal Consultative Committee resolved on the 22 February 2012 that it:

“ does not support the trial of dogs on Curl Curl Beach due to the negative environmental and social impacts”.

The Environmental Sustainability Strategic Reference Group – on the 1 August 2011 made the following recommendation:

“That Council does not support the dogs on beaches proposal as it is not consistent with sustainability principles and good environmental management practices such as impact on biodiversity, flora, fauna, nutrient load and social inclusion”.

Environmental Review Hinkler Park

As part of the Council resolution we investigated the possibility of establishing access for dog swimming at the off leash area at Hinkler Park, Queenscliff.

Currently dogs are permitted to swim in the lagoon from the shore on the Manly Council side but not from Hinkler Park.

From 2009 - 2011, Natural Environment Unit staff undertook the Manly Lagoon Catchment Study, which has provided Council with greatly improved ecological and water quality data. Using the data from the study to inform this advice, Natural Environment Unit advise environmentally, that dog swimming from Hinkler Island and around the lagoon would require investigation of some serious environmental issues including:

The vegetation surrounding Hinkler Island is known habitat for the threatened Black Bittern. Recent surveys identified this species in this location over several surveys - consistently in close proximity to Hinkler Island. Based on the presence of Black Bittern, it is likely the proposal would require the preparation of a Species Impact Statement.

- The aquatic area around Hinkler Island contains significant aquatic habitat features, including seagrass beds. Areas of seagrass are listed as marine vegetation under the *Fisheries Management Act* 1994. Any damage to marine vegetation requires a permit from the Department of Primary Industries.
- The seagrass beds are known habitat for the federally listed, Hairy Pipefish (*Urocampus carinirostris*), which during recent surveys were not found to have habitat in other areas of the lagoon. The impacts of dog swimming on this species would require assessment under the Commonwealth *Environment Protection Biodiversity Conservation Act* 1999.
- Natural Environment Unit is of the opinion that the continuity of seagrass habitat around the main body of the lagoon is already compromised due to current dog exercising activities. Increases in this type of activity/traffic would only increase the pressure on this habitat. The seagrass beds in this location are crucial habitat for fish species, including the Hairy Pipefish.
- In addition to damaged seagrass habitat, the two locations on Hinkler Island commonly used as entry and exit points for dog swimming are showing signs of bank damage and erosion. This is further illustrated by the poor establishment of riparian vegetation planted in these two areas as part of ongoing bush regeneration programs.

- Bacterial water quality, defined by the concentration of faecal bacteria indicators in the water is not only influenced by stormwater and sewer overflows but is also influenced by canine faecal contributions.

Due to environmental constraints, it is likely that environmental assessments would conclude that dog swimming at Hinkler Island is unsuitable; however a constraints' assessment around other areas of Manly Lagoon may highlight areas suitable for dog swimming that have more manageable impacts on the environment.

It is recommended that the public are made aware that they are able to swim their dogs from the Manly side of the lagoon but at present it is not suitable from Hinkler Park itself.

Social Research

As part of the study it was decided to quantify beach usage in the proposed timing that dogs would be allowed on the beach to gauge impact on numbers of people.

While this is in no way a comprehensive study (due to resource constraints) it does give an indication of usage.

Table One below shows the results of the usage

Date	Time	Weather	Walkers/joggers	Surfers	Swimmers	Dogs	Pool users	Fishermen
20/2/12 (Monday)	5- 5.45pm	Overcast turning to rain	51	131	28	2	20	0
20/2/12 (Monday)	6am- 8.30am	Fine (rain overnight)	91	51	40	3	11	0
24/2/12 (Friday)	6am – 8am	Fine	81	82	50	7	21	0
25/2/12 (Saturday)	6am – 8am	Fine	105	67	42	2	30	5
26/2/12 (Sunday)	4.45pm – 5.45pm	Overcast/fine	129	93	59	0	0	3

Table One – Curl Curl Beach usage by category.

Dog Faeces

Due to the large number of submissions regarding the non-compliance of dog owners in picking up after their animals (which included a number of graphic photos) it was decided to quantify the issue.

On the 24 February the Projects Coordinator and a Ranger attended Flora and Ritchie Roberts Reserve to do a dog faeces count. On the day we covered an area of approximately 130 m x 30 m and picked up and removed 56 dog faeces.

This would be deemed as unacceptably high given that both bag and bins are supplied in this area and it is a requirement under the Companion Animals Act to pick up after your dog and shows that many dog owners do not comply with regulations.

COSTS

If a trial of dog swimming and unleashed exercise was to be undertaken a number of costs would need to be incurred to cater for demand on resources and to ensure compliance.

1. Fencing needs to be improved around the sand dunes and gates need to be installed at the walkways to the beach. The gates would assist in the public recognising restrictions and compliance management so that dogs also do not enter the beach area from the unleashed area of their own accord.
The quote received from fencing contractor is for \$32,630 plus and additional \$4,000 for repairing mesh in place. Total approximately \$37,000.
2. Three bins would need to be placed down on the beach side of the walkways to cope with the increased waste due to the dogs. The installation would be \$450 with an annual cost for servicing of \$3250.
3. Increased signage to inform people of restrictions and regulations would be required at a cost of approximately \$4,000.
4. It is recognised that the current staff of rangers would be unable to spend the required time at the proposed beach area should the trial occur. It is estimated that at least two new staff members would be required to assist current rangers meet the demands for regulation on the beach and other duties. Increased compliance costs for two new rangers are estimated at approximately \$180,000 including salary, on costs and equipment.
5. A dual stainless steel shower that has both dog and human heights would be an asset either way in this area. The cost to install with proper drainage and base would be approximately \$10,000.
6. Increased maintenance of the current unleashed dog area behind the beach to cope with increase in users including brush cutting long grass at a cost of approximately \$30,000 per year and installation of vandal resistant bench seating at a cost of approximately \$12,000.

Council Policy

The current council policy ENV-PL 310 Dog Control, Free-Run Areas – has the following Principles

Council allocates free-run areas for dogs on the basis that:

- Dogs are permitted free run only under effective supervision and in the locations identified in the attached appendix.
- The person in charge of the dog takes full responsibility for the activity and behaviour of the dog
- Before allocating an area as a free-run area for dogs Council will ensure there is no conflict with other users of the area
- All free-run areas for the exercising of dogs will be adequately signposted
- Free-run areas are to be allocated on the basis that faeces deposited by dogs are collected and removed by the person supervising the dog.

DISCUSSION

As we have seen previously this topic has been very controversial within the community. It is well known that pet ownership has benefits for both individuals and the community as outlined in previous reports to Council. However there are many people within the community that have had negative encounters with dogs that have left them fearful of dogs overall.

When reviewing the submissions, those in favour have primarily highlighted the fact that pets are good for your health by encouraging exercise and giving families other options to exercise their pets, which are seen as a rightful member of the family. These benefits have been well covered in the literature on pet ownership.

It should also be noted that a significant proportion of people (20% definitely with another 38% unknown) who responded in favour of Curl Curl Beach becoming an unleashed dog exercise area were from outside the Warringah LGA as it would be the only ocean beach in Sydney available for dog swimming apart from the end of Wanda Beach.

Those against the proposed trial gave a much more extensive list of reasons.

At the top of the list, with 70.4% of respondents citing this reason, was the fact that owners are not always responsible in picking up after their animals. As mentioned earlier a sample area at Curl Curl was examined for evidence of this non compliance. In an area 130m x 30 m a total of 56 dog faeces were collected. Staff have also frequently seen evidence of this non compliance by dog owners in both dog parks, sporting fields and nature strips – even when a number of dog bag stations and bins are provided such as Frenchs Forest Showgrounds. The contractor who has been clearing Melwood Oval of dog faeces weekly finds between 7 and 21 faeces per week. The trial of dog swimming at Manly Dam in 2000 was abandoned due to the impact of dog faeces.

It is clear from this evidence that the concerns of these respondents are very valid despite it being a requirement under the Companion Animals Act 1998 to pick up after their dogs. Some also felt the ability to quickly flick sand over the droppings would mean even more on the beach. It also only takes a small number of non conforming dog owners to create an appreciable impact from non collection of their dog faeces.

The next two biggest concerns were conflict with other users (38.8%) as well as concerns regarding the safety of children and the elderly in particular (33.6%). The results of our short snapshot of beach usage shows that Curl Curl is well used even in “non-peak” hours. This usage increased on the weekend which is when we would expect a greater dog usage as well. As the beach is used by a variety of users all day including joggers, fisherman, swimmers, families and people generally for relaxation there is potential for conflict. Many of the people that use this beach are local and walk there. Council’s policy currently states “Before allocating an area as a free-run area for dogs Council will ensure there is no conflict with other users of the area”. For this proposal to go ahead the policy would need to be reviewed.

Concerns were also raised about the resources required for regulation to ensure dog owners compliance of the rules as not being either available or economically viable (25% of respondents). As mentioned above it would be recommended that at least two extra staff would need to be employed at a cost of approximately \$180,000. This would still not ensure permanent coverage but would give a much larger presence. Whilst it is thought that there would be some self regulation by other dog owners and peer pressure to pick up after their dogs etc we can see it clearly isn’t working that well currently in many of our dog parks.

The general non-compliance of dog owners to adhere with the rules and the requirement for effective control were also frequently raised by respondents. Staff visits to dog parks have seen that many dogs are not under effective control and a number of dog attacks have been reported in unleashed dog areas to Council. Staff are also aware that in many cases people do not report these attacks to Council. The statistics in Table One above, on beach usage, also clearly show that there are dogs on the beach already in contravention of the ban.

Environmental impacts were highlighted by over 19% of respondents. The environmental assessment which was based on reviewing for threatened species showed no basis for preventing dogs’ access to the beach. However the Curl Curl Lagoon Friends cited the disappearance of some more common species as an issue in the area since the Council allowed dogs into the

reserve and lagoon. This has been backed up by scientific research that has indicated a decrease in abundance and diversity where dogs are walked in woodlands (Banks and Bryant 2007).

One notable submission from a 13 year old student stated her concerns for the environment and whether future generations will be wondering why their “ancestors thought a dog’s happiness was much more important than their children’s future”.

Many respondents (18%) felt that the lagoon was already adequate for swimming with a number indicating they were dog owners and used it themselves for their dogs.

The issue of dogs urinating on the beach which can’t be picked up as well as on people’s belongings was raised by 15.4% of respondents. It should be noted that the smell of dog urine as well as dog faeces has been noted by staff frequently in the unleashed dog exercise area behind the beach.

Whether the use of the beach as a dog unleashed exercise and swimming area would be sustainable was regularly raised as an issue. As the only “dog” ocean beach in Sydney, with the exception of the end of Wanda Beach, it is expected that large numbers would come with their dogs. Given that letters of support were received from people from a variety of suburbs including North Sydney, Artarmon, Avalon, Balmain, Balmoral, Botany, Belmore, Carlingford, Como, Kirrawee, Kings Cross, Mosman, Newport, Northbridge, Rozelle and Waitara it is indicative that there would be a large influx of people with their dogs coming to the area to use the beach especially on weekends. One respondent for the use of the beach stated “I bet you will see more than 300 dogs on that beach”. Given that the area is only 460 m long with potential for only 2-3 metres wide on a high tide, serious doubts about the sustainability need to be raised.

Potential for zoonotic diseases was raised by 10.8% of respondents. As children in particular would be in direct contact with the sand playing with sand castles and digging holes they could easily come in contact with both faeces buried in the sand and urine. The issue with the beach as opposed to parks and reserves generally is that people are normally barefoot on the beach and lay on the sand. Diseases carried in dog faeces were quoted as including a variety of worms such as tapeworm, hookworm and round worm, giardia, cryptosporidium, salmonella and E. coli. Some of these parasites, in particular tapeworm, can lead to serious illness and even death, while Toxocariasis from the round worm *Toxocara canis* has been known to cause blindness or partial blindness in children in particular – though the occurrence is rare.

Increased potential for shark attack was listed by 6.8% of respondents. The Australian Government environment website lists at number seven in ways to minimise shark attacks “Do not swim with pets and domestic animals.” Item 9 stated “Do not swim at dusk or at night”. This information combined with concerns by some respondents over the proposed area being dangerous for swimming means that Council should be carefully considering this risk.

The final points raised by respondents included that dog owners are a vocal minority and that the majority do not want dogs on the beach. The phone surveys show that there is less than 50% support for dogs on any beaches. Others are scared of dogs but use this beach regularly and it would affect their quality of life. General disturbance of the peace and quiet by dogs barking and jumping over people was raised as well as the fact that the nippers use the extended beach for activities.

Finally 5.1% of respondents said they had seen the damage done at other locations and the way it impacted on other users and would not like to see it here.

CONCLUSIONS

Council’s Policy states that “Before allocating an area as a free-run area for dogs Council will ensure there is no conflict with other users of the area”. As a result of the public consultation it has been brought to Council’s attention that there will be a conflict and this position has been

supported through the study. Therefore it is not recommended to proceed with a trial of dog swimming and unleashed exercise at Curl Curl Beach.

In undertaking the study it was clear a number of maintenance issues could be addressed that may also assist in cutting down on the dog "poo" problem as well as assisting in weed control. It is suggested the grass areas are maintained on a regular basis. This will make it clearer where dog "poo" is and will also limit spread of herbaceous weeds.

It is also clear that there is substantial non compliance with dog owners entering the beach primarily from the dog unleashed exercise area. To assist with this we would like to install gates at the walkway entrances. This will allow a physical barrier to prevent dogs from entering the beach area as well as signage on the gates will further inform dog owners of their responsibilities. This will then assist rangers in enforcing non-compliance.

While the reserve is a great unleashed exercise facility following a close review of it during the study some further enhancements are recommended:

1. A dual shower that has one at dog height and one at human height placed at the site of the current tap on the northern end of the car park at mid Curl Curl. This would allow owners to wash their dogs off after swimming in the lagoon and provided some facilities for the surfers.
2. There are a number of open grassed areas which would be suitable for placing in dog agility type equipment such as tunnels and walkways and obstacle courses.
3. Some bench seating would also be an asset to owners to rest whilst out with their dogs. This could then possibly extend the time owners are out with their dogs. Four 2 metre long benches are recommended. These would need to be durable and properly installed to minimise chances of vandalism.

REFERENCES

Report agenda Item 9.9 22 November 2011 Dogs on beaches Northern Region - Research Paper

http://www.warringah.nsw.gov.au/council_then/documents/2011112299.pdf

Petcare Information and Advisory Service 2010 "Pets in the City" www.petsinthecity.net.au

Report agenda item 6.1 18 April 2000 (Dog swimming trial Manly Dam)

http://www.warringah.nsw.gov.au/council_then/documents/20041861.pdf

Dog Control, Free-Run Areas policy ENV-PL 310

Banks, P. and Bryant, J (2007) Four Legged Friend or Foe? Dog walking displaces native birds from natural area *Biol. Lett.*(2007) 3, 611-613.

Shark Information

<http://www.environment.gov.au/coasts/species/sharks/index.html>

ITEM 8.13	ESTABLISHMENT OF ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT ASSESSMENT & COMPLIANCE
TRIM FILE REF	2012/252897
ATTACHMENTS	1 Proposed Alcohol Free Zones in Warringah 2012-2016 (Excluded from Agenda) 2 Letter of approval from Superintendent Cruickshank

EXECUTIVE SUMMARY

PURPOSE

To establish Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs) within Warringah for the purpose of assisting Police in combating anti social behaviour in relation to excessive alcohol consumption.

SUMMARY

Public consultation was carried out from 1 May to 1 June 2012 relating to the creation of Alcohol Prohibited Areas in all parks and reserves in Warringah and establishment of a number of Alcohol Free Zones in road reserves.

All submissions received were in favour of the proposal. It is recommended that these Alcohol Prohibited Areas and Alcohol Free Zones as proposed are established.

