

5

Local Government Act 1993, Local Government (General) Regulation 2005 and other statutory information.

Statutory Returns

Local Government Act 1993

Section 428 (2) (a)

Financial Statements

Our audited Financial Reports for the 2009 – 2010 financial year are presented on pages 182 to 262.

Section 428 (2) (b)

Performance of Principal Activities in the Management Plan

Our performance against Principal Activities in the Strategic Community Plan 2009 is presented on pages 38 to 89.

Section 428 (2) (c)

Environment Report

The regional State of the Environment Report 2009 – 2010 is published in a separate document and available to view at www.warringah.nsw.gov.au.

Section 428 (2) (d) (i) (ii) (iii)

Public Works Report

Warringah Council's public buildings, roads and drainage infrastructure assets include:

- 243 building structures
- 26.0 km of sealed regional road pavement
- 471.2 km of sealed local road pavement
- 1.78 km of gravel road pavement (excluding Crown Roads)
- 835.9 km of kerb and gutter (excluding State Roads)
- 267.1 km of footpath
- 24 car parks
- 53 road and pedestrian bridges
- 246 bus shelters
- 471 traffic facilities
- 440kms of stormwater pipes, culverts and channels (approx.)
- 15,000 stormwater pits (approx.)
- 100 water quality devices
- 20 stormwater detention basins

(\$million)	Buildings	Roads	Drainage
Estimated cost to bring assets to a satisfactory condition	\$5.267m	\$2.154m	\$4.173m
Estimated annual maintenance expense	\$2.666m	\$1.515m	\$2.150m
Actual maintenance expense	\$2.318m	\$1.406m	\$0.065m

Public Buildings

Warringah Council's public buildings include 243 separate building structures, comprising 273 different functional components (i.e. a building that includes a swimming club and public amenities has 2 functional components within the single building structure).

Our public buildings are used for civic responsibilities and administration, public amenities, childcare, community facilities, libraries, surf clubs, swim clubs, sporting facilities, bushfire brigades and emergency services, rented buildings as well as recycling and waste facilities.

The estimated replacement value of Council's public buildings during 2009 – 2010 was \$212.5million.

We have developed a ten year program to rectify backlogs and conduct significant capital works to replace, renew and rehabilitate Council's public buildings. We have recently completed year 3 of this program. We have identified increased funding levels needed for planned maintenance to buildings; and we are undertaking a Levels of Service Star Rating program to assess the services that the buildings are providing.

In 2009 – 2010, \$11.25 million of capital works was spent to improve the standard of Council's buildings. In addition, a maintenance programme was conducted and included activities such as cleaning, repairing vandalism and graffiti, painting, emergency callouts, security, and other minor plumbing, electrical and carpentry repairs. Approximately \$3 million was spent on maintaining Council's buildings to their current standard.

In 2010 – 2011, a further \$14.7 million of capital works projects and \$3.1 million maintenance is included in the Strategic Community Plan to continue to improve the standard of Council's Public Buildings.

The condition of Council's Public Buildings by the end of 2009 – 2010 was:

Excellent / New	3%
Good	32%
Satisfactory	45%
Fair	19%
Poor	1%

Public Roads

We manage the local public road network and associated infrastructure including paved footpaths and stormwater drainage. This encompasses 26.0 km of Regional Road, 473km of local roads, traffic facilities, footpaths, car parks, street name signs and associated street furniture.

It does not include roads managed and maintained by the Roads and Traffic Authority namely; Pittwater Road, Warringah Road, Forest Way, Wakehurst Parkway, Condamine Street and Mona Vale Road, Burnt Bridge Creek Deviation, McCarrs Creek Road and Liberator General San Martin Drive. Further, it does not include Crown Roads or other unformed roads not maintained by Council.

A pavement management system is used to manage the condition of the local road network, collecting and analysing data on the road surface, roughness and traffic volumes to determine the most cost-effective maintenance treatment to be applied.

Footpaths are inspected for defects monthly, six-monthly and annually depending on their location, and a risk management process is used to prioritise works.

In 2009 – 2010, works on the road network included 121,111 square metres (15.1 km) of road resurfacing, the replacement of 3,300 metres of footpath and 25 kerb access ramp upgrades, the construction of 2,103 metres of new footpath and the reconstruction of Richmond Avenue carpark and the resurfacing of 6 carparks.

Condition of Public Roads 2009 – 2010

Excellent	39.7%
Good	44%
Satisfactory	15%
Fair	0.3%
Poor	1%

Stormwater Drainage

Our extensive drainage network's total replacement cost is valued at approximately \$332.8 million dollars. The stormwater program consists of maintenance and capital expenditure.

The maintenance program includes clearing blockages from pits and pipes, rehabilitation of damaged assets, removal of obstructions from watercourses and channels as well as the cleaning of water quality devices such as gross pollutant traps. From the stormwater maintenance operational, the following activities were completed during the 2009 – 2010 financial year:

Stormwater maintenance:

- 60 drop holes were repaired
- 78 pits were repaired
- 45 pipeline repairs
- 751 pits were cleaned
- 550m of pipeline cleaned
- 1.7km's of open drains cleaned
- Water Quality Device (WQD) maintenance:
- 206 cleans were carried out on Warringah Council's WQD's.

