

## SHOROC INCORPORATED BOARD MEETING

**Tuesday 12 November, 2008**

**Guringai Room**

**Warringah Council**

**(To commence immediately following the Annual General Meeting held at 2pm)**

### MINUTES

#### Board Members Present

|                      |   |
|----------------------|---|
| Cr Jean Hay AM       | Mayor of Manly (left meeting at 3pm)        |
| Cr Dominic Lopez OAM | Mayor of Mosman                             |
| Cr Michael Regan     | Mayor of Warringah                          |
| Cr David James       | Mayor of Pittwater                          |
| Henry Wong           | General Manager Manly (left meeting at 3pm) |
| Viv May              | General Manager Mosman                      |
| Rik Hart             | General Manager Warringah                   |
| Mark Ferguson        | General Manager Pittwater                   |

#### In attendance

|               |                               |
|---------------|-------------------------------|
| Leta Webb     | Executive Director SHOROC     |
| Andrea Dawson | Administrative Officer SHOROC |

#### Guest Speaker

|  |
|--|
| Ms Lori Scinto, National Parks Association |
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#### Item 1                      **Welcome and Apologies.**

The newly elected President Cr Michael Regan opened the meeting at 2.30pm and welcomed everyone, noting that there were no apologies before handing over to Vice President Cr Lopez to conduct the meeting as he was unwell.

Cr Lopez took over from Cr Regan and chaired the rest of the meeting.

## Item 2 Minutes of previous meeting and matters arising.

**Recommendation:**

That the Minutes of the previous meeting held 19 August 2008 be adopted.

**The Board Resolved:**

To adopt the Minutes of the Board Meeting held 19 August 2008.

Proposed Viv May/Seconded Michael Regan.

### Item 2.1 Streetlighting

Background:

Henry Wong will provide an overview of a street lighting project being investigated by SHOROC.

**Discussion:**

Henry Wong provided an overview of a street lighting project being investigated by SHOROC. He had spoken with Trevor Armstrong of Energy Australia re solar power. Further investigations are underway which will be reported back to the Board. LED lighting is also being assessed as to its efficiency and costs but it is envisaged that although this technology is developing fast it is not yet ready for implementation. Mark Ferguson indicated that he had been inundated with calls from potential suppliers. The need to be able to test the claims of these suppliers was discussed. It was suggested that a half day seminar be held for Council staff and others with relevant expertise to assess the various options. It was agreed that Cr James and Henry Wong will co-ordinate a seminar on street lighting technology and that Council staff and others with relevant expertise be invited to attend. Rik Hart raised concern regarding the cost of new lighting.

**Recommendation**

That the board note the verbal report from Henry Wong.

**The Board Resolved:**

1. To thank Henry Wong for his update.
2. To approve the facilitation of a half day street lighting seminar to be attended by Council staff and others with relevant expertise.

Proposed Cr James/Seconded Cr Lopez

### Item 2.2 NSCCAHS – Major Service Planning and Facility Developments

Background:

At the last meeting of the Board, Tracey Adamson from NSCCAHS presented on the newly released Clinical Services Plan. It was noted that the much awaited Northern

Beaches Hospitals plan has not been released, although the two documents complement each other.

Matthew Daly CEO NSCCAHS has been invited to attend to provide an update. At the time of issue of this agenda, his attendance has not been confirmed. Note: The State Government mini budget is to be brought down on 11 November and may impact on matters for consideration and his availability to attend.

**Discussion:**

It was reported that Matthew Daly CEO NSCCAHS had been invited to attend this board meeting but his office apologised on his behalf. An invitation was then extended to Tracey Adamson, Director Population Health, Planning & Performance but she was unavailable however she will make every effort to attend the next Board Meeting in February. It was also reported that the State Government's mini budget did not address the issue of the new hospital proposed for Frenchs Forest. The meeting discussed the need to seek a meeting with the State Health Minister to seek clarification on the government's commitment to funding the Northern Beaches hospital at Frenchs Forest.

Discussion followed with regard to the Prime Minister's invitation for Mayors to attend the Australian Council of Local Government forum in Canberra on 18 November. Mayors Regan, James and Hay will represent the region.

It was proposed that whilst there they should try to lobby The Hon Anthony Albanese, Minister for Infrastructure, Transport, Regional Development and Local Government and the Prime Minister to seek Federal Government assistance in funding improved health infrastructure on the northern beaches and in particular the proposed new hospital at Frenchs Forest. It was also suggested that a letter be sent to the Minister requesting a meeting with our Mayors.

It was further proposed that a press release be prepared for publication in the Manly Daily expressing disappointment with the State Government for not including any provision for the proposed new hospital in the State Government's mini budget and indicating that the SHOROC will be seeking a meeting with the State Health Minister to clarify the government's commitment and that the Mayors will also be seeking to raise the matter of funding with the Minister for Infrastructure, Transport, Regional Development and Local Government and the Prime Minister while in Canberra.

Henry Wong offered to draft the press release.

Representatives from Pittwater Council clarified it was now Pittwater Council's position that it supported a new Northern Beaches hospital but also supported the maintenance of Mona Vale hospital as a complementary hospital to a level 4 standard; the retention of a first class ambulance service and that the roadway along the Wakehurst Parkway to the proposed new hospital be upgraded to be passable in the wet.