FINANCIAL IMPACT

Provisions have been made within the Compliance budget for 2011/2012 for AFZ signage of \$15,000

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council approve the establishment of:

- A. Alcohol Prohibited Areas from 10 p.m. – 8 a.m. in all parks and reserves within Warringah with the exception of Walter Gors Park Dee Why and Queenscliff Headland which would be an Alcohol Prohibited Area 24 hours a day.
 - B. Proposed Alcohol Free Zones for a period of four years from 1 July 2012 – 30 June 2016 as indicated in the attachments.
-

REPORT

BACKGROUND

Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs) are a way Council can assist the Police in controlling anti-social behaviour related to excessive alcohol consumption.

A report was tabled to Council on 24 April 2012 outlining proposed changes AFZs and the introduction of APAs in all parks and reserves within Warringah.

Final approval for any APA must be given by the Local Area Commander of Police. There is no specified end date for APAs while AFZs may only be declared for up to four years duration. The Alcohol Free Zones are proposed to run from 1 July 2012 – 30 June 2016.

At the meeting on 24 April 2012 Council resolved "That Council approve the public exhibition of the proposed Alcohol Free Zones and Alcohol Prohibited Areas for a period of 30 days."

PROPOSAL**Proposed changes – creation of Alcohol Prohibited Areas (APAs)**

It is proposed to create APAs in all public parks, reserves and beaches in Warringah from 10 p.m. until 8 a.m. Two exceptions to this are Walter Gors Park in Dee Why and Queenscliff Headland where, due to a history of daytime anti-social behaviour, the APAs would be in place 24 hours per day. By having all parks and reserves in Warringah with a similar restriction it will allow the Police to have some consistency across the LGA in dealing with issues.

Alcohol Free Zones (AFZs) proposed changes.

There has been previously a number of AFZs in existence on public roads, footpaths and car parks where APAs are not appropriate under the legislation. All AFZs would be in place 24 hours per day. AFZs are proposed to cover the following locations (maps are provided in Attachment One):

Existing to be maintained:

1. Dee Why CBD (marginally enlarged down to Dee Why headland)
2. Narrabeen (adjacent to and east of Narrabeen Lagoon)
3. Belrose/Frenchs Forest in the vicinity of Glenrose Shopping centre
4. Forestville in vicinity of Forestville Shopping Centre
5. Governor Phillip Lookout Beacon Hill
6. Collaroy CBD Pittwater Rd. (reduced in area)
7. Kelpa Place, Allambie Heights (beside Allambie Heights Public School)
8. Dee Why Beach (sand area) – 24 hour special event - Australia Day (26 January) only

Proposed new AFZs.

9. Pittwater Rd, Brookvale in the vicinity of the bus stops outside Warringah Mall
10. Fisher Rd North in the vicinity of Cromer Community Centre
11. Sorlie Place Frenchs Forest (behind Forest Way Shopping Centre)
12. Forest Way Frenchs Forest in the vicinity of the bus stops outside Forest Way Shopping Centre

A number of previous AFZs would now be included in the APAs. These include Passmore Reserve Manly Vale, Vic Huxley Oval Collaroy Plateau, Brookvale Park, Truman Reserve Cromer, Freshwater Beach Reserves, Terrey Hills Oval, Frenchs Forest Showgrounds and Long Reef.

CONSULTATION

Public exhibition period for 30 days was undertaken outlining the proposed areas for AFZs and APAs, as required under the Local Government Act. As outlined in the Ministerial Guidelines on Alcohol Free Zones, Council wrote to the Local Area Commander Police, and liquor licensees which border on the proposed AFZs. A notice was placed in the Manly Daily on 2 June 2012 and on the Council website, placed on exhibition at the Civic Centre and notification was sent out via email to those on our community engagement register.

As a result of the consultation four submissions were received. All submissions fully supported the proposed AFZs and APAs.

A letter of approval for the Alcohol Prohibited Areas and support for proposed Alcohol Free Zones was received from Doreen Cruickshank APM, Superintendent, Northern Beaches Local Area Command. This allows Council to proceed with the creation of these APAs.

TIMING

If Council adopts the resolution to establish the proposed Alcohol Free Zones, Council must publically advertise their establishment. The zones can then be active seven (7) days after this advertisement provided the appropriate signage is installed. They would be in force until 30 June 2016.

The Alcohol Prohibited Areas can come into force immediately and will be in place indefinitely.

POLICY IMPACT

Nil

FINANCIAL IMPACT

Provisions have been made within the Compliance budget for 2011/2012 for AFZ signage of \$15,000



D/2012/90691

5 June 2012

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

Forwarded Via email to: liz.romer@warringah.nsw.gov.au

Dear Mr Hat *Rik*

Re: Alcohol Free Zones and Alcohol Prohibited Area

I refer to your correspondence dated 23 May 2012. I have read this letter and in consultation with Intel and Licensing staff I am satisfied that the areas identified for Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA) are justified and that Police will be able to enforce the legislation pertaining to the subject areas.

As required under Section 632(8) of the *Local Government Act 1993* I give my approval for these areas to be gazetted in accordance with this legislation.

I trust I have been of assistance to you with regard to this matter.

Yours faithfully



Doreen Cruickshank APM
Superintendent
Northern Beaches Local Area Command
KS

Northern Beaches Local Area Command

NSW POLICE FORCE RECRUITING NOW 1800 222 122
WWW.POLICE.NSW.GOV.AU/RECRUITMENT

ITEM 8.14	COMPLIANCE AND ENFORCEMENT POLICY - DRAFT
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT ASSESSMENT & COMPLIANCE
TRIM FILE REF	2012/249242
ATTACHMENTS	1 Draft Compliance and Enforcement Policy E-PL 120 June 2012

EXECUTIVE SUMMARY

PURPOSE

To consider Council's Compliance and Enforcement Policy and to place the document on public exhibition for 28 days.

SUMMARY

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

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

Accordingly, a new draft Compliance and Enforcement Policy is attached for consideration. The draft is based on the "*Enforcement Guidelines for Council's*" and "*Model Policy*" published by the Office of the NSW Ombudsman in 2002, with additional considerations as to the operational services provided at Warringah Council.

FINANCIAL IMPACT

There are no direct financial impacts.

POLICY IMPACT

This is a review of the current Compliance & Enforcement Policy to reflect legislative and procedural changes and align Council's policy with the Model Policy, NSW Ombudsman (2002).

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

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

REPORT

BACKGROUND

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

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

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

The report also stated:

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

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

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

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

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

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

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

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

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

The policy makes reference to the *Enforcement Guidelines for Council's* NSW Ombudsman in 2002 and *EPA Prosecution Guidelines* Environmental Protection & Authority (2004) in order to improve consistency and fairness to the use of discretion.

CONSULTATION

The attached Draft Compliance & Enforcement Policy has been reviewed by staff, Leadership Group, Internal Ombudsman and Council's Corporate Lawyer.

TIMING

The Policy will be public exhibition for 28 days. Following public exhibition, all submissions will be considered and the Policy will be presented to Council for adoption.

POLICY IMPACT

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

FINANCIAL IMPACT

There are no direct financial impacts.

1. Title

Warringah Council Compliance & Enforcement Policy

2. Principles

This policy aims:

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

3. Application

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

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

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

***Note: Status of policy**

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

4. Responsibilities

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

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

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

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

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

5. Investigating unlawful activity

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

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

Further enquiries or investigations may not be appropriate where:

The matter has already been investigated and resolved or it has been determined that no further action will be taken in the absence of new information;

- Council has no power in relation to the matter or is otherwise not the appropriate authority to investigate the matter. In relation to such matters it may be appropriate for Council to bring the matter to the attention of the appropriate regulatory authority or the nominated Private Certifying Authority*;
- The activity is identified as being lawful without the need for an investigation; or
- Such enquiries or investigations would be contrary to the public interest or policy considerations..

***Note: Private Certifying Authorities**

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

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

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

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

6. Taking enforcement action

After conducting an investigation and determining that there is sufficient evidence to determine that an offence has occurred beyond reasonable doubt, officers should consider all relevant circumstances of the individual case to determine whether to take enforcement action or

recommend that enforcement action be taken (in accordance with relevant delegations), and the level of enforcement action that is appropriate.

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

- The seriousness of the breach, including whether the breach is merely technical or “trivial” in nature;
- When the unlawful activity was carried out and for how long, including whether the breach is continuing;
- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- The need for general and specific deterrence;
- Whether the breach can be easily remedied;
- Any particular circumstances of hardship affecting the complainant or the person who is the subject of the complaint;
- Any mitigating or aggravating circumstances;
- Any prior warnings that have been issued to the person or previous enforcement action taken against the person;
- Whether Council has created an estoppel situation;
- Whether any requisite consent would have been granted if it was sought;
- Whether the person in breach shows or has shown contrition;
- Whether there is a draft planning instrument that would make any unauthorised use lawful;
- The degree of culpability of the alleged offender;
- Whether an educative approach would be more appropriate than a coercive approach;
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- The prospects of success if the proposed enforcement action were challenged in court;
- What action would be proportionate and reasonable;
- Any precedent which may be set by not taking enforcement action;
- The availability and efficacy of any alternatives to prosecution;
- Whether the offender had been dealt with previously by non-prosecutorial means;
- Whether the breach is a continuing or second offence;
- Whether the issue of Court orders are necessary to prevent a recurrence of the offence;
- The length of time since the alleged offence;
- The age, physical or mental health or special infirmity of the alleged offenders or witnesses;
- Whether there are counter-productive features of the prosecution;
- The likely outcome in the event of a conviction having regard to the sentencing options available to the court;
- Whether the consequences of any conviction would be unduly harsh or oppressive;

- Whether proceedings are to be instituted against others arising out of the same incident;
- Whether the action will result in people becoming homeless.

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

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

7. Options for dealing with confirmed cases of unlawful activity

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

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

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

The above options are not necessarily mutually exclusive although the effect of section 127(7) of the *Environmental Planning and Assessment Act 1979* should be considered in determining appropriate action. Accordingly, the appropriate strategy will depend on the individual circumstances of the case and an escalating approach may be appropriate.

Officers who issue penalty notices under the *Fines Act 1996* must have regard to the guidelines issued by the Attorney General under section 19A(3) of the *Fines Act 1996* entitled *Caution Guidelines under the Fines Act 1996* in deciding whether to give a person a caution for a penalty notice offence.

All decisions to take enforcement action (including all decisions to commence civil proceedings or prosecution) shall be made in accordance with the relevant delegations and appointments. Notwithstanding an officer's recommendation that enforcement action be taken, no prosecution or other proceedings must be commenced by Council unless Council's Manager responsible for Compliance and Council's lawyers are of the opinion that it is appropriate to do so having to the matters in section 6 including the prospects of success and the public interest.

Enforcement action will be monitored and a decision made in relation to what action to take in relation to non-compliance.

8. Discretion

8.1 General

The NSW Ombudsman's Guidelines provide guidance for the use of discretion

8.2 Whether to prosecute

The NSW Director of Public Prosecutions (DPP) provides guidance in their document *Prosecution Policy and Guidelines* as does the Environment Protection Authority of NSW's *EPA Prosecution Guidelines* (EPA Guidelines)

8.3 Directions by Council

Where legislation confers a power on authorised officers, as distinct from on the Council itself, the power is vested by the legislation in the authorised officer and must be exercised by that officer.

The Council, as a matter of law, may not lawfully direct the exercise (or non-exercise) of the power. This is because (by way of contrast with other Council powers) the statutes (such as those creating penalty notices) do not vest the power in Council or its General Manager to be delegated to the officers, but vest the primary power in the officers themselves.

8.4 Coercive powers

One area where the exercise of discretion has particular importance is where Council officers have been given coercive powers of investigation. Coercive powers include the power to require a person to answer questions and the power to require a person to provide information and/or records in relation to a matter properly the subject of an investigation.

Coercive powers of investigations are given under various statutes including the *Protection of the Environment Operations Act (Chapter 7)* and the *Environmental Planning and Assessment Act (Division 1A of Part 6)*.

9. Responding to complainants

It may not be appropriate to discuss the details and outcomes of an investigation with anyone, including the persons originally lodging the complaint. Confidentiality of information will be dealt with in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

10. Representations on action

All representations by persons to whom a Penalty Infringement Notice has been issued, must be made to the State Debt Recovery Office (SDRO). Where the SDRO does not have the authority to determine the matter, the representations will be referred to Council's Adjudication Panel for review and recommendation back to the SDRO. Any representations directly received by Council will be forwarded to the SDRO and the person making the representation informed of this action.

11. Adjudication Panel (AP)

An AP will be convened in accordance with the Charter stipulated in APPENDIX A of this policy in order to:

- a) Ensure openness and transparency in the decision making process with regard to Penalty Infringement Notice (PIN) appeals and representatives.
- b) Ensure a balanced assessment is made against each representation to a PIN and that State Guidelines and Council Policies are consistently and fairly considered and applied;

- c) Ensure a consistent outcomes on PIN matters

12. Authorisation

This Policy was authorised by Council on XXXXXXXX

This Policy will be reviewed in October 2013

13. Who is responsible for implementing this policy?

Group Manager Development Assessment & Compliance Services

14. Document owners

Group Manager Development Assessment & Compliance Services

15. File number

2011/243080

16. Definitions

For the purpose of this policy, the following defined terms have been used:

Council: means Warringah Council

Unlawful activity: means any activity or work that has been or is being carried out:

- Contrary to the terms and conditions of a development consent, approval, permit or licence;
- Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- Without a required development consent, approval, permit or license; or
- Otherwise contrary to legislation (including a legislative provision regulating a particular activity or work), and includes alleged unlawful activity.

legal advice: means legal advice received from Council's Corporate Lawyer or external legal advisors appointed by Council for that purpose.

Penalty Infringement Notice (PIN): means a penalty or fine, also known as an "on the spot fine" issued in lieu of prosecution for an offence and in accordance with the New South Wales Self Enforcing Infringement Notice (SEIN) System.

APPENDIX A

ADJUDICATION PANEL CHARTER

1. Functions of the Adjudication Panel (AP)

The functions of the AP are to:

- (a) To undertake a review of representation made to the NSW State Debt Recovery Office (SDRO) in response to Penalty Infringement Notices (PIN's) issued by Council;
- (b) Make determinations on Penalty Infringement Notices (PIN's) issued by Council. Determinations available to the AP include:
 - (i) cancelling the PIN
 - (ii) cancelling the PIN and issuing a formal caution
 - (iii) requiring the PIN to stand
 - (iv) seeking additional or clarifying information
- (c) Undertake a review of all PIN's commenced by Officers but voided before being issued.
- (d) Provide advice to compliance teams in relation to regulatory matters

2. Matters available for consideration by the AP in determinations

In making determinations on Penalty Infringement Notices (PIN's) issued by Council the APC may consider the following:

- (a) The provisions of Council's Compliance & Enforcement Policy
- (b) Was the PIN lawfully issued?
- (c) Are there any reasonable mitigating or aggravating factors to consider in the circumstances of the individual case?
- (d) Did the Issuing Officer act professionally, lawfully and in accordance with Council policies and standard procedures?
- (e) Has the offence been proven beyond a reasonable doubt?
- (f) Can the matter be adequately defended in a Court of Law?

3. Meeting Practices

- (a) Meetings of the AP

A meeting of the AP will consist of two (2) members with full voting rights. Each member attending a meeting shall have one vote.

The Panel to consist of the following roles:

Panel	Alternate
Group Manager Development & Compliance Services	Manager (Environmental Health & Protection, Regulatory Compliance, Building Certification & Fire Safety, or Development Compliance) NB: Alternate not to review any item generated from their own team
Corporate Lawyer/Legal Officer	Deputy General Manager Environment

- (b) Meeting and Other Processes

Proceedings of the AP shall be by way of a closed meeting for the purposes of undertaking the AP functions.

- (c) Determinations/Decisions

Determinations and any relevant decision of the AP shall be made by unanimous votes of members present at a meeting.

- (d) Outcomes and decisions made will be recorded in Council's electronic records management system and forwarded to SDRO for determination.

ITEM 8.15	ASSET MANAGEMENT POLICY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/241859
ATTACHMENTS	1 Revised Asset Management Policy (GOV-PL 550)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement of a revised Asset Management Policy for the purposes of public exhibition.