Council's Emergency Stormwater Works funding allocation identified in the capital works program funds emergency reactive works including inspections of problem pipelines with closed-circuit television (CCTV) cameras to assist with diagnosis. From these inspections, defects are identified and the pipeline is assigned a condition rating which when combined with a risk assessment, assists prioritisation of future works.

2009 – 2010 capital works program included the replacement and upgrade of approximately 120 metres of stormwater pipeline including 6 pits.

Estimated Condition of Stormwater Drainage 2009 – 2010:

Excellent	13%
Good / satisfactory	86%
Fair / poor	1%

Local Government Act 1993

Section 428 (2) (e)

Summary of Legal Proceedings

During 2009 – 2010 the following expenses were incurred in relation to legal proceedings:

Proceedings favourably finalised	\$ 292,004
Discontinued	\$ 10,132
Proceedings not favourably finalised	\$ 73,211
Proceedings not finalised	\$ 240,487
TOTAL	\$ 615,834

Discontinued

Warringah Council ats Transport Workers' Union

Warringah ats Tawaf

Warringah ats Owners SP 7708

Warringah ats Howard

Warringah v Fornay

Warringah v Harvey & Ors

Warringah v Ball

Warringah v Bonello & Jones

Warringah v Raveane

Warringah v Fornay Pty Limited

Warringah v Devin

Proceedings favourably finalised

Warringah Council ats Beacon Hill Retirement Pty Limited

Warringah Council ats Mosman Church of England Preparatory School

Warringah ats Ryals

Warringah ats Severino

Warringah ats Lucia

Warringah ats Larsen

Warringah ats Santarosa

Warringah ats Madison Group Pty Limited

Warringah ats Ryals

Warringah v Swain

Warringah v Brown

Warringah v Mills

Warringah v Cheung

Warringah v Freel

Warringah v Poasa

Warringah v Malouf

Warringah v Nankervis

Warringah v Ma

Warringah v Zey

Proceedings not favourably finalised

Warringah ats Barton Securities

Warringah v Holman

Warringah v Leol

Warringah ats Ryals

Proceedings not finalised

Warringah ats Franks

Warringah vs Kahwam

Warringah ats Young

Warringah ats Devin

Warringah ats Lipman

Warringah ats Howard

Warringah ats Gibson

Warringah ats Adavale Investments Pty Limited

Warringah ats Narrabeen Investments Pty Limited

Warringah ats Georgouras

Warringah ats Bluejay Holdings Pty Limited

Warringah v Ma

Warringah ats Murray

Warringah v Gray

Warringah v Hassan

Warringah v Araise Property Group

Warringah v Bruna

Warringah v Planning Outcomes

Warringah v Henderson

Warringah v Mitry

Warringah v Cheng

Warringah v Staniland

Warringah v McHardy

Section 428 (2) (f)

Mayor/Councillor Fees and Expenses

During the 2009 - 2010 financial year the Mayor and Councillor fees amounted to \$249,719. This included:

Mayoral fee: \$52,410

Councillors fee: \$197,300

Council's policy on Payment and Reimbursement of Expenses Incurred by, and Provision of Facilities to, the Mayor, Deputy Mayor and Councillors is available at Council's website www.warringah.nsw.gov.au or via Customer Service.

During 2009-2010 an amount of \$113,651.70 (not including the Mayoral and Councillor fees referred to above) was incurred by Council under this policy for the provision of facilities and payment of expenses for the Mayor and Councillors. Further details on the reportable expenses can be found on page 169 of this report.

Section 428 (2) (g)

Section 339 Senior Staff Contracts

There were four senior staff positions employed under contract by Council between 1 July 2009 and 30 June 2010.

These positions were: General Manager, Director Community and Environmental Services, Director Corporate Services, Director Planning and Development Services.

All senior staff follow the standard contract formats issued by the Department of Premier and Cabinet – Division of Local Government and are subject to performance agreements.

The contract term for the General Manager and Director Community and Environmental Services is five years. The contract term for the Director Corporate Services and Director Planning and Development Services is four years. The total remuneration packages applicable to each senior staff contract are detail on page 170.

Section 428 (2) (h)

