



AGENDA

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

Tuesday 26 August 2014

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

Rik Hart
General Manager



OUR VISION

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

OUR VALUES

Respect

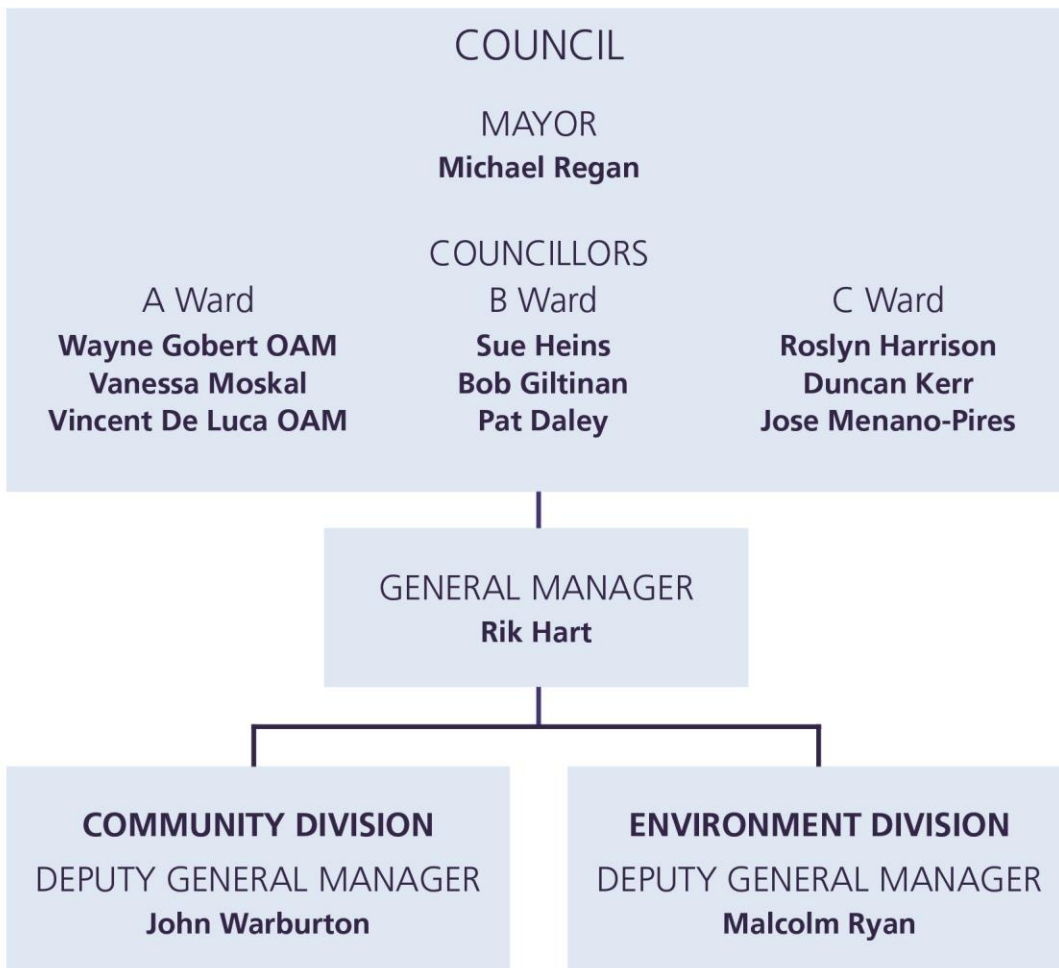
Integrity

Teamwork

Excellence

Responsibility

ORGANISATIONAL STRUCTURE



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 26 August 2014
at the Civic Centre, Dee Why
Commencing at 6:00pm**

ACKNOWLEDGEMENT OF COUNTRY

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 24 JUNE 2014

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 24 June 2014, 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 AUGUST 2014

RECOMMENDATION

That the Minutes of the Extraordinary Council Meeting held 5 August 2014, copies of which were previously circulated to all Councillors, be confirmed as a true and correct record of the proceedings of that meeting.

5.0 MAYORAL MINUTES

ITEM 5.1	MAYORAL MINUTE NO 11/2014 - PUBLIC SAFETY - STREET LIGHTING UPGRADES
TRIM FILE REF	2014/253823
ATTACHMENTS	NIL

BACKGROUND

Following the recent media coverage of the assault that occurred in Dee Why and other similar attacks across the northern beaches, we have all quite rightly questioned the issue of public safety in our community.

The news of this assault was extremely disturbing but I do think we should also be aware that according to a recent community survey, the majority of our Warringah residents do feel safe within their homes and that they feel safe walking around their neighbourhood. Lets be clear, these hideous crimes occurred because individuals decided to commit an act of violence. They decided to prey upon innocent people, to violate them and rob them of their sense of security. I understand from the local police command that every effort is being made to find the perpetrators and of course Council will do whatever it can to assist in those efforts.

The Manly Daily has joined the efforts of the community and the council in attempting to identify particular areas where improvements can be made. It is also pleasing to see that each Council on the Northern Beaches is now looking into the specific issue of street lighting, however, we need to be strategic as lighting isolated paths may have unintended consequences. Warringah will continue to work with police on these issues and we support their suggestions that people stick to major routes and use footpaths that are not closed in by bushes or obstacles and to stay in groups.

There is always work that can be done to improve public safety to ensure that our residents continue to feel safe and with this in mind, I would like Council staff to review the issue of public street lighting in the context of public safety in relation to our planned area upgrades to Dee why and Narrabeen.

I would like Council to provide a report that outlines Council's proposed plans to-date for street lighting within these proposed upgrades and include in the report a timeframe for the completion of these works along with the estimated costs for the installation/upgrades and the ongoing costs to maintain such infrastructure. In doing this, Council should also investigate the use of solar power lighting on popular paths where it is deemed suitable.

The report should also provide Council with a summary of what opportunities exist within the listed works that can be expedited and the cost of doing so.

I recognise installing lighting is not the only way we can improve the safety of our area and it certainly won't guarantee there will be no further attacks but I believe it is an important factor that reduces the likelihood of such events occurring.

I understand that Council staff are able to prepare the report within existing operational budgets however, any decisions made to undertake work will require a formal allocation of funding and will require further consideration by Council.

RECOMMENDATION

That Council

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



Michael Regan
MAYOR

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	OFFICE OF THE INTERNAL OMBUDSMAN ANNUAL REPORT 2013 - 2014
REPORTING MANAGER	GENERAL MANAGER
TRIM FILE REF	2014/245498
ATTACHMENTS	1 Office of the Internal Ombudsman's Annual Report 2013/2014 (Included In Attachments Booklet)

REPORT

PURPOSE

The purpose of the Office of the Internal Ombudsman's Annual Report 2013/2014 is to summarise the activity of the Office of the Internal Ombudsman during the business year 1 July 2013 to 30 June 2014.

REPORT

This Annual Report (as attached) is delivered in accordance with the requirement of the Internal Ombudsman Guidelines and reports on the various business functions of the Office for the business year.

The report specifically includes details on complaint handling, investigations, trend analysis, recommendations, education and cultural change, as well as the required data in relation to the Conduct Review Committee and Public Interest Disclosures.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That Council notes the Office of the Internal Ombudsman's Annual Report 2013 - 2014.

ITEM 6.2	MINUTES OF THE SHOROC INC BOARD MEETING HELD 6 AUGUST 2014
REPORTING MANAGER	GENERAL MANAGER
TRIM FILE REF	2014/249761
ATTACHMENTS	1 Minutes of the SHOROC Inc Board Meeting held 6 August 2014 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the decisions of the SHOROC Incorporated Board Meeting held 6 August 2014 (Attachment) for the Council's information

REPORT

Shore Regional Organisation of Councils (SHOROC) is a partnership between the councils that make up the region of the Northern Beaches from Bradleys Head to Barrenjoey – Manly, Mosman, Warringah and Pittwater councils. SHOROC meets quarterly every year and is led by a Board of the 4 council's Mayors and General Managers.

The Board of SHOROC Incorporated met at Brookvale on Wednesday 6 August 2014. Minutes from the SHOROC Incorporated Board Meeting are submitted for Council's consideration.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That the Minutes of the SHOROC Incorporated Board Meeting held 6 August 2014 be noted.

ITEM 6.3	MONTHLY FUNDS MANAGEMENT REPORT JULY 2014
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2014/249968
ATTACHMENTS	1 Application of Funds Invested (Included In Attachments Booklet)
	2 Council's Holdings as at 31 July 2014 (Included In Attachments Booklet)
	3 Investment Portfolio at a Glance (Included In Attachments Booklet)
	4 Monthly Investment Income vs. Budget (Included In Attachments Booklet)
	5 Economic Notes (Included In Attachments Booklet)
	6 Investment Strategy and Portfolio Review 2013-14 Financial Year (Included In Attachments Booklet)

REPORT

PURPOSE

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

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

REPORT

The following attachments are provided as part of the Report.

1. Application of Funds Invested
2. Council's Holdings as at 31 July 2014
3. Investment Portfolio at a Glance
4. Monthly Investment Income vs. Budget
5. Economic Notes
6. Investment Strategy and Portfolio Review – 2013/14 Financial Year

FINANCIAL IMPACT

The actual investment income to 31 July 2014 is \$256,639 which compares favourably to the budgeted income of \$255,000 a variance of \$1,639.

POLICY IMPACT

The investment strategy was reviewed by our Investment Advisors Prudential Investment Services Corporation in July 2014. They confirmed that Council continues to maintain a prudent investment strategy and is well placed for the balance of the 2014/15 financial year and indeed beyond.

Performance over the 2014/15 financial year to date (July 2014) is strong, having exceeded the benchmark of 3.84%pa vs. 2.74%pa. Council has been proactive in sourcing opportunities in the market whilst investing prudently and managing cash flow.

RECOMMENDATION OF GENERAL MANAGER

That the:

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

ITEM 6.4	AUDITED GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014 AND AUDITORS REPORTS
REPORTING MANAGER	GENERAL MANAGER
TRIM FILE REF	2014/250262
ATTACHMENTS	1 2014 Audited Annual Financial Statements (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To receive Council's audited 2013/2014 Financial Statements in accordance with Section 419 (1) of the Local Government Act 1993 ("the Act").

SUMMARY

At Council's meeting on 5 August 2014, Council referred its 2013/2014 General and Special Purpose Financial Statements for the year ended 30 June 2014 to Council's Auditor for audit. The auditor's reports were subsequently received by Council and have been attached to the General Purpose and Special Purpose Financial Statements in accordance with Section 417(1) of the Act.

The audited Financial Statements and a copy of the Auditor's Reports have been available for public inspection at Council's Civic Centre and libraries at Dee Why, Forestville, Belrose and Warringah Mall and by viewing on Council's website since 9 August 2014 and are now presented to Council for adoption in accordance with Section 419(1) of the Act.

The Council is required to submit the auditor's report to a public meeting during the public exhibition period. Submissions on the auditor's report or the audited Financial Statements close on 27 August 2014. The audited Financial Statements are included in the separate attachments booklet.

FINANCIAL IMPACT

The cost of the audit of Council's Financial Statements and the public advertising has been allocated in the current budget.

POLICY IMPACT

Nil.

RECOMMENDATION OF GENERAL MANAGER

That:

- A. In accordance with Section 419 (1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for 2013/2014 are hereby received and noted.
 - B. A further report be presented to Council on 23 September 2014 detailing any submissions received in respect of Council's audited Financial Statements if applicable.
-

REPORT

BACKGROUND

At Council's meeting on 5 August 2014, Council resolved:

That the recommendations listed below and contained in the Minutes, be adopted:

- A. The Annual Financial Statements for the year ended 30 June 2014 be adopted by the Council.
- B. That the Mayor, Deputy Mayor Heins as the nominated Councillor, the General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
- C. That the Annual Financial Statements for the year ended 30 June 2014 be referred to the Council's Auditor for audit.
- D. That the Council hereby delegate to the General Manager authority, upon receipt of the Auditor's report by the Council, to:
 - i) Forward a copy to the Office of Local Government and the Australian Bureau of Statistics.
 - ii) Arrange for the public notice of the Council Meeting for presentation to the public, in the required format to be placed in the Manly Daily.
 - iii) Arrange for the Council's audited financial statements and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and in printed format at the Council's Civic Centre and Libraries at Belrose, Dee Why, Forestville and Warringah Mall.
 - iv) List the audited financial statements and Auditor's Reports on the Agenda for the next available Council meeting for presentation to the public, which allows for the 7 days public notice requirement.

The Auditor's reports were subsequently received by Council and have been attached to the General Purpose and Special Purpose Financial Statements in accordance with Section 417 (1) of the Act.

The draft operating result for the year ended 30 June 2014 of \$11.340 million was reported to the Council on 5 August 2014. This result has since been confirmed following the completion of the audit.

To assess the appropriateness or otherwise of Council's available working capital, it is necessary to review the level of restrictions placed against the use of Council's current assets. The notes to the financial statements indicate clearly where restrictions exist, and the effect of the restrictions is summarised as follows:

	\$'000
Working Capital as per Accounts	66,812
Add: Payables & Provision not expected to be realised in the next 12 months included above	9,679
	76,491
Add: Budget expected to be realised in the next 12 months	
- Borrowings	9
- Employees Leave Entitlements	5,356
- Self Insurance Claims	216
- Carbon Tax	31
- Deposits Retentions and Bonds	1,918

Adjusted Working Capital	84,021
Less: Externally Restricted Assets	(26,626)
Less: Internally Restricted Assets	(8,945)
Available Working Capital	<u>\$48,450</u>

From this analysis it can be seen that at 30 June 2014 Council has sufficient working capital after the restrictions placed on those assets. This level of liquidity is adequate to fund day to day operations and, after considering the application of funds to the 2013/14 year and the need to maintain a minimum level of liquidity, provide a buffer against unforeseen costs, such as unexpected retirements of long serving staff, urgent restoration works for flood damage or bushfires.

Attached, in the separate attachment booklet, are the audited financial statements and includes:

- Auditor's report dated 6 August 2014 on the form and content of the General Purpose Financial Statements;
- Auditor's report dated 6 August 2014 on the conduct of the audit;
- Auditor's report dated 6 August 2014 on Council's declared business activities in terms of reporting required by National Competition Policy.

CONSULTATION

As required by Section 418 of the Act, Council must give seven (7) days public notice for the meeting at which it presents the Audited Financial Statements and Auditor's Report. The public notice appeared in the Manly Daily on Saturday, 9 August 2014. Section 420 of the Act requires that all submissions in respect of the Audited Financial Statements must be in writing and must be lodged with the Council within seven (7) days after this meeting. Copies of all submissions received must be referred to Council's Auditor.

TIMING

The timing of the public presentation is determined by the Act and should occur by 5 December each year.

FINANCIAL IMPACT

The cost of the audit of Council's Financial Statements and the public advertising has been allocated in the current budget.

POLICY IMPACT

Nil

7.0 COMMUNITY DIVISION REPORTS

ITEM 7.1	WARRINGAH FESTIVAL CONCEPT REPORT
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2013/280567
ATTACHMENTS	NIL

B EXECUTIVE SUMMARY

PURPOSE

This report is in response to Notice of Motion 24/2013 – Warringah Festival resolved at Council Meeting on 24 September 2013:

That:

- A. *Council produces a Concept Report by March 2014 on staging a Warringah Festival in the financial year 2014/2015 to further enhance connection and community engagement.*
- B. *The report also considers the possibility of the Warringah Festival being a continuing event in later years.*
- C. *The Concept Paper consider the following principles:*
 - a. *Venues should incorporate both Council and privately owned venues in partnership.*
 - b. *Particular focus should be placed on all regional demographics including: Youth, Senior Citizens, and other relevant community groups.*
 - c. *Events should be curated and unjuried.*
 - d. *The Festival should showcase Warringah and our vibrant lifestyle and adopt a fringe programming philosophy.*
 - e. *Maximum effort should be devoted towards stimulation of our local economy.*
 - f. *Grants to support the Festival should be sought from the State and Federal Governments.*

SUMMARY

The concept of staging a Warringah Festival to further enhance connection and community engagement in the LGA is worthwhile. Warringah Council is working to foster the growth of culture in the area with major arts events, community grants and prizes, creative spaces for artists, and the creation of the 'Creative Warringah' integrated strategy. This activity builds on the cultural foundations already defined and delivered as part of the Cultural Plan (2007).

The community has expressed that they want a more connected and vibrant community – and this is a cornerstone of the Community Strategic Plan (CSP) 2013.

Festivals, events staged by a community that centre on a unique aspect of that community, have emerged over the past few decades as a way to involve the broader arts population. Mainstream festivals typically involve a professional curator and established, high end acts. Fringe festivals

typically run in conjunction and/or stand alone and attract more emerging and local artists and are unjuried.* (*unjuried – all submissions accepted although still involve a curator).

To meet the objectives of the Resolution, staff have researched several options and put forward the following for Models for Council to consider.

FINANCIAL IMPACT

All Models require a minimum budget of \$60,000 per annum event with the exception of Model D: EOI, where seed funding could be provided. Hosting a major festival is conservatively estimated at around \$300,000. This includes a professional curator and funds to attract a headline act. A community-based fringe festival, while cheaper to host, would still involve extensive labour resources including a coordinator and project manager to organise and scope.

The option to adjust programming at Glen St Theatre to implement a festival could be done within existing operational budgets.

POLICY IMPACT

Concept Report should be prepared in conjunction with Council's Sustainable Events Policy PL-530-Events

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That:

- A. Given the recent IPART decision not to approve a rate rise to improve services which included an enhanced events portfolio, Council not proceed with establishing a dedicated festival at this stage.
 - B. Council note the creation of a Cabaret Festival at Glen Street Theatre further establishing the recently renovated centre as a cultural hub for Warringah. The Festival would run from 26 September to 9 October 2016. If successful Council could look to hold this every two years.
-

REPORT

BACKGROUND

Festivals have emerged over the last three decades as alternative arts and culture events.

Fringe festivals particularly are generally open-access (unjuried), multi-artform events with a broad scope for programming and presentation spanning performance, comedy, music, visual art, cabaret, circus, dance and more. By definition they are an unofficial, unconventional arts festival that is associated with a larger festival.¹

Additionally, local performers that are not easily labelled are highly encouraged to participate; as are emerging talents. Fringe festivals generally occur in a festival precinct encompassing a number of venues in the wider region, and are often a blend of public and private venues.

Sydney has hosted a number of fringe events such as the Live Bait Festival at Bondi which was the successor to the first Fringe Festival and which is now known as the Sydney Fringe Festival. This event is now in its 5th year and is produced by the Newton Entertainment Precinct Association (NEPA). It aims to provide opportunities for artists, musicians and performers to test audiences with new and riskier materials and projects at the same time attracting audiences looking for unique experiences. Genres include, live music, performance art, cabaret, comedy, theatre, visual arts and burlesque.

The Sydney Fringe Festival is based on an open access model whereby the Fringe registers artists and venues and all contracting is done by the venues. Artists pay fees to the Fringe which includes marketing and promotion support.

Warringah already hosts events involving music and the performing arts. These include programs at Glen St Theatre, Warringah Art Exhibition, Art In Odd Places (2013), Guringai Festival, La Lune – Energy Producing Art at Long Reef Headland (2014), YOYO's events and the Northern Composure Band Exhibition. Council has recently launched a new Warringah Creative Space at Curl Curl which provides community artists with the opportunity to use individual workshop space as well as access to an exhibition and gallery space.

Glen Street Theatre features a number of event programs in addition to the main stage program such as Jazz at the Glen, Music at the Glen, Literary Lunches and it hosts major community events such as the Sydney North Dance Festival which attracts over 2,000 people a day to the theatre for the period of the event. The venue also hosts visual arts exhibitions by local artists through the main foyer area. The theatre is also host to a satellite Sydney Writers Festival activity and in 2014 is hosting a series of NIDA workshops.

Additionally many local clubs and private venues also host music, comedy and the performing arts. These include Dee Why RSL (live music, entertainment, comedy and a new stand-up comedy program in the bar), Lizottes (music/comedy), Harbord Hotel (music), local restaurants (music), The Sands Hotel (busking competition, live music and cultural events), Collaroy Services Club (music), The Music Lounge Brookvale, Terry Hills Tavern (music), Time and Tide Hotel (cultural events and music) and the Monkey Bar at Narrabeen (music).

There are also community festivals and events within the local area including The Shack at Narrabeen (music); Kiwi Waka Festival Dee Why (cultural celebration) and the Northern Beaches Music Festival at Narrabeen, Lakeside Folk Festival, Eurofest Cultural Festival, Forestville, Forestville Arts Show, Tramshed Art Exhibition, Eramboo Artist Environment, Print Makers Studio, Northern Beaches Orchestra and the Northern Beaches Eisteddford. Many of these events and organisations have previously been recipients of Council's community grants program.

¹ Collins Dictionary. Definition of Fringe Festival (theatre).

Arts festivals have also become established throughout the broader northern Sydney area including the Hornsby Shire Council Festival of the Arts (FOTA), The Manly Jazz Festival; the Manly Food Wine and Sustainability Festival and The Manly Arts Festival (Vibe). Pittwater has also launched the 'Enliven Pittwater' program which promotes a series of arts based activities including the Pittwater Artists Trail, Artzspace Exhibition and the Children's Artfest. The Manly Art Gallery along with a number of other local galleries host a range of exhibitions by local and touring artists. The Concourse at Chatswood also offers a diverse arts program from exhibition to cinema and theatre.

Additionally city-wide festivals including the Mardi Grass Festival, Chinese New Year Festival, Sydney Comedy Festival, Sydney Fringe Comedy Festival, Sydney Festival, Hoopla Festival, Sydney Writers Festival, Vivid, Sydney Biennale, Sydney Underground Film Festival, Festival of the Winds and Sculpture by the Sea, have become established events on the annual calendar.

Venues:

Warringah is geographically well-placed to host a festival with a range of natural sites and also built environments.

Venues include the Forest Community Arts Centre, Tramshed Arts and Community Centre in Narrabeen, Glen Street Theatre, YOYO's, and the Warringah Creative Space.

Outdoor venues include Brookvale Oval, Stony Range Regional Botanic Garden, Dee Why Beach, James Meehan Reserve Dee Why, Freshwater Beach, Collaroy Beach, Berry Reserve Narrabeen, Manly Dam and Kimbriki Resource Recovery Centre.

Venue Capacity:

These venues offer a range of capacities from Glen Seat Theatre which has an auditorium with seating for 400, to Dee Why beach which hosts in excess of 20,000 people at outdoor picnic-style events like New Year's Eve. Similarly, large venues like Dee Why RSL hold 450 in the main function room for major shows whilst some of the community centres offer more intimate spaces for smaller groups such as the Tramshed at Narrabeen.

Local Participation:

A festival in Warringah could provide opportunities for local artists and performers to present their new work to the broader community. However, the extent of this talent is largely unknown and untested and more research is required to establish if there is a sufficient pool of artists and performers based on northern beaches who would want to participate, particularly at a fringe level.

The Art in Odd Places (2013) project is an example where the capacity of the community to deliver the project was not known and seen as experimental. The project did not attract the level of interest anticipated from local artists, other than those involved with the partnering community group. The call out for artists and the promotion of free workshops fell short of the targets.

To deliver a festival, it would be advisable to determine the level of interest and capacity within Warringah's creative community through Council's community development programs.

Censorship vs artistic freedom:

The Model C: Open Access underpins fringe festivals, like those in Edinburgh and Adelaide, means that anyone with a show, exhibition or cultural event can register to take part. It should be an open access, uncurated program that results in a diverse and risky program of activities that challenges and excite audiences. The Fringe administration body does not traditionally run venues itself. It acts as an advisory in assisting venues to be successful both artistically and financially. This includes matching artists with venues and providing scheduling, funding and marketing. (Adelaide Fringe Festival website 2014)

Fringe art and performances by the very nature of them are often interpreted to be in direct opposition with officially sanctioned tastes. It can be perceived as politically and socially incorrect. Because Fringe is not censored or curated the end result is often unknown. Council will need to give consideration about how it may be represented and portrayed and about how audiences in Warringah will respond.

Audience research at Glen Street Theatre has shown that audiences prefer conservative main stream programming. Two recent productions, 'Strangers in Between' and 'Rewind' received some negative feedback and suffered varying attendance levels. Attempts over the years to program comedy and cabaret at Glen Street have not been sustainable.

Audience expectations and tolerance for avant-garde art may also need to be considered in light of the incident at the Art in Odd Places events (2013) at Dee Why Beach. Police were called by members of the public offended by the portrayal of nudity in a performance act, 'Gender Bender'. Manly Council cancelled the same performance act the following week that was scheduled to take place on Manly's Corso.

Demographics:

Warringah reflects the ageing trend in Australia as older people continue to increase as a proportion of the LGA population. There has also been an increase in the number of 35-49 years olds and the number of children living here.

At the same time, the number of young people aged between 18-24 years in Warringah has declined (Census 2006 – 7,272 persons representing 7.6% of the population).

In the Warringah Council Community Research 2013, community events and festivals were rated overall by the general community at 7.64 in importance (10 being very important) and ranked fifth in importance out of a total of 8 listed recreation facilities and services.

The 25-34 years olds rated community events and festivals as most important at 8.36 followed by 18-24 years olds at 8.04 and the 35-44 year olds at 7.56.

Youth:

According to the Community Research 2013, young people in Warringah placed one of the highest importance levels on cultural events and festivals. However the number of young people (18-24 years) in the area is declining, having fallen from around 10% in 2001 to around 8% in 2006.