**The Board Resolved:**

- 1. That SHOROC should seek a meeting of the SHOROC Mayors with the State**

Health Minister to discuss the future funding of the Northern Beaches hospital at Frenchs Forest.

2. That the Mayors who are attending the Australian Council of Local Government forum in Canberra on 18 November try and lobby the Minister for Infrastructure, Transport, Regional Development and Local Government and the Prime Minister in order to request assistance from the Federal Government for improved health infrastructure for the Northern Beaches including the Northern Beaches hospital.

Proposed Mark Ferguson/Seconded Henry Wong

**Item 3**                      **Matters of interest**  
**Item 3.1**                    **Marine Sanctuaries**



Background:

Lori Scinto, Marine Sanctuaries Campaigner, National Parks Association was invited to present on marine sanctuaries. Below is background material and a briefing summary provided by Ms Scinto. She has previously presented to Sydney Coastal Councils Group on this topic.

***Protecting the Northern Beaches Waters***

***Introduction***

*With seals, whales and dolphins recently frolicking around Sydney, it's a great reminder that amongst this bustling city lies an incredible underwater world. There aren't many major cities blessed with vast bodies of water teeming with weird and wonderful marine creatures that we can interact with whenever we want.*

*Here we set out in summary form, why elected officials should help drive the creation of a new marine park for the Hawkesbury Shelf Bioregion, one of only two bioregions in NSW that does not contain a marine park.*

***Why a New Marine Park?***

***Calls from the Community***

*Sydney's Northern Beaches community has a great affinity with the ocean. The ocean and its marine life are an integral part of the community's everyday lives, whether walking along the beach, going for a surf, swimming, snorkelling, diving or boating.*

*Climate change and other environmental issues are of increasing concern to the public. In particular, the younger generation wants to know that proper conservation measures are being put in place to look after their local areas for future generations.*

*There have long been proposals for proper protection of Sydney's marine waters. In fact, on Sept. 14, 1996, the Sydney Coastal Councils Group issued the following declaration, "The group unanimously resolves to actively support the establishment of a multi-use marine park for Sydney by 2000."*

### *A Bioregion Ignored*

*The Hawkesbury Shelf Bioregion - the huge section of the NSW coastline around Sydney - has been all but ignored by the NSW Government in the NSW marine protected area network.*

*There are just 4 small fully protected marine areas between Newcastle and Wollongong. The only one found in the Northern Beaches is at Cabbage Tree Bay - Manly (20ha).*

*Much like we need networks of national parks to protect biodiversity on land, we need fully protected marine sanctuaries to conserve our marine biodiversity. Global scientific consensus is for a minimum 20% of all marine habitats to be fully protected. Currently just 6.7% of NSW oceans have this protection and only a shocking 0.4% falls within this Hawkesbury Shelf Bioregion.*

*We have a great opportunity to harness the passions of the Sydney community to protect their much used and loved waters. It is an exciting chance to provide multiple areas bustling with marine life for us to enjoy for generations to come.*

### **Why we need Marine Sanctuaries**

*Marine sanctuaries are fully protected. They can come in 3 forms:*

- *Zones within multiple use marine parks*
- *Aquatic reserves afforded full protection*
- *Marine extensions of national parks*

*Overfishing, habitat destruction and degradation, pollution and other pressures are taking their toll on NSW's oceans. Fish numbers are declining, habitats are being lost, food webs unbalanced and biodiversity is decreasing.*

*Declining biodiversity means an increased risk of population collapse. The greater the biodiversity, the healthier the ecosystem and the more resilient it will be to the future fluctuations that are expected with climate change.*

*Australia's Commonwealth Scientific and Industrial Research Organisation (CSIRO) reports that the Australian biodiversity most vulnerable to climate change is that of NSW coastal marine waters. Of the few options left to us to rebuild resistance into marine ecosystems, fully protected marine sanctuaries are by far the most successful.*

### **Benefits of Marine Sanctuaries**

*On average, creating a no-take marine sanctuary:*

- *Doubles the density of fish and invertebrates,*
- *Triples the biomass,*
- *Increases the mean size of fish by 20-30%,*
- *Boosts the number of species by an average of 23%,*
- *Increases catch-per unit effort four-fold in nearby waters and*

- *Makes marine ecosystems 21% less susceptible to environmental and human caused fluctuations.*

*At the fully protected Boudii National Park Marine Extension on the NSW Central Coast, a study conducted after it was protected as sanctuary for 28 years found that reserve fish species richness was 63% greater and total fish density was 70% greater than before protection.*

*In addition to conservation benefits, sanctuaries can improve tourism, education and research opportunities and can improve fishing in surrounding waters.*

### ***Case Study: Cabbage Tree Bay Aquatic Reserve, Manly***

*Visit Shelly Beach on the weekend and you'll notice locals and tourists face down in the water in dive or snorkel gear enjoying the privilege of playing amongst the abundant fish life. Since the creation of Cabbage Tree Bay Aquatic Reserve in 2002 locals have been reporting a vast improvement in marine life in this area.*

*The community has embraced the reserve, it's become a focus for marine awareness and there have been many calls from government and non-government stakeholders for similar fully protected marine areas to complement this hugely successful, yet still tiny, area of marine sanctuary.*