Contracts awarded in 2009 – 2010 for goods and services in excess of \$150,000

Contractor	Good and services provided	Approx. value as approved by Council
McCracken's Water Services inc	Warringah Aquatic Centre- Backwash recycling Project	\$187,150 one off
Panel of contractors: AGL Pty Ltd and TRUEnergy Pty Ltd	Electricity Supply	\$1,500,000 over 18 months
Panel of contractors: M Collins & Sons (Contractors) Pty Ltd and The Green Horticulture Group Pty Ltd	Grass Replacement 2009 -2011	\$300,000 over 2 years
Panel of contractors: Plateau Tree Services, Active Tree Services, Advanced Arbor Service Pty Ltd and Bolans Tree Services	Tree Pruning and removal services	\$846,000 per year over 2 years
Graffiti Clean Pty Ltd	Graffiti Removal Services	\$250,000 per year over 3 years
Kinsley Construction Pty Ltd	Brookvale Oval Revitalisation Work stage 1	\$2,054,207 one off
Panel of contractors: Broadlex Services Pty Ltd, Northern Contract Cleaning Pty Ltd and Quad Services Pty Ltd	Cleaning Services for Warringah Council Properties	\$676,204 per annum over 2 years
Pan Civil Pty. Ltd.	Rock Wall Remediation Works at Delmar Parade, Dee Why	\$210,000 one off
ESD Landscape Contractors Pty Ltd	Weldon Oval Rectification Works	\$1,048,120 one off
Contract Control Services PTY LTD	Upgrade Works to Dee Why Library and Civic Centre Buildings	\$1,468,551 one off
ESD Landscape Contractors Pty Ltd	Landscape Construction Works – Manly Vale Playground and Community Garden	\$227,314 one off
Fleetwood Urban Pty Ltd	Construction of Narrabeen Lagoon Multi-Use Trail – Stage 1	\$2,072,191 one off
GSA Pty Ltd	Design Consultancy for the Collaroy Accessible Tourism Precinct	\$177,100 one off
Panel of contractors: Luhrmann Environment, Image Property Detailing, Marsupial and Gecko Maintenance	Grass Maintenance Tender 2010-055	\$435,000 per annum over 3 years

Local Government Act 1993

Section 428 (2) (i)

Bushfire Hazard Reduction

Warringah Council is a member of the Warringah Pittwater District Bush Fire Management Committee with a hazard reduction program involving hazard burns and manual fuel reduction works as well as they co-ordinate the Bush Fire Risk Management Plan for the district. During 2009 – 2010, 31 hazard reduction burns took place in the Warringah Pittwater district, totalling 952.4 hectares.

Section 428 (2) (j)

Multicultural Services Activities

As a Council, we are responsible for exercising our functions "in a manner that is consistent with and actively promotes the principles of multiculturalism" (Local Government Act 1993). In 2009 – 2010 we undertook a number of initiatives to assist with or promote multicultural issues in the area.

Each year we celebrate the International Day of Peace with a ceremony at Oxford Falls Peace Park. This year's Peace Park picnic was brimming with activities to soothe the soul and calm the mind. Special guests included local peace activists and film makers Richard and Wendy Friar, who produced the documentary on world peace and democracy titled Think About It.

Musical performances by A Capella Chior The Owls and the Pussycats and the Northern Beaches Youth Orchestra were well received, as were our origami crane – a Japanese symbol of peace – making workshops and free yoga sessions.

We also regularly welcome new citizens into our community through our monthly citizenship ceremonies. During the 2009 – 2010 financial year, we welcomed over 800 new citizens from 71 different countries.

We celebrated multiculturalism in the Warringah community through events such as our annual Guringai Festival, which is held each year to raise awareness about Aboriginal and Torres Strait Islander people living in the northern Sydney area. This year's Guringai Festival theme was Living Languages in recognition of the nationwide work of retrieving and reviving dormant Aboriginal languages (see above for information).

We also have a Reconciliation Action Plan, which aims to enhance our services, ceremonial and employment practices to enable greater participation of local Aboriginal and Torres Strait Islander people in Warringah.

Section 428 (2) (k)

Council Works on Private Land

Nil.

Section 428 (2) (l)

Grants and donations

2009/2010 Grants and Donations	Amount
Recipients	
Anglicare North Manly Daycare Centre	\$100
Collaroy Surf Life Saving Club Inc	\$5,395
Computer Pals For Seniors Nthn Beaches	\$4,337
Cubby House Toy Library Inc	\$4,040
Dee Why RSL Day Care Club	\$100
Dee Why School For Seniors	\$100
Dee Why Senior Citizens Club Inc	\$100
Dee Why Surf Life Saving Club	\$5,395
Disabled Alternative Road Travel Service	\$2,000
Eramboo Reserve Trust	\$3,000
Eurofest Cultural And Sporting Association	\$2,000
Forest & Terrey Hills Seniors Club Inc	\$2,450
Freshwater Surf Life Saving Club	\$5,395
Harbord Diggers Daycare Club	\$100
Kaddy Transport	\$100
Lifestart Cooperative Ltd - Nth Beaches	\$3,103
Literacy Network Manly Warringah Inc	\$2,000
Long Reef Surf Life Saving Club Inc	\$5,395
Manly Vale Community Kindergarten	\$925
Manly Warringah Choir Inc	\$2,000
Manly Warringah Pipe Band Inc.	\$5,000
Manly Warringah Pittwater Community Aid	\$3,800
Manly Warringah Pittwater Community Transport	\$3,000
Narrabeen Beach Surf Life Saving Club Inc	\$305,395
North Curl Curl Surf Life Saving Club Inc	\$5,395
North Narrabeen Surf Life Saving Club Inc	\$5,395
Northern Beaches Eisteddfod	\$2,000
Northern Beaches Food Services Inc	\$6,200
Northern Beaches Interchange	\$3,500
Northern Beaches Tafe	\$150
Northside Community Connect	\$50,464
Peninsula Senior Citizen Toy Repair Group	\$1,066
South Narrabeen Surf Life Saving Club	\$5,395