Warringah Council Speak Up Survey 2012 and Parents Survey 2012 identified community connectedness as an issue for youth. The Youth Strategy 2013-2023, identified connection and belonging as a focus – creating places and programs that stimulate social interaction and creative expression.

The youth demographic is currently serviced by the Youth Strategy and events and activities at YOYO's.

Seniors:

In terms of rating cultural events and festivals: seniors rated their importance at 7.36 for over 75 years, 7.17 for 65-74 years and 7.13 for the 55-64 years. In comparison to rating other recreation facilities and services, this was comparably low.

This demographic is currently serviced by the Seniors Week annual event which runs for more than a month.

Stimulation of Local Economy:

A festival has the potential to encourage local artists and performers to develop their artistic skills and to engage the broader community in a diverse arts program.

It could also provide a focus for possible media coverage and promotion of local talent. It may help engage younger people in the area who feel the need for greater community connectedness.

It may also help promote local venues who were willing to take part and act as an economic stimulus for these groups on a short-term basis. However, the capacity of local venues to afford a registration fee is not known and consideration and consultation will need to take place with local business groups to determine this.

Historically, festivals have shown minimal return on investment (ROI) due to significant capital outlays and restricted returns. This is particularly relevant if ticket entry at venues is free.

As an example, in 2013 The Sydney Fringe Festival received \$100,000 cash and up to \$30,000 value in-kind from the City of Sydney. This year the producers of the event, Newtown Entertainment Precinct Association (NEPA) were seeking an increase to its cash budget of \$220,000 and \$50,000 value in-kind from the City.

The Sydney Fringe Festival also has a fulltime production team including a sponsorship manager as sponsorship, grants and donations make up a considerable component of the total operating budget. While the total budget is not known, the marketing budget for Sydney Fringe Festival was estimated to be worth \$400,000. This table show the comparative costs of some major festivals²:

Festival	Events	Audience	Gov. Funding	City Funding	% total funding
Sydney Writers' Festival	316	70,000	\$794,380	\$330,000	15%
Sydney Film Festival	278	123,000	\$1,515,188	\$127,308	3.5%
Mardi Gras	100+	430,000	\$748,400	\$200,000	4.5%
Sydney Fringe Festival	343	45,800	\$0	\$100,000	34%

Warringah Council has hosted a number of curated events over the years which received popular acclaim and were well attended such as Symphony on the Sand at Freshwater, Ripples Festival, Voices of Oceania and Whale Song Lines, however they became financially unsustainable and ceased operating in favour of less expensive events. The recent experience of the Art in Odd Places project at Dee Why also returned a low ROI.

Festival organisers measure success in terms of ticket sales and economic impact. Turnover is considered commercial in confidence, so figures are hard to determine. However it is generally acknowledged festivals have been performing poorly over recent years.

<http://www.smh.com.au/entertainment/music/the-crisis-rocking-australias-music-festivals-20131019-2vtbx.html>

Grants:

Holding a festival in Warringah long-term would require the assistance of government funding.

State Government Grants:

² SPONSORSHIP – SYDNEY FRINGE FESTIVAL TRIENNIAL AGREEMENT – 2014 TO 2016 page: 3

Arts Funding NSW is the primary provider of state funding for community festivals. Funds are available but priority is given to regional NSW, western Sydney, indigenous, youth and CALD. Northern Beaches is not considered a priority area.

Destination NSW also provides funding for events that promote a certain area – again priority is given to regional NSW, and to events that generate additional visitor expenditure to the state. .

Federal Government Grants:

Several options exist but the main funding source is the *Australia Council*. *Festivals Australia* funding is available but priority is again given to regional and remote communities in Australia.

Community Partnerships funding is available for community arts and cultural development projects that have strong public presentation outcomes and involve both arts and non-arts partners. Individuals, groups and organisations are welcome to apply provided they have sought financial support and/or co-funding from other sources.

Projects with Public Outcomes offers support from \$20,000 to \$35,000 to deliver one-off community arts and cultural development projects that have public outcomes. Projects in this category must involve collaborations with cross-sectoral partners. Cross-sectoral partners refer to individual and organisational partnerships from arts and non arts-sectors that will help make the project happen.

Community Partnerships funding gives priority to regional Australia, disability, young people, cultural diversity, emerging communities, Indigenous people, remote Indigenous communities, and specific critical social and cultural issues.

Private Partnerships:

Possible private partners for a Warringah Festival have been identified including: Bendigo Bank, Manly Daily; Northern Beaches Credit Union, Virgin Active and Westpac Northern Beaches. Experience shows that contributions are limited and there is a high level of activation and service expected. Lizotte's Music restaurant is now also on the market for sale any partnership would be short term in nature.

Partnership takes time to build. After 13 years, Northern Band Composure has attracted sponsorship of \$37K this year.

The Warringah Art Exhibition, also formally known as the Warringah Art Prize, has been running for over 25 years and now has cash sponsorship to the value of \$7,000.

Festival Models:

To address the Resolution, staff have researched several options and put forward the following Models for Council consideration.

Model A: Open Access

Model B: Festival Concept

Model C: Community Development Model

Model D: Expressions of Interest (EOI)

Model E: Aggregate Existing Portfolio

Model F: Glen Street Theatre Programming

Model A: Open Access:

Council holds a Festival with a headline act – using several outdoor locations –with fringe programming around the major act. Estimated cost: \$355,000.

Model B: Festival Concept

That Council considers holding a Festival “10 days in Warringah” looking at fewer overall but more local acts – showcasing the best on offer in the Warringah area and combining outdoor entertainment with local venues. This would be launched off an existing activity – like the Northern Beaches Eisteddfod in May or the Warringah Art Exhibition in July. Estimated cost: \$180,000.

Model C: Community Development Model

That Council considers holding a Festival the Warringah Creative Project that is community based, and run by a committee. Estimated cost: \$100,000-\$250,000

Model D: Expressions of Interest (EOI)

That Council consider calling for expressions of interest (EOI) within the performing arts community to outsource the development, programming and coordination of a festival in Warringah, incorporating local artists. Estimated cost:\$50,000 - \$100,000 as seed funding.

Model E: Aggregate Existing Portfolio

That Council retains the status quo and focus on boosting existing events and programs which promote the creative arts in the community and work with private providers where possible to expand its offering and further encourage local talent. Estimated cost \$60,000.

Model F: Glen Street Theatre Programming

In addition to the above options work has begun to create a thriving cultural hub for the Northern Beaches at Glen Street Theatre, Belrose. The first stage of works is now complete. This included improving lighting and landscaping at the forecourt and enhancing the theatre foyer with an inviting new Box Office and bar. Stage two of works, involving a new library, cafe and administration offices are explored at the moment.

Critical to the success of the new cultural hub is the innovation and quality of the programming. It has been concepted to conduct a Caberat Festival during the 2016 Stage season. The format has been highly successful in Adelaide drawing significant visitation and critical acclaim. The programming could appeal to all regional demographics including: Youth, Senior Citizens, and other community groups

All Models require a significant annual budget allocation to ensure successful marketing and promotion of any such event with the exception of Model F Glen Street Theatre Programming.

Research shows that variety and diversity of programming is essential for festivals to be successful. It is also essential to work with the local private sector through sponsorship or joint ventures– many of whom are already providing music or comical acts at their own venues.

The ability to access government funding to help fund any proposed festival is limited and requires a long-term lead-in, meaning Council would have to provide seed funding for any proposed event in the initial years as well as ongoing funding.

Warringah’s uniqueness is its beach and bush, and this could be incorporated into any festival. Warringah has great outdoor venues to host a festival which highlight this uniqueness including Manly Dam, Kimbriki and Stony Range Regional Botanic Garden.

A consideration for the modeling has been that any festival would need to cater to the broadest possible market and be financially viable for the community.

CONSULTATION

Consultation has occurred around broader cultural needs and requirements in Warringah as part of the Creative Warringah project.

Warringah Council Speak Up Survey 2012 and Parents Survey 2012 identified community connectedness as an issue for youth. The Youth Strategy 2013-2023 identified Connection and belonging as a focus – creating places and programs that stimulate social interaction and creative expression

Community consultation was undertaken as a part of the Creative Warringah Strategy on how we can strengthen our neighborhoods through arts, craft, culture and ‘community happenings’.

TIMING

The estimated earliest possible date any proposed festival could be held in Warringah would be 2016. This would also be determined by the operating model, budget, staffing, size and scale of the project.

The creation of a Cabaret Festival at Glen Street Theatre would run from 26 September to 9 October 2016.

FUNDING SOURCE

No funding has currently been allocated for this activity.

POLICY IMPACT

Nil

ITEM 7.2	ANNUAL COMMUNITY SATISFACTION SURVEY RESULTS 2014
REPORTING MANAGER	DEPUTY GENERAL MANAGER COMMUNITY
TRIM FILE REF	2014/218812
ATTACHMENTS	1 Warringah Community Satisfaction Report 2014 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report the results of the 2014 Warringah Community Satisfaction Survey.

SUMMARY

Council annually surveys a range of resident attitudes and opinions as input to Council's ongoing strategic planning and quality improvement process. Most recently, a comprehensive telephone based survey of 600 Warringah residents was conducted in June 2014.

Some of the key points of interest from the survey are that 91% of respondents were very satisfied to somewhat satisfied with Council's overall performance; 90% of respondents very satisfied to somewhat satisfied with the level of service provided by Council staff and 88% of respondents were very satisfied to somewhat satisfied with the performance of the Mayor and Councillors.

The average 2014 satisfaction scores for overall performance of Council, performance of staff and performance of the Councillors and Mayor all increased significantly compared to 2013.

27% of residents indicated that Council's overall performance had improved in the last year, whereas only 7% felt that there was deterioration in performance.

In terms of community connectedness, 94% of survey respondents feel safe in their own homes and 91% are able to call on a someone if they need assistance. Residents also have a strong sense of community with 89% of survey respondents agreeing their neighbourhood is a friendly place, 84% feeling they belong to the community they live in and 88% proud of where they live.

The survey results also highlight a number of areas for improvement including traffic management, managing residential development, maintaining major roads, Council's responsiveness to community needs and community consultation. Compared to the 2013 results there has been an increase in 5, and a decline in 3, of the 46 service areas.

The survey results were presented to Councillors at the Councillor briefing on 5 August 2014 by the Director of Micromex and Council management. The results overall provide Council with important information to assist in strategic planning.

FINANCIAL IMPACT

The cost of the 2014 Warringah Community Survey was provided for in Council's adopted budget.

POLICY IMPACT

Results from the Community Survey and other community consultations will assist and inform Council in determining its priorities as part of ongoing planning and improvement processes.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That the results of the 2014 Warringah Community Survey are included in the Annual Report and are considered as part of Council's ongoing strategic planning and quality improvement

processes.

REPORT

BACKGROUND

Council is committed to regular community consultation to ensure the views and perceptions of the community are taken into account in the planning process. Since 2007 the independent community wide survey has been conducted annually based on a consistent format to assist in accurately gauging changes in community attitude over time.

Some of the key findings are included in Council's strategic planning documents and reported in the Annual Report.

SURVEY METHOD

The survey was conducted in June 2014 by Micromex Research. This involved a telephone survey of 600 Warringah residents, randomly selected across the local government area.

The survey questions were designed to:

- Measure the importance of and satisfaction with services and facilities provided by Council
- Measure overall satisfaction with the performance of Council
- Measure satisfaction with the performance of Council's staff, Councillors and Mayor
- Where appropriate, enable performance comparison against previous survey results
- Where possible, facilitate performance comparison against external benchmarks
- Identify priority areas for further review and improvement
- Measure community safety and connectedness.

Since 2007, the surveys have maintained a standard set of questions with only minor changes to enable benchmarking of Council's performance over time. In 2014, the ranking of the questions in the survey was amended from a 10 point scale to a 5 point scale. The mean scores from previous years have been recalculated to allow comparison with the 2014 results.

In addition several new questions were included to allow comparison with some core questions within the VIC LGA state wide survey results. These new questions included:

- Direction of Warringah Council's performance over the past 12 months
- Importance and satisfaction with Council 'lobbying on behalf of the community'

Warringah's results have been benchmarked against Micromex's database of NSW local government clients and also against some of the VIC LGA state wide metrics. The main findings of the 2014 survey are summarised below.

Overall Satisfaction

This year, 91% of residents indicated that they are very satisfied to somewhat satisfied with Council's overall performance. In relative terms, the Warringah result has statistically increased from a mean score of 3.35 in 2013 to 3.50 in 2014 and is above the mean score compared to the benchmark of other NSW Councils in the Micromex benchmarking group of 3.31.

Survey	Mean Score
Warringah 2014	3.5
Warringah 2013	3.35
Warringah 2012	3.4
Warringah 2011	3.1
Warringah 2010	3.05
All NSW LGA benchmark	3.31

27% of residents indicated that Council's overall performance had improved over the past 12 months and 66% indicated that performance had remained the same. These results compare favourably with the Victorian Local Government Area benchmark data (see table below).

	2014 Vic LGA Overall	Warringah 2014
Improved	20%	27%
Stayed the same	63%	66%
Deteriorated	13%	7%

Staff and Councillor Performance

Most residents (90%) indicated that they were very satisfied to somewhat satisfied with the overall performance of Council staff. In 2014, the overall mean satisfaction rating for staff was 4.14 (out of 5), which is an improvement on the 2013 result of 3.96 and is above the Micromex NSW Benchmark of 3.90.

Most residents (88%) also indicated that they were very satisfied to somewhat satisfied with the overall performance of the Mayor and Councillors. The overall mean satisfaction rating with Mayor and Councillors was 3.35 (out of 5) which is above the 2013 rating of 3.22 and also above the Micromex NSW benchmark of 3.24.

Individual Council Services and Facilities

Overall, the 2014 results indicate that Council is providing many of the services and facilities rated as important by residents are at a satisfactory level or above. A Shapley regression analysis was also conducted to identify those services that are the key drivers of overall satisfaction. The top 15 services account for over 60% of overall satisfaction with Council.

Key drivers of overall satisfaction with Council	Shapley's Analysis	Gap Analysis	Quadrant Analysis
Consultation with the community by Council	11.94	1.34	Improve
Council responsiveness to community needs	7.54	1.37	Improve
Lobbying on behalf of the community	4.41	1.05	Niche
Managing residential development	4.25	1.46	Improve
Sporting fields and amenities	3.96	0.81	Maintain
Maintaining major roads	3.64	1.38	Improve
Household waste collection	3.22	0.52	Maintain
Facilities and services for people with disabilities	3.18	0.95	Improve
Traffic management	2.94	1.55	Improve
Hygiene standards of retail food outlets	2.83	1.04	Maintain
Council operates in an environmentally friendly way	2.75	0.78	Maintain
Bus shelters	2.73	0.26	Niche

The survey results also highlight a number of services and facilities potentially requiring further attention including traffic management, managing residential development, maintaining major roads, Council's responsiveness to community needs and community consultation.

Residents are at least moderately satisfied with 39 of the 46 service areas. Compared to the 2013 results there has been an increase in 5, and a decline in 3, of the 46 service areas.

The influence of Council generated communications/media has also strengthened significantly over the past 12 months.

Community Connectedness

Warringah residents continue to feel they live in a safe community. Most of the survey respondents (94%) stated that they feel safe in their own homes. Furthermore, 91% agreed that they could call on a neighbour or nearby relative if they needed assistance.

Warringah residents also have a strong sense of community connectedness. Most respondents (89%) agreed that their neighbourhood is a friendly place to live, whilst 84% of survey participants felt that they belonged within the Warringah community.

Warringah residents also have a strong sense of local identity, with 88% of survey respondents agreeing that residents in their area are proud of where they live. These results are similar when compared to the 2013 results.

The average mean ratings for 'making a contribution to the community' and 'socialising in my local area' both statistically increased in 2014 compared to 2013 results.

Conclusion

The results of the survey will be considered as part of Council's ongoing strategic planning and quality improvement processes.

FINANCIAL IMPACT

The cost of the 2014 Warringah Community Survey was provided for in Council's adopted budget.

POLICY IMPACT

Nil

ITEM 7.3	ADOPTION OF THE REVISED PUBLIC ART POLICY
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2014/238843
ATTACHMENTS	1 Draft Revised Public Art Policy (Included In Attachments Booklet) 2 Cultural Policy (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To recommend that Council adopt the revised Public Art Policy at Attachment 1 and rescind the Cultural Policy from 2007 at Attachment 2 to this report.

SUMMARY

The intent of the revised Public Art Policy remains the same as the original Public Art Policy from 2007, namely to improve the quality of the built environment and enhance the relationship between the community and their urban landscape through public art. Changes to the original Policy have been made to ensure currency and to streamline Council's policies and planning in this area.

The draft revised Public Art Policy was on public exhibition for just over four weeks, from 28 June to 28 July 2014. No submissions were received during the public exhibition period.

Only editorial changes to the revised Public Art Policy are recommended.

FINANCIAL IMPACT

There are no financial impacts associated with the Public Art Policy.

POLICY IMPACT

Once finalised, the revised Public Art Policy should be read in conjunction with the Creative Warringah Strategy (which is also reported to Council at this meeting, seeking Council's adoption of the Strategy).

The revised Policy, with a clear focus on public art and cultural wellbeing, will contribute towards realisation of our community vision: "*Our community is enhanced in its cultural life, connections and wellbeing – catering for all generations and needs*" (CSP Community Outcome).

If adopted, the revised Public Art Policy (STR-PL 010) is recommended to replace the Cultural Policy from 2007 (CCS-PL 210) at Attachment 2 to this report.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council:

- A. Adopt the revised Public Art Policy
 - B. Rescind the Cultural Policy 2007 (CCS-PL 210)
-

REPORT

The purpose of the Public Art Policy (the Policy) is to improve the quality of the built environment and enhance the relationship between the community and their urban landscape through public art. This intent remains the same in the current revised Policy.

The original Public Art Policy (STR-PL 010) was adopted by Council on 26 February 2008.

A review of the Policy was conducted in early 2014 to ensure consistency with the proposed draft Creative Warringah Strategy as well as incorporate elements of the original Cultural Policy 2007 which in turn would allow rationalisation of our policies and planning documents. (Note that the Creative Warringah Strategy, if adopted, will replace the Cultural Plan from 2007).

The draft revised Policy was reported to Council at its meeting of 24 June 2014 when Council resolved to place the draft revised Policy on public exhibition.

The scope of the Policy has been expanded to include:

Policy Section	Revisions to the original Public Art Policy
1	Updated purpose – includes statement regarding support for artists and community participation
2 h)	Recognition of the value of busking and public performance
3	Clarification regarding planning and commissioning of public art
4	Clarification regarding maintenance and decommissioning of public art
5	Reference to Council's Enterprise Risk Management Framework Policy PL 700

CONSULTATION

The public exhibition of the draft revised Policy was advertised in Manly Daily and Council's website. Seventy seven (77) people visited the project webpage during the public exhibition period, with nine people downloading the draft policy document.

In addition to broad consultation, emails were sent to community members registered on relevant Council databases, namely our database of creatives and artists, registered community members project (approximately 200 people) as well as our general community database (approximately 300 people).

The exhibition extended from 28 June to 28 July 2014, with copies of the draft revised Public Art Policy available at Council offices and libraries, and online at Council's website. Written submissions were invited through our online submission form, by email, or by letter. No submissions were received during the public exhibition.

Only editorial changes to the revised Public Art Policy are recommended. These changes are highlighted in Attachment 1.

FINANCIAL IMPACT

There are no financial impacts associated with the Public Art Policy.

POLICY IMPACT

Once finalised, the revised Public Art Policy should be read in conjunction with the Creative Warringah Strategy (which is also reported to Council at this meeting, seeking Council's adoption of the Strategy).

The revised Policy, with a clear focus on public art and cultural wellbeing, will contribute towards realisation of our community vision: "*Our community is enhanced in its cultural life, connections and wellbeing – catering for all generations and needs*" (CSP Community Outcome).

If adopted, the revised Public Art Policy (STR-PL 010) is recommended to replace the Cultural Policy from 2007 (CCS-PL 210) at Attachment 2 to this report.

ITEM 7.4	ADOPTION OF CREATIVE WARRINGAH STRATEGY
REPORTING MANAGER	GROUP MANAGER COMMUNITY SERVICES
TRIM FILE REF	2014/236901
ATTACHMENTS	1 Creative Warringah Strategy (Included In Attachments Booklet) 2 Summary of Submissions (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To advise Council of the submissions received in response to the exhibition and to recommend adoption of the Creative Warringah Strategy (Attachment 1) of the report.

SUMMARY

The draft Creative Warringah Strategy was on public exhibition for just over four weeks, from 28 June to 28 July 2014. A total of 208 people visited the Council website during the exhibition period. Three submissions were received, all of which express support for the Creative Warringah Strategy. A summary of the submissions is provided in (Attachment 2) of the report.

None of the submissions suggested any changes to the document.

No changes to the document are recommended.

FINANCIAL IMPACT

The Creative Warringah Strategy will be considered as part of Council's annual budget.

POLICY IMPACT

Once finalised, the Creative Warringah Strategy will provide clear strategic direction for Council to work towards our community vision: "*Our community is enhanced in its cultural life, connections and wellbeing – catering for all generations and needs*" (CSP Community Outcome).

The Creative Warringah Strategy will replace the Cultural Plan 2007.

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That Council adopt the Creative Warringah Strategy.

REPORT

BACKGROUND

The draft Creative Warringah Strategy was reported to Council at its meeting of 24 June 2014 where it was resolved to place the draft Strategy on public exhibition. The Creative Warringah Strategy draws on extensive research, analysis and conversations with creatives, artists, council staff and community members in general. More than 400 people have contributed to the creation of the Strategy.

Our research and consultation identified five overarching themes:

1. Creative confidence
2. Creative spaces and places
3. Celebration and activation
4. Collaboration and networks
5. Public art and creative expressions

CONSULTATION

The public exhibition of the draft Creative Warringah Strategy was advertised in the Manly Daily and Council's website. Two hundred and eight (208) people visited the project webpage during the public exhibition period. A total of 1,516 visited the project page throughout the life of the project, from approximately December to end of July 2014.

In addition to broad consultation, emails were sent to community members registered on relevant Council databases, namely our database of creatives and artists as well as community members who have registered to be kept informed about the project, approximately 200 people, as well as our general community database, approximately 300 people.

The exhibition extended from 28 June to 28 July 2014, with copies of the Creative Warringah Strategy available at Council offices and libraries, and online at Council's website. Written submissions were invited through our online submission form, by email, or by letter. A total of three submissions were received during the public exhibition.

The three submissions are summarised at Attachment 2 to this report. Both submissions expressed support for the Creative Warringah Strategy.

No changes have been made to the document.

TIMING

The draft Creative Warringah Strategy was on public exhibition for just over four weeks, from 28 June to 28 July 2014.

FINANCIAL IMPACT

The Creative Warringah Strategy will be considered as part of Council's annual budget.

POLICY IMPACT

The Creative Warringah Strategy builds on the foundation from the original Cultural Plan 2007 and identifies overarching themes, goals and strategic directions for an annual implementation program for Council. The Creative Warringah Strategy will replace the Cultural Plan 2007.

ITEM 7.5	KIMBRIKI RESOURCE RECOVERY CENTRE - PROPOSED EASEMENT FOR WATER SUPPLY, AND RESTRICTION ON USE OF LAND, OVER COUNCIL COMMUNITY LAND (LOT 2 DP255466)
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2014/246800
ATTACHMENTS	1 Draft Deposited Plan and Proposed Term

EXECUTIVE SUMMARY

PURPOSE

To consider granting an easement for water supply, and a restriction on the use of land, over an existing line of pipes which is located within Council community land (Lot 2 DP255466) and services the Kimbriki Resource Recovery Centre at Kimbriki Road, Terrey Hills.

SUMMARY

The proposed easement and restriction on use of land are required by Sydney Water Corporation before it will issue a 'Section 73 Compliance Certificate' in respect of proposed subdivision/lot consolidation for land at and in the vicinity of the Kimbriki Resource Recovery Centre. This certificate will allow the release and registration of a Deposited Plan for the subdivision/lot consolidation. The existing lease from Warringah Council to Kimbriki Environmental Enterprises Pty Ltd (KEE) for the Kimbriki Resource Recovery Centre can then be registered at LPI NSW.

FINANCIAL IMPACT

The costs associated with the proposed easement and restriction on use of land will be borne by KEE. The proposed easement and restriction on use of land will benefit Council by enabling the subdivision/lot consolidation of Council land and allowing the registration of Council's lease to KEE.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER COMMUNITY

That:

- A. Council grant an easement for water supply benefiting the Kimbriki Resource Recovery Centre land (proposed Lot 301), and a restriction on the use of land benefiting Sydney Water Corporation, over an existing line of pipes located within existing Lot 2 DP255466 (proposed Lot 300) Mona Vale Road, Terrey Hills.
 - B. Council delegate authority to the General Manager to execute the necessary documentation in order to give effect to this resolution.
 - C. All costs associated with the granting of the proposed easement and restriction on use of land, including but not limited to, survey costs, Council's legal costs, GST if applicable, document registration and any associated tasks, be funded by Kimbriki Environmental Enterprises Pty Ltd.
-

REPORT

BACKGROUND

Kimbriki Environmental Enterprises Pty Ltd (KEE) currently leases the Kimbriki Resource Recovery Centre at Kimbriki Road, Terrey Hills from Warringah Council. The lease commenced on 2 July 2009 and ordinarily expires on 30 June 2034. If the extension and option under the lease are utilised, the lease will expire on 30 June 2063.

