

# AGENDA

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

**Tuesday 25 February 2020**

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



**Ray Brownlee PSM**  
**Chief Executive Officer**

**(Version 2)**

## OUR VISION

*Delivering the highest quality service valued and trusted by our community*

## OUR VALUES

*Trust Teamwork Respect Integrity Service Leadership*



**Agenda for an Ordinary Meeting of Council  
to be held on Tuesday 25 February 2020  
at the Civic Centre, Dee Why  
Commencing at 6:00pm**

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## **1.0 ACKNOWLEDGEMENT OF COUNTRY**

As a sign of respect, Northern Beaches Council acknowledges the traditional custodians of these lands on which we gather and pays respect to Elders past and present.

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## **2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

In accordance with Part 6 of the Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

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## **3.0 CONFIRMATION OF MINUTES**

### **3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 17 DECEMBER 2019**

#### **RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held 17 December 2019, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

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### **3.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 23 DECEMBER 2019**

#### **RECOMMENDATION**

That the Minutes of the Extraordinary Council Meeting held 23 December 2019, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

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## **4.0 DISCLOSURES OF INTEREST**

In accordance with Part 17 of the Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

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## **5.0 PUBLIC FORUM AND PUBLIC ADDRESS**

In accordance with Part 5 of the Code of Meeting Practice, residents, ratepayers, applicants or other persons may request to address Council in relation to any one matter related to the general business of Council but not the subject of a report on the agenda (Public Forum) and no more than two matters listed for consideration on the agenda (Public Address).

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## **6.0 ITEMS RESOLVED BY EXCEPTION**

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In accordance with Part 14 of the Code of Meeting Practice, items that are dealt with by exception are items where the recommendations contained in the staff reports in the agenda are adopted without discussion.

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## 7.0 MAYORAL MINUTES

<b>ITEM 7.1</b>	<b>MAYORAL MINUTE NO 01/2020 - SUPPORT AND RECOGNITION OF NORTHERN BEACHES EMERGENCY VOLUNTEERS AND IMPACTED BUSHFIRE COMMUNITIES</b>
<b>TRIM FILE REF</b>	<b>2020/097516</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

### BACKGROUND

There cannot be any argument in relation to the devastation of the recent weather events with so many communities impacted by bushfires let alone those who continue to endure hardship brought about by the extended drought across the State.

The recent bushfires saw many of our local Rural Fire Service (RFS) volunteers leave the northern beaches to assist other areas, giving up precious valuable family time over the Christmas and new year period. In recent discussions with the RFS around the efforts of our volunteers and the personal impact on them along with their families, I believe there is an opportunity for Council and our community to show our appreciation directly to our local volunteers.

I am proposing that Council consider holding a civic 'Christmas style' event for our local RFS heroes who were unable to spend time at Christmas with their families. They have given so much personally to help others, not hesitating to travel to other towns across the State to assist during the bushfires.

As part of this event, Council could also host RFS volunteers and their families from other towns impacted during this time. Council would work with the RFS to identify these volunteers.

Last month Council partnered with the Royal Far West in Manly to provide an opportunity for some families from Mullaley near Gunnedah to take a break from the hardship they have been facing due to the drought. They were able to enjoy our hospitality along with support from our local businesses including dining at local restaurants, sailing and surfing lessons. It was a great success and I believe stands testament to our community's genuine commitment to assist others during difficult times.

This initiative demonstrated just how a small investment can have far reaching positive benefits for a community in need. Since the bushfires, Royal Far West have identified communities that are still in crisis mode and many families are displaced. For example, at Cobargo Public School there are 19 children of a total of 65 who lost their homes in Cobargo. At Quaama Public School, 6 out of the 55 students lost their homes. Those in regional areas like Cobargo and Quaama will also be facing wellbeing and mental health issues for many months to come, including the children.

The Royal Far West are keen to work with Council to provide similar support as we did for the Mullaley families to school children from Cobargo. Royal Far West can provide the much needed respite as well as professional assistance in dealing with the recent traumatic experiences to these children. The benefits of psycho-social support that will be provided to them cannot be quantified in financial terms but given the feedback from the Mullaley families, it is priceless and something we can help to deliver.

