

Public Forum Question and Response

Subject: Council lease fee increases for Surf Life Saving Clubs and Takings from Surf Clubs' incomes

Question From: Mr Vincent De Luca OAM

Meeting Date: 26 February 2008

Question:

- a) Is it correct that Council intends to renegotiate leases held by Surf Life Saving Clubs in the Warringah Council area?
- b) What is the reason for the renegotiations and is this permissible at law?
- c) Is there a proposal by Council to take a percentage of moneys raised by Surf Clubs and if so, what is the reason for this and is this permissible under Crown Land legislation?

Response:

The Director Corporate Services advised that as a result of a number of issues including unauthorised works, unauthorised sub-leases and encroachments on land which were not covered by the terms of existing leases, there had to be some re-negotiation of existing leases. The Director advised that the re-negotiated terms had to be mutually agreed to by both the surf clubs and council. The Director advised that by no means was council taking the income of surf clubs generated from barbecues, raffles and other such fundraisers, and wanted to reassure the community on this point. The Director did however give advice that the Department of Lands has a clear policy that where there are commercial operations on Crown Land (7 out of 9 surf clubs are on Crown Land) the leaserental must reflect an appropriate commercial return, a proportion of which must be remitted to the Department. The Administrator requested that this advice be attached to the minutes of this council meeting.