SUMMARY

Council endorsed its current Asset Management Policy (GOV-PL550) on 23 November 1999. The Asset Management Policy has been 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.

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

It is recommended that Council endorse the revised Asset Management Policy (attached) for the purposes of public exhibition.

FINANCIAL IMPACT

Nil

POLICY IMPACT

This Policy updates Council's current Asset Management Policy (GOV-PL 550).

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council endorse the revised draft Asset Management Policy for the purposes of public exhibition for a period of 14 days and note that a further report will be presented to Council following the public exhibition period.

REPORT

BACKGROUND

Council's Asset Management Policy (GOV-PL 550) was prepared and endorsed by Council on 23 November 1999. To date, this has been Council's key guiding document for the management of its assets and has provided a broad framework for Council to consistently manage its assets across the organisation.

Council is committed to implementing a systematic asset management methodology to facilitate best practice asset management processes across the entire organisation. Council's revised Asset Management Policy seeks to achieve this objective by providing a broad framework, guidelines and principles for coordinated, consistent and sustainable asset management practices throughout Council.

The revised Asset Management Policy provides a framework so that assets are managed consistently across the organisation and are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery. In addition to the above, the framework ensures that decisions relating to the management of Council's assets are consistent with Council's Corporate Vision and Community Vision, as documented in Council's Community Strategic Plan. The revised policy (attached) provides a broad framework consisting of eight key components and seven guiding principles for the management of Council's assets.

It is envisaged that the implementation of the policy framework will be further strengthened through the preparation of an Asset Management Strategy. Preparation of the draft Asset Management Strategy has commenced and the objectives and actions incorporated into the Strategy document will be largely influenced by the outcomes of the community consultation process as part of the preparation of Council's Community Strategic Plan. The proposed timing of the preparation of Council's Asset Management Strategy is in accordance with the Division of Local Government's Integrated Planning & Reporting Guidelines which specifies that Council is required to finalise its Community Strategic Plan before completing its Asset Management Strategy. In this regard it is anticipated that a draft Asset Management Strategy will be presented to the new Council for consideration in 2013 upon completion of Council's 2013 Community Strategic Plan.

CONSULTATION

Consultation has been undertaken with internal stakeholders including members of Council's Leadership Group, Strategic Working Group (Works & Assets), all Asset Managers, and relevant staff who play a key role in the management of Council's assets.

In accordance with Council's *Policy Development and Management Policy (PL910)*, it is proposed that the revised Policy be placed on public exhibition for a period of 14 days, and that a further report be presented to Council at the conclusion of the public exhibition period that summarises the outcomes of the exhibition period.

TIMING

Subject to the endorsement of the Asset Management Policy, the policy framework will come into effect in the third quarter of 2012.

POLICY IMPACT

This Policy updates Council's current Asset Management Policy (GOV-PL 550).

Warringah Council Policy

Policy No. GOV - PL 550

Asset Management Policy

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.

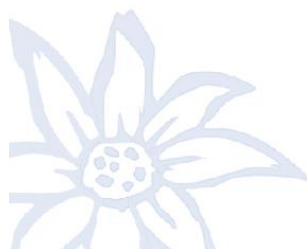
In its commitment to manage assets in accordance with recognised best practice, Council regularly reviews and updates its Asset Management Plans, Policies and Procedures. Council endorsed an Asset Management Policy (GOV-PL 550) on 23 November 1999 which superseded Council's Asset Management Policy MG-PL 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.



GOV – PL 550

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.



GOV – PL 550

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:



Asset Management Policy
June 2012

Version 1

Page 3 of 5

GOV – PL 550

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.



GOV – PL 550

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

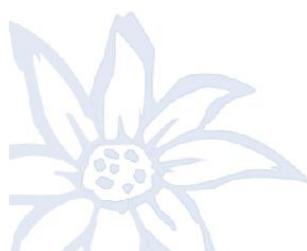
Critical Assets: Those assets that are likely to result in more significant financial, environment and social cost in terms of impact on organisational objectives.

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.



ITEM 8.16	TOWN PLANNING SERVICES PANEL
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/236920
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek a Council resolution to tender for a town planning services panel.

SUMMARY

The need has been identified to establish a panel of expert town planning consultants. The principal purpose is to assist with un-programmed work such as the assessment of rezoning applications (otherwise known as Planning Proposals).

The un-programmed nature of this work means that it presents a potential risk to the Strategic Planning Group completing its priority projects ('Key Initiatives') listed in the Strategic Community Plan.

Council's procurement requirements mean that a Request for Tender (RFT) needs to be prepared to appoint this panel. A Council resolution is sought to undertake the tender process.

FINANCIAL IMPACT

Nil, the cost of these services will be funded through the application fees associated with the rezoning applications.

POLICY IMPACT

Positive, a town planning services panel will assist Council in delivering its key initiatives in the Strategic Community Plan.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That Council undertake the procurement of a town planning services panel via a Request for Tender.
 - B. That a further report be submitted to Council upon an acceptable tender being received in accordance with Council's Procurement Policy and the Local Government (General) Regulation 2005.
-

REPORT

BACKGROUND

Council must assess rezoning applications (Planning Proposals) under the Environmental Planning and Assessment Act 1979 (the Act). These applications are currently assessed by Council's Strategic Planning Group.

An application can be submitted by or on behalf of a land owner at any time. The un-programmed nature of this work means that it presents a potential risk to the Strategic Planning Group completing its priority projects listed in the Strategic Community Plan.

In addition, the potential for an increase in the number of Planning Proposal applications has been identified as a result of:

- Proposed changes to the Act involving Council having to assess applications within 60 days after which time an applicant can seek a review of the matter from another authority such as a Regional Planning Panel.
- Council has generally not considered many rezoning applications during the time of preparation of Warringah Local Environmental Plan 2011 (LEP). There is expected to be a number of applications following the commencement of the LEP.

The use of an expert panel in this process will ensure Council can deal with a potentially large un-programmed work source, and if necessary, be in a position to respond to the foreshadowed Act amendments that change the manner and timeframes around the assessment of these applications.

It is therefore necessary for Council to be suitably resourced to be able to respond to these statutory requirements, whilst at the same time minimising impacts on other key programmed project initiatives.

Cost Neutral

The cost to Council to use the town planning services panel will be cost neutral as expenditure will be recovered by application fees for planning proposals.

The tender process to procure a town planning services panel is based on a maximum budget for these services of \$300 000 per annum.

Specialised service - town planning services panel

An existing town planning services panel is available for use on the Local Government Procurement website however this panel comprises more than one hundred (100) State, Regional and National wide businesses and companies which provide a mixture of engineering, planning, development and community professional consulting services.

It is considered that this panel is too broad in its professional scope and would not be suited for the specialised task of preparing planning proposals or be as cost effective as a smaller panel.

In general terms, a town planning services panel is sought comprising up to six (6) businesses or companies that have excellent and specialised experience in the preparation of planning proposals.

The panel will be contracted on a needs basis, at Council's discretion.

CONCLUSION

A town planning services panel is needed to provide Council with additional staff capacity to deal with a potential and un-programmed increase in rezoning applications.

CONSULTATION

The Request for Tender will be advertised in accordance with Council's Procurement procedures.

TIMING

The appointment of a panel is anticipated by October 2012 should Council resolve to adopt the recommendation in this report.

FINANCIAL IMPACT

Nil - The cost of these services will be funded through the application fees associated with the rezoning application.

POLICY IMPACT

Positive. A town planning services panel will assist Council in delivering its Key Initiatives in the Strategic Community Plan.

ITEM 8.17	SUBMISSION ON SYDNEY OVER THE NEXT 20 YEARS. A DISCUSSION PAPER
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/236220
ATTACHMENTS	1 Submission on Discussion Paper - Sydney over the next 20 years (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to seek Council's endorsement of a submission to the new State Government planning discussion paper titled 'Sydney Over the Next 20 Years'.

SUMMARY

The NSW Government has released a Discussion Paper, 'Sydney over the next 20 years', for public comment. The Discussion Paper is intended to be the first step in the development of a new Metropolitan Strategy for Sydney.

The Metropolitan Strategy is being developed concurrently with two other strategies with the same 20 year horizon: Long-Term Transport Master Plan and the State Infrastructure Strategy.

The attached submission provides a detailed response by Warringah to the Discussion Paper.

In summary, the Discussion Paper reaffirms principles which have been articulated in earlier iterations of the Metropolitan Strategy. These principles include the need to link land use planning with transport and infrastructure, support for regional and local urban centres, aligning employment growth with these centres and improving access to and within these centres.

Warringah supports these principles and welcomes their re-affirmation in the Discussion Paper.

However, while the Discussion Paper attempts to comprehensively address the myriad of issues facing planning for Metropolitan Sydney, the forthcoming Strategy needs to provide stronger direction in relation to the following:

- The need for strong linkages to facilitate a better understanding of the relationships between the various plans and policies which guide growth and development in NSW – eg. the Metropolitan Strategy, Transport Master Plan and State Infrastructure Strategy, Standard Instrument and the draft Metropolitan Subregion Strategies.
- A comprehensive performance measurement/monitoring tool is required to improve assessment and evaluation of key directions, goals and priorities.
- A feedback and auditing system needs to be implemented to ensure ongoing consultation and transparency in the metropolitan planning and development process.
- Process confidence needs to be instilled through the establishment of budgets, project actions and implementation plans.
- The need to take into greater account, the significant differences in travel and transport options between the widely differing areas of the metropolitan area, and plan for transport provision accordingly.

There also needs to be clearer direction as to how infrastructure and public transport provision to local government areas will be improved, including staging and timeframes as well as a robust

policy framework so that environmental considerations such as water quality, stormwater, maintenance of ecological function and the protection of threatened species and endangered ecological communities are afforded the appropriate consideration and protection in both strategic planning and development assessment activities.

FINANCIAL IMPACT

The financial impact of the forthcoming Metropolitan Strategy for Sydney is unknown.

POLICY IMPACT

The new Metropolitan Strategy can be expected to have a significant impact on Council policies.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council endorse the submission on the Discussion Paper 'Sydney Over the Next 20 Years' and that it be forwarded to the NSW Department of Planning and Infrastructure.

REPORT

METROPOLITAN STRATEGY AND REVIEW

In December 2005, the NSW Government released its Metropolitan Strategy for Sydney to 2031, entitled *City of Cities: A Plan for Sydney's Future*. This strategy provided a framework to manage growth and development to 2031 in the Sydney metropolitan area. Themes addressed included the need for balancing growth with natural resource constraints, strengthening regions, valuing non-urban areas, building liveable communities, renewing existing areas, strengthening employment centres and connecting centres with the transport network.

The first comprehensive review of the 2005 Metropolitan Strategy was undertaken in late 2010 through the release of a discussion paper: *Sydney Towards 2036* (referred to as the *Metropolitan Strategy Review*). The Review was instigated in light of several issues, including the Global Financial Crisis, change in expected population growth forecasts, housing affordability and climate change.

The Discussion Paper, 'Sydney over the next 20 years', has now been released to "provide a fresh start and a fresh approach" to meet the challenge of population rising by over 1.3 million by 2031 and the need to provide an additional 570,000 homes and 600,000 more jobs.

Some key points to note include:

- The new Metropolitan plan is concurrently being developed with two other long term strategies and delivery plans: Long Term Transport Master Plan and the State Infrastructure Strategy. These have a 20 year horizon, compared to the 25 year horizon of the 2005 and 2010 Strategies.
- The new Metropolitan Strategy is to achieve goals in the NSW 10 Year Plan: NSW 2021. This integration is intended to avoid previous problems of lack of coordination across State agencies in the delivery of actions and delays in the delivery of key infrastructure.
- The discussion Paper makes explicit the intent in for housing supply to be accelerated in both existing and greenfield areas.
- However, it should also be noted that the Discussion Paper re-commits to key principles identified in the earlier strategies. These principles include the need to link land use planning with transport and infrastructure, support for regional and local urban centres, aligning employment growth with these centres and improving access to and within these centres.

The Discussion Paper is structured around nine themes for Shaping Sydney:

- Housing our growing population
- Providing jobs and economic opportunities
- Providing efficient transport networks
- Providing the infrastructure we need
- Providing equitable access to a great lifestyle
- Protecting our environment and building resilience to natural hazards
- Protecting productive rural and resource lands
- Connecting with the regions

- Delivering the Strategy

Each of these sections in the Discussion Paper presents a set of questions for comment. The submission has therefore been structured around those questions of relevance to Warringah.

The Discussion Paper will be followed by the release for public comment of a draft Metropolitan Strategy for Sydney in mid-2012 and the approval and publication of a Metropolitan Strategy for Sydney at the end of 2012.

NSW Long Term Transport Master Plan

In February 2012, the NSW Government released the NSW Long Term Transport Master Plan Discussion Paper for public comment. The Transport Master Plan is to identify a clear direction for transport over the next 20 years in conjunction with the new Metropolitan Strategy and State Infrastructure Strategy.

In accordance with the preference of the Minister for Transport that submissions be made by regional organisations of councils (ROCs) not individual councils, SHOROC provided a submission on the Transport Discussion Paper in April 2012. Elements of the SHOROC submission have been incorporated into this submission on the 2012 Discussion Paper, *Sydney over the next 20 years*.

TIMING

The Discussion Paper was released in May 2012 for comment. Information on the document can be downloaded on the NSW Department of Planning and Infrastructure website. The Department of Planning and Infrastructure has been holding fifteen public drop-in sessions in libraries across Sydney. A drop-in session was held at Dee Why Library on June 18.

The Discussion Paper for the Long Term Transport Master Plan was released in February 2012. Information on the document is located on the Transport for NSW website. From February to May fourteen community forums on the Transport Discussion Paper were held across NSW including one for Sydney North (including the Warringah LGA).

It is understood from discussions with staff in the Department of Planning and Infrastructure that the timing for the release of the new Metropolitan Strategy will be before the end of 2012, around November or December.

POLICY IMPACT

The new Metropolitan Strategy has the potential to have a significant impact on Council policies, particularly in relation to housing, employment, transport and environmental sustainability.

FINANCIAL IMPACT

The financial impact of the forthcoming Metropolitan Strategy for Sydney is unknown.

ITEM 8.18	DRAFT ENVIRONMENTAL SUSTAINABILITY STRATEGY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/254400
ATTACHMENTS	1 Draft Environmental Sustainability Strategy for Council Adoption (Excluded from Agenda) 2 Submission Assessment Table

EXECUTIVE SUMMARY

PURPOSE

To report on submissions received during the recent exhibition period, and to present for Council's adoption, a revised draft Environmental Sustainability Strategy.

SUMMARY

The draft Environmental Sustainability Strategy was placed on public exhibition for a period of 30 days during February / March this year. A total of eight submissions were received. A submissions assessment table is attached to this report (Attachment 2).

This report summarises the changes to the draft Strategy following the comments received during the public exhibition period as well as the engagement process in developing the revised draft Strategy.

This item was reported to Council on 22 May 2012. At that meeting it was resolved "That this item be deferred to a Councillor briefing and that a review of the 325 actions of the current Environmental Sustainability Strategy 2001 be included in the briefing."

Copies of presentation slides on a review of actions in the 2001 Strategy were provided to Councillors at the briefing on 5 June 2012.

Adoption of the draft Strategy (Attachment 1) is recommended.

FINANCIAL IMPACT

Any costs of implementing this draft Strategy will be factored into current and future project planning and budgets. It is also anticipated that human resources (staff time) may be required to coordinate a more consistent approach on environmental sustainability projects and initiatives across Council as well as to oversee reporting on progress against the proposed targets and outcomes in the draft Strategy.

POLICY IMPACT

The draft Environmental Sustainability Strategy replaces the previous Environmental Strategy, 2001.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopt the Environmental Sustainability Strategy.

REPORT

CONSULTATION

At the Council meeting on 14 February 2012, Council resolved to place the draft Environmental Sustainability Strategy on public exhibition for a period of 30 days. The draft Strategy was placed on public exhibition on Monday 27 February and closed Friday 30 March 2012.