The Kimbriki Resource Recovery Centre land (ie, the lease area) comprises Council-owned "operational land" under *the Local Government Act 1993* (Operational Land) and covers partly or wholly a number of current land parcels including Lot 2 DP255466, Lot 4 DP255466, Lot 200 DP1044605, Lot 100 DP822376 and Lot 3 DP794191. Some of these land parcels also comprise some Council-owned "community land" under *the Local Government Act 1993* (Community Land) which is located around the perimeter of the lease area. The lease does not cover the Community Land.

The lease is to be registered at LPI NSW but has not been registered at this time. In order to register the lease, a Deposited Plan (DP) (plan of subdivision/lot consolidation) for lease purposes is required to be registered at LPI NSW. In accordance with the lease, KEE has progressed a DP to consolidate the lease area (being Operational Land) into one lot (proposed Lot 301) and the remaining Council land adjoining the lease area (being Community Land) into another lot (proposed Lot 300).

Development consent is required for the subdivision/lot consolidation of the relevant land. KEE has sought development consent and has been granted Development Consent DA2011/0182 to consolidate and subdivide the relevant land in accordance with the DP.

A condition of Development Consent DA2011/0182 requires that a 'Section 73 Compliance Certificate' under the *Sydney Water Act 1994* be obtained from Sydney Water Corporation (Sydney Water). Once Sydney Water's requirements in respect of the proposal have been satisfied, Sydney Water will issue a 'Section 73 Compliance Certificate' under the *Sydney Water Act 1994*.

An existing line of pipes supplies water from the mains at Mona Vale Road, Terrey Hills through existing Lot 2 DP255466 (the affected part of which is Council's Community Land) to the Kimbriki Resource Recovery Centre.

Sydney Water has advised that, to enable the proposed subdivision/lot consolidation, it requires that the water supply arrangements to the Kimbriki Resource Recovery Centre via the existing line of pipes be legally formalised. In particular, Sydney Water has advised that it requires the creation of:

1. an easement for water supply over the existing line of pipes under existing Lot 2 DP255466 (proposed Lot 300) for the benefit of the lease area; and
2. a restriction on the use of the land the subject of the easement for the benefit of Sydney Water,

generally in accordance with Sydney Water's standard documentation. The draft DP and proposed terms can be found at Attachment 1.

As the part of existing Lot 2 DP255466 (proposed Lot 300) which would be burdened by the proposed easement and restriction on use is Community Land, the *Local Government Act 1993* contains restrictions and requirements regarding the granting of estates that affect the land.

The *Local Government Act 1993* provides that a lease, licence or other estate in respect of community land may be granted for the purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider.

The Act also relevantly provides:

1. Council must give notice and exhibit notice of such a proposal;
2. any person may make a submission in writing to Council during the specified period; and
3. before granting the estate, Council must consider all submissions duly made to it.

Having regard to the matters referred to in this report, it is considered that the grant of the easement and restriction on use by Council is in the public interest.

CONSULTATION

The proposed easement and restriction on use of land were publicly notified and exhibited in accordance with section 47 of the *Local Government Act* 1993 which included an advertisement in *The Manly Daily* on 28 June 2014, neighbours notification letters and notice signs adjacent to the subject site. The submission period concluded on 11 August 2014 and no submissions were received by Council during this period.

FINANCIAL IMPACT

The costs associated with the proposed easement and restriction on use of land will be borne by KEE. The proposed easement and restriction on use of land will benefit Council by enabling the subdivision/lot consolidation of Council land and allowing the registration of Council's lease of the Kimbriki Resource Recovery Centre to KEE.

POLICY IMPACT

Nil



PLAN FORM 6

WARNING : Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheets

*OFFICE USE ONLY

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

DP 1170058

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919

IT IS INTENDED TO CREATE,

- 1 EASEMENT TO SUPPLY WATER OVER EXISTING LINE OF PIPES
- 2 RESTRICTION ON THE USE OF LAND

REGISTERED :
TITLE SYSTEM :
PURPOSE :

PLAN OF

SUBDIVISION OF LOT 200 IN DP1044605, LOT 2 IN DP255466, LOT 4 IN DP255466, LOT 100 IN DP822376 AND LOT 3 IN DP794191

LGA : WARRINGAH
LOCALITY : TERRY HILLS
PARISH : NARRABEEN
COUNTY : CUMBERLAND

Surveying Regulation, 2006

I STEPHEN JAMES DAVEY
of 16/30 MACPHERSON STREET, WARRIEWOOD

a surveyor registered under the Surveying Act, 2002, certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying Regulation, 2006 and was completed

on 30th January 2004

The survey relates to LOTS 300 AND 301

(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature Dated
Surveyor registered under the Surveying Act, 2002

Datum Line : X-Y Type : Urban/Rural-

Plans used in the preparation of survey / ~~compilation~~

DP1044605, DP1043940, DP870409, DP794191,
DP255466, DP577611, DP243145, DP381755,
DP587808, DP569549, DP230033, DP25194
DP822376, DP231825, DP218268

(If insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE : KIMBRIKI (File 2003M7100(405) Pt Survey)

Use PLAN FORM 6A
for additional certificates, signatures, seals and statements

Crown Lands NSW/ Western Lands Office Approval

I in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land shown hereon have been given.

Signature :

Date :

File Number :

Office :

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed Subdivision set out herein
(insert subdivision or new road)

* Authorised Person/ General Manager/ Accredited Certifier

Consent Authority :

Date of Endorsement :

Accreditation no :

Subdivision Certificate no :

File no :

* Delete whichever is inapplicable

PLAN FORM 6A

DEPOSITED PLAN ADMINISTRATION SHEET Sheet 2 of 2 sheets

PLAN OF

SUBDIVISION OF LOT 200 IN DP1044605,
LOT 2 IN DP255466, LOT 4 IN DP255466,
LOT 100 IN DP822376 AND LOT 3 IN
DP794191

DP 1170058 *

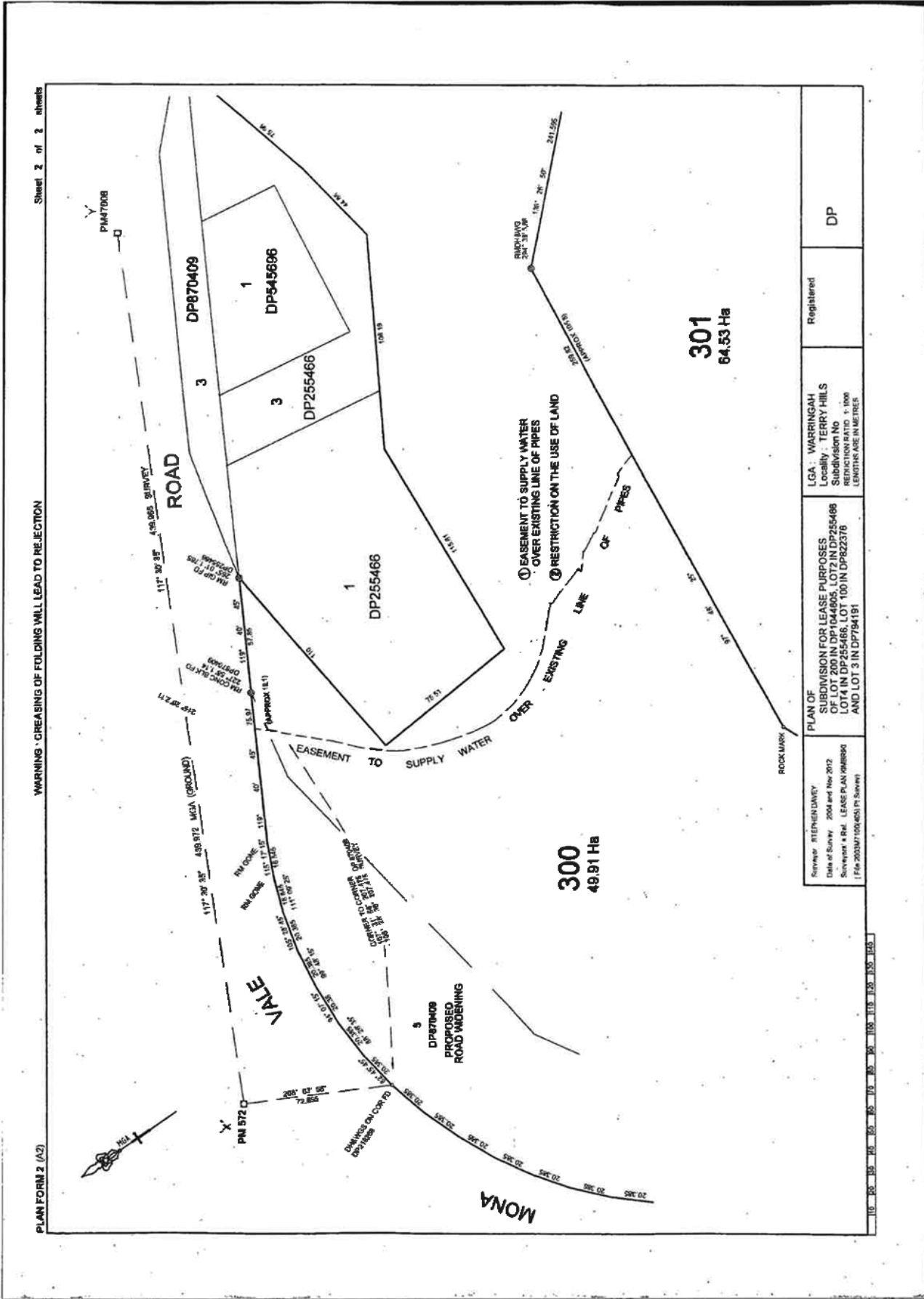
REGISTERED : *

Subdivision Certificate No :

Date of Endorsement :

SURVEYOR'S REFERENCE : KIMBRAIKI (File 2003M7100(405) Pt Survey)

OFFICE USE ONLY



Sheet 2 of 3 sheets

WARNING - CREASING OF FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)

Registrar: REPELUSH DANEY Date of Survey: 2004 and Nov 2012 Surveyor's Ref.: LEASE PLAN WARR894 (File 2003/1100465) (in Survey)	PLAN OF SUBDIVISION FOR LEASE PURPOSES OF LOT 200 IN DP1044805, LOT 2 IN DP255466 LOT 1 IN DP255466, LOT 100 IN DP822376 AND LOT 3 IN DP794191	LGA: WARRINGAH Locality: TERRY HILLS Subdivision No. REDUCTION RATIO: 1:1000 LENGTHS ARE IN METRES	Registered DP
--	--	--	------------------



Instrument setting out terms of Easements, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919

PART 1

Plan DP1170058

Subdivision of Lot 200 in DP1044605, Lot 2 in DP255466, Lot 4 in DP255466, Lot 100 in DP822376 and Lot 3 in DP794191 covered by Subdivision Certificate No. of

Full name and address of the owner of the land:

Warringah Council

1. Identity of easement restriction or positive covenant firstly referred to in the abovementioned plan

Easement for Water Supply over existing line of pipes.

Lots burdened

300

Schedule of Lots benefited

Lot 301

2. Identity of easement restriction or positive covenant secondly referred to in the abovementioned plan

Restriction on the use of land

Lots Burdened

300

Schedule of Lots or Authority, benefited

Sydney Water Corporation

Instrument setting out terms of Easements, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919

PART 2

Plan DP1170058

Subdivision of Lot 200 in DP1044605, Lot 2 in DP255466, Lot 4 in DP255466, Lot 100 in DP822376 and Lot 3 in DP794191 covered by Subdivision Certificate No. of

1. Terms of Easement Firstly referred to the abovementioned Plan

Full and free right of every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by them, from time to time and at all times to use, for the purpose of the easement, any line of pipes already laid within the servient tenement for the purpose of supplying water or any pipe or pipes in replacement or in substitution therefor and together with the right for the grantee and every person authorised by them with any tools, implements, or machinery, necessary for the purpose, to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining or renewing such pipe line or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary provided that the grantee and the persons authorised by them will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition and this easement shall not be released varied or modified without the written consent of the Sydney Water Corporation.

Instrument setting out terms of Easements, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919

Plan DP1170058

Subdivision of Lot 200 in DP1044605, Lot 2 in DP255466, Lot 4 in DP255466, Lot 100 in DP822376 and Lot 3 in DP794191 covered by Subdivision Certificate No. of

2. Terms of restriction on the use of land secondly referred to in the abovementioned Plan:

No building or other structure shall be erected, constructed or placed on the land shown as Easement for Water Supply purposes over existing line of pipes without the prior consent in writing of Sydney Water Corporation first had and obtained no otherwise than in strict compliance with such conditions as the said Sydney Water Corporation may impose and this restriction shall not be released varied or modified without the written consent of the said Sydney Water Corporation.

Name of authority empowered to release vary or modify the Easement and Restriction on Use firstly and secondly referred to in the abovementioned Plan

Sydney Water Corporation

.....
Council/Authorised Person

.....
Council/Authorised Person

8.0 ENVIRONMENT DIVISION REPORTS

ITEM 8.1	OXFORD FALLS VALLEY AND BELROSE NORTH STRATEGIC REVIEW - STAGE 1
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/210974
ATTACHMENTS	1 Council Resolution 5 June 2012 (Included In Attachments Booklet) 2 Study Area Map (Included In Attachments Booklet) 3 WDAP Report 18 June 2014 (Included In Attachments Booklet) 4 Minutes WDAP 18 June 2014 (Included In Attachments Booklet) 5 Environmental Constraints Map (Included In Attachments Booklet) 6 Consideration of Submissions to WDAP (Included In Attachments Booklet) 7 Consideration of Submissions Received Post WDAP (Included In Attachments Booklet) 8 Five Option Maps (Included In Attachments Booklet) 9 Map and Table of Proposed Additional Permitted Uses (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To advise Council of the outcomes of Stage 1 of the Oxford Falls Valley and Belrose North Strategic Review (the Strategic Review) and recommend that Option 1 be developed into a Planning Proposal to bring land in Oxford Falls Valley and Belrose North into Warringah Local Environmental Plan 2011 (WLEP2011).

SUMMARY

In July 2012 Warringah Council and the New South Wales Department of Planning and Environment (the Department) commenced work on Stage 1 of the Strategic Review to inform how a Planning Proposal should bring land in Oxford Falls Valley and Belrose North into WLEP2011.

Extensive consultation and research was undertaken to prepare the draft Strategic Review Report. The draft Strategic Review Report was publicly exhibited from 22 June to 30 August 2013 and consideration of the submissions resulted in a recommendation where the majority of the land would be zoned E3 – Environmental Management (Option 1).

Following on from the development of Option 1, Options 2, 3, 4 and 5 (Attachment 8) are also tabled based on opinions from the (former) Minister for Planning and Infrastructure (the Minister), the Warringah Development Assessment Panel (WDAP) and a residents association as follows:

Option 2: A compromise between Option 1 and the (below) Ministers opinion.

Option 3: The Ministers opinion that any land zoned E3 (under Option 1) that contains 'no-to-moderate' environmental constraint should remain deferred.

- Option 4: WDAP recommendation that all land remain deferred pending Stage 2 of the Strategic Review.
- Option 5: Warringah Urban Fringe Association (WUFA) recommendation to maintain all R2, R5, SP2 and RU4 zoned land as identified in Option 2, however, also zone large areas of land RU4 (where this land is proposed to be zoned E3 under Option 1 and 2).

This Report provides an analysis of all five options and recommends that Council resolve to support Option 1 to be developed as a Planning Proposal to proceed to a Gateway Determination.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Prepare a Planning Proposal to bring land in Oxford Falls Valley and Belrose North into Warringah Local Environmental Plan 2011 generally in accordance with Option 1 as outlined in Council Report dated 26 August 2014 with the key amendments being:
1. The majority of land zoned E3 with smaller areas of land zoned R2, R5, RU4 and SP2 as identified in Option 1 of the attached Five Option Maps (attachment 8).
 2. Schedule 1 Additional Permitted Uses being amended, as identified in Map and Table of Proposed Additional Permitted Uses (attachment 9).
 3. Amendment to Clause 6.6; 3(b) to ensure a dwelling house will continue to be permitted on certain land as permitted under WLEP2000.
- B. Submit the Planning Proposal to the New South Wales Department of Planning and Environment for a Gateway Determination.
-

REPORT

BACKGROUND

In December 2011 the Minister deferred land in Oxford Falls Valley and Belrose North from the WLEP2011 in response to stakeholder concern regarding the adequacy of consultation during the preparation of WLEP2011 (Attachment 2). Therefore, planning controls under Warringah Local Environmental Plan 2000 (WLEP2000) continue to apply to the deferred land.

The transfer of planning controls from WLEP2000 into WLEP2011 is required in accordance with the NSW Governments Standard Instrument (LEP) Order 2006. It is also required to eliminate unnecessary duplication, management and operational cost of operating two Warringah LEPs.

On 5 June 2012, Council resolved to undertake Stage 1 of the Strategic Review in partnership with the Department and in accordance with a defined scope of works (Attachment 1), and to report the results of Stage 1 back to Council. The purpose of this report is to advise Council of the outcomes of Stage 1 of the Strategic Review.

The Strategic Review has involved 2 stages. Stage 1 is to transfer the deferred lands in Oxford Falls Valley and Belrose North into WLEP2011. Stage 2 involves considering the future urban development potential for the area:

Stage 1: The purpose of the Stage 1 Strategic Review Report has been to recommend an appropriate set of zoning and planning controls to transfer from WLEP2000 into WLEP2011, and to engage the community in the process. Through this initial stage it was never intended to significantly change the urban development potential of land in Oxford Falls Valley and Belrose North.

Stage 2: The purpose of Stage 2 is to investigate the urban development potential of land as recommended by the New South Wales Planning and Assessment Commission (PAC) in its 2009 report of the Strategic Review of four sites in Oxford Falls Valley for urban development. Stage 2 was planned to commence once deferred lands have been consolidated into WLEP2011.

Stage 1 – Strategic Review

The following points briefly outline the steps taken that have resulted in the tabling of five options to bring land in Oxford Falls Valley and Belrose North into WLEP2011, one of which must be selected by Council in order to complete Stage 1 of the Strategic Review:

1. Initial stakeholder consultation by Council and the Department including a community information evening and site visits of all private landholdings within the study area. Receipt of stakeholder submissions throughout this process.
2. Preparation of a draft Strategic Review Report that recommends how to transfer planning controls from WLEP2000 into WLEP2011 (Attachment 3).
3. Public exhibition by the Department of the draft Strategic Review Report from 22 June until 30 August 2013.
4. 124 submissions were received by the Department (Attachment 3).
5. The Department prepared a Submissions Report (Attachment 3) on the exhibited draft Strategic Review Report. The submissions report details:
 - The community engagement / public exhibition process undertaken.
 - Consideration of issues raised by submissions.

- Recommended land use controls for inclusion in a Planning Proposal, to bring land in Oxford Falls Valley and Belrose North into WLEP2011 (**Option 1**).
6. A letter from the Minister dated 17 March 2014 provided an opinion that any land zoned E3 (under Option 1) that contains 'no-to-moderate' environmental constraint should remain deferred (Attachment 3). Following on from discussions with the Minister, Council staff proposed an alternative zoning map as a compromise between the Minister's opinion and Option 1, to prevent the continued deferral of land in Warringah (**Option 2**).
 7. On 15 May 2014 the Department sent a media release (Attachment 3) to all stakeholders re-stating the Minister's opinion dated 17 March 2014. (**Option 3**). This is inconsistent with the Department's recommended land use controls outlined in Option 1.
 8. On 18 June 2014, the above mentioned Planning Proposal Options 1 and 2 were presented to WDAP for an independent public hearing and opinion. WDAP subsequently provided an opinion that all land should remain deferred pending Stage 2 of the Strategic Review, for reasons as detailed in the WDAP report (Attachment 4) (**Option 4**).
 9. WUFA submitted their preferred zoning map as a submission to WDAP (Attachment 8) (**Option 5**).
 10. 39 submissions have been received since the WDAP meeting was publicised up until close of business on 28 July 2014. These submissions have been considered as an attachment to this report (Attachment 6 and 7).

Options Analysis

Analysis of the five options is detailed below, with Option 1 recommended to Council as the preferred option to be developed as a planning proposal to proceed to a Gateway Determination.

OPTION 1 – Outcome of Strategic Review / Submissions Report

Option 1 would result in the following key amendments to WLEP2011:

- The majority of land zoned E3 with smaller areas of land zoned R2, R5, RU4 and SP2 (Attachment 8).
- Schedule 1 Additional Permitted Uses being amended, as identified in Attachment 9.
- Amendment to Clause 6.6; 3(b) to ensure a dwelling house will continue to be permitted on certain land as permitted under WLEP2000.

Analysis

- Determination of zonings has been based on a detailed strategic planning analysis using the best available information at the time, as outlined in the Strategic Review Report and Submissions Report. (Attachment 3).
- The E3 zone is the closest possible translation of the C8 and B2 localities under WLEP2000.
- Large contiguous areas of land would be zoned E3, protecting the environmentally sensitive attributes of the area as a whole.
- Option 1 would minimise the cumulative environmental impact of spot rezoning isolated parcels of land where the land is surrounded by bushland and/or vacant land or significantly constrained land often with limited existing infrastructure provisions to a zone other than E3. Noting that cleared land is not necessarily devoid of existing and future environmental value when viewed within the context of the surrounding area.
- Option 1 serves to protect the unique nature of Warringah's natural bushland and recognises the importance of its conservation for present and future generations, whilst enabling land

uses in the E3 zone such as dwelling houses, aquaculture, horticulture, extensive agriculture, farm buildings, community facilities, bed and breakfast accommodation, home business and home industries.

- WDAP notes that Option 1 would provide the best possible outcome to protect the land in the interim, however recommends the continued deferral of the land until the completion of Stage 2.
- It is important to note here that Stage 2 studies are to determine future urban development potential, not to transfer planning controls from WLEP2000 into WLEP2011. Stage 1 and 2 differ in purpose and required methodology. Given the difference in the style of planning controls under WLEP2000 compared to WLEP2011, completion of Stage 1 is required as a platform to undertake Stage 2.
- Option 1 would result in all land being governed by WLEP2011.
- By proceeding with this option, the Department may request deferral of certain land based on its press release or accept it based on their recommended Option 1. If Council does not support the Department's determination, Council can determine whether or not to proceed with a Planning Proposal at that point.

OPTION 2 - Compromise Between Option 1 and the Minister's Opinion

Option 2 would result in the following key amendments to WLEP2011:

- Land zoned similar to Option 1, with the conversion of some land proposed to be zoned E3 to RU4, R5 and SP2 as detailed in the WDAP Report (Attachment 8).
- Schedule 1 Additional Permitted Uses to remain the same as those identified in Option 1.
- Amendment to Clause 6.6; 3(b) to remain the same as those identified in Option 1.

Analysis

- Details of Option 2 were reported to WDAP as a compromise between Option 1 and the Minister's Option 3 (Attachment 3).
- Consideration in developing this option was given to large contiguous areas of land with 'no-to-moderate' environmental constraint, which are in close proximity to existing urban or rural development. These areas were proposed to be rezoned to RU4, R5 and SP2.
- Similar to Option 1, Option 2 would result in no deferred land remaining under WLEP2000.
- Similar to Option 1, Option 2 would ensure that large contiguous areas of land within Oxford Falls Valley and Belrose North will be zoned E3.
- WDAP's independent opinion is that Option 1 would provide the best possible outcome and protection of the land in the interim compared to Option 2, for reasons as outlined in the WDAP minutes (i.e. RU4, Primary Production Small Lots, would introduce activities which could have potential environmental impacts).
- It is recommended that Council support WDAP's preference for Option 1 as it is based on the detailed draft Strategic Review Report and Submissions Report.

OPTION 3 –Minister's Opinion

Option 3 would result in the following key amendments to WLEP2011:

- Land would be zoned similar to Option 1, however, it would continue to defer land proposed to be zoned E3 that contains a 'no-to-moderate' level of environmental constraint to development (Attachment 8).

- Schedule 1 Additional Permitted Uses to remain the same as those identified in Option 1.
- Amendment to Clause 6.6; 3(b) to remain the same as those identified in Option 1.

Analysis

- This option is based on the Minister's opinion (Attachment 3) that any land proposed to be zoned E3 in Option 1 (above) that contains 'no-to-moderate' environmental constraint, should remain deferred pending further evidence based planning and validation of environmental significance.
- In response to the Minister's opinion, Council staff believe that the project control group operated by the Department did undertake a detailed strategic analysis and validation of environmental significance based on the best available information at the time to determine the proposed zonings under Option 1.
- One perceived benefit of Option 3 is that land identified as having a 'prohibitive, severe or significant' level of environmental constraint, as identified on the environmental constraint map (Attachment 5) would proceed to be zoned E3.

The following concerns are raised with this option:

(1) Deferring land from WLEP2011:

- Continuing to defer land will undermine the key purpose of Stage 1 of the Strategic Review which is to have all land within Warringah governed by one WLEP2011.
- The transfer of planning controls from WLEP2000 into WLEP2011 is required in accordance with the NSW Governments Standard Instrument (LEP) Order 2006.
- Operating under two LEPs is a duplication of Council's management and operational resources. It is not necessary to continue to defer the land. The future urban development potential of the area will be determined through Stage 2 of the Strategic Review. Zoning of the land under Stage 1 will not prevent consideration of future urban development potential and alternative zonings under Stage 2.