2009/2010 Grants and Donations cont.	Amount
St John The Apostle Community Dinners	\$5,000
St Vincent de Paul Society Northern Beach	\$5,000
St Vincent de Paul Youth Reach	\$564
St. John Ambulance	\$150
Sth Curl Curl Surf Life Saving Club Inc	\$5,395
Street Work Inc - Northern Beaches	\$4,000
Surf Life Saving Sydney Nth Beaches Branch	\$11,329
Sydney Coastal Councils Group Inc.	\$20,370
Terrey Hills Community Library	\$19,332
The Book Lovers Warringah Inc	\$1,033
The Burdekin Association	\$12,300
Tibetan Community Of Australia	\$2,000
Visually Impaired Persons Group	\$100
Warringah Pittwater Ses	\$1,200
Warringah Printmakers Studio	\$2,000
Total	\$534,567

Section 428 (2) (m)

Human Resources Activities

The Human Resources (HR) team supports all staff in achieving efficient and effective business outcomes for our ratepayers and residents. During the year the team was completely restructured including some headcount reductions. HR has adopted a more customer centric model providing dedicated consultants to specific areas of the operation.

Overall improvements resulted in significant cost savings which have enabled the team to reduce budget for the next year.

Warringah Council provides more than 600 jobs in the local community, with over 75% of the workforce living on the northern beaches.

During 2009 – 2010, HR provided recruitment support for more than 179 vacancies/placements for permanent full-time, permanent part-time, temporary, casual and contract positions. During the year our recruitment went online, significantly reducing printed paper and improving the number and quality of candidates. Further improvements included a significant reduction in print advertisement costs.

Staff turnover (excluding casual and temporary employees) for 2009 – 2010 was 10.8% (approximately 2.5% less than for the previous year).

During 2009 – 2010, the computerised HR information system continued to provide employees with the self-serve facility (“Kiosk”), allowing staff online access to their own personnel information (including pay and leave details, personal information, training records).

The kiosk was further improved to enable staff to request leave “online”. This has reduced the administrative requirements for leave and ensures leave is properly deducted.

A significant focus for learning and development activities during the period related to OH&S, compliance, IT systems and soft skills; with 292 training sessions conducted for 2071 staff attendances.

The range of training courses available to our staff were significantly increased during the year with an increasing focus on business and customer service skills. A further six major training programs were fully scoped during the year. These programs will go to tender to enable a customised Warringah curriculum to be developed ensuring staff have improved business, customer service and leadership skills.

Leadership conferences continued for the Senior and Executive Management Team and Team Leaders, resulting in strengthened peer relationships and improved internal communication and cooperation.

Our safety performance continued a positive trend, however the excellent results of the previous year were not duplicated. The lost time frequency rate for the year was 19 which indicates that for every millions hours worked there were on average 19 injuries. Overall for the year there were 20 lost time injuries.

Section 428 (2) (n)

Equal Employment Opportunities (EEO) Activities

Our Equal Employment Opportunity (EEO) Management Plan aims to ensure fair outcomes in all areas of employment including: recruitment, learning and development, performance management, equal access to information about Council policies, procedures and practices, supervision and management of staff and conditions of employment. It assists in redressing past disadvantages by improving employment outcomes for EEO group members - women, Aboriginal people and Torres Strait Islanders, people whose first language was not English, and people with a disability.

Local Government Act 1993

The EEO plan was revised during 2008 – 2009 to ensure consistency with Council's corporate direction and now incorporates a cultural awareness training requirement and EEO considerations contained within Council's Reconciliation Action Plan.

Principal policy areas reviewed during the period included recruitment and selection, data collection, and training related to cultural awareness and bullying and harassment, and since EEO policy and practice is subject to ongoing monitoring, management includes EEO as a regular agenda item at team meetings.

In conjunction with the Office of Internal Ombudsman a major education program was launched in respect to bullying and harassment.

In keeping with EEO plan requirements that procedures for dealing with grievances and investigating complaints of harassment and discrimination are established and promoted, information about Council's EEO policy and grievance procedure is provided to all new employees at the corporate induction. In addition, refresher courses (including Code of Conduct) are offered to staff every two years, and Human Resources staff are available to provide advice on grievance resolution at any time.

There was a continuing emphasis in providing traineeship opportunities during 2009 – 2010 and up to 5 trainee positions were in place during the year.

A review of position description templates was also conducted during the period to ensure parity between positions of similar level, including responsibility for equity and related issues. Responsibility for EEO is also included in performance review criteria.

Section 428 (2) (o)

External Bodies with Council Delegated Authority

Warringah Development Assessment Panel independently determines major development applications.

Section 428 (2) (p)

Council Controlled Companies

Kimbriki Recycling and Waste Disposal Centre

Warringah, Pittwater, Mosman and Manly Councils are shareholders in Kimbriki Environmental Enterprises Pty Limited (KEE), with Warringah being the majority shareholder, holding 51% of shares. Pittwater, Manly and Mosman Councils hold 34.45%, 10.75% and 3.84% of shares respectively. KEE commenced operation on 1 July 2009.

KEE was established following the necessary authorisations pursuant to sections 358 and 625 of the Local Government Act. KEE operates a recycling and waste disposal centre at Kimbriki Road, Terrey Hills.

Prior to 1 July 2009, Warringah Council was a party to an unincorporated joint venture with Manly, Mosman and Pittwater Councils in respect of the management and disposal of rubbish and recycling of waste materials at the Kimbriki Recycling Waste and Disposal Centre. However this arrangement was discontinued upon the establishment of KEE.