During the public exhibition period the following methods were used to promote the draft Environmental Sustainability Strategy and seek formal submissions:

- Advertisement in Manly Daily on Saturday 25 February 2012
- Direct mail (24 February 2012) to members of the Environmental Sustainability Strategic Reference Group and to focus group participants
- Website promotion including submission email link from 22 February 2012
- Exhibition documents were available in Council's libraries and at Civic Centre from Monday 27 February to Monday 2 April 2012
- Follow up meetings/phone conversations with community members

A total of eight formal, written, submissions were received. A submissions assessment table is attached to this report (Attachment 2). In addition, staff answered one phone enquiry and also met with a community member at Council offices to provide further information regarding the draft Strategy.

Summary of Proposed Amendments to the Draft Strategy

The revised draft Strategy inclusive of amendments highlighted in Attachment 2 contains the following main changes:

- Ensuring consistency in formatting (namely references, headings and tables throughout the draft Strategy)
- Ensuring consistency in language and terminology (namely related to community engagement)
- Ensuring that all referenced material in the body of the document is also provided in the reference list
- Providing explanatory or supporting information regarding the principles and directions in the draft Strategy

Implementation and Evaluation

The draft Strategy is intended to provide a 'big picture' overview of outcomes to achieve in the long-term (approximately 10 years). Shorter-term actions and detailed prescriptions on what projects, programs and initiatives to implement would be derived from the draft Strategy and the Strategic Community Plan as part of Council's annual business planning framework.

An overview report on identified environmental projects and initiatives will be generated on an annual basis and made publicly available via the internet. Progress against targets will also be monitored and reported publicly. The draft Strategy will be reviewed every four years, or as required.

BACKGROUND

The draft Environmental Sustainability Strategy sets a vision for how Council should approach long term environmental sustainability in Warringah.

The draft Environmental Sustainability Strategy will replace Warringah's Environmental Strategy (2001). The initial Environmental Strategy (2001) provided detailed actions for Council's management of natural resources. Councillor briefings on the 2001 Strategy were undertaken in 2009 and 2012. Of the 323 actions in the initial strategy, Council has completed 68% since 2001. Nearly all of these remaining actions have now become outdated or obsolete due to legislative or organisational changes or were given low priority status in the original 2001 Strategy. There has also been a need to shift management focus from natural resource management to environmental sustainability broadly. Actions that retain currency have been carried over in the revised draft Environmental Sustainability Strategy.

A range of research and community engagement activities were undertaken to inform the development of the draft Environmental Sustainability Strategy:

- Two focus group meetings with residents
- One general (open) public meeting
- Three workshop sessions for youth on environmental sustainability
- Individual discussions with community members
- Discussions and interviews with Councillors and members of the Environmental Sustainability Strategic Reference Group
- Councillor workshops/briefings from 2009 to 2012
- Three workshops with the Environmental Sustainability Strategic Reference Group
- Staff interviews, meetings and workshops
- Interviews with key stakeholders and subject matter experts (eg. neighbouring councils, government agencies and departments)

Extensive desktop research was conducted to determine best practice environmental strategies, planning frameworks, target setting and identify approaches to collaboration with the community.

POLICY IMPACT

The draft Environmental Sustainability Strategy replaces the previous Environmental Strategy, 2001.

FINANCIAL IMPACT

Any costs of implementing this draft Strategy will be factored into current and future project planning and budgets. It is also anticipated that human resources (staff time) may be required to coordinate a more consistent approach on environmental sustainability projects and initiatives across Council as well as to oversee consolidated public reporting on progress against the proposed targets and outcomes contained in the draft Strategy.

Attachment B: Summary of submissions on the draft Environmental Sustainability Strategy

Item	Number of submissions in relation to this comment/issue	Summary of the Community's comments	Staff assessment	Recommendation
1)	6	General support for the draft Environmental Sustainability Strategy	Noted	No change to draft Strategy
2)	2	Support for the target to reduce food waste in the general waste stream by 40%.	Noted	No change to draft Strategy
3)	1	Ensure that reference list is current and consistent with the body of the document	Conduct review of reference list.	Reference list has been updated as per proposed changes.
4)	2	Editorial (formatting, spelling and consistency in language)	Conduct editorial review and quality check.	The draft Strategy has been amended as per editorial comments.
5)	1	Warringah's sea level is dropping and Council should ensure that assumptions about rising sea levels do not impose unnecessarily on new developments and development controls.	The view that sea levels are dropping in Warringah is not supported by best available science. Comments that relate specifically to land use planning have been forwarded to Council's land use planners as they fall beyond the immediate scope of the draft Strategy.	No change to draft Strategy
6)	1	The draft Strategy is too descriptive. It should have been written as an action plan. The Environmental Strategy 2001 should not be superseded.	The draft Strategy is a long term document. For the draft Strategy to maintain currency over the long term, it is necessary that it is not too prescriptive. It must be possible for Council to achieve the outcomes we seek by drawing on new knowledge and technology as this becomes available. Council's management and planning systems and approaches have changed considerably since 2001. With the Strategic Community Plan and the related business and operational planning cycles, action plans tend to become superfluous.	No change to draft Strategy
7)	3	The draft Strategy is not detailed enough and should include more technical information regarding the scientific basis of the document.	The draft Strategy has been written so as to be accessible to the general public yet continue to provide overall and long term direction for Council. The draft Strategy is founded on extensive research and a strong evidence based approach. Scientific and technical information that underpin the draft Strategy can be made available upon request.	Additional information and references have been provided in the revised draft, namely the inclusion of Appendix 4 which provides a break down of community emissions in Warringah (2008/9) per emission source. The Hyder report regarding evidence base for target setting on emissions reductions was also provided to a community member upon request and further information given during a face to face meeting.

Item	Number of submissions in relation to this comment/issue	Summary of the Community's comments	Staff assessment	Recommendation
8)	1	The targets regarding carbon emissions reduction are too ambitious. Instead the target that has been taken by the Borough of Woking in the UK should be taken: "we will emit less carbon this year than we did last year and this will be our commitment every year".	The targets relating to carbon emissions are based on Council resolutions and are in line with state and federal guidelines and best available science. These targets can not be changed.	Additional explanatory information has been included in the draft Strategy.
9)	4	Specific project ideas provided in the submission.	Specific project ideas fall beyond the scope and level of the draft Strategy.	No change to draft Strategy. Specific project ideas will be considered as part of the business planning cycle where budgets are determined on the basis of the draft Strategy.
10)	3	Monitoring and evaluation measures and approaches should be made clear and progress against these reported to the public.	An implementation and evaluation framework is being drafted which will address this issue.	No change to draft Strategy. Clear and concise performance measures will be used as basis for regular monitoring and reporting.
11)	1	Improved identification of Council's lobbying/influencing opportunities with other levels of government.	This has been addressed in a general sense within the document.	No change to draft Strategy. In implementation of the Strategy, Council will work with the community to clarify expectations aligned to the strategy.

ITEM 8.19	ABORIGINAL LAND CLAIMS 22339, 23192, 22480 AND 22597
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2012/257143
ATTACHMENTS	1 Submission to Department of Primary Industries - Aboriginal Land Claims 22339, 23192, 22480 and 22597 2 Request for Submission Aboriginal Land Claims - Narrabeen Lagoon (Excluded from Agenda) 3 Preliminary Response to Crown Lands - Aboriginal Land Claims - Narrabeen Lagoon (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To advise Council of four Aboriginal Land Claims within the vicinity of Narrabeen Lagoon and to seek a resolution to formalise a submission to the Department of Primary Industries.

SUMMARY

- Council has received notification from the Department of Primary industries (Attachment 2) regarding four Aboriginal Land Claims for land within the Warringah LGA. Each claim relates to land in the vicinity of Narrabeen Lagoon.
- The Department is seeking Council's comments on the claims, including:
 - Whether Council has an interest in the land based on a lawful use or occupation;
 - Whether there are any areas of the claimed land which could be granted; and
 - If there is any need, or likely need, for the claimed land for an essential public purpose.
- A review of the land claims has been made with regard to the above criteria and a submission has been prepared. Each of the four claims lodged relate to land that Council considers to be lawfully used, environmentally significant or required for an essential public purpose.
- Council's endorsement of this submission is sought.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council endorse the submission on four Aboriginal Land Claims within the vicinity of Narrabeen Lagoon and it be forwarded to the Department of Primary Industries for consideration in the determination of the subject Land Claims.

REPORT

BACKGROUND

The Aboriginal Land Rights Act 1983 enables Aboriginal Land Councils to lodge claims for the ownership of Crown Land. Applications for land claims are determined by the Minister for Primary Industries. If a claim is granted, the ownership of the site is transferred from the Crown to the claimant Aboriginal Land Council.

In May 2012, the Department of Primary Industries advised Council that four Aboriginal Land Claims (ALCs) had been lodged over a number of parcels of Crown land within the Warringah Local Government Area, in proximity of Narrabeen Lagoon. The Department is seeking Council's comments on the claims, including whether Council has an interest in the land based on a lawful use or occupation, whether any part of the subject land that could be claimed and if there is any need, or likely need, for the claimed land for an essential public purpose or as residential land. A copy of the Department's letter is attached as Attachment 2.

Issue

Council has received land claim notifications from Crown Lands in relation to the following claims:

- Birdwood Park and part of the coastal reserve is identified under ALC 22339 which covers Lot 9 Sec 63 DP 5768 and Part Lot 7301 DP 1140671. The land subject to the claim is within the vicinity of Narrabeen Lagoon entrance and has an approximate area of 2.9ha. Lot 9 Sec 63 DP 5768 (Birdwood Park) is owned by the Crown and leased to Warringah Council. Lot 7301 DP 1140671 is owned by the Department of Lands under the Trustee of Warringah Council. The claimed land is integral to the maintenance and protection of the Narrabeen Lagoon as well as the coastal zone. Council has maintained a policy of mechanically opening the entrance and undertaking works in order to limit the severity of flooding and maintain the water quality of the Lagoon. The management of the Lagoon entrance to mitigate flood risk is considered an essential part of Council's legislative responsibility and duty of care. Birdwood Park and the beach reserve is also highly utilised by the general public for recreational purposes and is integral to coastal access. The site is currently used for public car parking, beach access as well as recreational uses. As such, the claim that has been lodged relates to land that Council considers to be lawfully used and is required for an essential public purpose.
- A parcel which forms part of the area known as Middle Creek Reserve is identified under ALC 23192 and covers Lot 95 DP 752038. Lot 95 DP 752038 is owned by the Department of Lands and has an approximate area of 3.3ha. Council has care, control and management of the Reserve as Trust Manager of the Wakehurst Parkway Reserve Trust. The parcel has significant environmental value, containing threatened flora and fauna species. The parcel also has the public purpose of Public Recreation and Council has invested significant funding in enhancing these values and increasing public amenity through bush regeneration and targeted pest species control. Land along Middle Creek has considerable value to the Warringah Community for the public amenity, environmental significance and recreational opportunities that it provides. As such, the claim that has been lodged relates to land that Council considers to be lawfully used, environmentally significant and is required for an essential public purpose.
- A parcel which forms part of the area known as Middle Creek Reserve is identified under ALC 22480 and covers Lot 7062 DP 93798. Lot 7062 DP 93798 is owned by the Department of Lands and has an approximate area of 9.7ha. Council has care, control and management of the Reserve as Trust Manager of the Wakehurst Parkway Reserve Trust. The parcel has significant environmental value, containing threatened flora and fauna species. The parcel also has the public purpose of Public Recreation and Council has invested significant funding in enhancing these values and increasing public amenity through bush regeneration and

targeted pest species control. Land along Middle Creek has considerable value to the Warringah Community for the public amenity, environmental significance and recreational opportunities that it provides. As such, the claim that has been lodged relates to land that Council considers to be lawfully used, environmentally significant and is required for an essential public purpose.

- Crown reserve and car park associated with the Narrabeen Boatshed is identified under ALC 22597 and covers Lot 7053 DP 93780. Lot 7053 DP 93780 is owned by the Department of Lands and has an approximate area of 0.1ha. The site is under the care and control of Warringah Council. The site is lawfully used as a public car park and provides access between Narrabeen Street and the Narrabeen Boatshed. The site also provides public access to Narrabeen Lakes and permits the undertaking of a wide range of recreational uses. The site is highly utilised by the general public for car parking, access to businesses within the Narrabeen Boatshed, lake access as well as recreational uses. As such, the claim that has been lodged relates to land that Council considers to be lawfully used and is required for an essential public purpose.

It is noted that land areas are approximate only and have been sourced from Councils Geographic Information System.

CONCLUSION

An investigation of the affected parcels has been undertaken in order to determine the nature of the claim. Each of the four claims lodged relate to land that Council considers to be lawfully used, environmentally significant or required for an essential public purpose. A submission has been prepared to the Department of Primary Industries (Attachment 1), which contains a full assessment of each individual land claim.

CONSULTATION

Consultation has been undertaken with key staff within the organisation.

The attached submission (Attachment 1), responds to the Department of Primary Industries consultation period requesting Councils comment on the proposed Aboriginal Land Claims.

TIMING

The submission was due on 6 June 2012. A preliminary response requesting an extension to the submission period was sent to the Department of Primary Industries on the 5 June 2012 in order to allow time for Council to formally endorse a response (Attachment 3).

An email from the Department of Primary Industries was received on 7 June 2012 notifying council of the urgency of a response. Subsequently a draft copy of the submission was forwarded to the Department in the week commencing 18 June 2012.

POLICY IMPACT

Nil

FINANCIAL IMPACT

Nil



27 June 2012

Shane Connolly
Senior Property Management Officer
Crown Lands
PO BOX 3935
PARRAMATTA NSW 2124

Dear Mr Connolly,

Re: Aboriginal Land Claims – Narrabeen Lagoon

I refer to your letter dated 9 May 2012 regarding Aboriginal Land Claim Nos. 22339, 23192, 22480 and 22597, and advise that Council has considered the above matter at a Council Meeting on 26 June 2012 and resolved as follows:

'That Council endorse the submission on four Aboriginal Land Claims within the vicinity of Narrabeen Lagoon and it be forwarded to the Department of Primary Industries for consideration in the determination of the subject Land Claims.'

An assessment of each parcel of claimed land has been undertaken and is attached as part of Councils submission. Please also find attached a copy of Councils report of 26 June 2012 on the matter.

Should you require any further information regarding the content of this letter, please contact Nicholas Vargassoff on 9942 2675.

Yours faithfully

Malcolm Ryan
Deputy General Manager Environment

Detailed Assessment of Land Claims

ALC 22339

ALC 22339 was lodged on 18 November 2009. The land claim applies to Lot 9 Sec 63 DP 5768 and Part Lot 7301 DP 1140671. Lot 9 Sec 63 DP 5768 (Birdwood Park) is owned by the Crown and leased to Warringah Council. Lot 7301 DP 1140671 is owned by the Department of Lands and is under the Trustee of Warringah Council. The area of claim is made up of the coastal reserve and the site known as Birdwood Park having an approximate area of 2.9ha. The land is within the vicinity of Narrabeen Lagoon entrance. A number of environmental constraints are present on the subject land, including:

- The site contains Class 1, 4 and 5 Acid Sulfate Soils.
- The site is Flood Prone.
- The site contains Threatened and High Conservation Habitat.

At the time of Claim the site was zoned locality D1 – Collaroy/Narrabeen under Warringah Local Environmental Plan 2000 (WLEP 2000). The site is currently zoned RE1 – Public Recreation under Warringah Local Environmental Plan 2011 (WLEP 2011). The site is managed under Councils Coastal Lands Plan of Management 2002.

Council considers the claimed land as integral to the maintenance and protection of the Narrabeen Lagoon as well as the coastal zone. Council has maintained a policy of mechanically opening the entrance and undertaking works in order to limit the severity of flooding and maintain the water quality in the Lagoon through tidal flushing.