There were of course many other school communities affected and so I believe we should call on our local State and Federal Members to assist the Royal Far West in expanding this initiative to enable more school children to benefit from an excursion to Manly.

Further, our State and Federal members should be called on to join in our efforts to recognise our local RFS heroes.



## MOTION

That Council:

1. Acknowledges the success of the Drought Assistance initiative that brought drought affected families from Mullaley last month to stay at the Royal Far West in Manly.
  2. Acknowledges the devastating impact of the summer of bushfires on many rural and regional communities across the State.
  3. Provides a report back to Council in April outlining the options and costs of providing support and recognition to our Rural Fire Service volunteers and communities impacted during the bushfire including:
    - A. Hosting a 'Christmas style' civic event to recognise and thank our local Rural Fire Service volunteers and their families who gave of their time over Christmas and the New Year to assist in other areas of the State over the bushfire season.
    - B. Identifying the costs of partnering with the Royal Far West to provide respite to children severely impacted by the devastating bushfires.
    - C. Considering other in-kind support that Council could offer such as waiving fees to Council facilities and working with local businesses to provide support.
  4. Writes to the State and Federal local members to seek their participation in the civic event and their assistance in seeking funding to enable the Royal Far West to expand the initiative to provide respite to children severely impacted by the devastating bushfires.
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**Michael Regan**  
MAYOR

## 9.0 CORPORATE AND LEGAL DIVISION REPORTS

<b>ITEM 9.1</b>	<b>DECEMBER 2019 QUARTER REVIEW</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2020/016734</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">☞</a> Quarterly Budget Review Statement - Dec 2019 (Included In Attachments Booklet)</b>
	<b>2 <a href="#">☞</a> Quarterly Report on Service Performance - December 2019 (Included In Attachments Booklet)</b>

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### SUMMARY

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#### PURPOSE

To present the financial and management results for the period ended 31 December 2019.

#### EXECUTIVE SUMMARY

The report details Council's management results for the quarter and the consolidated financial position for the six months ended 31 December 2019. The Quarterly Report on Service Performance is a progress report on the Operational Plan 2019/20.

The Surplus from Continuing Operations which includes Capital Grants and Contributions for the financial year is forecast to decrease by \$7.7m to \$26.4m primarily resulting from an \$8.3m deferral in Capital Grants and Contributions due to the timing of these projects rolling into the 2020/21 financial year. The Surplus from Continuing Operations before Capital Grants and Contributions for the financial year is forecast to decrease by \$0.2m to \$3.5m. Capital Expenditure is forecast to decrease by \$13.7m to \$104.5m, primarily due to the re-phasing of \$14m expenditure to the 2020/21 financial year.

In addition to the reforecast capital expenditure and income, material proposed changes to the budget include an increase in the forecast income from rates principally related to the increase in rates assessments after the completion of residential development (\$0.7m); a Natural Disaster payment relating to the June 2016 storm (\$0.36m); an increase in employee costs including lifeguards, field staff, aquatic centre (offset by income), and arts and culture staff (\$1.3m) and an increase in Kimbriki operating expenditure (\$1.6m) partially offset with an increase in income (\$0.5m) relating to the cost of processing recyclables.

Of the 239 actions of the Operational Plan 2019/20, the majority are progressing on schedule, and 24 completed. Most performance measures have met or are approaching their targets. Council's high quality services received three awards across the service areas of Children's Services, Place Making and Customer Service. Further details on service achievements are at Attachment 2 - Quarterly Report on Service Performance.

## RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Notes the Budget Review Statement for the six months ended 31 December 2019.
  2. Approves the following changes to the Current Forecast in the December 2019 Budget Review Statement:
    - A. A decrease in the forecast Surplus from Continuing Operations which includes Capital Grants and Contributions of \$7,689,097 to \$26,440,837
    - B. A decrease in capital expenditure by \$13,740,179 to \$104,473,545.
  3. Notes the Quarterly Report on Service Performance for the period ended 31 December 2019.
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## REPORT

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### BACKGROUND

The Northern Beaches Council's Operational Plan 2019/20 was adopted on 25 June 2019. The Operational Plan is for the period 1 July 2019 to 30 June 2020.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2019/20. It has been prepared in accordance with the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2005 (Cl203), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

The Quarterly Budget Review Statement provides reporting to adequately disclose the Council's overall financial position as well as provide sufficient information to enable informed decision making while ensuring transparency.