(2) Properties containing a combination of an E3 Zone and "Deferred Land" are problematic:

- This option would result in a large number of lots that are partially zoned E3 and partially 'Deferred land'.
- This option would result in piecemeal land zoning controls which is not conducive to strategically planning how the area as a whole is to develop over time.
- There are many instances where a small portion of a lot would be 'Deferred Land' that is surrounded by bushland and/or vacant land or significantly constrained land. Deferral of such land is not supported - the E3 Zone is recommended.
- It is not considered appropriate to defer small portions of individual parcels of land differently to the surrounding area based on the fact that the land is in part cleared. Cleared land is not necessarily devoid of existing and future environmental value when viewed within the context of the surrounding area.
- An increase in properties that contain split zone/deferred land that do not follow lot boundaries will increase the complexity of the development assessment process and the provision of Section 149 Planning Certificates.
- Deferring land that adjoins land proposed to be zoned R2 is of concern as this may enable seniors housing on the deferred land where seniors housing is currently not permissible. If

this option was to be selected, it is recommended that land covered by the R2 zone also remain deferred until the overall zoning for the area has been established.

OPTION 4 – Warringah Development Assessment Panel Opinion

Option 4 would result in no amendments to WLEP2011 until the completion of Stage 2 of the Strategic Review.

Analysis

- WDAP notes that Option 1 would provide the best possible outcome and protection of the land in the interim, however recommends the continued deferral of the land until the completion of Stage 2.
- Stage 2 would involve undertaking several studies to determine the future urban development potential of land in accordance with the recommendations of the PAC report.
- Stage 2 studies are to determine future urban development potential. Stage 2 will not involve the transfer of planning controls from WLEP2000 into WLEP2011. Therefore, Stage 1 must be completed. Repeating Stage 1 in the future would be a duplication of cost, resources and time with a similar level of opposition.
- Determination of zonings has been based on a comprehensive strategic analysis of the best available information at the time, as detailed in the draft Strategic Review Report. All submissions were considered by the Submission Report and this resulted in the recommendation of Option 1. Undertaking 'Rigorous detailed site-by-site assessments' as noted by WDAP (Recommendation -13) beyond that which has been already been undertaken is not considered an effective use of resources, as this is highly unlikely to alter the overall zoning recommendations for how the area as a whole should develop over time, based on a transfer planning controls from WLEP2000 into WLEP2011.
- Council does not have budget to undertake Stage 2 studies in the near future.
- Timing of Stage 2 could commence and be guided by the outcomes of the Warringah Local Planning Strategy which will strategically determine the appropriate location for increased urban development within the whole of Warringah. The Local Planning Strategy will commence in 2015.
- Issues relating to the continued deferral of land as outlined under Option 3 are also applicable to this option.

Note: The minutes of WDAP in recommendation 1, makes reference to the Draft Metropolitan Strategy 2031 stating that "*Oxford Falls Valley – Belrose North area is identified as an area of rich environmental significance and an asset that Sydney must retain and protect.*"

The statement in the WDAP minutes directly reflect a statement made in the draft Strategic Review report Section 2.2, which was written and placed on exhibition by the Department of Planning in June 2013. The Draft Metropolitan Strategy 2031 does not directly make this specific statement, however it is the author's interpretation of how the Draft Metropolitan Strategy 2031 relates to this area. This has been confirmed with the Panel and does not affect the final recommendations contained in the minutes.

OPTION 5 – Warringah Urban Fringe Association Opinion

Option 5 would result in the following key amendments to WLEP2011:

- Maintain all R2, R5, SP2 and RU4 zoned land as identified in Option 2, however, also zone large areas of land RU4 (where this land is proposed to be zoned E3 under Options 1 and 2) (Attachment 8).

- Schedule 1 Additional Permitted Uses being amended, as identified in Option 1.
- Amendment to Clause 6.6; 3(b) to ensure a dwelling house will continue to be permitted on certain land as permitted under WLEP2000.

Analysis

- WUFA is one of a several lobby groups to the Strategic Review. WUFA predominantly comprises of private landowners of deferred land within Oxford Falls Valley and Bellerose North.
- Land zonings recommended by WUFA are supportive of selective parcels of land, to a zone other than E3, i.e. either RU4 or R5.
- Attachment 6 includes WUFA's submission and argument in support of this option.
- WUFA's option does not align with Option 1, 2, 3 or 4 as it would result in vast areas of land that have a 'Prohibitive' level i.e. not 'Low to Moderate' level of environmental constraint (Attachment 5) being zoned RU4 Primary Production Small Lots.
- In many instances WUFA's option proposes to zone land RU4 where the land is surrounded by bushland and/or vacant land or significantly constrained land. Often the additional land proposed to be zoned RU4 is relatively isolated from urban development, has limited infrastructure provisions and/or access to services. As raised by WDAP, the RU4 zone would make permissible new landuses which would potentially create environmental impacts.
- The primary objective of the RU4 zone is to support agricultural / food production and to minimise fragmentation and alienation of lands important for food security. In contrast, the E3 Zone would serve to protect the unique nature of Warringah's natural bushland, recognising the importance of its conservation for present and future generations whilst enabling land uses similar to that which currently operate on these parcels of land such as dwelling houses, aquaculture, horticulture, extensive agriculture, farm buildings, community facilities, bed and breakfast accommodation, home business and home industries. Therefore, the E3 Zone is recommended for these parcels of land compared to the RU4 zone proposed by WUFA.
- It is not recommended to zone individual parcels of land differently to the surrounding area based on the fact that the land is in part cleared. Cleared land is not necessarily devoid of existing and future environmental value when viewed within the context of the surrounding area.
- The proposed zoning of some areas of land to RU4 under WUFA's proposal (notably land to the east of Forest Way) that adjoins land proposed to be zoned R2 under Option 1 is of concern as this would enable applications to be made for seniors housing on environmentally sensitive land where seniors housing is currently not permissible.

CONSULTATION

Extensive consultation has been undertaken as outlined under 'Stage 1- Strategic Review' above, this includes but is not limited to:

- A public information evening
- Site visits to all private land holdings in the area
- Receipt and consideration of submissions throughout the project
- Public exhibition and consideration of 124 submissions
- WDAP independent public hearing and opinion

- This Council Meeting
- Consideration of an additional 39 submissions received pre and post WDAP up to 28 July 2014. No amendments to this Council Report are recommended as a result of a consideration of these submissions (Attachment 8).

If Council resolves to proceed with a Planning Proposal, a further statutory public exhibition period will also occur in the Post-Gateway Process.

TIMING

If Council resolves to proceed with the submission of a Planning Proposal to the Department, it is estimated that it may take up to nine months for WLEP2011 to be amended. Noting that the Department's timeframes are largely out of Council's control.

If Council resolves to continue to defer the land pending the commencement of Stage 2 the timing will be dependent on available Council budget.

FINANCIAL IMPACT

Proceeding with the proposal through Gateway determination can be undertaken within Strategic Planning's budget and resources.

POLICY IMPACT

Nil

ITEM 8.2	DRAFT VOLUNTARY PLANNING AGREEMENTS POLICY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/184825
ATTACHMENTS	1 Draft Voluntary Planning Agreements Policy (Included In Attachments Booklet)
	2 Public Submissions Summary Table (Included In Attachments Booklet)
	3 Submissions (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement of the draft Voluntary Planning Agreements Policy (draft VPA Policy).

SUMMARY

Council endorsed the public exhibition of the draft VPA Policy at the 29 April 2014 Council Meeting.

The draft VPA Policy was placed on public exhibition for a period of 28 days between 7 May 2014 and 3 June 2014. During this time six submissions were received from the public.

The submissions have been reviewed in the Public Submissions Summary Table (Attachment 2) and some minor changes have been made to the draft VPA Policy in response to the comments made.

FINANCIAL IMPACT

Nil

POLICY IMPACT

If adopted, the draft VPA Policy will form a new Council policy.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council adopt the draft Voluntary Planning Agreements Policy.

REPORT

BACKGROUND

A voluntary planning agreement (VPA) is an agreement between a planning authority (eg. Council) and a developer, where the developer agrees to make contributions towards a public purpose.

Developer contributions can be monetary, works-in-kind, the dedication of land, or any other material public benefit (or any combination of these) to be used for a public purpose.

The draft VPA Policy and its associated documents aim to guide the development of VPAs by providing clearer information and transparency about these agreements and how they are developed. This will benefit the community, the proponents of development, and Council.

Attachments A, B and C (to the draft policy) do not form part of the actual draft VPA Policy. These documents support the implementation of the draft VPA Policy and may need to be amended from time-to-time.

The draft VPA Policy has been prepared in accordance with relevant State Government legislation, the *Practice Note on Planning Agreements* published by the Department of Infrastructure Planning and Natural Resources (July 2005) and Warringah Council Policy No PL 910 Policy Development and Management (Policy No PL 910).

CONSULTATION

The draft VPA Policy was placed on public exhibition for a period of 28 days between 7 May 2014 and 3 June 2014.

The draft VPA Policy was advertised in the Manly Daily Newspaper on Wednesday 7 May 2014, Saturday 10 May 2014, Wednesday 28 May 2014 and Saturday 31 May 2014.

A copy of the draft VPA Policy was made available online at Council's website, at the Customer Service Centre and at Council libraries.

SUBMISSIONS

Six submissions were received from the community during the public exhibition period.

The submissions raised approximately 13 issues. These issues have been assessed and responded to in Attachment 2. In addition a copy of each submission is provided in Attachment 3, titled Submissions.

There is a general concern that VPAs may be used in an improper manner to obtain public benefits that are not in the best interest of the community. This issue is satisfactorily addressed in section 24 *Probity* and section 38 '*How will Council value development contributions under a VPA*' of the draft VPA Policy as outlined in Attachment 2.

VPAs are a product of State Government policy and law and are a legitimate means of the community obtaining a public benefit from the future growth of Warringah.

A purpose of the draft VPA Policy is to guide stakeholders and decision makers to ensure good planning outcomes are achieved.

Council has seen an increase in the number of proposed VPAs in the past year. A VPA Policy is needed to ensure consistency of decision making and to set the framework for how Council will assess these proposals.

AMENDMENTS TO THE DRAFT VPA POLICY

Minor amendments have been made to the draft VPA Policy to:

1. Correct typographical / formatting errors
2. Respond to the 6 submissions made, and
3. Improve the readability of the document.

As outlined in Attachment 2, section 17 '*Principles underlying the use of VPAs*' (previously section 18) of the draft VPA Policy has been amended in response to the submissions made, and to better reflect the *Practice Note on Planning Agreements* published by the Department of Infrastructure Planning and Natural Resources (July 2005).

Section 14 '*Is a VPA appropriate*' has been deleted as it duplicated much of section 17. This change improves the readability of the policy.

The amendments to the draft VPA Policy are minor. The changes do not materially affect the intent or operation of the draft VPA Policy and they do not require the re-exhibition of the draft VPA Policy. Therefore, the draft VPA Policy is ready for adoption.

TIMING

If adopted by Council, the draft VPA Policy will be made available on Council's website.

FINANCIAL IMPACT

Nil

POLICY IMPACT

If adopted, the draft VPA Policy will form a new Council policy.

ITEM 8.3	DRAFT ASBESTOS MANAGEMENT POLICY
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2013/155698
ATTACHMENTS	1 Draft Asbestos Management Policy

EXECUTIVE SUMMARY

PURPOSE

To place the draft Asbestos Management Policy on public exhibition.

SUMMARY

Due to the need to have a consistent state-wide approach to asbestos management, a Model Asbestos Policy has been developed by the LGSA (now Local Government NSW) in partnership with the NSW Government.

The Model Asbestos Policy is very detailed and reads more like an information guideline and internal procedure rather than a policy. The Model Asbestos Policy has been considered by staff, however, to best suit Council's operational purposes and for ease of community access, a slightly alternative approach has been taken.

An Asbestos Management Plan, which will be a guideline related to the draft Asbestos Management Policy is being developed and shall be based on a site specific risk based assessment model.

This approach will be a more effective way of improving asbestos awareness which is in line with the overall goal of Local Government NSW.

FINANCIAL IMPACT

Nil

POLICY IMPACT

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

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That:

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

REPORT

BACKGROUND

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

A Circular to Councils produced by the Division of Local Government dated 14 May 2013, states:

“Councils are now required, by virtue of section 23A of the Local Government Act 1993, to consider the Model Asbestos Policy when developing, adopting and implementing an asbestos policy”

Section 23A of the Local Government Act 1993 requires Council to consider any relevant guidelines issued by the Director-General.

The Model Asbestos Policy has been reviewed and considered by staff. The Model Asbestos Policy is a comprehensive and detailed 67 page document and is combined by two parts. Part 1 is aimed to provide information for the community and Part 2 is aimed to provide information for workers to manage asbestos risks within Council. The Model Asbestos Policy reads more like an information guideline and internal procedure rather than a policy.

Due to the level of detail contained in the Model Asbestos Policy, it is considered that it would be difficult for the community to easily access relevant information specific to their enquiry and it would also provide an administrative burden on Council to maintain accurate details.

A policy is defined by Council's Policy Development & Management PL 910 which states:

“A Policy is a formal statement of Council's position covering the principles it will adopt in administering its statutory responsibilities and promotes consistency of approach and administrative efficiency.”

Considering the above, a policy should provide clarity of direction through adopted principles and enable appropriate efficiency and flexibility to keep up with changing legislation and best practice. Accordingly, to best suit Council's operational purposes and for ease of access to relevant information, a slightly alternative approach has been taken.

The attached draft Asbestos Management Policy has been developed to be consistent with Council's Policy Development & Management PL 910 and embraces the direction from Local Government NSW to implement consistent information.

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

When completed the draft Asbestos Management Plan will be displayed on Council's website in an easy to access format.

CONSULTATION

This draft Asbestos Management Policy has been developed by a working party consisting of staff from Development & Compliance, Human Recourses, Roads, Traffic & Waste and Buildings, Property & Spatial Information.

This draft Asbestos Management Policy has been reviewed by Council's internal Legal section.

FINANCIAL IMPACT

Nil

POLICY IMPACT

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



Asbestos Management Policy

Draft for Exhibition

Anna Moore

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1. Introduction

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

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

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

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

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

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

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

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

1.1 Purpose

This policy aims to outline:

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

1.2 Scope

This policy applies to all of the Warringah Council LGA within Council's jurisdiction as shown in Figure 1.

1.3 Consultation

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

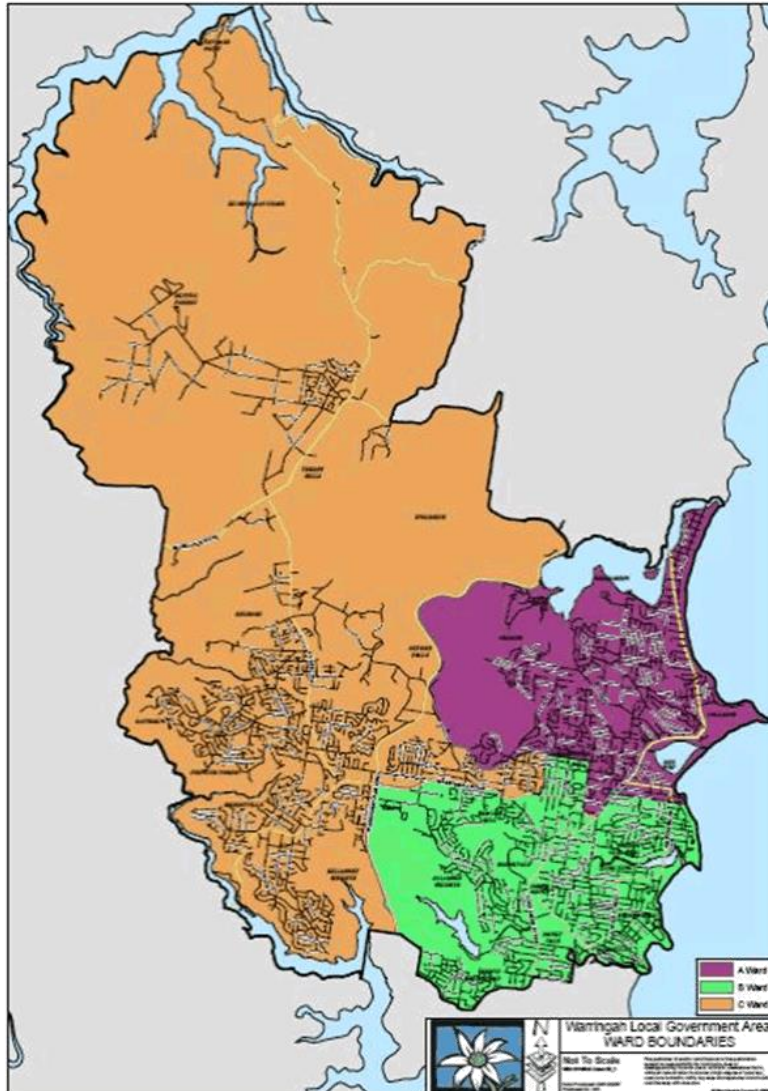


Figure 1: Warringah Local Government Area

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

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

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

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

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

2. Definitions

Definitions are provided in Appendix A

3. Roles and responsibilities of Council

3.1 Educating residents

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

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

3.2 Managing land

Council is responsible for managing public land.

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

3.3 Managing waste

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

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

3.4 Regulatory responsibilities

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

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

3.5 Responsibilities to workers

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

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

4. Other stakeholders involved in managing asbestos

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

5. Complaints and investigations

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

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

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

Council will respond to complaints and enquiries regarding:

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

6. Communicating Council's Asbestos Policy

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

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

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

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

7. Variations to this policy

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

8. References

Laws and Standards

- Australian Standard AS 2601 – 2001: The demolition of structures
- Contaminated Land Management Act 1997

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2005
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land

Policies and Procedures

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

9. Approval

Council approved this policy XX/XX/XXXX

10. Review

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

Appendix A – Definitions

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

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

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

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

- actinolite asbestos

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

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

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

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

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

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

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

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

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

Development means:

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

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

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

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

Friable asbestos means material that:

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

b. contains asbestos.

Health means physical and psychological health.

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

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

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

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

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

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

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

Waste includes:

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

ITEM 8.4	SELECTION OF COMMUNITY MEMBER TO VACANT POSITION ON FORESTVILLE RSL WAR MEMORIAL PLAYING FIELDS COMMUNITY COMMITTEE
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/169129
ATTACHMENTS	NIL

REPORT

PURPOSE

To appoint a community member to the vacant position on the Forestville RSL War Memorial Playing Fields Community Committee.

REPORT

A community representative position has become available on the Forestville RSL War Memorial Playing Fields Community Committee as Christine Ferguson has resigned from her position. Mr Brian Malligan has nominated for a position on this Community Committee. His nomination has been presented and it is recommended to appoint him to the vacant position.

FINANCIAL IMPACT

Nil

POLICY IMPACT

The selection of members will be undertaken in accordance with Council Policy PL-755 Appointment of Community & Other Stakeholder Representatives Policy – Council Committees.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council appoint Mr Brian Malligan to the Forestville RSL War Memorial Playing Fields Community Committee.

ITEM 8.5	MINUTES OF THE DEE WHY SOUTH CATCHMENT FLOOD STUDY WORKING GROUP MEETING HELD 8 MAY 2014
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2014/217179
ATTACHMENTS	1 20140508 - Minutes - Dee Why South Catchment Flood Study Working Group

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Dee Why South Catchment Flood Study Working Group meetings held 8 May 2014.

SUMMARY

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

At the meeting a presentation was provided on the potential flooding impacts of a range of floodplain management options, with the members discussing each option in detail. A summary was provided of the next steps in the process prior to seeking approval for Public Exhibition.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Dee Why South Catchment Flood Study Working Group meetings held 8 May 2014 be noted.

REPORT

BACKGROUND

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

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

The Dee Why South Catchment Flood Study (2013) and the now commenced Dee Why South Catchment Floodplain Risk Management Study (the Study) will help improve Council's land use planning and management of the catchment, such as setting appropriate development controls, investigating floodplain management options, and improving flood emergency responses.

This report provides the Minutes of the Dee Why South Catchment Flood Study Working Group meetings held on 8 May 2014, which was chaired by Cr Roslyn Harrison. A summary of the key issues discussed during the meeting is provided below, and the minutes from the meeting are provided as Attachment 1.

Key issues at meeting of 8 May 2014Dee Why South Catchment Floodplain Risk Management Study

The consultant undertaking the Study gave a presentation on the floodplain risk management options assessed through the Study. The impacts of each option on flooding were explained with an economic assessment of each option provided. The Working Group was also informed that options had been ranked against environmental, economic, social and risk reduction criteria. It was noted that stormwater pipe upgrades in Oaks Avenue provided the highest cost-benefit ratio and ranked as the highest structural option.

Discussion on Dee Why South Catchment Floodplain Risk Management Study

Following the presentation Committee members discussed the options presented. It was agreed that flood education and flood warning should be priorities as these options can improve community resilience. Flood education and flood warning actions have lower design or implementation costs. Staff noted that consultation with key stakeholders was an important next step.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

b)

Minutes

Dee Why South Catchment Flood Study Working Group

Held on Thursday 8 May, 2014

in the

Guringai Room, Warringah Council, Civic Centre, Dee Why

Commenced at 5:30 pm for the purpose of considering the items included on the Agenda.

Todd Dickinson
Group Manager Natural Environment

d)

<h2 style="margin: 0;">Dee Why South Catchment Flood Study Working Group</h2>	
Established:	2013
Function:	To bring together the expertise and diverse community knowledge needed to address floodplain risk management relating to the Dee Why South Catchment.
Administration:	This Working Group is administered by Warringah Council.
Composition / Membership as at establishment:	<p>Membership of the Working Group comprises representatives from the elected Warringah Council, local community, State government and Council officers. Attendance is voluntary however, consistent absenteeism can result in that member being replaced by the working group.</p> <p>The Working Group will be disbanded following Council adoption of the Floodplain Risk Management Plan.</p>
Responsibilities of Members:	All members of the Working Group have an obligation to objectively consider and actively participate in group deliberations. Community members must always be mindful that they have a responsibility to represent the views of all residents and be prepared to represent those views in an unbiased way at meetings of the Working Group.
Responsible Business Unit:	Natural Environment
Meetings	<p>The role of the Working Group is to provide an open forum where all have equal opportunity to contribute. The Working Group shall, where possible, resolve its decisions on consensus for the benefit of all parties involved.</p> <p>Full Working Group meetings will be organised at the discretion of Warringah Council with members being notified up to two months in advance.</p>
Council Members Appointed:	Cr Roslyn Harrison (Ward C) Cr Sue Heins (Ward B)

h)

Dee Why South Catchment Flood Study Working Group

Minutes

Meeting of the Dee Why South Catchment Flood Study Working Group

Held on Thursday 8 May, 2014

In the Guringai Room, Warringah Council Civic Centre, Dee Why commencing at 5.30 pm

1. PRESENT

Cr Roslyn Harrison – Warringah Councillor (Chairperson)
Cr Sue Heins – Warringah Councillor
Richard Michell – Environmental group representative
Patricia Goody – Flood affected resident
Steve Hipsley – Warringah Chamber of Commerce
Tony Pinelli – SES – Sydney Northern
Wayne Lyne – SES – Warringah/Pittwater
Lynn Larri – SES – Warringah/Pittwater

Warringah Council Staff:

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

In attendance:

Daniel Wood – Cardno Pty Ltd
Denise Regan – Minute Taker

Apologies:

Greg Davis – Office of Environment & Heritage

2. DECLARATION OF PECUNIARY INTEREST

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

3. CONFIRMATION OF MINUTES

The minutes of the meeting held on 20 February 2014 were confirmed as correct by Crs Harrison and Heins.

4. COMMITTEE BUSINESS

4.1 Dee Why South Catchment Floodplain Risk Management Study

Daniel Wood from Cardno gave a presentation on next phase of the process, the Floodplain Risk Management Study. See Attachment 1 for presentation.

g)

Mr Wood presented all floodplain risk management options which have been assessed and these were subsequently discussed in detail.

The options presented included:

- Option 1 Pipe upgrades between Pacific Parade and Oaks Avenue – this option does not offer the best cost benefit. This is because a large amount of pipe infrastructure is required to be constructed for limited flooding benefit – Mr Dickinson advised that the options were attempting to reduce hazard which is defined by a relationship between depth and velocity.

- Option 2 Installation of a new pipe along the top section of Oaks Avenue - shows a very large cost/benefit. It reduces the potential damages suffered in a flood event by significantly more than the preliminary capital and maintenance costs. It successfully transports water away faster, before the main peak of the flood

The question was raised as to whether future development creating new impervious surfaces impacts flooding? It was advised that the provision of on-site detention was a requirement of developments in Warringah.

- Option 3 New pipes installed down Oaks Avenue and under possible future laneway – design is the same as Option 2 with additional infrastructure east of the drainage reserve to provide extra capacity for the existing trunk drain. This option did not create additional benefit to offset the additional capital expenditure.

- Option 4 'Daylighting' of the pipe between Howard Avenue and Dee Why Parade – this option was not included specifically as a flood mitigation option. It is an assessment of the potential flooding impacts of uncovering an existing culvert that is identified in the Dee Why Town Centre Masterplan as a street scape/water-sensitive urban design feature. This would have a negative impact on flooding downstream.

- Option 5 New pipe in Oaks Avenue and detention basin in Walter Gors Park – design is the same as Option 2 with the addition of a detention basin in Walter Gors Park. This option did not create additional benefit compared to Option 2 alone as the detention basin is too near the bottom of the catchment to reduce over-floor flooding for numerous properties.

- Option 6 Decommissioning of the open channel between Pacific Parade and Oaks Avenue, installation of new pipes in Oaks Avenue, Pacific Parade and under the future proposed laneway – current open channel prevents the development and amalgamation of blocks in this area and is difficult to access for maintenance purposes. A substantial amount of stormwater infrastructure is required to compensate for the loss of the open channel. Although it results in a positive cost benefit, it has a high capital cost and would require the approval from the Roads & Maritime Services for works undertaken in Pittwater Road.