The management of the Lagoon entrance to mitigate flood risk is considered an essential part of Council's legislative responsibility and duty of care to those living and working on the floodplain. Therefore, continued public ownership of the subject land is necessary for Council to undertake its legislative responsibility of flood management. If the title were to be transferred to the claimant Aboriginal Land Council, Council would be unable to act as necessary with regard to manual opening and closing of the Lagoon entrance and other necessary works without possible complications.

As flood management is undertaken to preserve life and property, any delay or complication from a covenant or condition may have unforeseen consequences. As such, Council's duty of care and responsibilities can not be preserved with any agreement that might delay necessary works.

Birdwood Park and the beach reserve is highly utilised by the general public for recreational purposes and is integral to coastal access. Significant Council resources have been dedicated to the maintenance of the area for the public benefit as well as the establishment of a Master Plan for the future use of the area. The site is currently used for public car parking, beach access as well as recreational uses.

It is noted that Council has recently prepared and is exhibiting a Draft Master Plan for North Narrabeen Beach Reserve and Birdwood Park which includes upgrading public facilities and linkages within the area, particularly those within Birdwood Park.

The claim that has been lodged relates to land that Council considers to be lawfully used and is required for an essential public purpose.

ALC 23192

ALC 23192 was lodged on 3 December 2009. The land claim applies to Lot 95 DP 752038 which has an approximate area of 3.3ha. Lot 95 DP 752038 is owned by the Department of Lands. Council has care, control and management of the Reserve as Trust Manager of the Wakehurst Parkway Reserve Trust. The parcel subject to the claim forms part of the area known as Middle Creek Reserve. The subject site is located north of Wakehurst Parkway and directly adjoins another Aboriginal Land Claim 22480 (located to the east). A number of environmental constraints are present on site, including:

- The site is Bush Fire Prone.
- The site is identified as being within the Oxford Falls Valley Heritage Conservation Area under both WLEP 2000 and WLEP2011. Oxford Falls Valley Heritage Conservation Area has natural heritage significance due to the site accommodating a wide range of native flora and fauna species and their habitats. It also has considerable aesthetic appeal and is valued by the community as a striking natural feature, a good viewing platform, a place for recreation, and a valued geological education site.
- The site contains Class 2 and 5 Acid Sulfate Soils.
- The site is Flood Prone.
- The site contains Threatened and High Conservation Habitat.
- The site has significant environmental values, characterised by remnant vegetation in very good condition. The draft Warringah Biodiversity Conservation Study ranks 790 different patches of vegetation – this patch is ranked the highest of all 790.
- The site forms part of Warringah's core habitat – linking Garigal National Park in the north, with Manly Dam, and other parts of the Garigal National Park to the south at Bantry Bay.
- The site forms part of essential nesting habitat for a pair of Osprey (*Pandion haliaetus*), a vulnerable species in NSW listed under the NSW *Threatened Species Conservation Act 1995*.
- The remnant vegetation on site consists of the listed threatened community Swamp Sclerophyll Forest on Coastal Floodplains.

At the time of Claim the site was zoned locality B2 – Oxford Falls Valley under WLEP 2000. The site is currently zoned RE1 – Public Recreation under WLEP 2011. The site is managed under Councils Generic Bushland Reserves Plan of Management – adopted by Council in 2009. The area is categorised as Natural Area – Bushland. The land is also covered by the draft Oxford Falls Regional Crown Reserve POM. The identified preferred land use for this parcel is environment protection.

The Reserve has the public purpose of Public Recreation. Council has invested significant funding in enhancing these values and increasing public amenity through bush regeneration and targeted pest species control. Land along Middle Creek has considerable value to the Warringah Community for the public amenity it provides.

Between 2008 and 2011, the site was managed as part of the Narrabeen Lagoon Creating a Sustainable Catchment Project. A \$2million grant funded project focussed on a range of projects including bush regeneration, targeted weed control and community education. The subject lot was managed as part of this project. The project was a partnership between Warringah and Pittwater Councils, and included community stakeholders including Friends of Narrabeen Lagoon Catchment.

This parcel was also identified in the Species Impact Statement for Stage 1 of the Narrabeen Lagoon Multiuse Trail as areas an area that should be nominated as Wildlife Protection Area. The proposed WPAs were recently exhibited and are currently before Council for consideration.

It is also noted that the parcel adjoins Middle Creek which, historically, has been intensively utilized for public recreational purposes, including kayaking and boating.

The claim that has been lodged relates to land that Council considers to be lawfully used, environmentally significant and is required for an essential public purpose.

ALC 22480

ALC 22480 was lodged on 18 November 2009. The land claim applies to Lot 7062 DP 93798 which has an approximate area of 9.7ha. Lot 7062 DP 93798 is owned by the Department of Lands. Council has care, control and management of the Reserve as Trust Manager of the Wakehurst Parkway Reserve Trust. The parcel subject to the claim forms part of the area known as Middle Creek Reserve. The subject site is located north of Wakehurst Parkway and directly adjoins another Aboriginal Land Claim 23192 (located to the west). A number of environmental constraints are present on site, including:

- The site is Bush Fire Prone.
- The site is identified as being within the Oxford Falls Valley Heritage Conservation Area under both WLEP 2000 and WLEP2011. Oxford Falls Valley Heritage Conservation Area has natural heritage significance due to the site accommodating a wide range of native flora and fauna species and their habitats. It also has considerable aesthetic appeal and is valued by the community as a striking natural feature, a good viewing platform, a place for recreation, and a valued geological education site.
- The site contains Class 2 and 5 Acid Sulfate Soils.
- The site is Flood Prone.
- The site contains Threatened and High Conservation Habitat.
- The site has significant environmental values, characterised by remnant vegetation in very good condition. The draft Warringah Biodiversity Conservation Study ranks 790 different patches of vegetation – this patch is ranked the highest of all 790.
- The site forms part of Warringah's core habitat – linking Garigal National Park in the north, with Manly Dam, and other parts of the Garigal National Park to the south at Bantry Bay.
- The site forms part of essential nesting habitat for a pair of Osprey (*Pandion haliaetus*), a vulnerable species in NSW listed under the NSW *Threatened Species Conservation Act 1995*.
- The remnant vegetation on site consists of the listed threatened community Swamp Sclerophyll Forest on Coastal Floodplains.

At the time of Claim the site was zoned locality B2 – Oxford Falls Valley under WLEP 2000. The site is currently zoned RE1 – Public Recreation under WLEP 2011. The site is managed under Councils Generic Bushland Reserves Plan of Management – adopted by Council in 2009. The area is categorised as Natural Area – Bushland. The land is also covered by the draft Oxford Falls Regional Crown Reserve POM. The identified preferred land use for this parcel is environment protection.

The Reserve has the public purpose of Public Recreation. Council has invested significant funding in enhancing these values and increasing public amenity through

bush regeneration and targeted pest species control. Land along Middle Creek has considerable value to the Warringah Community for the public amenity it provides.

Between 2008 and 2011, the site was managed as part of the Narrabeen Lagoon Creating a Sustainable Catchment Project. A \$2million grant funded project focussed on a range of projects including bush regeneration, targeted weed control and community education. The subject lot was managed as part of this project. The project was a partnership between Warringah and Pittwater Councils, and included community stakeholders including Friends of Narrabeen Lagoon Catchment.

This parcel was also identified in the Species Impact Statement for Stage 1 of the Narrabeen Lagoon Multiuse Trail as areas an area that should be nominated as Wildlife Protection Area. The proposed WPAs were recently exhibited and are currently before Council for consideration.

It is also noted that the parcel adjoins Middle Creek which, historically, has been intensively utilized for public recreational purposes, including kayaking and boating.

The claim that has been lodged relates to land that Council considers to be lawfully used, environmentally significant and is required for an essential public purpose.

ALC 22597

ALC 22597 was lodged on 25 November 2009. The land claim applies to Lot 7053 DP 93780 which has an approximate area of 0.1ha. Lot 7053 DP 93780 is owned by the Department of Lands and is under the care and control of Warringah Council. The parcel subject to the claim is a Crown reserve and car park associated with the use of the Narrabeen Boatshed.

The subject site is located south of Narrabeen Street and has frontage to Narrabeen Lagoon (located to the west). An agreement between Council and the owner of Lot 3 DP 530158 (private land directly adjoining to the south) for access and parking exists over the subject land. Works on the site including the construction of a car park and maintenance of such have been undertaken in accordance with the terms of the agreement.

A number of environmental constraints are present on site, including:

- The site is identified as Containing Class 3 Acid Sulfate Soils.
- The subject site is identified as being Flood Prone.

At the time of Claim the site was zoned locality B5 – Narrabeen Lakeside under WLEP 2000. The site is currently zoned Part R2 – Low Density Residential and Part RE1 – Public Recreation under WLEP 2011. The site is managed under Councils Berry Reserve and Adjoining Foreshores Plan of Management 2000. The site is identified for continued recreation facilities and activities under the Plan of Management.

The site is lawfully used as a public car park and provides access between Narrabeen Street and the Narrabeen Boatshed. The site also provides public access to Narrabeen Lakes and permits the undertaking of a wide range of recreational uses. In particular the site is used in conjunction with a boat hire business located in the Narrabeen Boatshed. The site facilitates the launching of recreational craft, including kayaks, from this area.

The site is highly utilised by the general public for car parking, access to businesses within the Narrabeen Boatshed, lake access as well as recreational uses. As such the site is considered essential to the public benefit.

The claim that has been lodged relates to land that Council considers to be lawfully used and is required for an essential public purpose.

ITEM 8.20	CELEBRATE FRESHWATER STREET EVENT 16 SEPTEMBER 2012
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2012/256194
ATTACHMENTS	1 Traffic Management Plan

REPORT

PURPOSE

To consider the request from the Freshwater Community Bank to hold the '*Celebrate Freshwater – 10 Years of Achievement*' event in the Freshwater Village shopping precinct on 16 September 2012.

REPORT

The Freshwater Community Bank has requested to hold a large community event at Freshwater Village on Sunday 16 September 2012. This event will include amusement rides, musical performances, exhibitions and local promotions aiming to celebrate 10 years of achievements for the Community Bank and the Freshwater community. The event will provide fund raising opportunities for Freshwater's community groups including schools, Surf Life Saving Club, charities and other local sporting and cultural groups.

A Traffic Management Plan (see attachment 1) has been submitted to the Warringah Traffic Committee to close sections of Lawrence and Albert Street between 9am and 5pm. Diversions are available around this closure. The actual event will run from 11 a.m. to 3 p.m. and access to the site will be required from 7 am.

Once endorsed by Council and the Traffic Representatives this event will be approved via the Reserve Bookings process and a set of conditions will be issued to the event organiser. Such conditions focus on ensuring the safe and smooth running of an event on land under Council's care, control and management. Any conditions requested from the Traffic Representatives will be included in the Reserve Bookings approval.

FINANCIAL IMPACT

Council has not been asked to contribute to this event. As per the 2011/12 adopted Fees and Charges the following fees would be seen as relevant: \$17 per hour for use of Council land and \$319 for the road lane closure. If both fees were applied the total charge for this event would be \$489.

There will also be fees relating to Council services including food inspections and bins, these will be finalised closer to the date of the event.

POLICY IMPACT

There is no impact on Council policy.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council approve the request from Freshwater Community Bank to hold the '*Celebrate Freshwater – 10 Years of Achievement*' event in the Freshwater Village shopping precinct on 16 September 2012 (pending Traffic Committee approval).

Traffic Management Plan
Freshwater Community Bank



Date 22/5/2012

Traffic Management Plan

Project:

Celebrating Freshwater 10 Year Achievement

Document No:TMP120502

REVISION				
	REV	DESCRIPTION	DATE	APPROVED
	A	DRAFT	22/5/12	

Issued:

Stephen Hynes

Orbital Traffic Management (Aust) Pty Ltd

Traffic Management Plan
Freshwater Community Bank



Table of Contents

1.0	PURPOSE.....	3
2.0	SCOPE.....	3
3.0	RESPONSIBILITIES.....	3
4.0	REFERENCES.....	3
5.0	CELEBRATING FRESHWATER 10 YEARS ACHIEVEMENT IMPACT ON LAWRENCE AND ALBERT STS.	3
	5.1 CELEBRATING FRESHWATER 10 YEARS ACHIEVEMENT.....	3
	5.2 TIMING OF THE EVENT INCLUDING SET UP & PACK UP.....	3
	5.2.1 LAWRENCE STREET.....	3
	5.2.2 LAWRENCE STREET CAR PARK.....	3
6.0	PROPOSED STRATEGY FOR TRAFFIC MANAGEMENT....	4
	6.1 ROAD CLOSURES	4
	6.2 DETOURS	4
	6.3 TRAFFIC CONTROL LERS	4
	6.4 MINOR SIDE ROADS	4
	6.5 ACCESS TO LOCAL PROPERTIES.....	5
	6.5 PEDESTRIANS / DISABLED.....	5
	6.6 SENSITIVE PLACES	5
	6.7 SCHOOL AND PUBLIC TRANSPORT	5
	6.8 COMMUNITY / MOTORIST NOTIFICATION.....	5
	6.9 EMERGENCY VEHICLES.....	5
7.0	OHS & R.....	6
8.0	REQUEST FOR SPEED LIMITS.....	6
9.0	TRAFFIC CONTROL PLANS	6
	ROAD CLOSURES	7
	GENERAL DETOURS	

Traffic Management Plan
Freshwater Community Bank



1.0 PURPOSE

1. The Freshwater Community Bank is celebrating 10 years of service to the local community. The bank owned by local community, channels its profits into local charities and supports Freshwater Surf Life Saving Club, South & North Curl Curl Surf Life Saving Clubs including Harbord Public School, St John The Baptist School Freshwater and over 50 other Local Community, Sporting & Cultural groups. Event organisers anticipate in excess of 3000 people to attend this Class 2 Event. To be held on Sunday 16th September 2012 from 11am until 3pm the celebration will comprise of amusements, rides, games and street stalls along Lawrence and Albert Streets, Freshwater.

2.0 SCOPE

This document will discuss the impact of road closures and detours necessary for public safety at the event. Consideration is given to;

- Minimising the traffic impact on the non-event community including emergency services.
- Isolation of the event space from traffic.
- Managing the reduced capacity of the roadway.
- Compliance with OH&S Act 2000 (Traffic Control Plan).

3.0 RESPONSIBILITIES

It is the responsibility of The Freshwater Community Bank's promotion and events department to ensure that these traffic measures are disseminated, implemented and maintained in accordance with the principles in the project, Occupational Health, Safety and Rehabilitation Management Plan. It is the responsibility of every person involved in this event to comply with the guidelines set down in this plan.

4.0 REFERENCES

RTA's Traffic Control at Worksites Manual V4
Australian Standard AS1742.3-2002
Austroads Guide to Traffic Management
RTA's Guide to Traffic & Transport Management for Special Events V3.2 ~ 2006
Acknowledgement, Local Government Guide to, Road Closures, Street Parties and Special Events 1997.

5.0 CELEBRATING FRESHWATER 10 YEARS ACHIEVEMENT IMPACT ON LAWRENCE AND ALBERT STS.

5.1 CELEBRATING FRESHWATER 10 YEARS ACHIEVEMENT

The event will be held in Lawrence St and Albert St between Dowling St and Moore Rd. This one off event will be open to the public from 11am until 3pm Sunday September 16th 2012..

5.2 TIMING OF THE EVENT INCLUDING SET UP & PACK UP

5.2.1 Lawrence St

Setup will commence from 9:00 am Sunday September 16th and remain closed to non event traffic until 5pm Sunday 16th 2012. Between 11.00am and 3.00pm no vehicle movement will be allowed within this precinct.

5.2.2 Lawrence St Car park

At the rear of 27 Lawrence St 12 public cars park spaces will be used for the setting up of amusements and rides.

Traffic Management Plan
Freshwater Community Bank



6.0 PROPOSED STRATEGY FOR TRAFFIC MANAGEMENT

6.1 ROAD CLOSURES

It is necessary to close to general traffic;
Lawrence St between Dowling St and Albert St. Albert St between Lawrence St and Moore Rd.