The report includes:

- Service performance
- Financial performance
  - Recommended changes to the budget
  - Income and expenses budget review statement
  - Capital budget review statement
  - Cash and investments budget review statement and cash flow statement
  - Balance sheet
  - Key performance indicators
  - Contracts listing
  - Budget review of consultancy and legal expenses.

### Overview of Service Performance

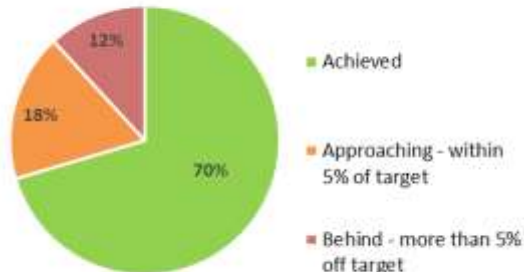
A summary of the progress this quarter on the delivery of 239 projects and 34 performance indicators is below.

Of the 239 projects, 87% are either progressing or completed (24 completed). Council's target by 30 June 2020 is 80% of projects are complete or progressing on schedule.

Of the 34 quarterly performance indicators, 70% have met their target and a further 18% are approaching their target.

## Performance at a glance

### 34 Performance indicators



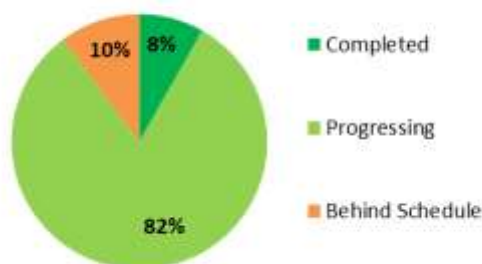
### 3 Awards and Recognition

N = National

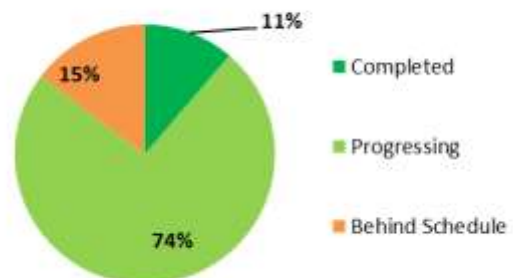
- **Winner - Australian Childcare Alliance NSW – Excellence in Early Childhood Education Awards - Educational Program Excellence - Narrabeen Children’s Centre**
- **Winner - Australian Street Art Awards - Best Utility Art (N) – for Sunset Dreaming mural in Manly Corso**
- **Highly Commended - National Local Government Customer Service Network (N) - Innovation in Customer Experience in Service Delivery**

## Project status: overall 87% completed or progressing on schedule

### 97 Operational projects



### 142 Capital projects



A more detailed report on service performance is at Attachment 2 – ‘Quarterly Report on Service Performance’. This shows by service the quarter highlights; status of projects, performance indicators and workload measures, as well as service financials.