Section 428 (2) (q)

Partnerships, Cooperatives and Joint Ventures

Warringah Pittwater Rural Fire Committee

Warringah Council has a 50% interest in the assets and liabilities of a joint venture project with Pittwater Council for the provision, control and management of bush fires. The joint venture will continue on a year-to-year basis until dissolved in accordance with the terms of the deed of agreement. Both councils have signed a Service Level Agreement with the Commissioner of the NSW Rural Fire Services to cover the provision of these services.

Warringah Pittwater State Emergency Service

Warringah Council has a two-thirds interest in the assets and liabilities of the Joint State Emergency Service for Warringah-Pittwater.

Shore Regional Organisation of Council's (SHOROC)

Warringah Council is an equal member of SHOROC along with Manly, Mosman and Pittwater Councils. The SHOROC group develops and delivers regional strategies and initiatives of benefit to the member councils.

Local Government (General) Regulations 2005

Clause 132

Rates and charges written off 2009 – 2010

Written Off 2009 - 2010	
Rates abandoned (postponed)	\$8,961
Interest abandoned (postponed)	\$4,015
Interest abandoned (other)	\$2,434
Mandatory pension rebate	\$1,857,724
Voluntary pension rebate (rates)	\$120,671
Voluntary pension rebate (waste)	\$197,139
Total	\$2,190,944

Clause 217(1)(a)

Overseas Visits by Councillors or Council Staff 2009 - 2010

- Between the 20 and 24 April 2010 the Manager Strategic Planning and Manager Development Assessment attended the International Planning Institute Conference in Christchurch New Zealand. The cost of airfares, accommodation, registration and meals was met by Warringah Council
- From 22 to 25 June 2010 a Strategic Planner attended Velo-City Global 2010 Worlds largest Global Cycling Conference in Copenhagen Denmark. The cost of the registration for the conference and a one way airfare from Greece to Denmark was met by Warringah Council.

Clause 217(1)(a1)

Councillor facilities and expenses

Facilities and Expenses	
Dedicated office equipment to Councillors (incl computers)	\$3,603.54
Communication charges (including phone calls, facsimile and internet)	\$27,420.32
Seminars and conferences attended by Councillors	\$12,877.20
Councillor training and skills development	\$900.00
Interstate travel by Councillors	\$9,771.20
Overseas visits by Councillors	\$0
Expenses of spouse, partner, or person accompanying a Councillor	\$0
Provision of care for a child or family member of a Councillor	\$1,999.66
Other expenses	\$57,079.78
Total	\$113,651.70

Local Government (General) Regulations 2005

Clause 217 (1) (b)

Senior Staff Salaries

Between 1 July 2009 and 30 June 2010 the following senior staff salaries were paid:

Council has four senior staff as defined by the Local Government Act (General Manager, Director Corporate Services, Director Planning & Development Services and Director Community and Environmental Services). The all-inclusive remuneration packages that incorporate salary, employer superannuation, performance and higher duties payments and fringe benefits tax for the senior staff for the financial year ending 30 June 2010 were as follows:

General Manager	\$ 322,753
Director Corporate Services	\$ 206,199
Director Planning & Development Services	\$ 234,229
Director Community and Environmental Services	\$ 227,812

Clause 217 (1) (c)

Children's Services Activities

A range of childcare is provided for families that live or work in the local government area. Approximately 1,000 children accessed our Long Day Care, Family Day Care and Mobile Occasional Care services during the financial year.

In addition to this role as a provider of childcare, the Children and Family Services Strategy identifies Council's role in supporting the expansion of children and family services in the local government area, promoting equity, improving access to information and encouraging greater service integration.

In 2009 – 2010 a number of initiatives were undertaken in response to these strategies, namely:

- Twice yearly survey to ensure information in the Children's Services Directory is kept up-to-date.
- Developing a program to assist children from culturally and linguistically diverse backgrounds transition to school and;
- Continuing program relating to staff awareness of Indigenous culture and sensitivities.

Other Children's Service Activities undertaken during 2009 – 2010 are listed on pages 94 to 97.

Clause 217 (1) (d) (i)

Access and Equity Activities

Our strategies, policies and operations generally must not conflict with an overriding objective to achieve access and equity in the community. Services and facilities are to be available to all residents, regardless of ethnicity, culture, age, gender, sexual preference, disability or economic background. We are committed to the promotion of social justice principles. These principles are embodied in strategic documents like the Strategic Community Plan and are integrated into everyday operations.

We continued to provide people from marginalised groups with the opportunity to access one of our Children and Youth services through the implementation of our Priority of Access program. Priority family groups include Aboriginal and Torres Strait Islanders; culturally and linguistically diverse families; families with children with additional support needs; vulnerable, socially isolated and lower income families; and single parents. During 2009-2010 there was an increase in the number of placements allocated under this program.

This year we celebrated International Day of People with a Disability by co-hosting Speak Up – Speak Out with People with Disability (PWD) – a national peak disability and advocacy organisation. People with a disability and carers for someone with a disability were invited to attend this advocacy information session, which aimed to assist people with a disability to speak up and advocate for themselves, learn about their rights and how to access advocacy support services.