### ***Moving Forward***

#### ***Building the Network***

*A large Sydney Marine Park is proposed, incorporating Sydney Harbour and stretching north and south along Sydney coastal waters to the 3 nautical mile limit of the NSW marine jurisdiction. There is already great interest by local communities for a marine park around Sydney.*

*A Sydney Marine Park could harness council and community enthusiasm for marine conservation in various regions across this landmark area in one process rather than a number of small resource intensive and independent marine protected area processes.*

*The multiple-use nature of marine parks would enable councils and communities to recommend protective zonings for their preferred areas within this marine park. This would allow fishing activities to continue in the majority of the park, balanced by fully protected sanctuary zonings in other areas of key conservation significance.*

*As the marine environment in this area is under ongoing intense pressure, the establishment of a Sydney Marine Park would recognise the urgent need for greater conservation of the significant biodiversity the area harbours. The marine park can link with Sydney's national parks, ensuring vital connectivity of protected areas between land and marine environments.*

*A marine park within close proximity of such a large number of tertiary and marine research institutions additionally has the potential for enormous scientific and educational benefits.*

*A Sydney Marine Park represents an opportunity to bring great benefits to all who live and play in Sydney's internationally recognised marine waters. Recent user*

surveys in the Jervis Bay Marine Park and Solitary Islands Marine Park showed 84% and 87% support for conservation of the marine parks and 82% and 80% support for the parks' fully protected sanctuary zones respectively. Support for a Sydney Marine Park is likely to be at a similar level.

Further info

Lori Scinto, NPA~Marine Sanctuaries Campaigner

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[www.marine.org.au](http://www.marine.org.au)

**Summary Briefing: Marine Protected Areas  
-Hawkesbury Shelf Bioregion Marine Park this term  
13<sup>th</sup> October 2008**

**Additional Marine Protected Areas**

*In NSW we now have about 6.7% of our marine waters in sanctuaries.*

*The World Conservation Union (IUCN) has set a target of 20-30% of global marine waters in sanctuaries*

*In May 2008, 64 Australian marine scientists signed a consensus statement supporting the importance of marine parks and in particular their sanctuary zones. The statement backed the science behind these MPAs, linking to a list of over 250 scientific studies on marine parks.*

*The 2006 State Plan states that the NSW government is "already committed to building a network of marine protected areas to comprehensively represent marine biodiversity", and will consider "Building and managing a comprehensive, adequate and representative reserve system which includes...marine parks to protect the State's unique biodiversity from current and future pressures".*

*One major omission in the NSW marine protected area network is the Hawkesbury Shelf Bioregion*

**NSW Marine Health**

- 1. Overfishing and the resulting habitat impacts are considered to be the most significant adverse human impact today on marine ecosystems.*
- 2. Most of NSW's assessed fished species are either overfished or fully fished and have been driven to a state of low recruitment and low production.*
- 3. Marine habitats continue to be damaged by trawling and hauling.*
- 4. Native seagrasses are threatened by infestations of the introduced aquarium seaweed *Caulerpa taxifolia*. Anchoring and commercial and recreational netting are likely to be responsible for its spread.*
- 5. Marine mammals, turtles and birds are threatened by lost fishing nets and gear and line fishing.*

**Climate Change**

*It is well recognised that ecosystems that are already stressed or have experienced losses of biological diversity are at far greater risk of collapse when faced with rapid changes in conditions.*

*The CSIRO recently estimated that in Australian waters, the most affected marine groups from climate change are likely to be tropical and cold water coral reefs, rocky reefs and kelps, plankton and species that live on or near the sea floor. The CSIRO also suggest that the Australian biodiversity most vulnerable to climate change is that of NSW coastal marine waters, and that this area is also the most vulnerable to changes in sea surface and subsurface temperature and surface winds.*

*The consequence of low natural productivity, increasing coastal populations and over-exploitation of marine and estuarine habitats and species has left our marine environment at risk of irreversible damage.*

*It has been suggested that of the few options left to us to rebuild resistance into marine ecosystems, no-take marine sanctuaries are by far the most successful.*

*On average, creating a no-take marine sanctuary:*

- doubles the density of fish and invertebrates*
- triples the biomass*
- increases the mean size of fish by 20-30%*
- boosts the number of species by an average of 23%,*
- increases catch-per unit effort four-fold in nearby waters and*
- makes marine ecosystems 21% less susceptible to environmental and human caused fluctuations.*

### **NPA Proposals**

*NPA are recommending that a Marine Park be established and appropriately zoned within the Hawkesbury Shelf Marine Bioregion in this term of Government – by March 2010.*

#### **Discussion:**

Note this item was deferred until 3.15pm after other items were discussed.

Lori Scinto made a presentation at the meeting. It noted that the Hawkesbury Shelf Bioregion was the only bioregion with no marine park and sought support from SHOROC Councils to lobby Ministers Tebbutt and MacDonald for a marine park.

She indicated that the National Parks Association will release a detailed proposal for a marine park on 4 December 2008. It will include detailed scientific analysis.

Viv May suggested that the report be sent to the Executive Director of SHOROC who can then forward it to member councils for consideration.