## FINANCIAL CONSIDERATIONS

### Responsible Accounting Officer Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulations 2005*:

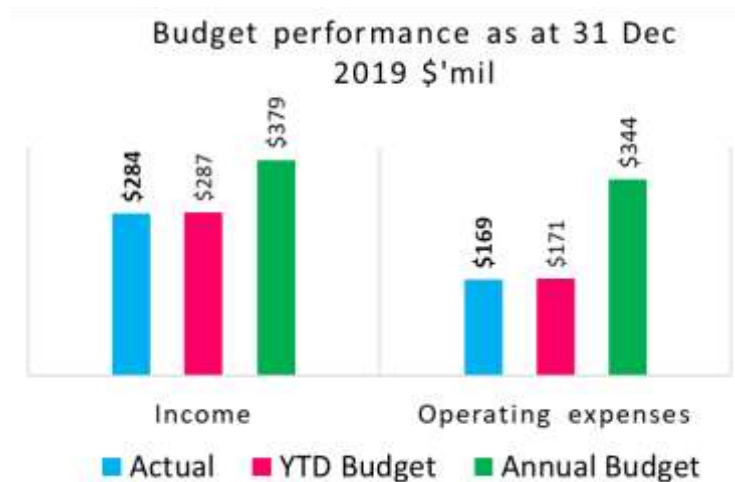
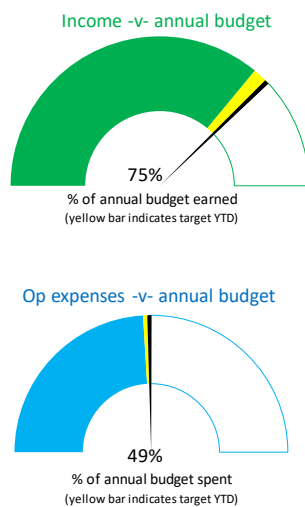
*“It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 31 December 2019 indicates that Council’s projected financial position at 30 June 2020 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.”*

*David Walsh Chief Financial Officer, Northern Beaches Council.*

## Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of the Council's progress against the annual budget at the end of the December 2019 quarter and provides explanations for major variations that result in recommendations for budget changes. Further information on the financial performance and any recommended budget changes for each of the 16 services of the Delivery Program is available within Attachment 2 - 'Quarterly Report on Service Performance'.

### Operating budget summary – as at 31 December 2019



The Surplus from Continuing Operations which includes Capital Grants and Contributions for the financial year is forecast to decrease by \$7.7m to \$26.4m. This decrease is due to lower than anticipated Income from Continuing Operations of \$5.7m and higher than anticipated Expenses from Continuing Operations of \$1.9m.

The Surplus from Continuing Operations before Capital Grants and Contributions for the financial year is forecast to decrease by \$0.2m to \$3.5m.

These overall movements are detailed in the table below, under the 'Recommended Changes' column.

### Operating budget as at 31 December 2019 – summary of recommended changes

	Annual				Year to date			
	ORIGINAL	REVISED	Recommended	CURRENT	YTD	YTD	YTD	
	Budget	Budget	changes for Council resolution	Forecast	Actual	Approved Budget	Variance	%
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%
Income	377,089	378,625	(5,748)	372,877	284,042	286,996	(2,954)	(1%)
Operating expenses	(343,183)	(344,496)	(1,941)	(346,437)	(169,118)	(171,147)	2,030	(1%)
<b>Surplus / (Deficit)</b>	<b>33,906</b>	<b>34,130</b>	<b>(7,689)</b>	<b>26,441</b>	<b>114,924</b>	<b>115,848</b>	<b>(924)</b>	<b>(1%)</b>
<b>Surplus / (Deficit) before Capital Grants &amp; Contributions</b>	<b>4,660</b>	<b>3,650</b>	<b>(167)</b>	<b>3,483</b>	<b>104,451</b>	<b>104,160</b>	<b>291</b>	<b>0%</b>