We also held a Hawaiian themed DiscoBility to cater for youth with special needs. The event invited young people, 12 to 18 year olds, with special needs to celebrate the end of summer.

Since starting out as a pilot project in 2005 DiscoBility has become an overwhelming success and continues to form a regular part of our youth entertainment program. The event focuses on including young people with special needs, their carers, siblings and friends in a fun, safe and exciting environment.

In 2009 we partnered with Northern Beaches Interchange to establish a forum to allow for greater communication between service providers and a coordinated and improved approach to service provision for people with a disability under the age of five, their carers and families. The forum continues to meet regularly every quarter of the year.

In conjunction with other regional councils we distributed over 40,000 Seniors and Care Guides throughout the Manly, Warringah and Pittwater region. The publication provides information to seniors relevant to the local community on topics such as home support, health services, leisure and financial and legal services. It has proven to be a valuable resource for addressing the information needs of seniors within our community.

In 2009 – 2010 we continued our event model based on the principles of access and equity, which was introduced during 2008 - 2009. We are now more proactive in catering for the differing needs and abilities of families within our community when organising a community event. Theatrical performances, story telling at libraries and interactive activities for children and families were integral parts of festivals that took place during the year. The variety of activities offered, many free of charge, provided local families with the opportunity to participate when they may not otherwise have been able to due to personal economic circumstances.

Clause 217 (1) (d) (ii)

Category 1 Business Activities

A corporatisation model must be applied to businesses with annual gross operating income of more than \$2 million – known as Category 1 business activities. This involves the establishment of separate reporting frameworks for accounting and management purposes.

Businesses with annual gross operating incomes of less than \$2 million will be subject to full cost attribution as far as possible.

In 2009 – 2010 Warringah Council Category 1 Businesses were:

- Children's Services (Childcare)
- Kimbriki Environmental Enterprises Pty Limited
- Glen Street Theatre

Clause 217 (1) (d) (iii)

Category 2 Business Activities

In 2009 – 2010 Council had one Category 2 Businesses namely Construction Certification, an activity of Certification Services.

Clause 217 (1) (d) (iv)

Category 1 Business Activities – statement of expenses, revenues, assets

See Special Purpose Financial Reports on page 248.

Clause 217 (1) (d) (v)

Implementing principles of competitive neutrality

Warringah Council's Pricing Policy adopts the pricing basis given in the NSW Department of Local Government Competitive Neutrality Guidelines of 1997.

Clause 217 (1) (d) (vi)

Application of competitive neutrality pricing requirements to Category 1 Businesses

Special Purpose Financial Statements in accordance with the NSW Government policy statement 'Application of National Competition Policy to Local Government' has been prepared for Warringah Council's Category 1 Businesses. An unqualified audit opinion was received in respect of the reports and lodged with the NSW Department of Local Government.

Local Government (General) Regulations 2005

Clause 217 (1) d) (vii)

Competitive neutrality complaints mechanism

Complaints regarding competitive neutrality are managed by the General Manager and the Director of Corporate Services in accordance with Council's Policy for Handling of Competitive Neutrality Complaints.

Clause 217 (1) (d) (viii)

Performance of Category 1 Businesses

Business Activity	Key Performance Targets	Key Results
Children's Services	Meet annual revenue budget of \$4.820 million	Achieved annual revenue of \$4.387 million
Kimbriki Environmental Enterprises Pty Ltd	Meet annual revenue budget of \$15.103 million	Achieved annual revenue of \$15.579 million
Glen Street Theatre	Meet annual revenue budget of \$2.167 million	Achieved annual revenue of \$2.474 million

Clause 217 (1) (d) (ix)

Summary of Competitive Neutrality Complaints

Nil.

Clause 217 (1) (e)

Environmental Stormwater Special Rate Variation

The Environmental Stormwater Special Rate (ESSR) Levy commenced in 1996 and is funded by 6.9% of the ordinary rate. The ESSR Levy funds water quality improvement works, coastal protection and enhancement, improved floodplain management, the protection and restoration of important bushland areas and ancillary projects that support the community in maintaining Warringah's unique natural environment. Following is a report on expenditure from the program during 2009 – 2010, including statements for any reason in variation in original versus actual budget expenditure.

Capital Works	Original ESSR budget 2009/10	Actual ESSR expenditure	Total budget 2009/10	Total expenditure 2009/10	Reason for variation
Dee Why CBD Upgrade	\$600,000	\$179,509	\$600,000	\$186,632	Project delayed due to rejection of tenders due to qualifications. Negotiations are underway with the preferred tender.
South Creek Cycleway	\$210,000	\$140,357	\$385,000	\$140,257	Adjustment of scope in May 2010 due to detection of contaminated soils. Project delayed to 2010/2011.
Griffin Road Stormwater Upgrade	\$5,705	\$4,263	\$5,705	\$5,750	Variation due to reduced contractor costs for finalisation of design for upgrade.
21 Ryan Place Stormwater Works	\$470,000	\$22,841	\$470,000	\$28,412	Project delayed to 2010/2011. Design and construction drawings complete, tender specification in preparation, liaison with property owners regarding timing of works.
Collaroy Stormwater Outlet	\$94,565	\$0	\$150,000	\$10,422	Holding chains installed in accordance with risk assessment. Re-design of stormwater outlet delayed until 2010/2011.
Garrie Place Stormwater Works	\$175,000	\$95,020	\$175,000	\$119,075	Construction completed at substantial saving to Council due to reduced contractor prices.
Emergency Stormwater Works	\$150,000	\$225,374	\$150,000	\$227,683	Increased expenditure to cover emergency works and Contracts.
Total	\$1,705,270	\$667,364	\$1,935,705	\$718,232	