#### **The Board Resolved:**

- 1. To thank Ms Scinto for her presentation.**
- 2. To note the information presented and that following the release of a more comprehensive National Parks Association proposal on 4<sup>th</sup> December that it be referred to individual councils for further consideration.**

**Proposed Viv May/Seconded Mark Ferguson**

**Item 4                      SHOROC Administrative Matters**  
**Item 4.1                  Board meeting dates for 2009**

Background:

The future SHOROC Board meeting dates for 2009 were discussed by the General Managers at the GMAC (General Managers Advisory Committee) meeting on 1 October, 2008.

They recommend that the meeting dates and venues for 2009 be as follows:

18 February, 2009 at Manly Council

20 May, 2009 at Mosman Council

19 August, 2009 at Pittwater Council

18 November, 2009 at Warringah Council. The Annual General Meeting to also be held on this date.

**Recommendation:**

That in 2009 the SHOROC Board meet on the following dates and at the following venues:

18 February, 2009 at Manly Council

20 May, 2009 at Mosman Council

19 August, 2009 at Pittwater Council

18 November, 2009 at Warringah Council. The Annual General Meeting to also be held on this date

**The Board Resolved:**

**1. That in 2009 the SHOROC Board meet on the following dates and at the following venues:**

**18 February, 2009 at Manly Council**

**20 May, 2009 at Mosman Council**

**19 August, 2009 at Pittwater Council**

**18 November, 2009 at Warringah Council. The Annual General Meeting to also be held on this date.**

**That the meetings be held from 3pm-5pm.**

**Proposed Viv May/Seconded Jean Hay**

## **Item 4.2 SHOROC Constitution**

The purpose of this report is to provide background information to Board members in relation to the proposed special resolution included on the Agenda of the SHOROC Annual General Meeting will be held immediately prior to the Board meeting.

Background:

SHOROC was established as a separate legal entity under the *Associations Incorporation Act* 1984 on 18 September, 2006. The *Associations Incorporation Act* is administered by the Office of Fair Trading. The *Associations Incorporation Regulation* contains model rules for associations. Section 11 of the *Act* provides that an association must have rules that make provision, whether by adoption of Model

Rules or otherwise, for matters specified in Schedule 1 to the *Act*. Where an association's rules (constitution) is silent in relation to a matter listed in schedule 1, the relevant provision from Model Rules applies.

In a report to SHOROC Board meeting of 12 December, 2007 it was identified that SHOROC Constitution did not make provision for certain matters that were listed in Schedule 1 and model rules, including matters related to the conduct and business of an annual general meeting. Further, the management letter from the auditor following the audit of SHOROC accounts for 2006/2007, identified that SHOROC did not meet the membership requirements of the *Association Incorporations Act* in that SHOROC had only four members and the *Act* required a minimum of five members.

The Board considered the report and resolved to seek legal advice about the validity of SHOROC's incorporation and, if found necessary, to hold a Special General Meeting to consider a change to the constitution to alter the membership composition. The Board also resolved that the Executive Director work with the General Managers' Advisory Committee to develop further proposals for amendment of the SHOROC Constitution.

A Special General Meeting was held on 19 March, 2008 at which the constitution was amended by special resolution to increase the membership from 4 members (being four member organisations ie the four member Councils) to 12 members, being four organisations (the four member Councils), and eight natural persons (being the Mayors and the General Managers of member Councils) as member delegates. The Mayors and General Managers of each Council comprise the SHOROC Board.

During the course of the year, the SHOROC constitution has been reviewed in its entirety.

#### *Proposed amendments to the SHOROC constitution*

On the agenda of the annual general meeting (held immediately prior to this Board meeting) is a revised constitution for consideration for adoption. The revised constitution covers all matters required to be covered by Schedule 1 so that it can be read as a stand-alone document rather than in conjunction with the Model Rules, as is the case with the current SHOROC Constitution. In many cases, the Constitution incorporates the relevant Model Rules' provision. In other cases, the content matters required to be covered by Schedule 1 are covered but with a variation that is appropriate for a body such as SHOROC which has defined members and a prescribed Board composition rather than a broad membership base and a Board elected from that membership. An example is that there are shorter notification requirements in the proposed constitution than those set out in model rules.

A table and summary of all changes proposed to the constitution were included in the business papers for GMAC meetings on either 3 September or 1 October. Those reports can be provided to any Board member, if required. The proposed draft constitution has been reviewed by an independent lawyer, Dr Ian Ellis-Jones.

#### *Process for adoption of new constitution*

An association must pass a change to the constitution by special resolution at a general meeting of the association. The Annual General Meeting is a general meeting.

Further requirements are:

- That written notice be given to members specifying the intention to propose a special resolution at least 21 days prior to the date of the general meeting;
- The notice must set out the proposed resolution;
- A quorum must be present at the meeting;
- At least three quarters of the members voting must vote in favour of the change;
- The Chair must declare that the meeting passed a special resolution.

The Public Officer must then complete a form entitled "Notice of Alteration of Objects or Rules" and forward this together with the special resolution and the prescribed fee to the Office of Fair Trading within one month of the general meeting.

**Recommendation:**

That the report on the proposed SHOROC constitutional amendments be received and noted.

**The Board Resolved:**

1. **To note and receive the report prepared by the SHOROC Executive Director on the proposed amendments to the SHOROC constitution.**

**Proposed Viv May/Mark Ferguson**

### **Item 4.3 Auditor's Management Letter**

The Annual General Meeting will consider the audited financial report for SHOROC. Following his audit, SHOROC's auditor, Mark Isaacs from Isaacs and Cole provides a management letter that provides comments to the Board on any matters he considers should be brought to the attention of the Board.