6.2 DETOURS

Lawrence St east bound traffic on Lawrence St will be detoured south on Dowling St, east along Undercliff Rd to Charles St, east along Charles St to Moore Rd, north on Moore Rd and east onto Albert St.

Lawrence St west bound detour will be detoured in reverse to the east bound detour.

Moore Rd north bound detour will be west on Charles St at the roundabout, a variable message board (VMS) in place before the Charles St round about advising of the Lawrence St road closure and the detour. A further north bound detour will be at the corner of Albert St diverting traffic north east along Albert St to Kooloora Ave and Charles St to Undercliff Rd and north on to Dowling St.

Appendix page 7 includes a traffic control and detour plan which diagrammatically indicated road closures and detours.

6.3 TRAFFIC CONTROLLERS

RTA accredited traffic controllers will be responsible for, implementing the traffic management procedures and devices as described in this plan, and monitoring traffic flow on public roads affected by the works undertaken with in the scope.

Traffic Control Crew and The Freshwater Community Bank

Orbital Traffic Management

Contact: Mr John Vaccaro

Phone: 02 9976 7722

Fax: 02

Mobile Phone: 0419 221 002

Contact: Steven Flaskis

Phone: 02 9729 3511

Mobile: 04039 379 707

RTA Road Occupancy License Not Required:

Expiry Date:

6.4 MINOR SIDE ROADS

The placement of the road closures and detours keep open all but one nearby lane ways and service ways. Closed is a laneway besides 27 Lawrence St (Vintage Cellars) accessing 12 public parking spaces and rear of shops 21 and 27 plus access to the electrical switch yard of number 25. Austgrid energy.

**Traffic Management Plan
Freshwater Community Bank****6.5 ACCESS TO LOCAL PROPERTIES**

During this community festivity vehicle access to many Lawrence St and Albert St commercial properties will not be permitted. However rear access if available will be maintained for most commercial properties except those mentioned in 6.4

6.6 PEDESTRIANS / DISABLED

Full pedestrian access to Lawrence and Albert Sts and all festive venues will be accessible by pedestrians and the disabled.

6.7 SENSITIVE PLACES

There are no places of worship, preschools or other sensitive places operating within the precinct of this function.

6.8 SCHOOL AND PUBLIC TRANSPORT

There are no schools operating within the precinct of this function.

The closure of Lawrence St and Albert St will impact on local bus routes. Identified are;
Sydney Buses route 139
Contact

The Author recommends that Buses that would normally travel along Lawrence St and Albert St be detoured as previously indicated. (See attached TCP)

Bus Stop in Lawrence St and Albert St to be temporally relocated to the corner of Albert St and Undercliff Rd.

6.9 COMMUNITY / MOTORIST NOTIFICATION

To ensure awareness of the event and the changed traffic conditions The Freshwater Community Bank will advertise the community through the local press and community radio. Additional advice of road closures and the changing of local traffic conditions shall be included with the event publicity by the way of direct mail to local residents six weeks prior and again 2 weeks before the event.

Commencing Friday September 7, trailer mounted Variable Message Boards (VMS) will be used to advise motorists of road closures and changed conditions.

The location of these VMSs will be;

- 1) Moore Rd Corner Charles St
- 2) Lawrence St corner Dowling St

All roads to be closed for this community event are controlled by the Warringah Council. Application will be made to the RMS (RTA) for a road occupancy license ROL due to the events proximity to the traffic signals corner of Lawrence and Oliver Sts.

6.9 EMERGENCY VEHICLES

All areas of the Freshwater Community 10 year celebration will be accessible to emergency vehicles. Each road closed and barricade will be manned by trained and licensed personnel able to assist in the event of emergency vehicle requiring access.

**Traffic Management Plan
Freshwater Community Bank****7.0 OHS & R**

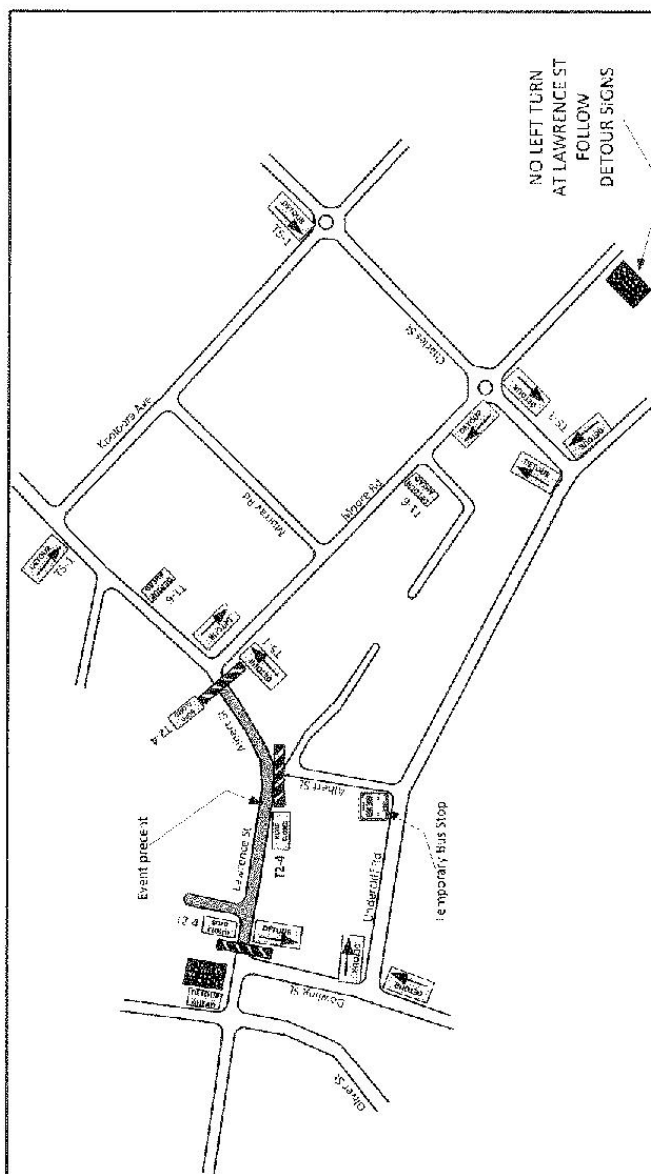
The Freshwater Community Bank will assess the risk and will develop a Job Safety and Environmental Analysis (JSEA) prior to conducting any works associated with the identified hazard. All persons involved in the work will be inducted into the safe work method and JSEA.

8.0 REQUEST FOR SPEED LIMITS


N/A

9.0 CONTROL PLANS

Traffic Control Plans this project are included in Attachments.



TRAFFIC CONTROL PLAN

	CREDIT	3280 Victoria Street, Westport Park 2 nd Fl Phone 029726 3511
FIRST WATER COMMUNITY BANK		
Biller: First Water Community Bank		
Date:	Lawrence St, Postwater	
2004		
Month:	11/5/12	Scale
Day:	5-Hydris	N/S
Ref		TCP2S-2ZCA
Balance	No.	
Signed	Certificate No.	
2004	11/5/12	

Saison

- This plan is drawn in accordance with RTA's TCA manual & AS1742.3 2009
- Dim between signs 20 from last sign to start of tapers or traffic controller.
- All temporary signages to be size 'B' 1200x900mm while all distances are in metres.
- All temporary signers will be removed when road closures no longer required
- Compliance with traffic control plans is to take precedence over operational expediency in all situations.

Print	Signed	Certificate No.

Orbital Traffic Management (Aust) Pty Ltd, Wetherill Park
Phn : 02 9729 3511 Fax: 02 9729 3510
Web: www.ortraffic.com.au

ITEM 8.21	PUBLIC EXHIBITION OF PROPOSED RENAMING OF ARANDA RESERVE
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2012/256779
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To report on the outcomes of the public exhibition of the proposal to rename Aranda Reserve, Aranda Drive, Frenchs Forest, as Glen Reserve.

SUMMARY

On 28 February 2012 Council resolved to undertake public exhibition of the proposal to rename Aranda Reserve as Glen Reserve and, if there were no objections, proceed with submitting an application to the Geographical Names Board to rename the reserve. A number of submissions were received, all of which objected to the proposal. This was reported to Council on 22 May 2012 and Council subsequently resolved to extend the public exhibition period. During this extension period the proponent of the proposal advised that following a review of the Council report and submissions made by objectors, they considered that provision of a memorial bench seat, at their cost, was an acceptable option and did not wish to proceed with the renaming proposal. Given this feedback from the proponent and the objections to the renaming proposal it is considered inappropriate to change the name of the reserve.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The recommendation is consistent with Council policy.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Aranda Reserve not be renamed.

REPORT

BACKGROUND

On 28 February 2012 Council resolved to undertake public exhibition of the proposal to rename Aranda Reserve as Glen Reserve and if there were no objections, proceed with submitting an application to the Geographical Names Board to rename the reserve. On 22 May 2012 a report was provided to Council indicating that all submissions had been objections and Council subsequently resolved to extend the public exhibition for a period of one week.

CONSULTATION

The public exhibition of the proposed renaming began on Saturday 3 March 2012. The proposal was advertised through the Warringah Update in the Manly Daily and placed on the public comment page of the Council website. Posters were on display in Council's public libraries. The original closing date for submissions was 27 April 2012.

The comments received during this period are summarised in the table below. A total of eight submissions were received.

Comment	Response
Objection. I have lived in Aranda Drive since 1968 and feel the reserve name should not change.	Noted.
We wish to object to such a proposal and would advise that, in our view, the renaming would be inappropriate.	Noted.
We are completely against the name change and find it completely unnecessary under the circumstances considering the time span that has elapsed since the sad accident. (1997). It should be noted by the council that the name change is in conflict with the normal circumstance of a Reserve name being the same as that of the street.	Noted. Reserves are not necessarily named after the street however the situation is common. In this instance, and many others, there has not been a formal process to name the reserve the same as the street.
We have been advised that the name 'Aranda' is derived from a local aboriginal tribe/ community that once resided in this region.	Noted. The Britannica Online Encyclopaedia identifies that the Aranda people were a tribe that originally occupied Central Australia. The Geographical Names Boards (GNB) <i>Guidelines for the Determination of Placenames</i> state that names of Aboriginal origin or with a historical background are preferred.
In addition it should be noted that under one kilometre of the Reserve there are at least five name locations in the area i.e.: Glen Street Glen Close Glen Street Library Glen Street Theatre Glen Street Shopping Centre	Noted.
With respect to name change it is our	The GNB <i>Guidelines for the Determination of</i>

understanding that re-naming any reserve/park is usually dedicated for an individual that has contributed to the region with service or support to the community. If the parents feel that a dedication is warranted after this time then we feel that a seat dedicated to Glen would be more appropriate.	<i>Placenames</i> states that a person's contribution to the local community should have been of outstanding benefit to the community. As an alternative they also suggest provision of memorial plaques to commemorate individuals.
We really trust that you can assist with our request for assistance in this matter as many families with young children use Aranda Reserve and a seat would be more than welcome.	Noted. Recommendation to Council is to support installation of a seat with a memorial plaque.
The proposal is essentially about the creation of a memorial and also constitutes a personalisation of public open space. Once a locale's name is changed in this way, it can act as an obstacle to future development. This small reserve could be a good site for a community garden, having reasonable solar access and a water supply (see Image 2). If such an alternate usage were to eventuate, it seems reasonable to expect that a community group might arrive at a name more appropriate for a community reserve.	Noted. Any future use or development of the site would need to be in accordance with the Plan of Management for the reserve.
The brief and anecdotal family history pertaining to Glen Davis outlined on Council's website lists behaviours that are commendable. However, these are the behaviours that many citizens who believe in a civil society display. The reward for such behaviour is satisfaction that one is making a contribution. Public recognition is usually not sought or desired. The references to Glen Davis' maternal grandmother weaken rather than strengthen the case for his memorialisation in this way. Nearby is the Lionel Watts Oval named for an individual who made a significant and lasting contribution with regional impacts to our society.	Noted. The GNB guidelines provide guidance on how an individual's contribution to the community should be considered in commemorative renaming proposals.
There is already a Glen Street and a Glen Street Theatre located about a kilometre away. The current name, Aranda, sounds indigenous, although I have not been able to discover the origin or meaning of the word.	Noted. The Britannica Online Encyclopaedia identifies that the Aranda people were a tribe that originally occupied Central Australia.
As a resident of Aranda Drive, I find the proposal absolutely ridiculous. It would be negligent of Warringah Council to not thoroughly investigate the claims of the proponent before making any such changes, which I feel would be against the wishes of long time residents of Aranda Drive.	Noted.

Renaming places causes confusion by rendering both maps and memories out of date. With a few exceptions where the old name itself causes confusion, there is no public benefit. Naming places after people just gives a warm-gooey feeling to the few people who actually knew or cared about the person. Leave names alone.	Noted.
Just a observation, why doesn't council provide more background information on who the deceased resident "Glen" was and why he /she should have the honour of a reserve named after them? I have no objection if the person is worthy of the honour but I cannot make any assessment based on the information that council has provided in the one page link to the email.	Noted. The information exhibited was the only information available on the individual.

Following the Council meeting of 22 May 2012 the proposal was re-opened for comment. During this extension period the proponent of the proposal advised that, following a review of the Council report of 22 May 2012 and submissions made by objectors, they considered that provision of a memorial bench seat, at their cost, was an acceptable option and did not wish to continue with the proposal of renaming the reserve.

Given the objections to the proposal and the proponent's feedback it is recommended to keep the existing name for Aranda Reserve. Whilst the proposal was not inconsistent with Council's Policy on Naming of Parks the existing name Aranda is preferable according to the GNB *Guidelines for the Determination of Placenames*, which is the body responsible for the administration of place names.

The suggestion of a memorial bench seat and plaque is considered appropriate to commemorate the subject individual. Council's *Application and Guidelines for Memorials and Plaques* has been forwarded to the individual's family for their consideration. As identified in Council's Fees and Charges, a memorial bench seat and plaque costs applicants \$2,850. In accordance with Council's *Guidelines for Memorials and Plaques* the family would need to agree to be responsible for the ongoing maintenance of the seat.

POLICY IMPACT

The recommendation is consistent with Council policy.

FINANCIAL IMPACT

Nil

ITEM 8.22	COLLARROY ACCESSIBILITY PRECINCT - PUBLIC EXHIBITION OF MASTER PLAN/ CONCEPT DESIGN
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2012/258211
ATTACHMENTS	1 Community Priorities Identified in the Elton Report 2 Collaroy Accessibility Precinct - Master Plan Concept Design June 2012 (Excluded from Agenda) 3 Collaroy Accessibility Precinct All-abilities Playground Concept Design June 2012 (Excluded from Agenda)

EXECUTIVE SUMMARY

PURPOSE

To obtain Council's endorsement to publicly exhibit the master plan/ concept design developed for the Collaroy Accessibility Precinct.

SUMMARY

In September 2011 Council adopted several recommendations to facilitate the preparation of a master plan/ concept design which addresses the community priorities contained in the report prepared by Elton Consulting in September 2011.

A design has now been completed which provides a balanced, well structured and sustainable master plan/ concept design to develop Collaroy as a 'best practice' all abilities area which will increase its attraction for people with disabilities as well as improving amenity for the whole community. Details explaining how the community's identified priorities have been addressed in the design are contained within the body of this report.

Consultation with major stakeholder and user groups prior to finalising the master plan/ concept design indicated unanimous support for the design. To complete the consultation process it is proposed that the master plan/ concept design, including the concept design for the all-abilities playground be placed on public exhibition, to enable the wider community to comment and provide feedback prior to proceeding to detailed design.

FINANCIAL IMPACT

Some preliminary estimates of costs against currently available budgets are presented in the body of the report. It is proposed that following public exhibition the cost estimates are confirmed, where necessary additional sources of funding identified and these reported to Council at its meeting on 28 August 2012 in conjunction with a report on the outcome of the public exhibition.