- Option 7 Increase road level in Oaks Avenue and Howard Avenue and installation of new pipe in Oaks Avenue – the design includes the infrastructure associated with Option 2, but with the addition of raising the levels of the intersections of Oaks Avenue and Howard Avenue. This would encourage more water to flow along Pittwater Road rather than down Oaks and Howard Avenues. This has a reasonable cost benefit but may present difficulties during design.

h)

- Option 8 Storage basins at Mooramba Road car park and Redman Road – These basins offer significant flood hazard reductions throughout the Dee Why Town Centre. The basins would have high capital and maintenance costs however still provide a positive cost benefit.

Following the presentation Committee members discussed the options presented.

It was agreed that flood education and flood warning should be the number one focus above structural options as these options can improve the community resilience to natural hazards for all areas, not just in the vicinity of a structural option. These actions do not have high planning and implementation costs.

It was noted that no individual option or scheme will completely resolve the flooding situation in the Dee Why South Catchment.

Where to now:

Review of the preliminary draft report by key stakeholders.

Once completed a draft Flood Risk Management Study will be brought back to this meeting for review, prior to presenting the report to Council seeking a recommendation to place it on Public Exhibition.

As the purpose of this meeting was to update Committee members on the current status and future steps of the Dee Why South Catchment Floodplain Risk Management Study no other matters were discussed.

Recommendation from the Working Group
--

That the information be noted.

5. GENERAL BUSINESS

Nil

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

This Working Group will run for the life of the full Floodplain Management Process.

There being no further business the meeting concluded at 6:54 pm

ITEM 8.6	MINUTES OF THE SYDNEY COASTAL COUNCILS GROUP HELD 14 JUNE 2014
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2014/223976
ATTACHMENTS	1 Minutes of Sydney Coastal Council Group meeting held 14 June 2014 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Sydney Coastal Councils Group meeting held 14 June 2014.

SUMMARY

An ordinary meeting of the Sydney Coastal Councils Group (SCCG) was held at the City of Sydney Council on Saturday 14 June 2014. Warringah Council delegates were unable to attend this particular meeting.

Matters discussed at the meeting relevant to Warringah Council included:

- SCCG Strategic Plan
- NSW reforms to coastal management
- SCCG 25 year anniversary
- Dates of future SCCG meetings

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Minutes of the Sydney Coastal Councils Group meeting held 14 June 2014 and the resolutions contained therein be noted.

REPORT

BACKGROUND

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

DISCUSSION

An ordinary meeting of the SCCG was held at the City of Sydney Council on Saturday 14 June 2014. The two Warringah Council delegates were unable to attend this particular meeting.

Matters discussed at the meeting relevant to Warringah Council included:

SCCG Strategic Plan

The existing SCCG Strategic Plan ends in 2014. Development of a new Strategic Plan to guide operations through to 2019 has begun. A draft Strategic Plan will be ready for the consideration of Full Group representatives by 13 September. Following consultation with Member Councils the final Strategic Plan is expected to be adopted at the 6 December SCCG Full Group meeting.

A Directional Committee was established comprising Councillors and staff, two workshops have been held on Thursday 5 June and Thursday 17 July. Council's Group Manager Natural Environment represented Warringah Council at the 5 June workshop.

NSW Reforms to Coastal Management

The NSW Minister for the Environment is re-appointing the NSW Coastal Expert Panel with new terms of reference. The NSW Government has not provided further information on the progress and expected timing of the reforms since the last meeting.

SCCG 25 Year Anniversary

The SCCG is celebrating its 25th Anniversary in 2014. Key activities will include a 25 year conference and gala evening to be held on 29 August 2014.

Dates of future SCCG meetings

It was noted that future meetings of the SCCG would be held as follows:

- Saturday 13 September 2014 at 12 noon (AGM) - Randwick Council
- Saturday 6 December 2014 at 12 noon - City of Sydney

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.7	PLANNING PROPOSAL FOR 154-158 PACIFIC PARADE, DEE WHY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2014/228358
ATTACHMENTS	1 Planning Proposal Report (Included In Attachments Booklet) 2 Landowner's Planning Proposal Application (Included In Attachments Booklet) 3 Planning Proposal Mapping (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To endorse the Planning Proposal application for 154-158 Pacific Parade, Dee Why to proceed to NSW Planning and Environment for Gateway Determination.

SUMMARY

The land is located at the southern edge of the Dee Why beach front retail precinct. The land is predominantly zoned R3 Medium Density Residential which prohibits commercial land uses. Lawfully established on the land are three businesses: an Indian restaurant, laundromat, and real estate agency.

The Planning Proposal seeks to add an additional use to the land under Warringah Local Environmental Plan 2011 (WLEP2011), so that the property's established business function can operate into the future without having to rely on existing use rights. No physical changes to the property are proposed by the application.

The Planning Proposal was publicly exhibited and no submissions were received.

The Planning Proposal is assessed as having merit and has satisfied the requirements of a pre-Gateway assessment. It is recommended that Council resolve to support the Planning Proposal and forward it to the Department of Planning and Environment seeking a Gateway Determination.

FINANCIAL IMPACT

Nil.

POLICY IMPACT

Nil.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Forward a Planning Proposal to amend Schedule 1 of Warringah Local Environmental Plan 2011 (by adding 'commercial premises' as an additional permitted use for Property No.154-158 Pacific Parade, Dee Why (Lot 1 DP 34753), to the Department of Planning and Environment seeking a Gateway Determination.
 - B. Seek delegation from the Department of Planning and Environment to liaise directly with Parliamentary Counsel's Office in the making of the (amending) local environmental plan.
-

REPORT

OVERVIEW

On 21 May 2014 a Planning Proposal Application for Property No.154-158 Pacific Parade, Dee Why (Lot 1, DP 34753) was lodged with Council on behalf of the landowner, to formalise the permissibility of 'commercial premises' on the property under WLEP2011.

The land is located at the southern edge of the Dee Why beach front retail precinct. Lawfully established on the land are three businesses: an Indian restaurant, laundromat, and real estate agency.

Under WLEP2011 the land has two zones applying to it:

- 'R3 Medium Density Residential' (approximately 530m² or 95%); and
- 'B2 Local Centre' (approximately 26 m² or 5%).

The dual zoning is the result of a mapping anomaly rather than any planning intention for the land to have different land use functions.

Despite the land's predominantly residential zoning, it is occupied by 'commercial premises' which are prohibited land uses in the R3 Zone (i.e. a real estate agent, restaurant and laundromat).

To align the established existing uses and the zoning of the site, the Planning Proposal requests an amendment to WLEP2011 Schedule 1 – Additional Permitted Uses, to permit 'commercial premises' on the land.

CONSULTATION

The Planning Proposal was placed on preliminary public exhibition for a minimum of 14 days from 13 June 2014 until the 27 June 2014. Notification included:

- Advertisements over two Saturdays in the Manly Daily notifying of the public exhibition
- Notification letters to surrounding land owners
- Advertising signs on site
- Memo to Councillors
- Information provided on Council website and at Council Civic Centre.
- No submissions were received during the public exhibition period.

PLANNING CONSIDERATION

The attached Planning Proposal provides a detailed consideration of the Planning Proposal application. In summary it is assessed that the proposal will have minimal environmental, social and economic impact. The proposal supports:

- The continued operation of the property's established business function which provides local employment along with retail and business services to the local community.
- The operation of these functions into the future without having to rely on existing use rights.

It is recommended that Council support the submission of this Planning Proposal for a Gateway Determination.

This application was not referred to Warringah Development Assessment Planning for an independent public hearing as the proposal is minor in nature and no submissions were received from the public.

If NSW Planning and Environment approve the Gateway Determination, Council will place the application on public exhibition in accordance with legislative requirements, prior to preparing a report for a Council resolution to finalise the application.

CONCLUSION

The Planning Proposal is assessed as having merit and has satisfied the requirements of a pre-Gateway assessment. It is recommended that Council resolve to support the Planning Proposal and forward it to the Department of Planning and Environment seeking a Gateway Determination.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

ITEM 8.8	GARAGE SALE TRAIL
REPORTING MANAGER	GROUP MANAGER ROADS TRAFFIC & WASTE
TRIM FILE REF	2014/229974
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To recommend participation in the national 'Garage Sale Trail' (GST) event on Saturday 25 October, 2014.

SUMMARY

The annual Garage Sale Trail (GST) "*aims to promote re-use, reduce waste to landfill, enable new neighbourly connections, provide a platform for fundraising, inspire creativity and stimulate local economies*" by coordinating a single day of garage sales across Australia. The first national GST was held in 2010 and in 2011 Warringah Council participated on a trial basis. To become a participating Council on that occasion Warringah paid \$10,000 to the GST Foundation.

Warringah Council subsequently resolved at its meeting of 24 November 2011 to implement an independent Second Hand Saturday (SHS) program at approximately the same cost, as opposed to continuing with the GST. The SHS program commenced 14 April 2012 and encourages residents to hold a garage sale at their home the weekend before their General Clean up.

In March 2014 GST Foundation approached Council to participate in the 2014 GST at a cost of \$12,500, later reduced to \$6,000, (around the same cost to maintain the SHS program). With this reduced offer Council could participate in GST in 2014, as well as run the SHS project, with no impact on the budget. The number of Councils participating in GST has grown from 14 in 2011 to 112 in 2013 and GST explained that they have learned from the past and are better organised and the events are now much improved.

Although neither the GST nor SHS have shown any significant impact in reducing waste to landfill, the growing participation and publicity of GST can have an educational impact on residents reminding them to reuse and recycle, and possibly also increase participation in SHS.

FINANCIAL IMPACT

No impact on 2014/2015 budget.

POLICY IMPACT

The GST aligns with Council's Environmental Sustainability Strategy

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Participate in the 2014 Garage Sale Trail at a cost of \$6,000
 - B. Continue to run the Second Hand Saturday program.
-

REPORT

BACKGROUND

The annual Garage Sale Trail (GST) “*aims to promote re-use, reduce waste to landfill, enable new neighbourly connections, provide a platform for fundraising, inspire creativity and stimulate local economies*” by coordinating a single day of garage sales across Australia. The GST Foundation is the organisation that instigated and co-ordinates the annual GST. The GST Foundation advises that they are a not for profit organisation, however they have sponsors including News Limited. The GST vision is to create interest in households, schools, community groups and churches holding a garage sale on the same day to help promote reuse and sustainability. The first national GST was held in 2010.

In 2011 Warringah Council participated in GST on a trial basis, targeting the event in a restricted area covering Freshwater and Queenscliff. This attracted 24 garage sales on the day in the trial area. Another 32 garage sales were registered independently by residents outside of the trial area resulting in 56 garage sales across Warringah and over 100 households participating as many of the garage sales were held by combined households.

To become a participating council, Warringah paid \$10,000 to GST Foundation. The participation fee was intended to cover marketing and promotion including Manly Daily editorials, however Council staff found the promised level of promotion was not forthcoming and needed to allocate time and additional funds (approximately \$500) to prepare and place advertising in the Manly Daily in order to promote the trial. Consequently the value for money of the event was questioned despite its success as a promotional tool for reuse and recycling and community building.

Feedback from participants showed that the event helped promote reuse and also proved to be a means for residents to make new connections with neighbours, to be creative, to fundraise and to earn some money.

Warringah Council resolved at its meeting of 24 November 2011 to implement an independent Second Hand Saturday (SHS) program at approximately the same cost, as opposed to continuing with the GST. The SHS program encourages residents to hold a garage sale at their home the weekend before their General Clean Up. It is promoted on Warringah’s internet site, Manly Daily classified advertisements, General CleanUp notices, waste calendars and occasional Warringah Update stories, and requires minimal staff time to run. The SHS program commenced 14 April 2012 and in the first year 148 households had a garage sale and in the second year 127 participated.

In March 2014 GST Foundation approached Council to participate in the 2014 GST at a cost of \$12,500. The participation fee covers marketing, promotional artwork, project management, online registrations and a post event report.

When questioned by staff regarding the value for money of participating in GST previously compared with SHS, GST agreed to a rate of \$6,000 for 2014; the approximate cost to maintain the SHS program. This would also allow the SHS program to continue without impact on the budget.

Residents can also independently register their garage sale with GST even if their Council is not participating. In 2013, 80 Warringah residents registered even though Warringah Council did not participate or pay the participation fee. In this respect it is similar to Clean Up Australia Day where residents register directly with Clean Up Australia Council without Council paying any participation fee.

GST Foundation however has indicated they may stop residents from registering where the respective Council is not participating. This will not be the case in 2014 but is being considered for future years.

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

The growing participation and publicity of GST could have an impact on residents, reminding them to reuse and recycle where possible. It may also be used to raise awareness of the SHS program which has recently lost some momentum, further helping to educate the public on the need to reduce landfill.

CONSULTATION

Residents who participated in the 2011 national GST in Warringah were surveyed. The survey showed there was an average of 63 shoppers per garage sale. 98% said they were interested in participating again in the GST and 100% stated Council should support the event.

Participants in the SHS program have also been surveyed. 60% of participants state they had up to 30 people shop at their garage sale and 41% had more than 30 shoppers come. 70% said they would participate again if they had items to sell.

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

TIMING

The event is scheduled for 25 October 2014.

FINANCIAL IMPACT

No impact on Council budget.

The waste education budget includes \$10,000 for the SHS program, however in the last couple of years registrations have been down and the cost in 2013/2014 was \$4,700.

Participation in GST could be funded by these savings in the waste education budget.

POLICY IMPACT

The GST aligns with Council's Environment and Waste strategies for developing and implementing educational and promotional programs that incorporate the principles of reducing waste.

ITEM 8.9	BUILDING FIRE SAFETY REPORT BY FIRE & RESCUE NSW - 3 MITCHELL ROAD BROOKVALE
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2014/231896
ATTACHMENTS	1 Fire & Rescue NSW Inspection Report & Recommendations issued under section 121ZD dated 15 July 2014 2 Fire & Rescue NSW Emergency Order No 6 dated 25 February 2014 3 Environmental Planning & Assessment Act 1979, Order 1(b) and 2(a) dated 18 June 2014

REPORT

PURPOSE

A Fire and Rescue NSW Inspection Report and Recommendations (F&R NSW report) relating to 3 Mitchell Road Brookvale was sent to Council by Fire & Rescue NSW (F&R NSW) on 23 July 2014 as shown in attachment 1.

Section 121ZD of the *Environmental Planning & Assessment Act 1979 (EP&A Act 1979)* requires that Council table such reports and any recommendations made at the next meeting of Council.

Council is also to determine whether or not to issue an Order number 6 or Order number 8 in the Table to Section 121B of the EP&A Act 1979. Order number 6 is used to require measures to prevent fire, suppress fire or prevent the spread of fire. Order number 8 is used to cease an activity where there is a threat to life.

Council must provide notice to F&R NSW of their determination.

SUMMARY

F&R NSW conducted an inspection of the factory building at 3 Mitchell Road, Brookvale on 25 February 2014. They identified a number of fire safety concerns which led them to issue Emergency Order 6, as shown in attachment 2, requiring sleeping at the premises to cease.

A further inspection of the premises carried out by F&R NSW, NSW Police and Council on 27 May 2014 revealed that the people were still sleeping at the premises. This is not an approved use.

Council issued Order 1(b) and Order 2(a) under EP&A Act 1979 on 18 June 2014 as shown in attachment 3, requiring the unauthorised use to cease and unapproved structures to be demolished.

The above Orders should have caused sleeping at the premises to cease. However, inspection by Council on 1 August 2014 in response to the F&R NSW report revealed this is still occurring.

In these circumstances it is recommended that Order 10 in the Table to Section 121B of the *EP&A Act 1979* be issued, instead of Order 6 or Order 8. Order 10 can be used where a person has failed to comply with a previous Order 6, as was issued by F&R NSW, to cause evacuation of a premises or for the use to cease.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Issue Emergency Order 10 under Section 121B of the Environmental Planning and Assessment Act, 1979 on Conrad Vincent Jorey and on Leigh Jorey to evacuate the premises at 3 Mitchell Road, Brookvale within 60 days.
 - B. Write to Fire and Rescue NSW and provide a copy of this determination.
-



File Ref. No: FRN14/1288 (5773)
TRIM Doc. No: D14/45850
Contact: QF Lachlan Haar

15 July 2014

The General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2099

Email: council@warringah.nsw.gov.au

Attention: Rik Hart

Dear Mr Hart,

**RE: INSPECTION REPORT AND RECOMMENDATIONS TO COUNCIL
SECTION 121ZD ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
3 MITCHELL ROAD BROOKVALE**

I refer to an Emergency Order 6 issued against the above premises in accordance with the provisions of Section 121B of the Environmental Planning & Assessment Act 1979 (the Act) on 25 February 2014.

Comment

A further inspection of the premises was carried out by an authorised officer of FRNSW in the presence of NSW Police and Warringah Council on 27 May 2014. In accordance with the provisions of Section 118L(4) and 121ZD(1)(a) of the Act, you are advised that the items specified in the Emergency Order 6 have not been complied with. Persons are continuing to use the premises for sleeping. FRNSW is of the understanding that the premises are not approved for this use.

FRNSW is of the opinion that there is an inadequate provision for fire safety. Building occupants are presently exposed to unsafe living conditions. Further to this there are no installed fire safety measures appropriate to the buildings classification.





Recommendations

In an effort to address the deficiencies, FRNSW make the following recommendations in accordance with Section 121ZD(1)(b) of the Act.

1. That Council inspect the building to take the appropriate action to ensure the potential aforementioned deficiencies are addressed.
2. That council determine the relevant standards of performance of all fire safety measures installed within the building.

This matter is now referred to Council in its capacity as the regulatory authority pursuant to Section 121ZD(2) of the Act.

FRNSW requests that as soon as practicable after the above report and recommendations have been tabled and considered, that notice of any determination in relation to the report and recommendations is forwarded to the Building Fire Safety Unit, FRNSW in accordance with Section 121ZD(4) of the Act.

For further information please contact the Building Fire Safety Unit, referencing FRNSW file number FRN14/1288 (5773). Please ensure that all correspondence in relation to this matter is submitted electronically to bfs@fire.nsw.gov.au.

Yours sincerely

6004 Mark Porter

Station Officer Mark Porter
Team Leader
Building Fire Safety Unit



New South Wales Fire Brigades Risk Management

4480

Incorporating Fire Safety Fire Investigation & Research



Telephone: (02) 9742 7400

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 Division 2A - Orders Tables to Section 121B : Order No 6

I, LACHLAN HAAR OF 900332 (Name) (Rank) (Number)

being an authorised fire officer within the meaning of Section 121ZC of the Environmental Planning and Assessment Act 1979, and duly authorised for the purpose, hereby order you

CONRAD VINCENT JOREY (person on whom Order is served)

to do the following things in respect of the premises at :

3 MITCHELL ROAD BROOKVALE (address of premises to which Order relates)

1. TO CEASE USING THE PREMISES FOR THE PURPOSES OF SLEEPING

(details of items ordered to be done)

The period within which the terms of this Order are to be complied with is :

FOR AN ONGOING PERIOD from the date of this Order.

The reasons for the giving of this Order are:

INADEQUATE PROVISION FOR FIRE SAFETY

Take note that :

- Pursuant to Section 121ZK of the Act, there is no right of appeal against this order; Failure to comply with this Order within the period specified above may result in the giving of an Order No 10 (to cease the use of the premises or to evacuate the premises) and/or an Order No 11 (to leave the premises or not enter the premises), under the provisions of Section 121B of the Act; and Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

Signature of Authorised Officer

25/2/14 Date of Order

New South Wales Fire Brigades Risk Management

4485

Incorporating Fire Safety Fire Investigation & Research



Telephone: (02) 9742 7400

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 Division 2A - Orders Tables to Section 121B : Order No 6

I, LACHLAN HAAR (Name) QF (Rank) 900332 (Number)

being an authorised fire officer within the meaning of Section 121ZC of the Environmental Planning and Assessment Act 1979, and duly authorised for the purpose, hereby order you

LEIGH JOREY (person on whom Order is served)

to do the following things in respect of the premises at :

3 MITCHELL RD BROOKVALE (address of premises to which Order relates)

1. TO CEASE USING THE PREMISES FOR THE PURPOSES OF SLEEPING

(details of items ordered to be done)

The period within which the terms of this Order are to be complied with is :

FOR AN ONGOING PERIOD from the date of this Order.

The reasons for the giving of this Order are:

1. INADEQUATE PROVISION FOR FIRE SAFETY

Take note that :

- Pursuant to Section 121ZK of the Act, there is no right of appeal against this order; Failure to comply with this Order within the period specified above may result in the giving of an Order No 10 (to cease the use of the premises or to evacuate the premises) and/or an Order No 11 (to leave the premises or not enter the premises), under the provisions of Section 121B of the Act; and Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

Signature of Authorised Officer

25/2/14 Date of Order

18 June 2014

Citanol Pty Ltd
C/- Brian M Hamer
Hamer & Hamer Solicitors
PO Box 195
BLAGOWLAH NSW 2093

Dear Sir/Madam

Re: Order
Legislation: Order issued under the Environmental Planning and Assessment Act 1979
Premises 3 Mitchell Road BROOKVALE NSW 2100, Lot 14, Sec 1, DP 6033
Ref No: EPA2014/0100

Council is writing to you, as it has come to the organisations attention that a matter under your control is required to be addressed.

A Notice of Intention to Issue an Order was served on you on 13 May 2014, advising that you could make representations as to why the order should not be given, or asking for modification of the proposed Order.

After reviewing and considering your representations, Council has determined to issue the Order without change from the Notice of Intention.

The circumstances and reasons for this course of action are detailed in the formal Order documentation attached to this letter.

Council advises you not to ignore this Order and to have the matters addressed prior to the expiry date. Failure to comply or have the issues addressed may result in fines being issued for non-compliance or court proceedings being commenced.

Please note, Council may place the Order on hold if appropriate applications are received.

If you require any further assistance please contact the undersigned Officer Weekdays on 9942 2111 or anytime via e-mail at council@warringah.nsw.gov.au

Yours faithfully

Dale Martinuzzo
Building Investigations Officer

ORDER

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

1) DATE:	2) 18 June 2014
-----------------	------------------------

3)	
TO WHOM:	Citanol Pty Ltd C/- Brian M Hamer Hamer & Hamer Solicitors PO Box 195 BLAGOWLAH NSW 2093
PREMISES:	3 Mitchell Road BROOKVALE NSW 2100, Lot 14, Sec 1, DP 6033

Warringah Council, as the appropriate authority under the *Environmental Planning and Assessment Act 1979* (the 'Act'), is now in possession of evidence that, for the circumstances and reasons of the order (detailed below) unauthorised development has been undertaken at the above premises without prior approval where prior approval was required.

Warringah Council gives you an **ORDER** pursuant to s 121B of the Act.

The requirements of the order/s (stipulated below) are to be fully complied with.

You are required to submit details to Council, demonstrating compliance with the requirements of the order/s prior to period of compliance (detailed below) ending. The details submitted shall be to the full satisfaction of Council prior to the order/s being satisfied and complete.

NOTE: Failure to comply with this order may result in fines being issued, Court Proceedings being commenced, the work being undertaken (and you being subsequently charged for the work) by Council.

Order Number	To Do What:	Circumstance and Reason for the Order:
1(b)	You are to cease using premises for a purpose specified in the order, Specifically: <ul style="list-style-type: none"> • Cease use of the unauthorised 	It is considered that the: Premises are being used for a for which development consent is required but has not been obtained, Specifically:



	<p>structure built at the front of the premises on the north/west elevation for residential accommodation.</p>	<ul style="list-style-type: none"> The use of the unauthorised structure built at the front of the premises on the north/west elevation for residential accommodation.
--	--	---

Order Number	To Do What:	Circumstance and Reason for the Order:
2(a)	<p>You are to demolish or remove a building, Specifically:</p> <ul style="list-style-type: none"> Building constructed in the front of premises on the north/west elevation as shown on the attached aerial photo highlighted in yellow, and Carport structure constructed towards the middle of the property on the southern elevation as shown on the attached aerial photo highlighted in pink. 	<p>It is considered that the: Building is erected without prior development consent of a consent authority and a prior construction certificate in a case where both prior development consent and a prior construction certificate are required, Specifically:</p> <ul style="list-style-type: none"> Building constructed in the front of premises on the north/west elevation as shown on the attached aerial photo highlighted in yellow, and Carport structure constructed towards the middle of the property on the southern elevation as shown on the attached aerial photo highlighted in pink.

REASONS FOR THE ORDER: (s 121L of the Act)

1. Council received a complaint which alleged **unauthorised development (being used for habitable purposes, sleeping)** was occurring at the above premises.
2. The premises are located within the Warringah Council Local Government area.



3. The premises are located within the IN1 Zoning – General Industrial under the provisions of Warringah Local Environment Plan 2011.
4. All development requires approval (Development Consent, Activity Approval or Complying Development Certificate) and Construction Certificate to be issued prior to commencing development except development that is identified as Exempt under a relevant Environmental Planning Instrument.

In this regard, development that is Exempt in Warringah (full detail of the provisions can be found at www.legislation.nsw.gov.au) is identified under:

- Warringah Local Environmental Plan 2011;
- Warringah Local Environmental Plan 2000;
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Affordable Rental Housing) 2009

5. In addition, s 76A of the Act provides:

“76A Development that needs consent

(1) General

If an environmental planning instrument (Warringah LEP 2011) provides that specified development may not be carried out except with development consent, a person must not carry the development out on land to which the provision applies unless:

- (a) such a consent has been obtained and is in force, and*
- (b) the development is carried out in accordance with the consent and the instrument.”*

6. Following an inspection of the above premises on the 27/05/2014 by **Council’s Building Investigations Officer**, revealed the following:

- **Using Council approved plans (C16/68 dated 15/11/1967) as a guide, it was found unauthorised development has and was being undertaken, being:**
- **The construction of a carport towards the middle of the property on the southern elevation,**
- **The construction of a structure at the front of the premises on the north/west elevation,**
- **And the use of the structure built at the front of the premises on the north/west elevation for residential accommodation.**

Based on these items Council considers that the current onsite development is most reasonably described as **development** as detailed within the Environmental Planning and Assessment Act 1979 Dictionary.