SHOROC is awaiting a management letter from its auditors. The letter and a supplementary report will be circulated prior to the meeting.

Background:

The Annual General Meeting will consider the audited financial report for SHOROC. Following his audit, SHOROC's auditor, Mark Isaacs from Isaacs and Cole provides a management letter that provides comments to the Board on any matters he considers should be brought to the attention of the Board.

SHOROC is awaiting a management letter from its auditors. The letter and a supplementary report will be circulated prior to the meeting.

The following supplementary report and management letter were considered at the meeting.

## Auditor's Management Letter – Supplementary Report

After an audit is conducted of SHOROC's finances and other records of SHOROC, the auditor provides a letter to the President of SHOROC, bringing certain matters to the attention of the President and the Board.

Following its incorporation in September, 2006 the first audit was undertaken at the end of the 2007 financial year. The auditor's letter dated 28 November, 2007 contained comments on 8 matters. In a report to the Board meeting 12 December, 2007 eight matters raised in that letter were reported and a table presented indicating action that had been taken or was proposed to be taken to address matters raised. All the matters raised were addressed during the course of 2007-2008 year to the satisfaction of the auditors – as indicated in the final paragraph of the auditor's management letter dated 13 October, 2008.

The 2008 letter identifies two new matters. Action taken or proposed to be taken in response to those matters is discussed:

1. Business Activity Statements processing. The matter raised has been addressed. Since the audit has been undertaken, a representative from the auditor's office has attended SHOROC office to supervise preparation of amended business activity statements for June and September, 2008 by SHOROC's bookkeeper. It is proposed that he be invited back to supervise the preparation of the December Business Activity Statement to ensure that the bookkeeper is fully conversant with requirements.
2. Sportsfield Funds.  
At the request of the General Managers Advisory Committee, the auditor was asked to consider documentation and management of sports funds. The 2007 audit did not consider the sports field funds as the funds were previously held by Warringah Council. Funds were transferred to SHOROC in accordance with GMAC resolution of 15 August, 2007 in September, 2007.

The auditor's letter raises fundamental questions about the need for a clear and transparent arrangements for the collection and management of these funds and the need for clarity in relation to the roles of various parties in relation to this. SHOROC Councils have been meeting regularly with representatives of the Manly, Pittwater and Warringah Sports Union with the view to developing clear policy documents and agreements. These have not been finalised.

It is proposed that the matters raised in the management letter will be placed on the agenda of the General Managers Advisory Committee for discussion

and that the recommendations of GMAC will be subject a further report to the Board.

#### Discussion

The Annual General Meeting considered the audited financial report for SHOROC. Following his audit, SHOROC's auditor, Mark Isaacs from Isaacs and Cole provided a management letter to the Board raising matters he considered should be brought to the attention of the Board.

The SHOROC Executive Director explained the Auditor's Report and pointed out the anomalies in the Business Activity Statement for the quarters ending 31<sup>st</sup> March and 30<sup>th</sup> June 2008 and that these had already been addressed. The Board were also advised of the problems associated with the way in which the Sportsfields funds are collected and managed.

The vexed question of GST in relation to Sportsfield contributions was also raised and the Executive Director advised that this matter had been discussed by the Auditors with the Australian Taxation Office and that a written opinion will be provided by the Auditor.

It was generally agreed that the procedures governing the management of the Sportsfield funds requires formalising in conjunction with obtaining the tax ruling on GST. Further as the agreement with the Sporting Union has expired and there is no preserving clause, it is necessary to draft up a new Memorandum of Understanding which includes procedures for operating the funds and which clearly defines roles of all parties including SHOROC.

#### **Recommendation:**

That the Board receive and note the management letter from the auditor and note action taken to address matters related to the preparation of Business Activity Statements.

That in relation to the management of Sportsfield Funds, that this matter be referred to GMAC for consideration and that GMAC's recommendations be subject of a future report to the Board.

#### **The Board Resolved:**

- 1. To note that the audited financial reports for SHOROC were adopted at the AGM.**
- 2. To note that a Management Letter had been received from Isaacs and Cole noting certain anomalies and procedural problems with regard to the management of Sportsfield funds and that these issues be referred back to GMAC for consideration and report.**
- 3. That until a new Memorandum of Understanding is adopted the Sporting Union**

be requested to forward monies collected to SHOROC within six weeks of the end of the season.

**Proposed Viv May/Seconded Jean Hay**

## **Item 5 Regional Strategy for SHOROC**

Background:

In 2007 and 2008 SHOROC produced two studies:

- A two part Land Use and Transport study prepared by Halcrow
- An Employment Strategy prepared by Hill PDA.

The studies were undertaken in the context that the SHOROC region must accommodate additional dwellings and jobs as required by Sydney's Metropolitan Strategy issued by the State Government in order to meet targets as set out in the draft North East Subregional Strategy (for Manly, Pittwater and Warringah Councils) and the Inner North Subregional Strategy (for Mosman Council). These draft Sub-regional strategies are also issued by the State Government.