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.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Collaroy Accessibility Precinct Master Plan/ Concept Design and All-abilities Playground Concept Design be placed on public exhibition between 2 July and 27 July 2012.

REPORT

BACKGROUND

- **Dec 2010/ Jan 2011** – Public exhibition of plans for two concept options.
- **March 2011** – Council resolved,
“That due to the lack of clear support for either of the concept plans exhibited, that further studies and surveys be undertaken to provide the data necessary to make informed and well founded decisions regarding the master plan and concept design for the Collaroy Accessibility Tourism Precinct project.”
- **April 2011** - Collaroy Precinct Plan prepared – including key issues and known information regarding the Precinct including demographics, land uses, facilities, opportunities, constraints and data gaps.
- **June 2011** - Elton Consulting engaged to undertake a Community Survey and Needs Assessment for the Collaroy Precinct – to determine community values, priorities, ideas and suggestions for the improvement of the Collaroy Precinct. A wide range of community engagement activities were carried out which resulted in a report prepared by Elton Consulting titled ‘Collaroy Precinct Community Survey and Needs Assessment – Final Report’, dated 16 September 2011 (Elton Report).
- **September 2011** – Council resolved (in brief),
A. The contents of the Elton Report, be noted.
B. That a specialist ‘all-abilities’ playground designer be engaged...
C. That a traffic consultant be engaged to investigate a signalised pedestrian crossing across Pittwater Road.
D. That provision of a toilet facility near the pool be investigated.
E. Group GSA’s contract be varied to cover the cost of a master plan/ new concept design.
F. That Council staff publicly exhibit the detailed design for the streetscape upgrade and proceed to call tenders for the works.”
- **October 2011** – public exhibition of Pittwater Road and Collaroy Street streetscape upgrade works. No objections received.
- **November 2011/ January 2012** – public tenders called for streetscape upgrade works.
- **February 2012** –
 - Council resolves to engage Sydney Civil to undertake streetscape upgrade works.
 - Request for quotations invited from (a) pre-qualified traffic consultants, and (b) specialist playground designers with proven experience in design of all-abilities playgrounds.
 - Public tenders called for upgrade works to the Collaroy Surf Life Saving Club building.
- **March 2012** –
 - Opus International Consultants engaged to investigate installation of a signalised pedestrian crossing across Pittwater Road between Eastbank Avenue and Alexander Street.
 - Fiona Robbe (Architects of Arcadia) engaged to design an all-abilities playground.
 - Council resolves to engage Patterson Building Group to undertake upgrade works to the Collaroy Surf Life Saving Club building.
- **April 2012** –
 - Group GSA in consultation with Fiona Robbe, prepare options for revised car park and playground layouts to address community priorities identified in Elton Consulting’s report,

- including working to ensure integration with Sargood Centre development.
- Opus undertake traffic and pedestrian studies and modelling of traffic flow conditions for a new signalised pedestrian crossing.
 - Workshops held with local school children, interviews with Special Schools and disability organisations, and a Design Reference Group formed with community representation to assist in the concept design of the all-abilities playground.
- **May 2012 -**
 - Council staff work with Group GSA to select the layout option which best addresses all the community priorities and operational requirements.
 - Major user groups/ stakeholders, including Disabled Surfers Association, Collaroy Surf Life Saving Club, Collaroy Swim Club, Sargood Centre and Collaroy Services Club, consulted regarding the preferred option plan - with full endorsement.
 - Opus prepare draft report with recommendations.
 - Fiona Robbe prepares functional layout/ draft concept design which is endorsed by Council staff and the Design Reference Group.

Collaroy Accessibility Precinct

The five major elements within the area covered by the Collaroy Accessibility Precinct are,

- Streetscape upgrade works in Pittwater Road and Collaroy Street.
- Surf Life Saving Club building upgrade works.
- Reconstruction of the Collaroy stormwater outlet.
- New signalised pedestrian crossing across Pittwater Road.
- Beach reserve upgrades, including car parks, playground and pool.

Streetscape Upgrade Works in Pittwater Road and Collaroy Street

Following engagement of Sydney Civil in February 2012 to undertake the works, all affected property owners and business proprietors were further consulted and given advanced notice of the proposed works and advised that temporary postponement of footpath dining would be required and some impact to normal pedestrian and vehicle parking conditions would occur whilst works were undertaken. The works were purposely programmed to be undertaken in stages so as to minimise the length of disruption and impact to any one business proprietor.

Works commenced as planned at the start of May 2012 and are scheduled to be completed by the end of September 2012. To date, the works are proceeding to schedule and no complaints or community issues have arisen. Council staff are working closely with the contractor to ensure that the works continue with minimum impact to property owners and business proprietors.

Surf Life Saving Club Building Upgrade Works

Works commenced mid May and are currently scheduled to be completed mid September, subject to delays caused by weather or other latent conditions. To date the works have proceeded to schedule, but the earliest completion date is now forecast to be the end of October due to a number of latent conditions already identified. Temporary public amenities have been installed to service the needs of beach users.

Reconstruction of Collaroy Stormwater Outlet

There is a separate report prepared by the Natural Environment Unit, which is also listed on the agenda for the Council meeting on 26 June 2012.

The works for reconstruction of the stormwater outlet do not require accessibility considerations, but may impact on the scheduling of the other accessibility upgrades within the beach reserve in the area of the stormwater outlet. This will have to be reviewed in light of Council's resolutions associated with the stormwater outlet report.

New Signalised Pedestrian Crossing

One of the community priorities identified in the Elton Report was that this project should provide safe accessible pedestrian passage within the precinct including a new pedestrian crossing across Pittwater Road. A location between Eastbank Avenue and Alexander Street was identified by observation as the most popular and logical pedestrian desire line between the shops on the western side of Pittwater Road and the centre of pedestrian activity created by the beach, the Surf Life Saving Club, pool and main car park.

In early 2011, the Roads and Maritime Services (RMS) advised that they would endorse a pedestrian crossing at this location subject to Council funding the total installation cost. Subsequently, Opus International Consulting (Opus) were engaged in April 2012 to undertake a survey of existing conditions, model the traffic impacts of an additional signalised pedestrian crossing at this location, and assess the impacts on available parking.

It was also proposed that the entry/ exit driveway to the car park be re-located to adjoin the proposed pedestrian crossing so that it could also be signal controlled to improve the safety for vehicles turning right out of the car park. This location for the entry/ exit was also considered to provide a more logical and efficient flow of vehicles through the car park.

Plans of the proposed pedestrian crossing entry/ exit layout were prepared by Opus and forwarded to RMS for review. This proposal would result in the removal of 6 of the 13 existing '1hr' parking spaces on the western side of Pittwater Road, between Eastbank Avenue and Alexander Street. To compensate for this loss of parking spaces it was proposed that the remaining 7 parking spaces would be changed to '½ hr' parking, to increase turnover for passing trade, coupled with the provision of other parking improvement provisions within the car park for longer stay customers.

Following review of Opus's proposal, the response from RMS was that they would require two pedestrian crossings across Pittwater Road, one either side of the car park entry/ exit driveway, in compliance with their warrants for pedestrian crossings at signalised intersections. This would create an unacceptable impact on parking as it would result in the removal of 9 of the 13 parking spaces on the western side of Pittwater Road.

The RMS has been requested to consider relaxing their standard requirements on the basis that this is not a normal street intersection, there is insufficient pedestrian demand for two crossings at the one location and the impact that this requirement would have on parking and the businesses on Pittwater Road. As a result Council staff have also requested the RMS to consider an alternate proposal to locate the pedestrian crossing near the intersection of Alexander Street, leaving the car park entry/ exit without signal control, and without signalling the intersection of Alexander Street (maintaining the existing 'left turn only' restriction out of Alexander Street).

At the time of writing this report the RMS had not completed their review and provided a response.

Beach Reserve Upgrades

The plans at **Attachment 2** 'Collaroy Accessibility Precinct – Landscape Master Plan/ Concept Design June 2012' and **Attachment 3** 'Concept design for the Collaroy All-abilities Playground', have been prepared in response to the community priorities identified in the Elton Consulting report, and are the plans proposed for public exhibition.

A summary of the main features of these plans and how they were developed is provided below.

Master Plan/ Concept Design

The existing aspects of Collaroy beach and reserve which the community valued the most 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.

Some compromises had to be made in developing a layout plan which had to overcome what were in some cases competing priorities. The arrangement on the proposed plan has achieved this by maintaining the existing relationship between the main body of the car park, the playground and the grassed open space areas. At the same time this arrangement has reduced the need for vehicles to drive along the eastern boundary of the new all-abilities playground by reducing the length of car park adjoining the beach promenade and creating a shared pedestrian/ vehicle area between the car park and Birdwood Avenue.

The area between the playground and the beach promenade is proposed to be grassed for picnic use rather than occupied by pavement and vehicles as it is now, and will greatly improve safety for people moving between the playground, picnic areas, pool and beach in this area.

Whilst the arrangement has retained some parking immediately adjoining the beach promenade, the car park design provides a turning circle which allows efficient traffic flow and circulation through the whole car park. The proposed new car park will have the same number of theoretical parking spaces as the existing, although the actual number will be slightly reduced due to the increased width required for disabled spaces in the current Australian Standards.

The entry/ exit to Pittwater Road has also been re-located to improve flow through the whole car park. The proposal also widens the footpaths adjoining the western side of the Surf Club building, and provides a passenger set-down area adjoining the new lift and stair entry area to the function rooms.

The area adjoining the Collaroy Services Club's southern boundary containing the small circular car park has also been re-designed to provide pedestrian safety and accessibility between the beach promenade and Pittwater Road. The objective was also to create a more attractive gateway into the reserve/ beach for visitors arriving by foot or bus at this location.

A more detailed explanation of how the community priorities identified in Elton Report have been addressed in the preparation of these plans is provided in **Attachment 1**.

CONSULTATION

A substantive public consultation and engagement process was undertaken by Elton Consulting on behalf of Council during July 2011 and August 2011, which resulted in a comprehensive report titled 'Collaroy Precinct Community Survey and Needs Assessment – Final Report', dated 16 September 2011. This report identifies the community values, priorities, ideas and suggestions for the improvement of the Collaroy Precinct. These community values and priorities were used as the basis for developing the master plan/ concept design.

Prior to finalising the master plan/ concept design, representatives of major stakeholder/ user groups including the Disabled Surfers Association, the Collaroy Surf Life Saving Club, the Collaroy Swim Club, the Sargood Centre and the Collaroy Services Club were shown the proposed arrangement. They all generally supported the proposal.

To complete the consultation process it is proposed that the master plan/ concept design, including the concept design for the all-abilities playground be placed on public exhibition, to enable the wider community to comment and provide feedback prior to proceeding to detailed design.

Public Exhibition

Should Council endorse the plans, public exhibition of them is proposed between Monday 2 July 2012 and Friday 27 July 2012.

Notification of the exhibition will be by advertisement in the Manly Daily on Saturday 30 June, 7 July and 21 July 2012, and on Council's web site. Approximately 2,500 local residents, business and property owners will also be notified by mail.

The plans and supporting information will be able to be viewed electronically on Council's web site or in hard copy at Council's Customer Service Centre, the Dee Why Library and the Collaroy Services Club.

An on-line forum will be set up via Council's web site for people to make comments, and an on-line questionnaire provided to enable the community to provide structured feedback.

At least two open public information sessions will be held at the Collaroy Plateau Youth and Community Centre (or similar location) for members of the community to obtain additional information or provide feedback on the proposal.

The outcomes of the public exhibition will be reported to Council at its meeting on 28 August 2012.

TIMING

The significant milestones for this project are as follows;

Streetscape Upgrade Works

- Construction in progress – scheduled to be completed by end of September 2012

SLSC Building Upgrade Works

- Construction in progress – forecast to be completed by end of October 2012

Reserve Upgrade Works

- Master Plan/ Concept Design to Council at its meeting on 26 June 2012
- Public Exhibition of plans between 2 - 27 July 2012
- Outcome of public exhibition including funding strategy will be reported to Council at its meeting on 28 August 2012
- Detailed design completed by mid September 2012
- Public tenders period, mid September – mid October 2012
- Preferred tender recommended to Council at its meeting on 27 November 2012
- Construction between April 2013 – November 2013 (subject to funding and possible need to stage the works) See further details below under 'Financial Impact'.

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.

FINANCIAL IMPACT

Design –

- All costs associated with engagement of consultants and preparation of designs have been allowed for in the adopted 2011/ 12 and proposed 2012/ 13 budgets.

Construction –

- The streetscape upgrade works which are currently in progress have adequate budgets allocated in the 2011/ 12 and 2012/ 13 budgets
- The SLSC building upgrade works which are currently in progress have adequate budgets allocated in the 2011/ 12 and 2012/ 13 budgets.
- Works for the relocation of the Collaroy Stormwater Outlet have a budget allocated in the 2011/ 2012 and 2012/ 2013 fiscal years, but this will need to be reviewed once the preferred solution is chosen and a cost estimate prepared.
- Concept stage cost estimates against available budgets in the Strategic Community Plan for the reserve and playground improvement works are shown in the table below. These estimates will be confirmed and where possible additional sources of funding identified and reported to Council to its meeting on 28 August 2012, in conjunction with the report on the outcomes of the public exhibition of the master plan/ concept design.
- It should be noted that previous estimates reported in 2010 did not allow sufficiently for some items and other items have been added which were not previously included. Funding arrangements for the Collaroy stormwater outlet is included in a separate report to Council.

Item Description	\$ Current Estimate	\$ Commitment	Available Budget \$		
			11/12	12/13	13/14
Design consultants		\$469,042	\$319,726	\$149,316	
Pittwater Rd Streetscape Upgrade		\$1,190,360	\$257,898	\$1,111,067	
SLSC Building Upgrade		\$1,731,040	\$185,849	\$1,545,191	
All-abilities Playground #	\$800,000				
Collaroy Beach Reserve Upgrade #	\$2,200,000			\$453,506	\$1,100,000
New signalised pedestrian crossing #	\$500,000				
Ramp on Sargood hill #	\$100,000				
Toilets x 2 (one at pool and one at playground) ##	\$300,000				
Upgrade to existing S/W drainage through reserve ##	\$500,000				
Sub Total	\$4,400,000	\$3,390,442	\$763,473	\$3,259,080	\$1,100,000
TOTAL	\$7,790,442		\$5,122,553		

items with insufficient allowance in previous estimates

items added and not included in previous estimates

Current estimated gap in required funding = **\$2,667,889**

Community Priorities identified in the Elton Report

The five main community priorities identified in the Elton Report, and how these have or will be addressed by the Master Plan/ Concept Design proposed for exhibition, is explained below.

1. An upgrade while preserving the character, functionality and feel of the existing precinct

a) improve amenity –

This will be achieved by an upgrade to the shop front area (currently in progress), landscape embellishments, drainage improvements, new improved footpath network, new and improved lighting, bins, seating, shelters, BBQs and bubblers, improvements to existing toilets/ showers (currently in progress as part of Surf Club building improvements) and provision of additional toilets/ showers at the playground and pool.

b) provide low key upgrade -

This will be achieved by ensuring the final design character is sympathetic to the existing natural feel, is not commercial or flamboyant, uses natural materials where possible, retains views and focuses on functionality. The use of natural and non-commercial fixtures and fittings is limited by the functional need to provide robust and serviceable components which will endure the harsh natural environment.

c) retain existing layout as much as possible -

In order to balance this priority against the need to provide a safe and accessible pedestrian environment and to meet the needs of users with disabilities, some re-design of existing car park and connection road was necessary. The proposed design, whilst generally keeping the layout similar to the existing, relocates all general car parking north of the playground, with only a low speed shared pedestrian/ vehicle access path to Birdwood Avenue. The proposal retains some of the car parking (including disabled parking) immediately adjoining the beach promenade, whilst providing a safer pedestrian precinct between the new all-abilities playground, the new 'village green', the pool and the beach. This layout also maintains the large open grassed area in the south west corner of the reserve. The design also improves the use of the area between the playground and pool for large groups, such as the Disabled Surfers Association events, whilst providing better facilities in a safer environment. Provision for disabled parking closer to the pool with better footpaths has also been maintained.

d) improve access, connections and pedestrian safety-

This has been achieved in the new design by an improved car park and access road layout, by providing a comprehensive footpath network free of obstacles, minimising grade changes and complying with Australian Standards for accessible pathways. Several accessible ramps are also proposed to connect the promenade level with the beach.