7. The matters identified by Council's Authorised officer are considered to constitute development as defined under s 4 of the Act.

Note: "development means:

- (a) *the use of land, and*
- (b) *the subdivision of land, and*
- (c) *the erection of a building, and*
- (d) *the carrying out of a work, and*
- (e) *the demolition of a building or work, and*
- (f) *any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument"*

8. A search of Council's electronic records management system revealed the following:

- **No approval being granted for the development outlined in paragraph six (6) above.**

9. The above matters occurring at the premises:

- are not considered to have been lawfully approved;
- are not considered to have been subject to an assessment process to determine permissibility;
- may result in amenity impacts upon the natural, building, social or economic environments;
- have not had an assessment of impact in terms of amenity or the environment or the ability determined compliance with the appropriate sections of the Building Code of Australia, Structural Requirements or Australian Standards by the relevant approval body;
- Fails to meet the Exempt Development Criteria under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

10. Therefore Council considers that the matters undertaken at the premises are unauthorised.

11. As these matters undertaken at the premises were undertaken without consent, the relevant approval body has not been given the opportunity to perform their regulatory function, being the assessment of impact in terms of amenity or the environment or the ability determined compliance with the appropriate sections of the Building Code of Australia, Structural Requirements or Australian Standards.

12. Taking the above into consideration Council has elected to issue the Order.

4) PERIOD OF COMPLIANCE WITH THE ORDER

5) Order 1(b) – Twenty-Eight (28) days from the date of this Order.

6) Order 2(a) – Twenty-Eight (28) days from the date of this Order.

7) FAILURE TO COMPLY WITH THE ORDER

- A) In the event that an Order is issued, it is an offence pursuant to s 125 of the Act to fail to comply with that Order.
- B) In the event that an Order is issued and you do not comply, Council may:
- a. Issue Fines
 - b. Commence Court Proceedings to compel compliance and / or undertake a criminal prosecution

8) COUNCIL MAY CARRY OUT WORK

9) Council may carry out the work required by the Order (under s 121ZJ of the Act) and recover all associated costs incurred in giving effect to the Order as a debt in a court of competent jurisdiction.

10) RIGHT OF APPEAL AGAINST THE ORDER (s 121N & s 121ZK of the Act)

11) In the event that an Order is issued s 121ZK of the Act permits an individual or corporation affected by the Order to appeal in the Land and Environment Court of NSW against the Order within **28 days** after the service of the Order.

ENQUIRES

If you require any further assistance please contact the undersigned Officer Weekdays on 9942 2111 or anytime via e-mail at council@warringah.nsw.gov.au

Yours faithfully

<http://www.arx.com/about-cosign-digital-signatures>

Dale Martinuzzo

Building Investigations Officer

ITEM 8.10	COUNCILLOR DE LUCA - REPORT ON 2014 NATIONAL SUICIDE PREVENTION CONFERENCE
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT
TRIM FILE REF	2014/235226
ATTACHMENTS	1 Cr De Luca - Report on 2014 National Suicide Prevention Conference 2 Cr De Luca - Resource Material National Suicide Prevention Conference

REPORT

PURPOSE

To present Councillor De Luca's report following his attendance at the 2014 National Suicide Prevention Conference held 23 to 26 July 2014 in Perth, Western Australia.

REPORT

In accordance with Policy GOV-PL 120 Policy for Payment and Reimbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors, Item 14, bullet point eight (as follows):

"14. What Conferences May be Attended - After returning from an approved conference, Councillors shall submit a written report to a full meeting of the Council on the aspects of the conference relevant to Council business and/or the local community."

Councillor De Luca has submitted a report regarding the Suicide Prevention conference he attended, which can be found as an attachment to this report.

FINANCIAL IMPACT

Nil

POLICY IMPACT

This is in accordance with GOV-PL 120 Policy for Payment and Reimbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Notes the conference report.
 - B. Requests the General Manager to ensure that posters and resources on suicide prevention are displayed in all Council buildings.
 - C. Commends Suicide Prevention Australia on its efforts to prevent suicide in Australia.
-

**Report on 2014 National Suicide Prevention Conference
Councillors Vincent De Luca OAM**

Every day 7 people in Australia die by suicide

Suicide remains the leading cause of death in Australia for 15-24 year olds

1,000,160 people in Australia consider suicide every year

The most recent data (ABS, Causes of Death, 2012) indicate that almost twice as many people each year died from suicide in Australia, than in road related transport deaths (1,310 vs 2,535)

1. Background

Rates of suicide reached a peak in Australia in 1997 with the total number of deaths recorded being 2,720. Youth suicide was a particular concern with deaths of young people aged 20-24 years totalling 355. The rate of youth suicides on the northern beaches at that time caused great concern. This dramatic increase in deaths amongst young people created a national focus on youth suicide, particularly given data showing that suicide rates for young males had trebled over the previous 30 years. Consequently, the Here for Life National Peoples' Convention on Youth Suicide Prevention was held in Old Parliament House, Canberra with delegates from across the Nation. As a delegate we were tasked with bringing together a National Youth Suicide Prevention Policy. All these years later, while I am pleased to report that at the conference it was indicated that youth suicides have declined significantly since 1997, they are still unacceptably high today and people are still at risk.

2. The situation today

Sadly, suicide remains the leading cause of death for Australians aged between 15 and 44.

- The most recent Australian data (ABS, Causes of Death, 2012) reports deaths due to suicide at 2,535.
- The overall suicide rate in 2012 was 11.0 per 100,000, compared to the 2011 rate of 9.9 per 100,000.
- In 2012, 1,901 males (16.8 per 100,000) and 634 females (5.6 per 100,000) died by suicide - this equates to almost seven deaths by suicide in Australia each day.
- Men account for three out of every five deaths by suicide, making suicide the 10th leading cause of death for males.
- For those of Aboriginal and Torres Strait Islander descent, the suicide rate is 2.5 times higher for males and 3.4 times higher for females.
- For every completed suicide, it is estimated that as many as 30 people attempt.
- More than one new attempt of suicide takes place in Australia every 10 minutes.
- It is estimated that around 250 people make a suicide plan every day.

- It is estimated that around 1,000 people think about suicide every day.

During the conference a presentation on suicide rates amongst sexually diverse young people was alarming, revealing that suicide rates amongst sexually diverse young people are approximately four (4) times higher than heterosexual peers. The rate is higher still in bisexual and/or trans gender diverse and intersex young people. It was stated that the prevalence of suicidal behaviours in LGBTIQ young people largely has been unchanged over the last 20 years, despite reductions in youth suicide. A study by Howard and Nicholas in 2002 on Suicide Attempt rates by orientation, found:

- Heterosexual males 5.4%
- Gay males 20.8%
- Bisexual/undecided male 29.4%
- Heterosexual female 8.3%
- Lesbian 28.0%
- Bisexual/undecided female 34.9%

A study *Writing themselves in 3* (2010) documented that “there were strong links between homophobic abuse and feeling unsafe, excessive drug use, self harm and suicide attempts. Young people who reported their school as having a supportive environment, were less likely to harm themselves or attempt suicide.

3. **How the community can help – understanding, education and knowing the warning signs**

It was emphasised throughout the conference that everyone can help prevent, intervene and support those who are considering suicide or who have attempted it. It is of paramount importance to be able to identify the common warning signs and be able to respond.

Suicidal behaviour results from a complex interaction between a large variety of risk factors, more immediate triggers and a lack of protective factors. There are certain indications that may help us determine whether a person may be at risk of suicide. The reasons that people take their own life are very complex. The many factors that influence whether someone is likely to be suicidal are known as:

- **Risk factors** – sometimes called vulnerability factors because they increase the likelihood of suicidal behaviour.
- **Protective factors** – these reduce the likelihood of suicidal behaviour, and work to improve a person’s ability to cope with difficult circumstances.

beyondblue (whose CEO, Georgie Harman addressed the conference) state that Risk and protective factors can occur:

- at the individual or personal level and include mental and physical health, self-esteem, and ability to deal with difficult circumstances, manage emotions, or cope with stress
- at the social level, which include relationships and involvement with others such as family, friends, workmates, the wider community and the person’s sense of belonging
- at the contextual level or the broader life environment which includes cultural, environmental, spiritual, political and economic factors that contribute to available options and quality of life.

Someone who is thinking about suicide will usually give some clues or signs to those around them, though these may be subtle. Suicide prevention starts with recognising the warning signs and triggers and taking them seriously.

The following is a list provided by beyondblue of signs people might reveal when they are feeling distraught or overwhelmed. These physical changes and behaviours are indicators that a person may be considering suicide. Some of the signs are stronger indicators and these are in bold text below. It is likely that a suicidal person will display a number of these signs rather than just one or two. However, everyone is different and there is no definitive way to predict how someone will act.

Physical changes

- Major changes to sleeping patterns; usually too little, though maybe too much
- Loss of energy
- Loss of interest in personal hygiene or appearance
- Loss of interest in sex
- Sudden and extreme changes in eating habits; either a loss of appetite or an increase in appetite
- Weight gain or weight loss
- Increase in minor illness

Behaviours

- **Alcohol or drug misuse**
- **Withdrawal from family and friends**
- **Quitting activities which were previously important**
- **Prior suicidal behaviour**
- **Self-harming**
- **Putting affairs in order**
- **Writing suicide note or goodbye letters to loved ones**
- Uncharacteristic risk-taking or recklessness
- Fighting and/or breaking the law
- Unexplained crying

- Emotional outbursts
- Increased irritability

Conversational signs

- **Feeling trapped:** “I can’t see any way out of this mess.”
- **Feeling like a burden:** “They’d be better off without me.”
- **Lack of belonging:** “I just don’t fit in anywhere.”
- **Hopeless:** “What is the point? Things are never going to get any better.”
- **Guilt:** “It’s my fault, I’m to blame.”
- **Escape:** “I just can’t take this anymore.”
- **Alone:** “I’m on my own... no one cares about me anymore; no one would even notice I was gone.”
- **Damaged:** “I’ve been irreparably damaged... I’ll never be the same again.”
- **Helplessness:** “Nothing I do makes a bit of difference, it’s beyond my control and no one can help me.”
- **Talking about suicide or death**
- **Planning for suicide**

Feelings

- Sadness
- Anger
- Shame
- Rejection
- Desperation
- **Disconnection**
- **Hopelessness**
- Worthlessness
- Powerlessness
- **Helplessness**

- **Loneliness**
- Isolation
- Irritability
- Exhaustion

Responding to warning signs

Talking to someone about his or her suicidal thoughts can be challenging but if you are unsure whether someone is suicidal, the best way to find out is to ask. One might be worried that they will 'put the idea of suicide into a person's head' if one asks about suicide. However, a person cannot make a person suicidal by showing their concern. In fact, giving a suicidal person the opportunity to express his or her feelings can give relief from isolation and pent-up negative feelings, and may in fact reduce the risk of suicide.

How to start a conversation about suicide

- "You haven't seemed yourself lately and I'm worried about you."
- "I have noticed that you have been doing (X/Y/Z), and I'm wondering how you are going?"

Questions you can ask

- "What can I do to help you?"
- "I'd like to help you get through this, is there something I can do for you?"

What you can say that helps

- "I want to help you and I am here for you when you want to talk."

The following questions can be used to establish if the person may be suicidal:

- Do you intend to take your life? (INTENTION)
- Do you have a plan to take your life? (PLAN)
- Do you have access to the means to carry out your plan? (MEANS)
- Do you have a timeframe for taking your life? (TIMEFRAME)

If someone is planning to kill him or herself they need to be linked into help immediately and not left alone.

4. Where to get help and services

When a person is threatening suicide 000 should be called straight away.

Key crisis support services:

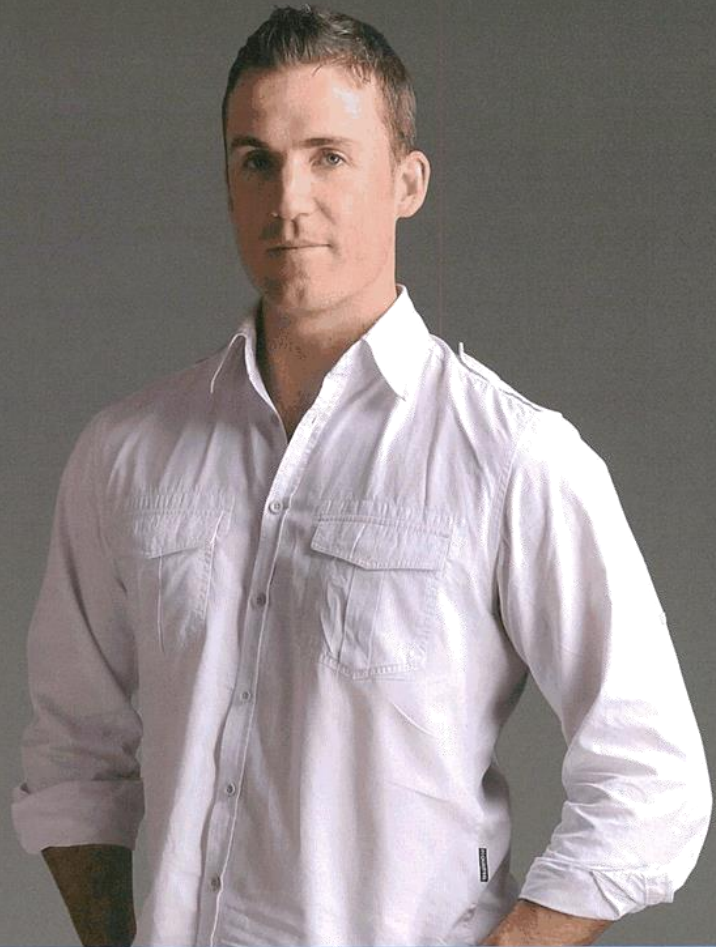
LifeLine	13 11 14	For anyone experiencing a personal crisis or thinking about suicide.
Suicide Call Back Service	1300 659 467	For anyone aged 15+ who is suicidal, caring for someone who is suicidal, bereaved by suicide, or a health professional supporting a suicidal individual.
Kids Helpline	1800 55 1800 or www.kidshelp.com.au	For 5-25yrs and offers web and email counselling. Many young people have indicated they prefer using MSN so others can't hear their conversations.
MensLine	1300 789 978 www.menslineaus.org.au	For men, of all ages, offers up to 6x1 hour telephone counseling sessions.
Beyondblue	1300 224 636 www.beyondblue.org.au	For anyone with anxiety and depression

The Salvation Army also provides HOPE FOR LIFE Suicide prevention and support and encourage people to become Hope for Life Champions and make a difference. These champions make a difference by raising awareness about the prevalence and impact of suicide and support people who may be at risk of suicide by providing a listening ear and assisting them to access the professional help and support they need to get them through the tough times. For more information, go to www.suicideprevention.salvos.org.au or telephone 02 9356 2120.

Wesley Mission also offers Wesley LifeForce Suicide Prevention Training Workshops and seminars to empower local communities. For more information go to www.wesleymission.org.au or telephone 1800 100 024.

The National Centre for Suicide Prevention & Training Inc are leaders in training, development and policy reform for suicide prevention and intervention in Australia. They design courses for clients depending on their needs & desired outcomes and use the LivingWorks suite of programs because they are the most widely used and most recognized suicide prevention intervention training in the world. For more information go to www.suicidefirstaid.org.au or telephone 1300 60 80 95.

It's ok
to talk.



MensLine Australia is a professional telephone and online support, information and referral service for men, specialising in family and relationship concerns.

Available nationally, 24 hours a day, seven days a week, for the cost of a local call*

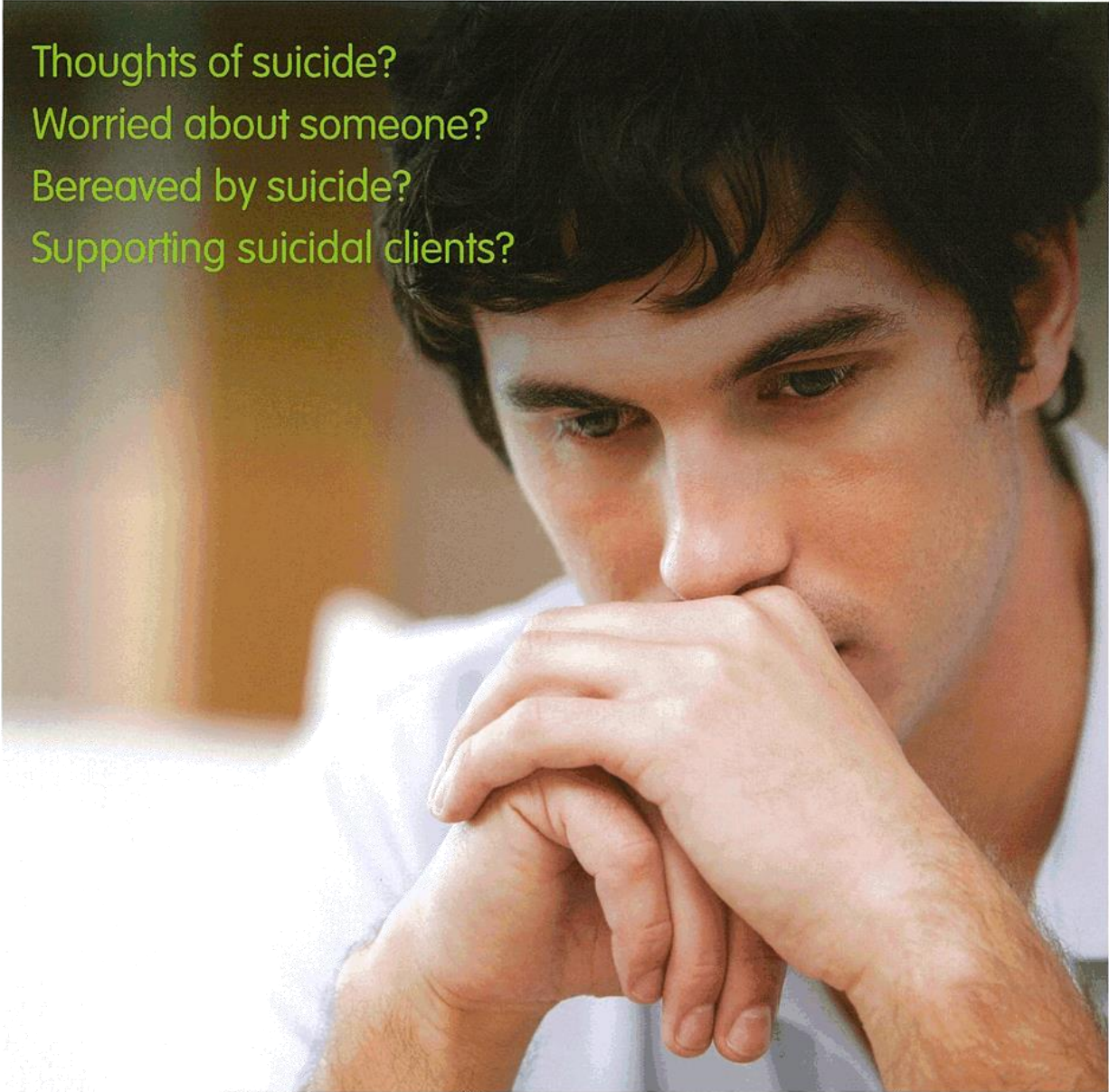
*Call cost higher from mobiles

Talk it over
**Mens
Line**
AUSTRALIA



Australian Government
Department of Families, Housing,
Community Services and Indigenous Affairs

1300 78 99 78
mensline.org.au



Thoughts of suicide?
Worried about someone?
Bereaved by suicide?
Supporting suicidal clients?

The Suicide Call Back Service provides free nationwide professional telephone counselling and online support for anyone affected by suicide. Available to people who are feeling suicidal, worried about someone, those who have lost someone to suicide, and professionals supporting clients at risk of suicide.

The Suicide Call Back Service offers:

- 24/7 immediate telephone counselling support
- Ongoing telephone and online counselling through up to six 50-minute sessions

1300 659 467
suicidecallbackservice.org.au

**SUICIDE
CALL BACK
SERVICE**

free telephone
counselling

Suicide: Worried about someone?



LIFE
living is for everyone.com.au

24-hour crisis support

24-hour telephone counselling services

Suicide Call Back Service

Professional crisis counselling and ongoing support for people at risk, caring for someone at risk, or bereaved by suicide.
T: 1300 659 467 **W:** suicidecallbackservice.org.au

Lifeline

Provides support and information for people experiencing personal or community crisis. **T:** 13 11 14 **W:** lifeline.org.au

MensLine Australia

Professional telephone support, information and referral especially for men. **T:** 1300 789 978 **W:** mensline.org.au

Kids Helpline

Telephone and online counselling for young people aged 12-25.
T: 1800 55 1800 **W:** kidshelpline.com.au

National Hope Line

Support for those who have lost someone to suicide.
T: 1300 467 354 **W:** suicideprevention.salvos.org.au/get-help

There may be other telephone counselling services specific to your location and issues. Check out one of the support services databases.

Emergency services

- Emergency mental health services. Contact your local hospital and ask for the emergency psychiatric service (call directory assistance 1223).
- In the case of overdose call Poisons Information on 13 11 26 for assistance.
- If the person is at immediate risk or has already hurt themselves call emergency services on 000 for an ambulance.

Carers' support

Supporting someone who is in crisis and potentially suicidal can be very stressful. It's really important to take care of yourself. Along with the services listed above, there are some specific services available for carers. To find out what's local to you, check out one of the support services databases.



on the line

LIFE Communications is a National Suicide Prevention Strategy project managed by On the Line on behalf of the Department of Health and Ageing.

Services that could help

Knowing where to get help, especially in a crisis situation, can be pretty hard. Using a central database or contacting the services listed below can be a good place to start.

Support service databases

- Jigsaw Community Services Database: jigsaw.ontheline.org.au
- Lifeline Service Finder: lifeline.org.au
- Service Seeker: serviceseeker.com.au

Ongoing support

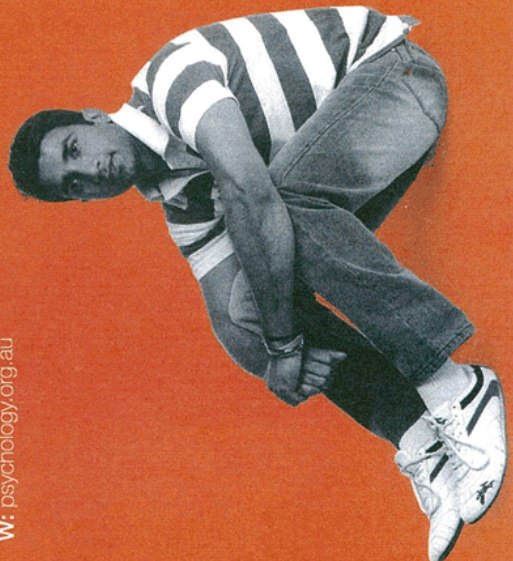
Local GP

Many local GPs have completed additional, specialised training in mental health. Their details can be found on info.beyondblue.org.au or call the beyondblue info line on 1300 22 46 36. GPs may also be able to refer to a psychologist under Medicare.

Psychologists and counsellors

To find a counsellor, contact the Australian Counselling Association: **T:** 1300 784 333 **W:** theaca.net.au

To find a psychologist, contact the Australian Psychological Society: **T:** 1800 333 497
W: psychology.org.au



The thought that someone you know and care about could be contemplating suicide can be quite confronting. While it may seem impossible to help them, there is actually a lot you can do. Understanding a little more about suicide and the support services available in the community is a good step towards keeping them safe.

Some common warning signs and risk factors

Comments

- "I can't take this anymore"
- "No one would care if I was gone"
- "I wish I could go to sleep and not wake up again"
- "No one can help me; it's all hopeless and it always will be"
- Explicit talk of wanting to complete suicide, for example, "It's useless, I just want to kill myself"

Behaviours

- Giving away personal items (especially those that hold significant meaning)
- Risk taking that is out of character
- Acting impulsively
- Previous suicide attempts
- Unexplained consistent crying
- Over- or under-sleeping
- Social withdrawal
- Lack of interest in things they usually enjoy
- New or increased use of alcohol or other drugs

Major life events

- Recent unemployment
- Relationship breakdown
- Mental illness (e.g. depression, schizophrenia, anxiety)
- Recent death of someone (including to suicide)
- Diagnosis of a chronic (especially terminal) illness
- Chronic physical pain

Understanding suicide

A number of people will experience suicidal thoughts at least once during their lifetime – a common response to being in a crisis. People struggling with suicidal thoughts probably feel trapped, and in extremely intense emotional or psychological pain. This is sometimes referred to as 'psychache'.

Suicide can appear to be a way to end this pain. Sometimes suicide may be the only option considered, but at other times it is one among many other options. Having the chance to explore and see that there are better alternatives to suicide can be the key to survival.

So what can I do?

Try starting a conversation. Tell the person you're concerned about them. If there are particular situations, behaviours, comments that have concerned you, mention a couple of examples.