These targets for Council areas are as follows:

Additional Dwellings

- Manly 2,400
- Mosman 600
- Pittwater 4,600 plus Ingleside about 4,900
- Warringah 10,300

Employment – additional jobs

- Manly 1,000
- Mosman 1,300
- Pittwater 6,000
- Warringah 12,500

The reports and their recommendations highlighted the complexity of issues involved and the interrelationship between various issues, for example as factors that affect employment containment, such as demographic change, housing affordability, availability of key workers, match between likely future job growth and skills available in the area, and the need to have clear objectives when considering options will not only affect SHOROC's strategy for employment but will also impact on transport planning and traffic management options.

The SHOROC Board decided at its meeting on 19 March, 2008 that rather than adopt the reports, their recommendations or a SHOROC policy position in respect of transport and employment that it should forward the reports to member Councils for their consideration and comment. I also decided that the reports together with comments from Councils will inform the process of preparation of a regional strategy plan for SHOROC and discussion with other levels of government and be used as reference documents by member Councils for their own local planning.

This recognised that matters, such as transport and landuse and employment generation needed to be considered in the context of other matters and a vision

about the future of the region rather than as separate matters is isolation of other complex issues and that this could best be done in the process of preparation of a strategy for the SHOROC region.

At the same meeting SHOROC Board resolved to prepare a strategic plan for the SHOROC region.

Preparation of this regional strategy is likely to be the most significant matter that the current Board undertakes and so it is recommended that a full briefing be provided at the next SHOROC Board meeting on 18 February, 2008.

**Recommendation:**

1. That at the SHOROC Board meeting on 18 February, 2009 there be a briefing on the philosophy, approach, process, timeline for the preparation of a regional strategy for SHOROC and include an update of progress to date.
2. That the briefing indicate how councillors, Councils and communities input into the preparation of the Regional Strategy.

**The Board Resolved:**

1. **That at the next Board meeting in February 2009, the Executive Director provide the Board with a presentation on progress with regard to the Regional Strategy.**
2. **That the briefing indicate how councillors, Councils and communities input into the preparation of the Regional Strategy.**
3. **That the briefing for Councillors on 3 December 2008 include an overview of the strategic plan process.**

**Proposed Viv May/ Seconded Rik Hart**

## **Item 6 Update on SHOROC projects**

Background:

SHOROC has a small secretariat to provide support and coordination for a number of projects as well as providing support to the Board and the General Managers Advisory Committee. SHOROC projects therefore rely largely on the resources and cooperation of member Councils and their staff. Board reports provide updates on SHOROC projects currently being undertaken collaboratively by member Councils.

### **Item 6.1 Regional State of the Environment Report (SOE)**

Background:

The *Local Government Act* requires that each year Councils report on the State of the Environment. A report is forwarded to the Department of Local Government together with the annual report of Council, which are due by 30 November each year. In 2007, SHOROC staff responsible for the State of the Environment report worked together to produce the first Regional State of the Environment report for the SHOROC region rather than individual reports by each council. This report is available on the SHOROC website [www.shoroc.nsw.gov.au](http://www.shoroc.nsw.gov.au) as well as the websites of member Councils. Preparation of the second regional SOE report is now well advanced.

### *Update*

The SOE group met on 15 October, 2008 to discuss and amend a draft of the report. This draft will now be considered internally by individual councils. There will then be a meeting to check any revisions and to finalise any matters that are outstanding. Andrea Dawson from SHOROC is coordinating the graphic design. She is collating photographs from member councils and will shortly be meeting with the graphic artists. The preparation is proceeding on schedule.

## **Item 6.2 Procurement**

### Background:

SHOROC has a Procurement Group that meets regularly to identify opportunities for joint purchasing and tendering in order to achieve economy of scale pricing benefits. SHOROC Councils do much of their joint purchasing initiatives through Regional Procurement, Hunter Councils.

At the Procurement Group meeting on 12 June, 2008 a small working group was set up to progress the development of a Sustainable Procurement Policy. It has met several times and has produced a draft for discussion by the larger group.

### *Update*

The Procurement Group met on 16 October. Matters discussed included

*Tyre Tender Evaluation:* A panel met on 9 September to review the tenders. Deeds of Agreement are now being signed by a panel of contractors.

*Tenders being investigated:* It was decided to retain Printing Services and Cash Collection Services for further investigation.

*Tenderlink.* Manly has received training and will soon be posting up their mowing contract. Manly received excellent response with regard to their facilities' cleaning contract.

*Greenpower.* Manly advised LED globes would be trialled. Warringah are investigating provision of power through a company called CO2Zero.

*Bush Regeneration.* Warringah is collating information from each council to develop a specification to discuss with councils. A panel will be established.

*Bitumen contract.* The previously agreed management fee has been increased from .5% to .75% without reference to the Group. A letter will be prepared by SHOROC to Regional Procurement expressing concern and requesting it be retained at .5% as previously agreed.

*Auction.* It was proposed to hold two auctions the first taking place in early December when minor plant will be auctioned and the second in February 09 for all plant including vehicles.

A proposal received from a representative of Australian Business Register to give a presentation to the next Procurement Group will be accepted.

*Sustainable Procurement Policy.* The second draft is out for comment. The working group will reconvene mid November and it is proposed that they will provide a final draft to the GMAC meeting in December.