2. Improve access and linkages (foot, bike, car)

a) within the precinct -

This will be achieved by the upgrades to the shop front area footpaths, by providing a comprehensive high quality footpath network within the reserve, reducing conflict between pedestrians and vehicles by the re-design of the car park/ access road, providing a safer vehicle entry/ exit driveway between the car park and Pittwater Road, providing bike racks at strategic locations and signposting and marking paths for shared pedestrian/ bike use and/or restricting bike riding where considered necessary to avoid conflict with pedestrians.

b) outside the precinct –

This will be achieved by implementation of recommendations in the Warringah Pedestrian Access and Mobility Plan and works associated with the Warringah Bike Plan. Works recommended by these documents within the Collaroy Accessibility Precinct (CAP) have been included. Any works recommended outside the CAP will have to be managed and scheduled as part of a larger ongoing programme based on priority and available funding, eg proposed upgrades along Cliff Road and Beach Road, Collaroy.

c) crossing of Pittwater Road -

A pedestrian crossing of Pittwater Rd between Eastbank Avenue and Alexander Street is seen as a critical element in creating a truly comprehensive accessibility precinct, and is

proposed on the master plan/ concept design. Two proposals are currently being assessed by the RMS, see more information under 'New Signalised Pedestrian Crossing' above. Installation will be subject to approval by the RMS, further consultation with the business owners on Pittwater Road, and funding being made available.

d) improved parking options -

The proposed new car park will have the same number of theoretical parking spaces as the existing, however current Australian Standards for disabled parking will reduce the actual number of spaces in the new car park due to an increased width required for each disabled space. Increasing the number of parking spaces above the number proposed would result in the requirement for a substantially different layout arrangement, which would be at the expense of the useable open space areas. This would be contrary to the other community priorities to preserve as much of the existing useable open space as possible. Therefore the status quo was maintained in terms of the area of the car park. It should be noted that the proposed new car park layout has been designed to provide good circulation and access to all parking spaces, making the new layout far more practical, efficient and aesthetic.

3. Create an accessible place for people of all abilities

a) accessible amenities -

Existing disabled amenities at the rear of the Surf club building are being upgraded, and an additional disabled toilet is being built in the south east corner of the Surf Club building, as part of the upgrades currently in progress in that building. Both of these facilities will be built for access in accordance with current standards. New footpaths and pavements will be provided to substantially improve accessibility to these facilities. In addition accessible/ disabled toilet facilities are proposed in two other locations, adjoining the playground and near the pool.

b) improved path network -

A comprehensive footpath network is proposed which will connect the car park with all other facilities within the reserve and to the existing and proposed pedestrian crossings on Pittwater Road, to Birdwood Avenue and to Beach Road. A footpath is proposed along the southern side of Birdwood Avenue, and within Beach Road (in conjunction with footpath works proposed by the Sargood Centre and those by Council between Brissenden Road and Griffith Park)

c) crossing of Pittwater Rd -

See for 2.c) above.

d) separation of cars/ people -

This has been achieved in the new design by an improved car park and access road layout and by providing a comprehensive footpath as described in 3.c) above.

e) provide all-abilities playground -

The existing playground will be totally reconstructed and a specialist all-abilities playground designer has been engaged to ensure that the best design possible is achieved. This includes retention and incorporation of the 'Liberty Swing'.

4. Balancing community priorities, needs and building understanding

a) improved path network -

See 3.b) above

b) improved park furniture -

The proposal is to provide new and improved lighting, bins, seating, shelters, BBQs, bubblers, signage, etc.

c) improved toilets & amenities –

See 3.a) above.

d) improve traffic management -

Pittwater Road which is classified as a State Road, carries large volumes of vehicular traffic through the precinct and creates a physical separation between the reserve and its people attracting uses on the eastern side from the many food and other shops/ services on the western side. To control traffic and provide a safe and accessible means for people to cross Pittwater Road, a signalised pedestrian crossing is proposed, see 2.c) above for more details. Within the reserve, the new car park layout will improve traffic flow and efficiency for

the use and safety of the car park.

5. Desire to be involved in the decision making process-

The community engagement which was undertaken by Elton Consulting resulted in a large quantity of information regarding what the community values about Collaroy and its visions for the future of the Collaroy Accessibility Precinct. This information has been used to shape the new master plan/ concept design, as outlined above.

Following development of the initial designs for the new master plan/ concept design, Council staff met with representative of the major user groups/ stakeholders, including the Disabled Surfers Association, Collaroy Surf Life Saving Club, Collaroy Swim Club, Sargood Centre and Collaroy Services Club to seek their views. All responded very positively in support of the new proposal.

In preparing the concept designs for the all-abilities playground, local school children were involved in workshops and a range of disability organisations including local Special Schools were interviewed to seek their views on the playground design. A Design Reference Group was also formed with community representation to help guide the playground design.

The wider community will be given opportunity to comment on the plans as part of the public exhibition period, the subject of this report. In conjunction with the public exhibition of the plans, Council staff will hold open public information sessions where interested members of the community can obtain additional information or provide feedback on the proposal.

10.0 NOTICES OF MOTION

ITEM 10.1

NOTICE OF MOTION NO 20/2012

NAMING OF PART OF NARRABEEN LAGOON TRAIL IN MEMORY OF WARRINGAH RESIDENT

TRIM FILE REF

2012/261519

ATTACHMENTS

NIL

Submitted by: Councillor Julie Sutton

MOTION

That Council:

1. Support the naming of part of the new Narrabeen Lagoon trail (namely the new metal bridge at Deep Creek) or a section of trail near the bridge to be selected by staff, after Mr Graham Jones.
 2. Consult with the community regarding the proposed renaming.
 3. Determine other sections of the trail for naming after other worthwhile resident recipients, prior to opening of the last section of the Trail.
-

BACKGROUND FROM COUNCILLOR JULIE SUTTON

Mr Graham Jones (previously 40 Starkey St, Forestville), father of three small children, was a Warringah Council Survey Draftsman, later to become a Civil Engineer, who 25 years ago travelled with his young family to Canberra to cycle around Lake Burley Griffin. Impressed by the magnificent bike and pedestrian track Graham thought such a venue could and should be constructed around Narrabeen Lake for the benefit of all local residents and to keep children off our roads, so turned his attention and spare time to such a project.

Graham drafted a plan on how such a track for walkers and bike riders could be constructed. He prepared pencil drawings, took levels, and notes, kept drafting paper on a drawing board on his living room table. He discussed the problem of the bridge crossings, access through the Golf Club and the then National Fitness Centre, with friends. The access issues were the main difficulty in finalising his plan, at minimal cost, before making a submission to his local Councillor, and Council.

However the more immediate issue, for a father of 3 active children, was a lack of any bike riding facilities for youngsters in the Shire, and his attention was turned to the re establishment of the defunct and very derelict Terrey Hills JJ Melbourne Hills BMX track. Completely unrecognisable, overgrown and deeply rutted to a depth of 1m over the entire track. Despite his work load as the new Manager of the M4 Motorway, he was virtually solely responsible for its re birth, including the establishment of a BMX Club on the site.

Spending weekends and even annual leave working at the site with only his family and a few close friends, he designed and built the circuit that was up to State competition standards. Council gave financial support to complete and maintain the BMX track following a site visit where Councillors were amazed at what he had accomplished. Graham was also secretary for the Manly Warringah Cycling club and rode in events around the Warriewood area at that time.

Unfortunately Graham was killed while bike riding on 10 November 2002. He was legally riding when hit by a vehicle. He was a great believer in physical fitness through cycling and always believed there should be safe places to cycle.

Friends have nominated his name in memory of his efforts.

Funding Source:

Signage recognising Mr Jones can be funded through contingencies in the Stage 2A Narrabeen Trail construction budget.

ITEM 10.2**NOTICE OF MOTION NO 21/2012
BUSHLAND SALES TO FUND CONSERVATION ACTIVITIES****TRIM FILE REF****2012/263342****ATTACHMENTS****NIL**

Submitted by: Councillor Dr Christina Kirsch

MOTION

That Council will develop a draft policy that sees the proceeds from the sale of Council properties which contain significant conservation values be set aside for conservation purposes.

BACKGROUND FROM COUNCILLOR DR CHRISTINA KIRSCH

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

ITEM 10.3	NOTICE OF MOTION NO 22/2012
	HERITAGE PLAQUES POLICY
TRIM FILE REF	2012/263301
ATTACHMENTS	NIL

Submitted by: Councillor Dr Helen Wilkins

MOTION

That Council be furnished with a short report on the development of a heritage plaques policy within 6 months or less as necessary in order to be considered for funding in 2013/14. The report will include the project scope, timing and cost of the development and implementation of such a policy. The Policy will address initiatives such as:

- Suggested walks and/or drives based on themes - indigenous, European settlement, architectural, industrial, commercial, environmental, etc.
- Supplementary supporting information for use by the public, accessed via Council's website and distributable printed material
- Plaques installed at places of significance; places to include items listed in the WLEP Schedule 5 and sites where historically and culturally significant structures once stood and activities once occurred
- The plaques are to include enough information so that a casual observer is able to understand that the place is historically and/or culturally significant, and links to additional information

BACKGROUND FROM COUNCILLOR DR HELEN WILKINS

A Heritage Plaques Policy is a way to increase community awareness of Warringah's unique heritage: built, cultural, natural and indigenous.

The issue of a Heritage Plaques Policy has come up for discussion at almost every meeting of the Warringah Heritage Community Committee (WHCC) since the formation of the committee in 2009, and for many years prior to this by the previous incarnation of the WHCC as well as by Manly Warringah Pittwater Historical Society (MWPHS). The establishment of such a policy and its management by council is a core objective of the committee's.

At the meeting of 2nd May 2012 the WHCC unanimously supported an action "That this committee would like to see, as a foremost outcome of its term, development of a Heritage Plaques Policy, funded from the 2013-14 budget or earlier if possible.

The WHCC and the MWPHS have both offered to assist with the drafting and management of the policy. This will remove a significant work load from the council staff, as an ongoing component of managing the policy will be a necessary gathering and co-ordination of information from the local community, who are often the people most familiar with local area history and events. Sourcing local knowledge will be particularly important with regard to those sites of historical and cultural significance with non-extant structures.

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

ITEM 10.4	NOTICE OF MOTION NO 23/2012 BICYCLE DIRT JUMP FACILITY
TRIM FILE REF	2012/263281
ATTACHMENTS	NIL

Submitted by: Councillors Dr Helen Wilkins; Dr Christina Kirsch

MOTION

That, following the 3rd May meeting regarding the "Freedom" bicycle dirt jump trails; the subsequent removal of the trail; Warringah Council works with Trail Care to develop a proposal for a new bike dirt jump facility at a suitable site and that a short report on the findings be reported back to Council within 2 months.

BACKGROUND FROM COUNCILLORS DR HELEN WILKINS; DR CHRISTINA KIRSCH

This facility should cater to the needs of intermediate and advanced riders. If the location and size allows, the facility may also cater for beginner riders. Local riders would like to build the facility themselves as soon as possible.

It is envisaged that Council will work with Trail Care to establish

- Users' needs
- Design requirements
- Insurance legal and liability concerns
- A strategy for ongoing maintenance of the facility (the riders will have ongoing responsibility for maintaining the trails to an appropriate standard), and
- facilitate local riders with appropriate skills and experience along with Trail Care to design and construct the facility ASAP.

Note that the cost of this facility will be minimal due to the riders volunteering their design skills and construction labour. Any costs associated with insurance, site infrastructure and ongoing maintenance are to be scoped and sourced prior to site works commencing.

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

ITEM 10.5**NOTICE OF MOTION NO 24/2012
ENFORCEMENT OF NO-TAKE ZONES IN MARINE RESERVES
IN COLLABORATION WITH NSW FISHERIES AND LOCAL
POLICE****TRIM FILE REF****2012/264596****ATTACHMENTS****NIL**

Submitted by: Councillor Dr Christina Kirsch

MOTION

That Council

- A. Write to our three local MPs and all other relevant NSW ministers and ask for their support to increase NSW Fisheries resources to improve patrolling of the marine reserves at Shelly Beach and Long Reef, and
 - B. That Council staff contact NSW Fisheries and the local police stations and prepare a short report to Council on the current strategies and processes that are being used to monitor marine reserves and enforce no-take zones.
-

BACKGROUND FROM COUNCILLOR DR CHRISTINA KIRSCH

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

ITEM 10.6**NOTICE OF MOTION NO 25/2012
SALARY SCALE FOR GENERAL MANAGERS AND SENIOR
STAFF****TRIM FILE REF****2012/264625****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

MOTION

1. That this Council notes that:
 - a. The NSW Local Government Act 1993 is soon to be reviewed by the NSW Government.
 - b. Continuing concern in the community in relation to excessive salaries for Council General Managers and Executives, some of whom are on salaries and packages nearing \$400k per annum
 - c. At State and Federal levels there is a set salary scale for Senior Executive Service employees.
2. That this Council writes to the Minister for Local Government to amend the legislation to ensure that a salary scale for General Managers and executives is introduced based on the size of a Council.

BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM

As this only requires sending a letter, staff have confirmed this can be absorbed within the current operational budget.

11.0 QUESTIONS ON NOTICE**ITEM 11.1****QUESTION ON NOTICE NO 19/2012****TRAFFIC CONGESTION AND OBSTRUCTION INTERSECTION
OF PITTWATER AND FISHER ROADS****TRIM FILE REF****2012/264637****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Could Council please investigate and liaise with if necessary the relevant NSW Government Department the synchronization of the traffic lights at Fisher and Pittwater Roads Dee Why, and the lights near Pacific Parade, where there is high congestion due to cars banking up and obstructing traffic due to the non-synchronisation of the respective traffic lights?

ITEM 11.2**QUESTION ON NOTICE NO 20/2012
CONTINUING MALFUNCTIONING STREET LIGHTS HARBORD
AND ABBOTT ROADS****TRIM FILE REF****2012/264645****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Could Council please liaise with Ausgrid so it permanently fixes the continuing malfunctioning street lights at the intersection of Harbord and Abbott Roads?

ITEM 11.3**QUESTION ON NOTICE NO 21/2012
INSTALLATION OF TRAFFIC LIGHTS AND REMOVAL OF
PARKING OUTSIDE COLLAROY CINEMA AND SHOPS****TRIM FILE REF****2012/264652****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What public consultation has or will be undertaken regarding the installation of traffic lights outside the Collaroy Cinema and shops prior to a decision being made on this proposal?

13.0 CONFIDENTIAL MATTERS – CLOSED SESSION

RECOMMENDATION

- A. That, on the grounds and for the reasons stated below, the Council resolve into Closed Session to receive and consider the items identified as Confidential and listed on this Agenda as:

Item 13.1 Provision of Fire Testing and Maintenance Services
Tender T41112SHOROC

Matters to be Discussed During Closed Session - Section 10D

Item 13.1 Provision of Fire Testing and Maintenance Services
Tender T41112SHOROC

Grounds on which Matter Should be Considered in Closed Session – Section 10A(2)

Item 13.1 10A(2)(d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

Reason Why Matters are being considered in Closed Session – Section 10B

To preserve the relevant confidentiality, privilege or security of such information.

- B. That pursuant to Section 10A Subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Closed Session on the basis that the items to be considered are of a confidential nature.
- C. That the closure of that part of the meeting for the receipt or discussion of the nominated item or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information.
- D. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as Confidential and be withheld from access by the press and public, until such time as the reason for confidentiality has passed or become irrelevant because these documents relate to a matter specified in section 10A(2).
- E. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
-