Operational Works	Original ESSR budget 2009/10	Actual ESSR expenditure	Total budget 2009/10	Total expenditure 2009/10	Reason for variation
Catchment Management Program	\$1,217,745	\$916,080	\$1,217,745	\$1,260,183	Variation the result of increased grant income and reduced project expenditure due to project delays and Unit realignment. Decreased expenditure in this program is balanced by increased expenditure in the bushland program resulting from the Natural Environment Unit realignment.
Construction and Maintenance Program	\$1,200,299	\$1,238,725	\$1,200,299	\$1,246,218	Natural Environment Service realignment.
Bushland Program	\$1,320,000	\$1,631,038	\$1,320,000	\$1,664,568	Increased project costs, employee costs and agency personnel. Increased expenditure in this program is balanced by decreased expenditure in the Catchment Management Program resulting from the Natural Environment Unit realignment.
Environmental Education Program	\$216,411	\$175,283	\$216,411	\$175,531	Project delays and staff vacancies
Total	\$3,954,455	\$3,961,125	\$3,954,455	\$4,346,499	

Local Government (General) Regulations 2005

Clause 217 1 (f)

Companion Animals Act and Regulation

Lodgement of pound data collection returns with the department

The data collection returns were lodged with the Department of Local Government by the due date 30 September 2010. A total of 50 Cats and 358 Dogs were transferred to Council's pound facility in 2009 – 2010 of these 14 Cats and 331 Dogs were released back to their owners.

Reporting Dog Attacks to the Department

This occurs within 72 hours of the attack being reported to Council. Twenty nine dog attacks were reported to the Department of Local Government during 2009 – 2010.

Expenditure on companion animal management and activities

Some \$166,377 was spent on the management of companion animals and related activities.

The funds were dispersed as follows.

Employment related costs	\$82,117
Pound Fees	\$27,177
Advertising/promotion	\$3,465
Materials/consumables	\$34,980
Other	\$18,639
Total	\$166,377

The Department of Local Government contributed \$60,320 towards these costs.

Companion animal community education programs carried out

Companion animal community education was addressed in a number of ways during 2009 - 2010 as follows:

- The pets section of Council's website was regularly updated to allow for easy access to pertinent information on responsible pet ownership in the area.
- Council continues to hand out "pooch pouches" for owners to put dog waste collection bags in attached to the dogs lead as well as cat collars with bells to promote responsible pet ownership.
- The annual Dogs Big Day Out was held in August 2009. A variety of stallholders participated on the day including veterinarians and animal welfare groups who were available to supply pertinent information to dog owners attending the event.

Strategies Council has in place to promote and assist in the desexing of dogs and cats

Council promotes the desexing of dogs and cats through its educational activities including the promotion of desexing in council publications.

Strategies to seek alternatives to euthanasia for unclaimed animals

Council has a no kill policy at its pound and has an arrangement with the Animal Welfare League where any unclaimed dogs and cats that are suitable for re-homing (ie not dangerous) are sent there to be adopted.

Off leash areas provided in the council area

Warringah has six unleashed dog exercise areas with an additional two available at restricted times. In May 2009 a report to Council highlighted that residents in Forestville, Manly Vale and Cromer have limited access to unleashed dog exercise areas. Following the results of an environmental assessment of potential new sites and community engagement, we decided to trial an additional four areas:

- Currie Road, Forestville
- Truman Reserve, Cromer
- Beacon Hill Oval, Beacon Hill (restricted hours)
- Melwood Oval, Forestville (restricted hours)

Our aim was to provide more accessible options for residents to take their dogs for a walk and let them off the leash safely, while also protecting our natural environment and considering the needs of the wider community. After the 6 month period (ending 30 September 2010) the four sites will be reviewed and a report will be presented to Council for consideration. Residents will also be given an opportunity to have their say again before any final decisions are made, which will determine whether each of the sites will be declared either off-leash or closed.

Freedom of Information ACT 1989

During 2009 – 2010 Warringah Council processed four Freedom of Information applications. In two cases, all relevant information was supplied. The subject of these applications is as follows:

- Details of a complaint regarding the maintenance of a property.
- Information and correspondence relating to the design and construction of Narrabeen Multi-Use Pathway. After contacting the applicant and refining the scope of the application, all information was supplied.

In the other two cases, the information was supplied in part. The subject of these requests and the reasons for information not being supplied in full are as follows:

- Pet ownership of a resident. The applicant requested information that was deemed to be, in part, personal information. This part of the information was not provided.

- Details relating to former staff within the Building Assessment & Compliance Team. The applicant requested information relating to the employment details of three former members of staff. Attempts were made without success to contact these former employees and without their consent to provide this personal information, it was not released. The applicant then requested an internal review of their application. The result of this appeal was a partial release of the requested information whilst partially upholding the original determination that some of the requested material fell into the category of personal information.