## **Item 6.3 Sportsground Management**

### Background:

SHOROC meets with the Manly, Warringah, Pittwater Sports Union. This has a long history and there have been a number of agreements between the Sports Union and the councils of Manly, Pittwater and Warringah. The most recent agreement was for the year 2002-2003. That agreement provided a means by which funds were collected for sports improvement projects. Under that agreement sports clubs were levied \$3 per season from registered players and councils contributed \$2 for every three dollars up to a maximum of \$45,000 per year. Councils and the Sports Union agreed on which projects were to be funded. Councils then managed the projects. There was a review of that agreement in 2005. Most projects funded in this way have now been completed. The final project is an amenities facility on David Thomas reserve that is expected to be completed in early 2009.

In 2006 SHOROC commissioned a report known as the Tregear report to consider how councils could work more cooperatively and strategically in the planning, development and maintenance of the region's sporting facilities. It identified a shortage of sportsfields, that in some cases maintenance of fields was below standard and that Councils allocate considerable budget resources to recurrent costs associated with the provision, preparation and maintenance of sportsfields and for capital projects and that user charges contribution towards these costs was small.

SHOROC has established a Regional Sports Liaison Committee to guide strategic planning, development and maintenance of the region's sporting facilities following the report. That Committee comprises the Mayors (and previously the Administrator of Warringah Council), general managers, staff of councils and a representative of SHOROC and representatives from various sports on the Sports Union. The Committee is a decision making body. A Sportsground Management Working Group comprising staff representatives from member Councils, from SHOROC and from the Sports Union meet on a more informal basis to discuss and to progress various sportsground management and planning matters, including user fees, sportsground management, service standards, risk management and sportsground allocation.

At a meeting of the Regional Sports Liaison Committee on 12 December 2007 the Committee resolved to give in principle support for a new fee structure being \$5 for juniors and \$7 for seniors for the 2008/2009 year. It was agreed that the fee be dependent on agreement that Councils and the Sport Union work together for a service level agreement and towards a new fee structure that, in the third year, would provide 15% cost recovery of operational costs of maintaining sportsfields to an agreed standard.

#### *Update*

A meeting of the Sportsground Management Working Group was held on 3 September, 2008. It considered a number of matters related to the management and accountability for funds and also the draft Sportsground Management Agreement. The Sports Union have agreed that information will be provided to SHOROC at the end of each season on the number of players for each sport and the amount charged per player.

The Sports Union are currently holding funds that have been collected from sporting groups from players for winter 2007, summer 2007 and for winter 2008. The meeting agreed that the funds be placed on a 4 month term deposit by the Sports Union.

There was discussion about whether or not GST is payable on fees paid by players. Questions were raised that if they are, then how does this impact on those sports groups that are GST exempt. This meeting agreed that this needs to be further discussed, initially by Gayle Sloan from Warringah Council and Coralie Newman. There are divergent views on this question.

However this matter has now been raised with Mark Isaacs, from Isaacs and Cole, SHOROC's auditor. He has discussed the matter with the Australian Taxation Office and SHOROC is awaiting his report on this discussion.

The Sports Union congratulated Manly Council and Pittwater Council for completing work on amenities that were funded from sports fees, as had been agreed. The Sports Union sought an explanation in relation to the delay in work at David Thomas reserve. The General Manager of Warringah indicated that delay was in part due to a request to change the specification so as to enable the building to support a second storey at some time in the future, if required. It is expected that a tender will be adopted by shortly and work will be completed by early 2009.

**Discussion:**

There was discussion about the management and accountability for funds. It was noted that the Sports Union and Councils have agreed to work towards a fee structure that will return to Councils 15% of costs of maintaining sports fields.

It was agreed that this matter be referred back to GMAC for consideration.

## **Item 6.4 Workforce Planning / Human Resources Management**

Background:

Human Resources Managers from SHOROC and NSROC Councils have been meeting to discuss opportunities for cooperation. Councils have agreed to contribute \$1,000 each for a research project to identify examples of effective cooperation and collaboration between councils. That project has commenced.

The Department of Local Government encourages Councils to work together where there is a benefit to councils and their communities in so doing. Such working together is often referred to a strategic alliances and sometimes such cooperation requires formal agreements and changes to staffing and accountability arrangements for some staff. There is a group in local government called the Strategic Alliance Network that promotes such arrangements and identifies policy and management issues that need to be addressed by Councils where a change to working arrangements or organisational arrangements occurs. A small working group has been established by the Department of Local Government to consider

the implications of new arrangements for staff working conditions. SHOROC is represented on that working group.

*Update*

Regional cooperation project

An agreement has been signed by both SHOROC and NSROC for research to be undertaken by Macquarie University. Work has commenced and a report is expected in December.

Strategic Alliance Network

A workshop on employment matters related to arrangements for strategic alliances was conducted by the Strategic Alliance Network on 31 July. At that meeting a small working group was set up to consider options for arrangements. Leta Webb is the ROCs representative on that group. It had its first meeting on 30 September, 2008. It is working with the Department of Local government to produce a discussion paper on workforce relations and governance matters related to setting up formal collaborative arrangements between councils.

## **Item 6.5                    Affordable Housing / Social Housing**

Background:

At its 12 December 2007 meeting the SHOROC Board considered a report on affordable housing and a report on social housing that were submitted from Pittwater Council. The Board resolved to set up a combined working group to collaborate with local community organisations and key State government agencies to identify the need for social housing in the northern beaches and to prepare a submission to State and federal government for funding and resources to address those needs.