By starting the conversation about suicide, you can help them realise that many people can feel this way when faced with a crisis, that there are many other options, and that their safety is most important.

People often worry that asking someone about their suicidal thoughts could influence them towards completing suicide - this is not the case. By talking about it together, you can figure out how to support them through the distressing feelings they are experiencing and seek out professional support.

To get a better idea of the person's risk you could ask them the following questions:

What: Do you have a suicide plan?

How: Do you have access to the means?

When: Do you have a time set to complete suicide?

Note: This is a tough conversation. If you don't feel you can talk to them about this, try to find someone who can. This could include contacting one of the services listed over the page. If you are still concerned, contact a professional service for immediate support.

What now?

Encourage the person to get some professional help. Ask them to contact a professional support service by themselves if they can, and offer to attend an appointment with them.

Remember: Never agree to keep someone's suicidal thoughts a secret. Make sure you talk to a professional about what you've learned, especially if the person is unwilling to seek their own help. If you continue to be concerned about the person and they're unwilling to get professional help, speak to your local psychiatric emergency service.

This is a particularly difficult and stressful time for anyone personally involved so it's important to get support and take care of yourself. For professional support during this time (or any time later) speak to one of the services listed over the page.



ITEM 8.11	ADOPTION OF CURL CURL BEACH MASTERPLAN
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2014/236026
ATTACHMENTS	1 Curl Curl Beach Masterplan

EXECUTIVE SUMMARY

PURPOSE

To report to Council the results of the extended consultation for the draft Curl Curl Beach Masterplan and to recommend the masterplan for adoption.

SUMMARY

Council resolved on 24 June 2014 to extend the consultation period for the draft Curl Curl Beach Masterplan for a further month. The consultation period concluded on 24 July 2014. In this time 235 responses were received with the majority in favour of the masterplan. The major issue identified in this third round of consultation is the demarcation of the boundary of the off leash dog area. To address the safety issues raised in regard to the off leash dog area, a small section of the off leash dog area will be removed to provide a safe corridor for pedestrians to the beach from the northern car park. Changes to the off leash dog area will progress and the changes to the car park and picnic area will be undertaken according to availability of funds.

FINANCIAL IMPACT

Implementation of the park renewal works and vegetation management identified in the masterplan has been budgeted over the next four years. New and upgraded infrastructure cannot be undertaken until funding is available.

POLICY IMPACT

None. The masterplan is consistent with values of the Coastal Lands Plan of Management and other relevant Council planning documentation.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That the Curl Curl Beach Masterplan be adopted.

REPORT

BACKGROUND

Council resolved on 24 June 2014 to extend the consultation period for the draft Curl Curl Beach Masterplan by one month. For the detailed discussion of the changes made from Plan A released in April to more recent draft, Plan B, please refer to the earlier report to Council on 24 June 2014, however in the summary the changes were:

Issue	Draft Masterplan	Community Response	Amended Draft for Adoption
Unleashed dog area	<p>Council proposed a reduction in the off leash dog area to create a buffer zone for a picnic area close to South Curl Curl SLSC</p> <p>Council proposed reducing the off leash dog area from approximately 84,000 square metres (including the vegetated areas) to approximately 63,000 square metres.</p>	<p>The key issue raised by users was that they were losing the ability to enjoy the walk behind the sand dunes with their unleashed dogs.</p>	<p>Council amended the masterplan to include more of the popular walk behind the dunes and proposed that the southern boundary of the off leash dog area be in line with Adina Street. The off leash area would be approximately 78,000 square metres). This still leaves an appropriate buffer for the picnic area at the southern end of the park.</p>
Gentrification of park	<p>Draft masterplan proposed the development of a seating area opposite Adams Street, another paved area at the northern end of car park and introduction of a crushed rock/concrete path network.</p> <p>The primary purpose of the path network was to control movement to minimise risk of landfill material, potentially including asbestos coming to the surface. The paths will also serve to provide a missing link in the bicentennial coastal walk, reduce the risk of injury to users of the existing dilapidated informal trails and improve access to the northern end of the</p>	<p>General community feedback represented a misconception that Council intended to turn Curl Curl into another south Dee Why beach or Collaroy. There was generally positive feedback on the path network however there was no support for introduction of concrete paths. Opposition to the paths centred on the perception that they will detract from the look and feel of the park and that it will mean more people without dogs will use the off leash</p>	<p>The central seating area has been removed from the plan, the paved area at the northern end of the car park scaled back to essentially provide a platform for a seat and a dog drinking trough and a shower. The path network has been scaled back and concrete paths limited to a single concrete path in the south to connect the car park to South Curl Curl SLSC.</p> <p>The paths that remain will generally follow existing areas worn into the grass and be constructed using crushed rock.</p>

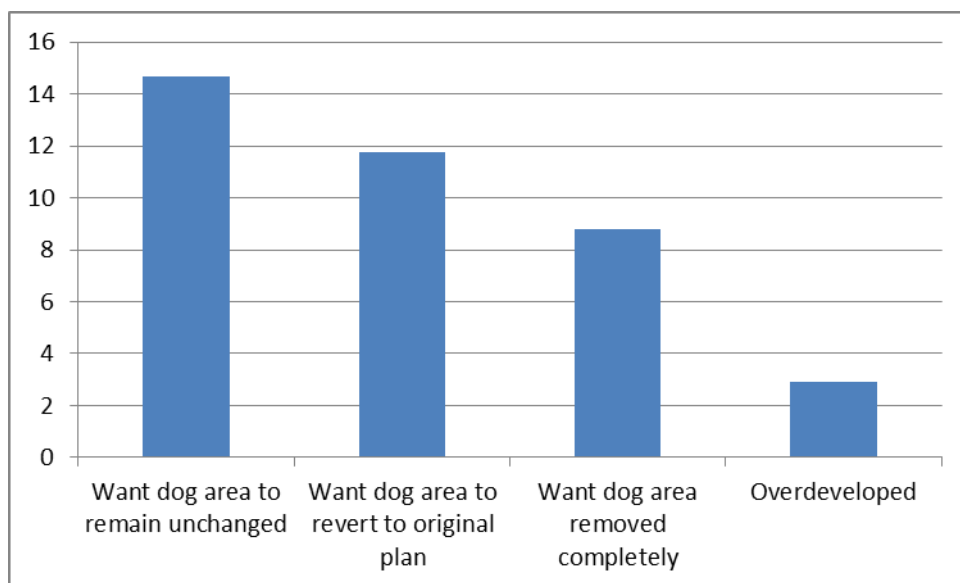
Issue	Draft Masterplan	Community Response	Amended Draft for Adoption
	Park.	dog area creating a safety risk.	
Second car park entrance	A second car park entrance at Adina Rd was proposed to create better traffic flow within and at the entrance to the car park. It was also planned to provide more convenient access to the middle Curl Curl car park for users of South Curl Curl beach.	Very negative reaction to this proposal from residents of Adina and Carrington Roads who believe this proposal will create a safety risk and only add to congestion.	The masterplan has been amended to include an action to identify the best car park entry arrangement. The entrance from Adina has been removed.

CONSULTATION

The latest round of community engagement focused on making people aware of the revised draft masterplan, Plan B, and providing an opportunity for the community to comment. The community was advised of the revised draft through advertising in the Manly Daily, prominent signage on site, prominent placement of the issue on Council’s website and through updating the community members who have registered on Council’s community engagement register.

In total 235 submissions were received from the community with 57% responses favourable of the revised draft masterplan, 20% not in favour and 23% who did not make an obvious statement favouring or not favouring the revised draft masterplan.

The reasons for not supporting the revised draft masterplan are summarised below with the number of submissions received on that issue:



Many of the submissions that did not support the off leash dog area cited safety issues due to having to cross the off-leashed dog path at the northern section of the car park to access the beach. Councillors also raised this issue. To address this issue the masterplan has been amended to provide a corridor from the car park to the beach access point where dogs will need to be on leash to enable beach users to access the beach safely.

Two submissions identified a need to maintain two separate access points to the lagoon for dogs. The submissions identified that some dogs are less social and/or unable to mix with larger more social dogs and are required to be kept apart. This issue will be reviewed in the context of the overall impact on the potential habitat created in that area.

IMPLEMENTATION

The implementation of the works proposed by the masterplan will be prioritised according to risk and available appropriate funding sources. The table below summarises the implementation of the major works:

Proposed works	Budgeted (y/n)	Potential funding source if not budgeted	Current proposed start date
Vegetation management of weeds to the south of car park entrance	Yes		September 2014
Vegetation regeneration of areas to north of car park entrance	Yes		October 2014
Path works: Rockpool car park area On grade paths through Flora and Ritchie Roberts Reserve	Yes		July 2015 2015 - 2018
Traffic study	No	S94a or grant	2015/2016
Car park works (including expansion of picnic area)	No	S94a or grant	2016/2017
Picnic area (renewal of existing)	Yes		July 2015
Boardwalk	No	S94a or grant	2016/2017
Renewal works of paved areas and ramps in vicinity of South Curl Curl SLSC	Yes		2017/2018

CURL CURL BEACH LANDSCAPE DRAFT MASTERPLAN



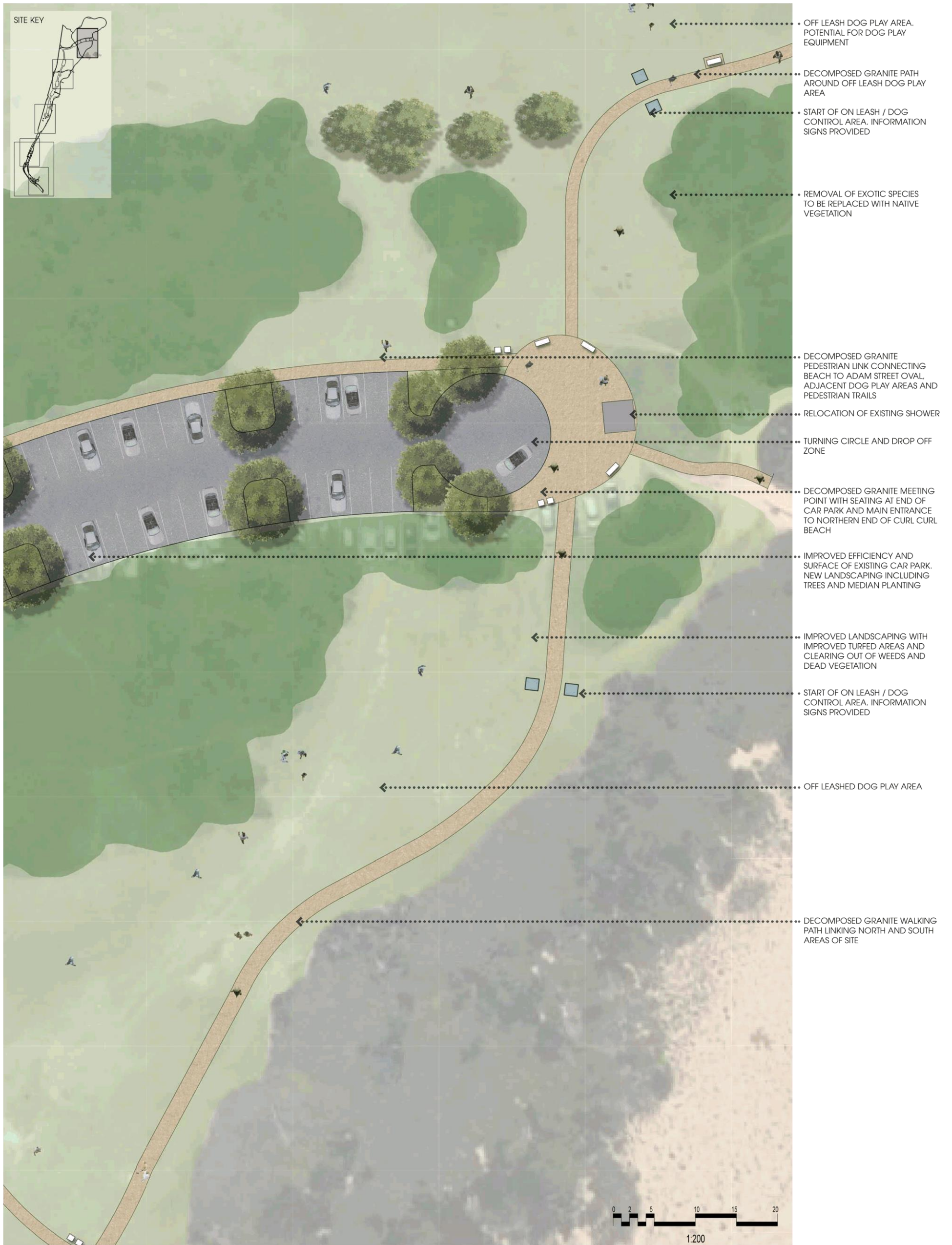
**CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN**



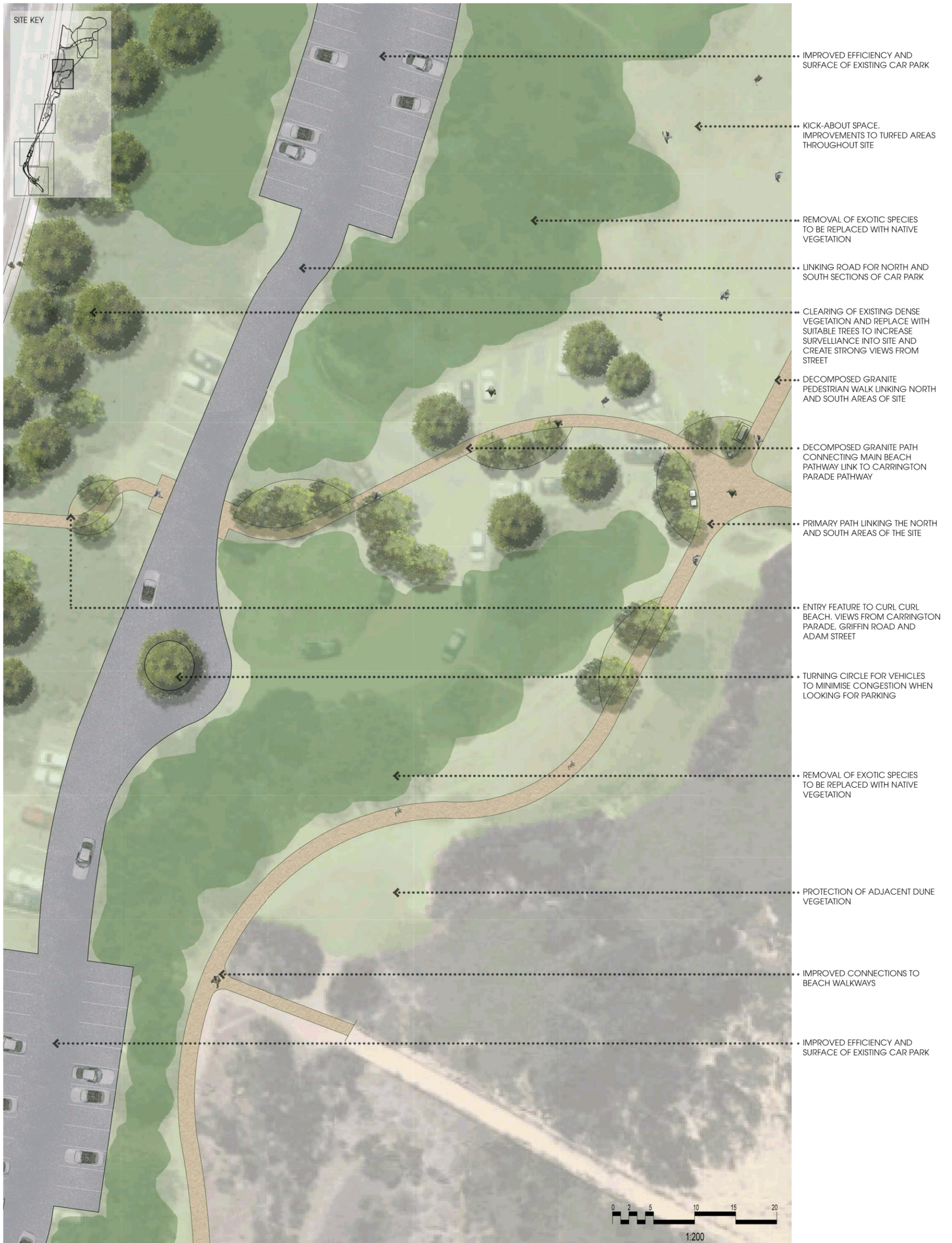
CURL CURL BEACH LANDSCAPE DRAFT MASTERPLAN - DOG PLAY AREAS



CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN - 03



CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN - 04



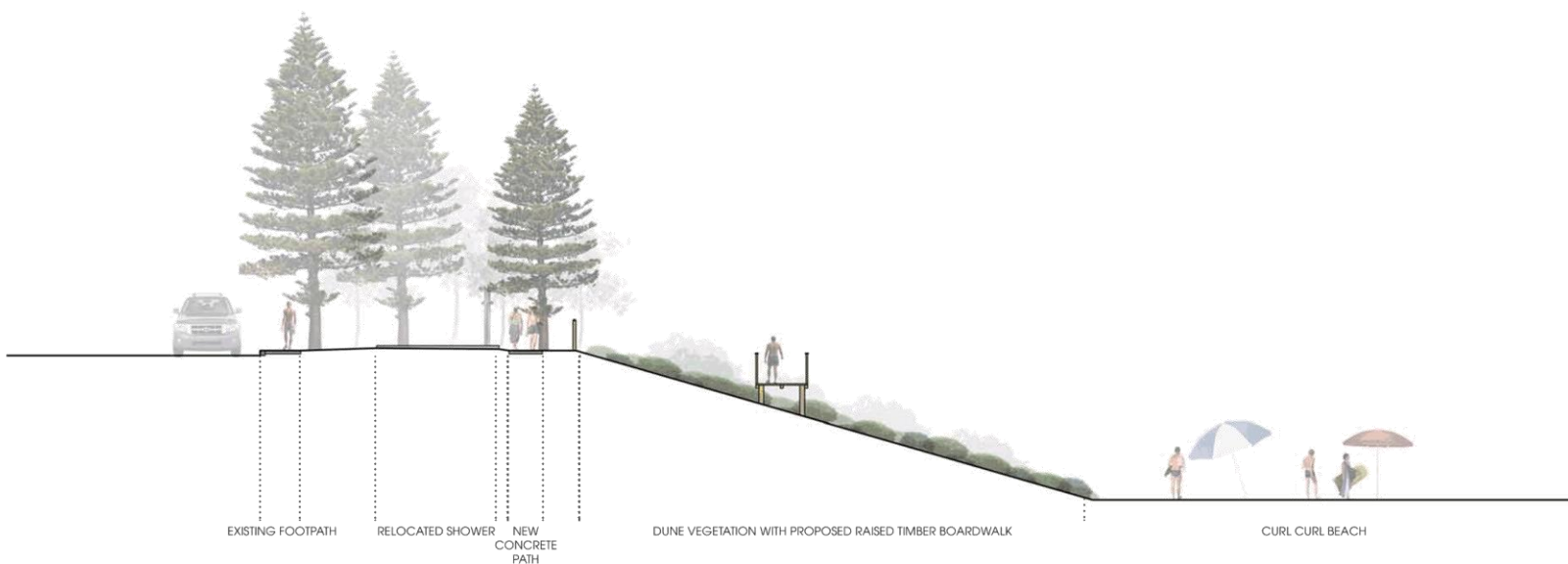
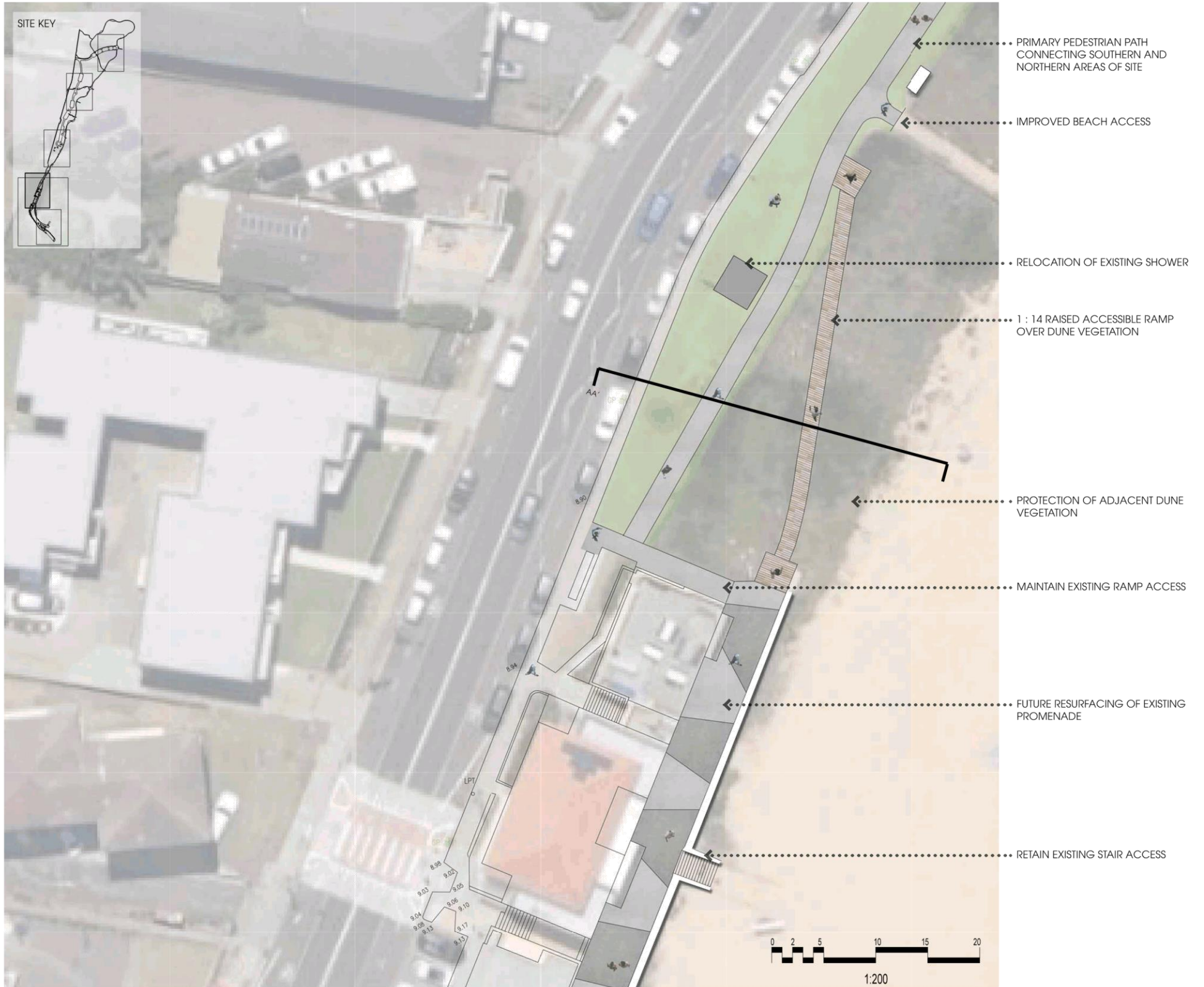
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LANDSCAPE DRAFT MASTERPLAN - 05



CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN - 06

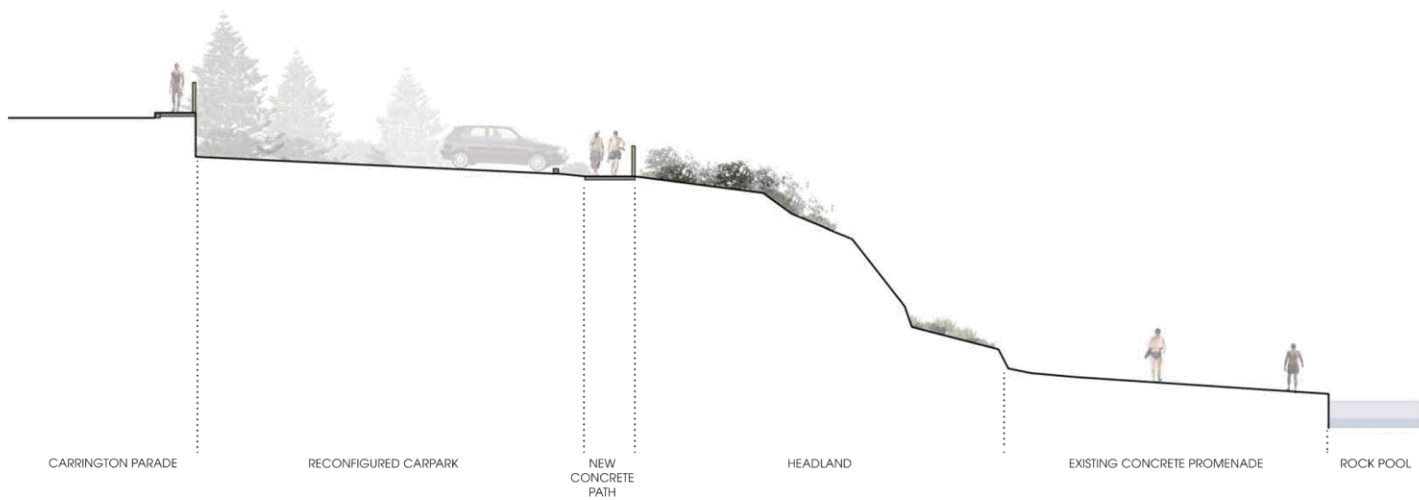
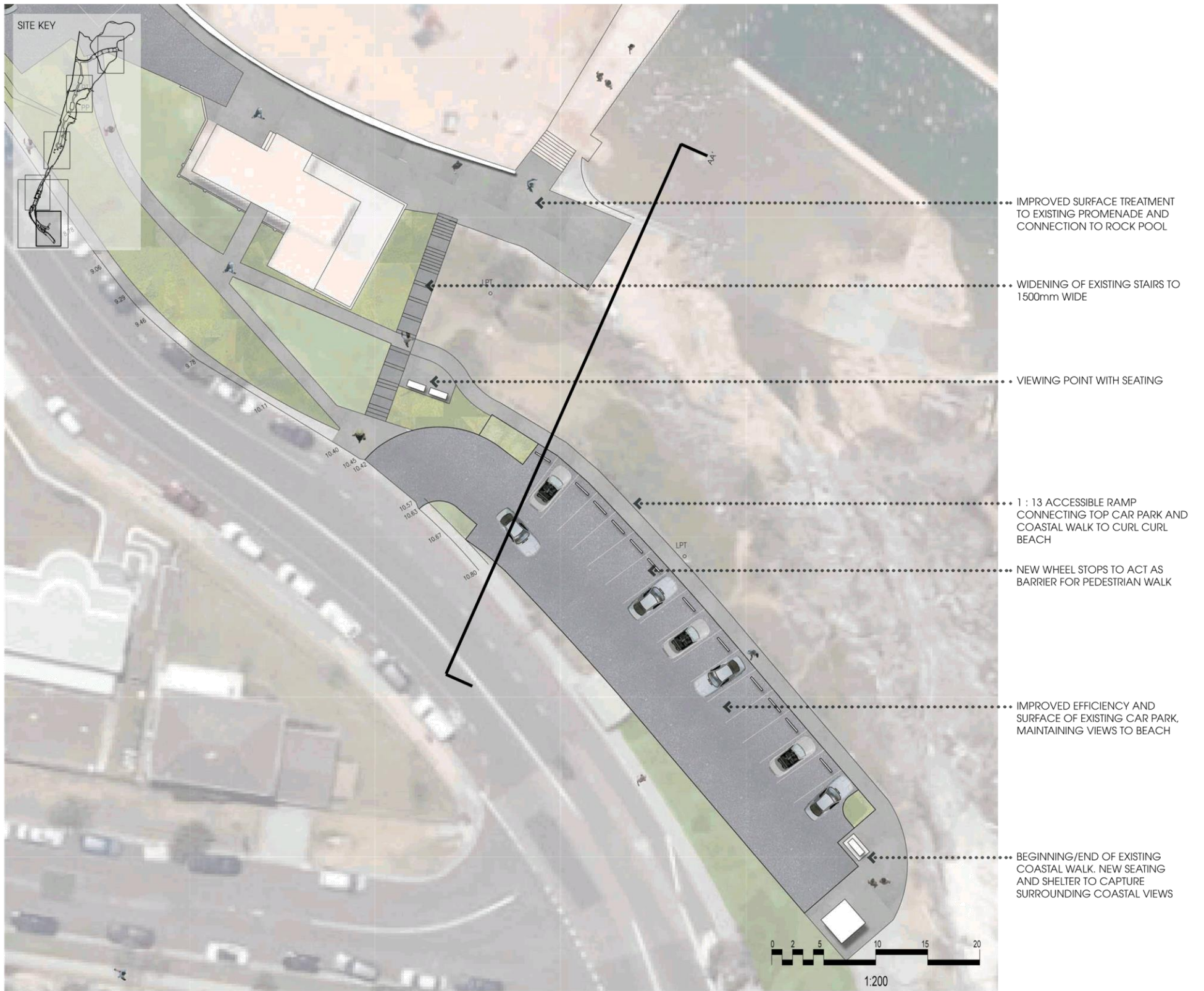


CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN - 07



SECTION AA' - 1 : 100

CURL CURL BEACH
LANDSCAPE DRAFT MASTERPLAN - 08



SECTION AA' - 1 : 100



ITEM 8.12	FUNDING OFFER FROM TRANSPORT FOR NEW SOUTH WALES (TFNSW)
REPORTING MANAGER	GROUP MANAGER ROADS TRAFFIC & WASTE
TRIM FILE REF	2014/241002
ATTACHMENTS	1 Projects East Side Pittwater Road (Attachment 1) 2 Projects West Side of Pittwater Road (Attachment 2)

EXECUTIVE SUMMARY

PURPOSE

To obtain Council approval to accept the funding offered by Transport for NSW (TfNSW) for footpath and cycle way works in Dee Why and Brookvale.

SUMMARY

TfNSW has offered \$520,000 for Council to spend on infrastructure development as part of its Transport Access Program.

In conjunction with Council's strategic planning documents, TfNSW has selected footpaths and shared paths that will result in improved access to the Dee Why and Brookvale transport interchanges.

It is recommended that Council accept the \$520,000 funding from TfNSW and construct footpaths and shared paths at the agreed locations. This program will deliver 1490 m of footpath and 590 m of cycle way.

FINANCIAL IMPACT

As the proposed project is funded by TfNSW, there will be no financial impact to Council.

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council:

- A. Accept the funding of \$520,000 offered by Transport for NSW for the construction of the footpaths and shared paths at the agreed locations in Brookvale and Dee Why.
 - B. Authorise the General Manager to enter into a deed of agreement with Transport for NSW for the infrastructure works in Dee Why and Brookvale.
-

REPORT

BACKGROUND

The NSW Government's Transport Access Program is aimed at the delivery of accessible, modern, secure and integrated transport infrastructure in parts of NSW where it is needed most. This program puts a focus on investing in accessible public transport and making the network easier for customers to use. Transport for NSW (TfNSW) is responsible for the delivery of this program.

TfNSW have offered Council funding of \$520,000 to spend on infrastructure development as part of the program. In conjunction with Council's strategic planning documents, TfNSW has selected footpaths and shared paths that will result in improved access to the Dee Why and Brookvale transport interchanges.

The following documents were used as the basis for determining where the money could be spent:

- The Pedestrian Access and Mobility Plan
- Warringah Bike Plan
- The maps provided by TfNSW to Council showing pedestrian and cyclist catchments
- Sydney's Walking Future – Connecting people and places
- Sydney's Cycling Future – Cycling for everyday transport and
- NSW Long Term Transport Master Plan

It should be noted that Dee Why and Brookvale are both identified as major centres in *Sydney's Walking Future – Connecting people and places*, published December 2013 by TfNSW.

The agreed footpaths and shared paths selected by TfNSW are detailed in the following table and shown on the attached maps. Attachment 1 and Attachment 2 show the locations of the proposed work. The works will be completed by 30 May 2015.

Site Ref	Road	Suburb	From	To	Length	side	Cost estimate
A	Pittwater Road	Brookvale	Brookvale Bus Depot	Brookvale Bus Interchange	80	east	\$25,000
B	Ada Avenue	Brookvale	Wattle Road	Orchard Road	150	east	\$60,000
C	Corrie Road	North Manly	Wyadra Avenue	William Street	170	east	\$35,000
D	Corrie Road	North Manly	Wyadra Avenue	Sterland Avenue	50	west	\$13,000
E	Orara Road	Allambie Heights	Kentwell Road	Fishbourne Road	340	west	\$60,000
F	Short Street link way to William Street through Grosvenor Place	Brookvale	Grosvenor Place	Short Street	110	reserve	\$36,000
G	Amourin Street	North Manly	Harbord Road	Short Street	540	south	\$85,000
H	Fishbourne Road	Allambie Heights	Smith Avenue	Condamine Street	160	north	\$28,000

Site Ref	Road	Suburb	From	To	Length	side	Cost estimate
I	Fisher Road	Dee Why	Kingsway	Regent Street	110	east	\$25,000
J	McIntosh Road	Dee Why	Victor Road	Vale Road	320	north	\$95,000
K	Moorilla Street	Dee Why	Moorilla Street	Pittwater Road	50	reserve	\$58,000

CONSULTATION

No community consultation has been undertaken on this project proposal at this stage. Given the level of public support received by Council in the past for the construction footpaths and shared paths, it is envisaged there will be a lot of public support for this project.

TIMING

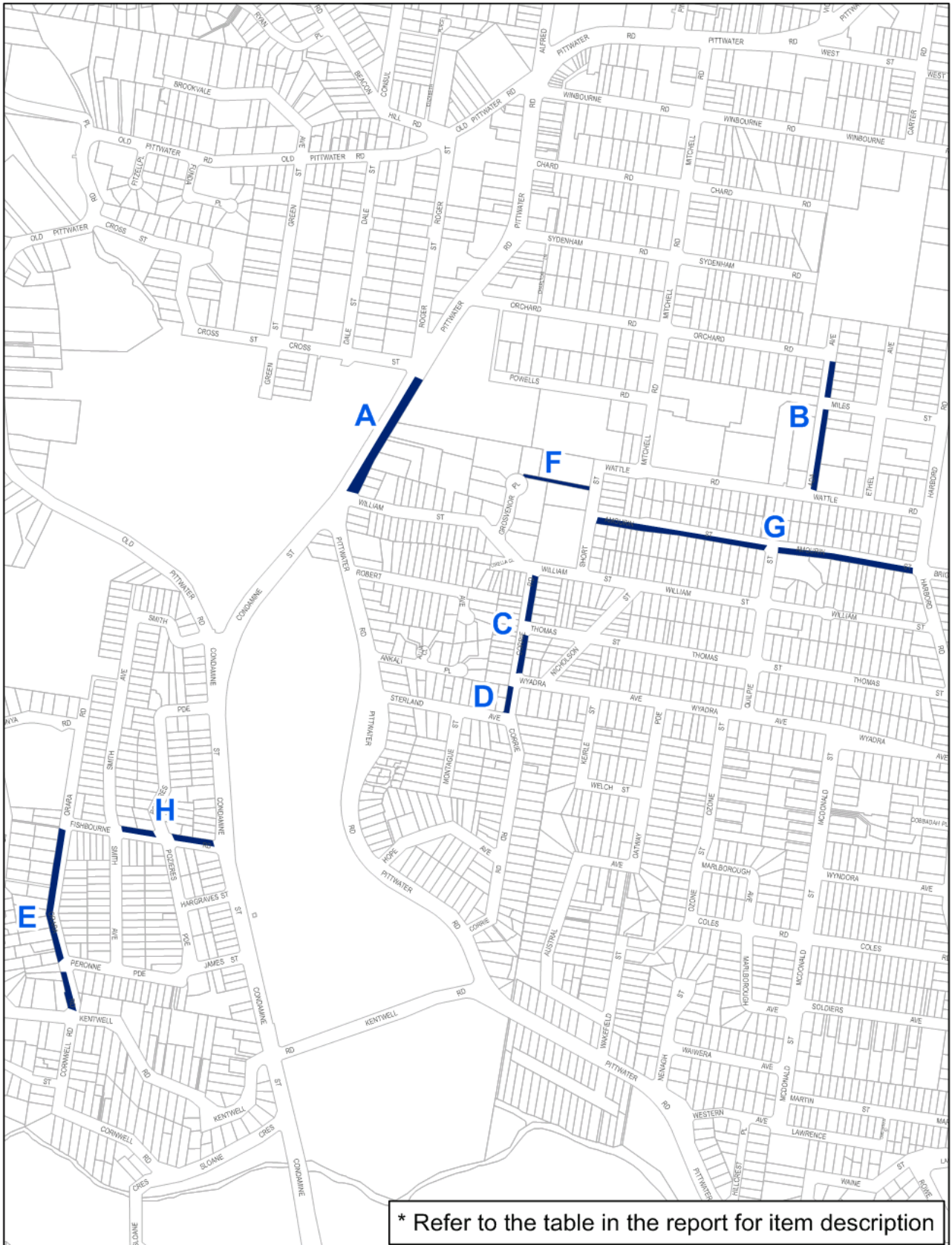
The works will be completed by 30 May 2015.

FINANCIAL IMPACT

As the proposed project is funded by TfNSW, there will be no financial impact to Council. Council's Chief Financial Officer does not raise any objections from a financial perspective.

POLICY IMPACT

Nil



ITEM 8.13	2014/15 SPORTING GROUP CAPITAL ASSISTANCE GRANTS PROGRAM - ROUND 2
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2014/243877
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To recommend the allocation of funds from the 2014/15 Sporting Group Capital Assistance Grants Program – Round 2.

SUMMARY

On 24 June 2014 Council resolved that:

A second round of the Sporting Groups Capital Assistance Grants be held immediately to allocate the remaining \$100,282 with the panel's recommendation brought to the 5 August 2014 Council Meeting.

The second round of the sports grants opened 12 July and closed 11 August 2014. Three applications were received. A total of \$31,567 was requested.

As required, an independent panel is selected from members of Council's Strategic Reference Groups (SRG) to assess grant applications. Given the timeline to complete this second round of sports grants, panel members from round 1 were invited and agreed to participate in round 2.

The grants panel has recommended that a total of \$26,762 be allocated, across three projects, from the \$100,282 available for this grant round. If approved, there would be \$73,520 unallocated from the 2014/2015 sports grants budget.

Due to the inability to allocate all funds after two rounds in 2014/2015 Parks, Reserves and Foreshores (PRF) recommends \$50,000 of the remainder be allocated to Griffith Park sports field new irrigation, a project that is ready to commence and would add value to this area and the remaining \$23,520 be added to the 2015/2016 Sporting Groups Capital Assistance Grants program with concentration on building interest and awareness of this program in the sporting community.

FINANCIAL IMPACT

The grants panel has recommended that a total of \$26,762.50 be allocated, across three projects, from the \$100,282 available for this grant round. PRF recommends \$50,000 of the remainder be allocated to Griffith Park sports field new and \$23,520 be allocated to the 2015/2016 Sporting Groups Capital Assistance Grants program.

POLICY IMPACT

The grants process has been administered in accordance with Council's Grants and Sponsorship Policy (2011)

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

A. That Council approve these grants from the 2014/2015 Sporting Groups Capital Assistance

Grants, Round 2;

1. Forest District Rugby Club to establish a new warm up area at the rugby field at the Forestville War Memorial Playing Fields, \$9,000.
 2. Manly Warringah Kayak Club for a new pathway from the Manly Warringah Kayak Club clubhouse at Berry Reserve to the edge of Narrabeen lagoon, \$10,000.
 3. Manly Warringah Softball Association for four new seats at the Abbott Road Softball ground, John Fisher Park, \$7,762.
- B. That the balance of funds from the 2014/2015 Sporting Groups Capital Assistance Grants, Round 2 of \$73,520 be allocated as follows;
1. Griffith Park sports field new irrigation \$50,000.
 2. 2015/2016 Sporting Groups Capital Assistance Grants \$23,520.
-

REPORT

Council's annual Community Grants Program funds not-for-profit community organisations to implement projects and programs in the Warringah local government area. The program includes three types of grants; Community Development (recurring and one-off), Cultural Development and Sports Capital. The grants program is administered in accordance with Council's Grants and Sponsorship Policy (2011).

At the 24 June 2014 Council meeting the grant allocations were approved for the 2014/2015 Community Grants Program. As the sports grant budget for 2014/2015 was not fully allocated Council also resolved that:

A second round of the Sporting Groups Capital Assistance Grants be held immediately to allocate the remaining \$100,282 with the panel's recommendation brought to the 5 August 2014 Council Meeting.

The Sporting Groups Capital Assistance Grants aim to improve sport and recreation facilities in Warringah and to enhance opportunities for sport, recreation and physical activity. Applicants can receive up to 50% of the expenditure for an approved capital project and are to fund the remainder.

The budget for the 2014/2015 Sporting Groups Capital Assistance Grants is as follows:

Round 1: Approved grants (24/6/14) \$149,718

Round 2: Funds for allocation \$100,282

Total budget 2014/2015 \$250,000

The second round of the sports grants opened 12 July 2014 and closed 11 August. The Program was promoted via:

- Manly Daily.
- Council's website.
- Direct contact with sport and recreation groups.
- Sporting Union.
- Meetings held with the unsuccessful applicants from round 1

As required, an independent panel is selected from members of Council's Strategic Reference Groups (SRG) to assess grant applications. Given the timeline to complete this second round of sports grants, panel members from round 1 were invited and agreed to participate in round 2. The sports grant panel members are outlined in the following table.

Name	Staff / SRG Member	Panel Role	Voting Status
Damian Ham	Manager Recreation Management	Convenor	Voting Council member
Christine Deaner	Senior Recreational Service Planner	Administration	Non-voting Council member
Patrick Wong	Member Open Space & Recreation SRG	Community representation	Voting
David Morrisey	Member Open Space & Recreation SRG	Community representation	Voting
Paul Smith	Member Open Space & Recreation SRG	Community representation	Voting

Three applications were received for round 2 of the sports grants. These applications were screened by Council staff for eligibility. The Panel assessed eligible applications against the required assessment criteria.

- Project Merit.
- Community Development and Participation.
- Organisational Capacity.
- Project Budget.

The panel met on 18 August 2014 to discuss their assessment and to make recommendations. The panel's recommendations are outlined in the table below.

Applicant	Project	Total Project Cost (ex GST)	Funds applied for (ex GST)	Funds recommended (ex GST)	Comments
Forest District Rugby Club	Establish a new warm up area at the rugby field at the Forestville War Memorial Playing Fields.	\$18,000	\$9,000	\$9,000	A new warm up area will provide a dedicated area off the playing field for players to warm up prior to matches.
Manly Warringah Kayak Club	New pathway from the Manly Warringah Kayak Club clubhouse at Berry Reserve to the edge of Narrabeen lagoon.	\$20,000	\$10,000	\$10,000	A new pathway will improve access for people with a disability from the Kayak Clubhouse to Narrabeen Lagoon
Manly Warringah Softball Association	Four new seats at Abbott Road Softball ground, John Fisher Park.	\$15,525	\$7,762	\$7,762	New seating will improve conditions for volunteers and encourage more spectators to attend.
Manly Warringah Kayak Club	Purchase three purpose built kayaks modified for disabled access.	\$9,609	\$4,804	\$0	Not deemed to be a capital project.
	Totals	\$63,134	\$31,566	\$26,762	

The panel has recommended that a total of \$26,762 be allocated, across three projects, from the \$100,282 available for this sports grant round. A total of \$73,520 was not recommended for allocation. At the panel meeting of 18 August, Council staff indicated that the unallocated grant funds could be considered for rolling over to the 2015/2016 sports grant program and or a sports capital project. Two panel members recommended that all the unallocated funds be rolled over to the 2015/2016 Sports Grant Program. One panel member recommended that the unallocated funds be used in 2014/2015 by Council for a planned sports infrastructure project.

Due to the inability to allocate all funds after two rounds in 2014/2015 Parks Reserves and Foreshores (PRF) does not recommend rolling the entire \$73,520 into next year's Grant Program. PRF has identified that installation of new irrigation at the Griffith Park sports field would be a potential project to consider for use of unallocated grant funds. The project estimate is \$50,000. This project will enhance the quality of the playing surface for cricket and rugby and was planned for 2015/2016. Also, this will complete the upgrade of this area. Over the last few years there has been an upgrade to the Griffith sports field lights, cricket wicket, car park and amenities. The sports grants are funded via Section 94a funds - the Griffith Park irrigation project aligns with the requirements of Section 94a and is ready for construction.

PRF recommends the remaining \$23,520 be added to the 2015/2016 Sporting Groups Capital Assistance Grants. The Panel had requested that there be a higher level of promotion of future sports grants to increase the number of applications. It is proposed to extend the period in which applicants can apply. In the 2014/2015 grants program, applicants had a month to apply.

FINANCIAL IMPACT

The panel has recommended that a total of \$26,762.50 be allocated, across three projects, from the \$100,282 available for this grant round. PRF recommends \$50,000 of the remainder be allocated to Griffith Park sports field new and \$23,520 be allocated to the 2015/2016 Sporting Groups Capital Assistance Grants program.

POLICY IMPACT

The grants process has been administered in accordance with Council's Grants and Sponsorship Policy (2011).

10.0 NOTICES OF MOTION

ITEM 10.1	NOTICE OF MOTION NO 11/2014 - PASSING OF MRS JOY LISTER, FOUNDATION PRESIDENT OF MANLY WARRINGAH NETBALL ASSOCIATION
TRIM FILE REF	2014/254285
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

That Council:

1. Notes with sadness the passing of Mrs Joy Lister who was the first President of the Manly Warringah Netball Association in 1965/66, the first President of the Queenscliff Netball Club, and in honour of her outstanding service to netball was awarded Life Membership of the Manly Warringah Netball Association in 1971, Life Membership of Queenscliff Netball Club in 1969 and the NSW Netball Association's Anne Clark Outstanding Service to Netball Award in 1977.
 2. Acknowledges and commends the outstanding community work of Mrs Joy Lister in helping to establish a netball association that has now become the second largest in the Country and is the home of numerous NSW and Australian netball representatives.
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FUNDING SOURCE

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

ITEM 10.2	NOTICE OF MOTION NO 12/2014 - 50TH ANNIVERSARY OF THE 1ST COLLAROY PLATEAU SCOUT GROUP
TRIM FILE REF	2014/254298
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

1. That this Council notes that:
 - a. The 1st Collaroy Plateau Scout Group celebrated its 50th Anniversary on Sunday 17 August 2014.
 - b. The 1st Collaroy Scout Group was founded in 1964 and has been operating continuously since then from its Scout Hall on the corner of Lakeside Road and Goodwin Street, Narrabeen.
 2. That this Council acknowledges and congratulates the 1st Collaroy Plateau Scout Group on its 50th Anniversary and commends all those involved in the Group who have made a contribution to our community over the last 50 years.
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FUNDING SOURCE

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

11.0 QUESTIONS ON NOTICE

ITEM 11.1	QUESTION ON NOTICE NO 19/2014 - PERFORMANCE REVIEWS OF DEVELOPMENT ASSESMENT OFFICERS
TRIM FILE REF	2014/246828
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

When performance reviews are undertaken of development assessment officers are the amount of development applications assessed by the respective officer which are not later referred to the Land and Environment Court taken into consideration?

ITEM 11.2	QUESTION ON NOTICE NO 20/2014 - RENTS CHARGED ON COMMUNITY BUILDINGS
TRIM FILE REF	2014/246855
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In relation to Memo 2014/232803 dated 29 July 2014 documenting the buildings for which the Community Rental Subsidy Policy will apply could the rental charge proposed for each building please be advised?

ITEM 11.3	QUESTION ON NOTICE NO 21/2014 - WARRINGAH CREATIVE SPACE OVERRUN OF BUDGET FOR BUILDING WORKS
TRIM FILE REF	2014/246873
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What was the total overrun, if any, for the expenditure on the Warringah Creative Space?

12.0 RESPONSES TO QUESTIONS ON NOTICE

ITEM 12.1 RESPONSE TO QUESTION ON NOTICE NO 16/2014 - FUNDS FROM PARKING FINES

TRIM FILE REF 2014/186392

ATTACHMENTS NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

What is the total amount of money received by Warringah Council in parking fines from the commencement of the financial year to the present?

RESPONSE

Warringah Council issued Penalty Infringement Notices (for parking and road related offences) with a face value of approximately \$2,719,394.

ITEM 12.2	RESPONSE TO QUESTION ON NOTICE NO 17/2014 - COST OF COUNCIL WEBSITE/SOCIAL MEDIA
TRIM FILE REF	2014/186395
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Since the initial allocation of \$500,000 for Council's new website/social media, what is the total amount of funds expended to date?

RESPONSE

Advice was provided on 27th September 2013 that in accordance with Council's approved budget, a total of \$553,634 had been spent.

Since that time approximately \$52,000 has been expended to deliver additional functionality for community engagement, volunteerism and accessibility. This also includes promotions which include Lifeguard open days, family daycare vacancies, disability and senior services, listing of employment, trainee and volunteerism opportunities. This spend has been in accordance with Council's approved budget.

ITEM 12.3	RESPONSE TO QUESTION ON NOTICE NO 18/2014 - REDUCING STAFFING COSTS
TRIM FILE REF	2014/186399
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

I note that a Sydney Morning Herald article dated 12 June 2014 states that Warringah Council is the 4th highest paying Council in staff costs in the State, paying on average \$99,879 per each equivalent permanent staff member (excluding contractors and casual staff). What strategy does the General Manager have to reduce staffing costs bringing them into line with similar sized Councils like The Hills, Hornsby and Liverpool City?

RESPONSE

Council continually looks for opportunities to provide its services to the community on the most cost effective means possible including outsourcing services such as waste collection to ensure those services are delivered at the lowest available cost. It should be noted that The Hills (311), Hornsby (303), and Liverpool City (297) in fact have a much higher number of Full Time Equivalent employees per capita than Warringah (268).

It should also be noted that the information provided in the article is based on full time equivalent staff numbers as at 30 June. This does not take account of:

1. The relatively high proportion of casual staff utilised in areas such as Children's Services
2. Council's high proportion of seasonal staff such as life guards who do not work during the winter season, thereby artificially inflating the average cost per employee
3. Whether lower paying functions such as garbage collection which can be more efficiently provided by the commercial sector are outsourced.

13.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

- A. That, in accordance with the requirements of Section 10 of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
- a Item 13.1 RFT 2014/051 - Civic Centre Fire Hydrants & Hose Reels Upgrades on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].
- This report discusses commercial information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the confidentiality, privilege or security of such information.
- b Item 13.2 RFT 2014/048 - Services for Provision of Traineeship Program on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].
- This report discusses the acceptance of a tender and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the commercial position of the person who supplied it.
- c Item 13.3 RFT 2013/116 - Receive, Process and/or Dispose of Municipal Solid Waste from the SHOROC Councils on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].
- This report discusses tender submissions and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would reveal commercial information of the tenderers.
- B. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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