Privacy and Personal Information Protection Act

Warringah Council continues to comply with the requirements of the Privacy and Personal Information Protection Act through clause 10.12 of our Code of Conduct which directs staff to comply with the following when dealing with personal information:

- the Privacy and Personal Information Protection Act 1998,
- the Health Records and Information Privacy Act 2002,
- the Information Protection Principles and Health Privacy Principles,
- Council's privacy management plan,
- the Privacy Code of Practice for Local Government.

In addition, all staff employed by Council are required to attend compulsory Code of Conduct training upon induction and must attend a refresher course every two years.

This training reiterates the importance of privacy and personal information in the workplace.

Council's Access to Information Policy and guidelines also refer to privacy legislation in respect to access to Council information and documentation.

During 2009 – 2010 there were four reviews conducted under Part 5 of the Act; however, each enquiry conducted by the Internal Ombudsman found the complaints reported were "not sustained".

Environmental Planning and Assessment Act 1979

Warringah Council did not enter into any planning agreements during 2009 – 2010.

Infrastructure Levy Special Rate Variation

The Infrastructure Levy commenced in 2006 – 2007 and is funded from 6.5% of the ordinary rate. The Infrastructure Levy funds renewal works on infrastructure that is in poor condition or has reached the end of its life cycle. Following is a report on the expenditure from the program during 2009 – 2010, including comments for any reasons in variation between original and actual budget expenditure.

Roads, Traffic and Waste

Capital Works	Original Infrastructure Levy budget 2009 - 10	Actual Levy expenditure	Total budget 2009 - 10	Total expenditure 2009 - 10	Reason for variation
Resheeting roads	\$960,000	\$911,186	\$2,181,000	\$1,980,875	Works completed under budget
Car park renewal program	\$220,000	\$206,289	\$220,000	\$206,289	Works completed under budget
Kerb and guttering renewal	\$180,000	\$175,643	\$180,000	\$175,643	Works completed under budget
RTA Repair program	\$0	\$67,000	\$22,000	\$134,155	
Footpath renewal	\$513,000	\$490,994	\$513,000	\$490,994	Works completed under budget
Freshwater Village Town Centre upgrade	\$62,000	\$62,000	\$1,525,698	\$1,232,475	Works completed under budget

Glen Street Theatre

Capital Works	Original Infrastructure Levy budget 2009 - 10	Actual Levy expenditure	Total budget 2009 - 10	Total expenditure 2009 - 10	Reason for variation
Theatre Dressing Room upgrade	\$82,516	\$75,424	\$201,018	\$221,495	

Information and Library Services

Capital Works	Original Infrastructure Levy budget 2009 - 10	Actual Levy expenditure	Total budget 2009 - 10	Total expenditure 2009 - 10	Reason for variation
Library books renewal of book stock	\$136,150	\$136,150	\$513,862	\$513,534	

Corporate Support Services

Capital Works	Original Infrastructure Levy budget 2009 - 10	Actual Levy expenditure	Total budget 2009 - 10	Total expenditure 2009 - 10	Reason for variation
Civic Centre – floor renewal	\$200,000	\$200,000	\$200,000	\$203,004	Additional internal project management costs not previously included
Civic Centre and Dee Why Library – works resulting from structural integrity assessment	\$300,000	\$300,000	\$300,000	\$301,296	
Tennis Club Renewal – resurfacing four courts at Narraweena	\$45,000	\$45,000	\$90,000	\$90,123	
Tennis Club Renewal – resurfacing two courts at Terrey Hills	\$60,000	\$0	\$60,000	\$34,529	Court remediation was not required.
Dee Why Surf Life Saving Club – construction of new public toilet	\$86,587	\$0	\$143,600	\$56,311	Commencement of works on site delayed due to soil issues. Works to commence in July 2010.
Public amenity improvement program	\$1,500,000	\$1,457,322	\$1,500,000	\$1,574,277	Additional facility and minor upgrade works incorporated into several projects at several sites.

Sportsfield Rectification Special Rate Variation

The Sportsfield Rectification Levy commenced in 1998 – 1999 and is funded from 2% of the ordinary rate. The Sportsfield Rectification Levy funds the rectification of subsidence on the sportsgrounds and playing fields constructed on former landfill sites.

Following is a report on expenditure from the program during 2009 – 2010, including comments for any reason for variation between original and actual budget.

Capital Works	Original Sportsfield Rectification Levy budget 2009 - 10	Actual Levy expenditure	Total budget 2009 - 10	Total expenditure 2009 - 10	Reason for variation
Parks, Reserves and Foreshores					
Sports rectification works – Weldon Reserve, Curl Curl	\$2,650,000	\$1,860,658	\$2,669,928	\$1,893,199	Delays due to site remediation requirements
Sports rectification works – Adam St Reserve, Curl Curl	\$250,000	\$64,338	\$250,000	\$64,338	Landfill testing necessary before detailed design
Sports rectification works – Rueb Hudson, North Curl Curl	\$100,000	\$40,326	\$100,000	\$40,326	Landfill testing necessary before concept design
Minor rectification of sportsfields – rectification sites	\$100,000	\$66,729	\$100,000	\$66,729	Fewer areas needing treatment for subsidence