*Update*

The working group has met several times to identify opportunities and options for increasing social and affordable housing in the area. The group recognises that opportunities in the current policy context are limited unless Councils are willing to make substantial contributions of cash or land for affordable housing. The group convened a workshop with social housing and public housing providers on 20 August to canvass options and priorities.

A verbal update on the work of the group was provided at the August SHOROC Board meeting by Lindsay Godfrey from Pittwater Council, who is the group coordinator.

The next meeting of the Affordable Housing / Social Housing working group will be held on 23 October, 2008.

## **Item 6.6                    Councillor Induction Training.**

Background:

Several months prior to the local government elections a working group comprising the officers responsible for governance from each Council and the executive Director, SHOROC was set up to discuss induction training for SHOROC Councillors.

That training was to be a mix of SHOROC coordinated programs and programs conducted by individual councils.

It was agreed that a one day Councillor Training Program would be conducted for all councils and that there would be a further program to introduce SHOROC as an organisation to new councillors.

The program and arrangements for the SHOROC Training Program were arranged before the Department of Local Government finalised arrangements for their half day compulsory training. The Department's training is now also being provided on the basis of ROCs. The program for SHOROC Councillors will be held on 6 November, 2008 at Warringah Council.

#### *Update*

A one day training program is to be held on Sunday, 19 October at the International College of Management at Manly. This program provides an overview of the role of local government, good governance, roles and responsibilities, ethics and duties and risk management. This overview program is being complemented and supplemented by training provided by individual Councils. On 3 December, 2008 at Manly at 6pm there will a separate session for all Councillors to introduce them to the role of SHOROC and to provide an opportunity to meet other councillors from the SHOROC.

### **Item 6.7 Code of Conduct - Conduct Review Committees**

#### Background:

In June 2008 the Department of Local Government released a new model code of conduct. Councils are required to prepare their own code of conduct based on the model. The new Code changed the manner of review of complaints in that it established that conduct reviews are to be undertaken by a committee or by a single reviewer who are independent of Council, who are appropriately qualified and who have standing in the community. Previously conduct reviews were undertaken by the Mayor, General Manager and one independent person. Committees would now have three independent people.

The General Managers decided that SHOROC would undertake the process of advertising and selection cooperatively and that this would be done under the umbrella of SHOROC so that the General Managers would have no role in the process of selection of suitable people. Staff responsible for governance from each council formed a working group to undertake the selection process.

#### *Update*

Advertisements were placed in the Sydney Morning Herald, the Manly Daily, the Mosman Daily and on the website of SHOROC. 52 applications were received by the closing date of 27 August, 2008.

Interviews were conducted with shortlisted applicants on 8 October, 2008. 9 people have been chosen as suitable.

As required, each Council will now need to resolve to include appropriate people from that list to be on the conduct review committee for their council. People so

selected will be available for Councils to call on in the event that there is a need for a conduct review.

## **Item 6.8 SHOROC Regional Cycleways Mapping Project**

Background:

In 2005, PBAI Australia were commissioned by SHOROC to map the existing cycleways within the SHOROC region, to determine gaps in developing a more complete and connected cycleway network and to develop a list of potential projects that assist in completing a regional cycleway network.

A draft report was prepared provided in May 2005. Comments received on the draft were incorporated into a final draft dated October, 2005.

A review of minutes from Board meetings and GMAC meetings does not indicate that the final report was ever finalised or adopted by SHOROC. There is reference in the minutes of the April 2006 Board meeting in the Action Plan that the Transport Steering Committee is to review the Cycleways Mapping Report in May 2006. However there is nothing to indicate whether the review did take place.

SHOROC has had a request from staff at Warringah Council to clarify the status of the document.

Given that SHOROC is about to embark on preparation of a regional strategy, it is recommended that the Board consider a resolution similar to that adopted in relation to the traffic studies and the employment study that were finalised early this year ie that the study not be adopted as policy of SHOROC but be considered in the process of preparation of the regional strategy and be used in the process of preparation of the regional strategy, for discussion with other levels of government and for local planning by Councils. The study can then be placed on the websites of SHOROC and member Councils.

### **Recommendation:**

1. That the Board receive and note the reports on current SHOROC projects.
2. That in relation to item 6.8 SHOROC Regional Cycleways Mapping Project that the report be accepted as a final report but that it not be adopted as the policy position of SHOROC. The report and any comments on it from member Councils inform the process of preparation of the regional strategy for SHOROC, for discussion with other levels of government and be used as a reference document by member Councils for their own planning.

**The Board Resolved:**

1. To note the progress on SHOROC projects.
2. With regard to Item 6.6 to congratulate Leta Webb on a successful Councillor Induction function on Sunday 19<sup>th</sup> October.
3. With regard to Item 6.8 to adopt the Regional Cycleways Mapping Project but that it not be adopted as the policy position of SHOROC. The report and any comments on it from member Councils be used to inform the process of preparation of the regional strategy for SHOROC, for discussion with other levels of government and be used as a reference document by member Councils for their own planning.

Proposed Mark Ferguson /Seconded Cr James

**Item 8                      Matters submitted by member Councils  
Nil**

**Item 9                      General Business**

**Item 10                    Confirm Time and Date of Next Meeting:  
18 February, 2009 at 3pm at Manly Council**