## Income Year to Date (YTD) Analysis

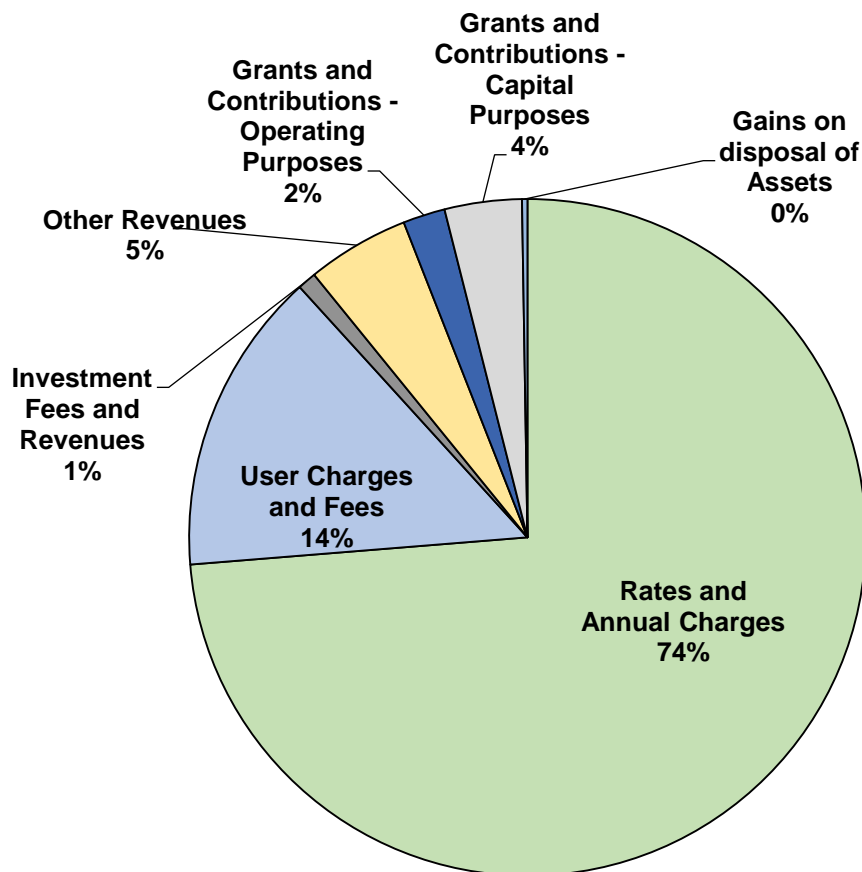
Total Income from Continuing Operations at the end of December 2019 is \$284.0m which is \$2.9m under the forecast. The principal reasons for this variance are as follows:

Income as at 31 December 2019 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
550	<b>Rates and Annual Charges</b> <ul style="list-style-type: none"> <li>Higher than anticipated Rates income as a result of additional rate assessments issued following receipt of supplementary valuations by the Valuer-General (\$0.689m)</li> </ul>
(339)	<b>User Charges &amp; Fees</b> <ul style="list-style-type: none"> <li>Development assessment income (\$0.201m)</li> <li>Timing of road restorations (\$0.223m)</li> <li>Timing of Environmental Health fees (\$0.150m)</li> <li>Lower utilisation of vacation care (\$0.104m) and community centres (\$0.166m)</li> <li>Higher patronage aquatic centres \$0.506m</li> </ul>
(161)	<b>Investment Fees and Revenues</b> <ul style="list-style-type: none"> <li>Interest revenues are lower than forecast as a result of the impact of the decision of the Reserve Bank Board to lower the cash rate by 25 basis points on three occasions since June 2019 coupled with a decline in margins reflecting a lower demand for funds from the banks.</li> </ul>
788	<b>Other Revenues</b> <ul style="list-style-type: none"> <li>Timing of lease income \$0.820m</li> <li>Kimbriki recycling income \$0.187m</li> <li>Timing of fine income (\$0.345m)</li> </ul>
(2,700)	<b>Grants and Contributions - Operating Purposes</b> <ul style="list-style-type: none"> <li>Timing of the street lighting grant (\$0.544m)</li> <li>Timing of the Stronger Communities Fund projects for Mona Vale Public School (\$0.943m) and Barrenjoey High School (\$0.186m) Performance Spaces</li> <li>Timing of contribution to Emergency Services Levy (\$0.487m)</li> <li>Timing of the RMS Block grant (\$0.370m)</li> </ul>
(1,215)	<b>Grants and Contributions - Capital Purposes</b> <ul style="list-style-type: none"> <li>Development contributions (\$0.329m)</li> <li>Timing of Connecting Communities Cycleways program (\$1.011m)</li> <li>Timing of Collaroy-Narrabeen Coastal Protection projects (\$0.475m)</li> <li>Early receipt of the Roads to Recovery funding for road resheeting \$0.850m and \$0.500m from NSW State Library for Library resources</li> </ul>
123	<b>Gains on disposal of Assets</b> <ul style="list-style-type: none"> <li>Timing of the sale of plant and equipment including waste compactors</li> </ul>
(2,954)	<b>TOTAL INCOME VARIANCE - YTD ACTUALS WITH YTD BUDGET</b>

Actual Results - Consolidated

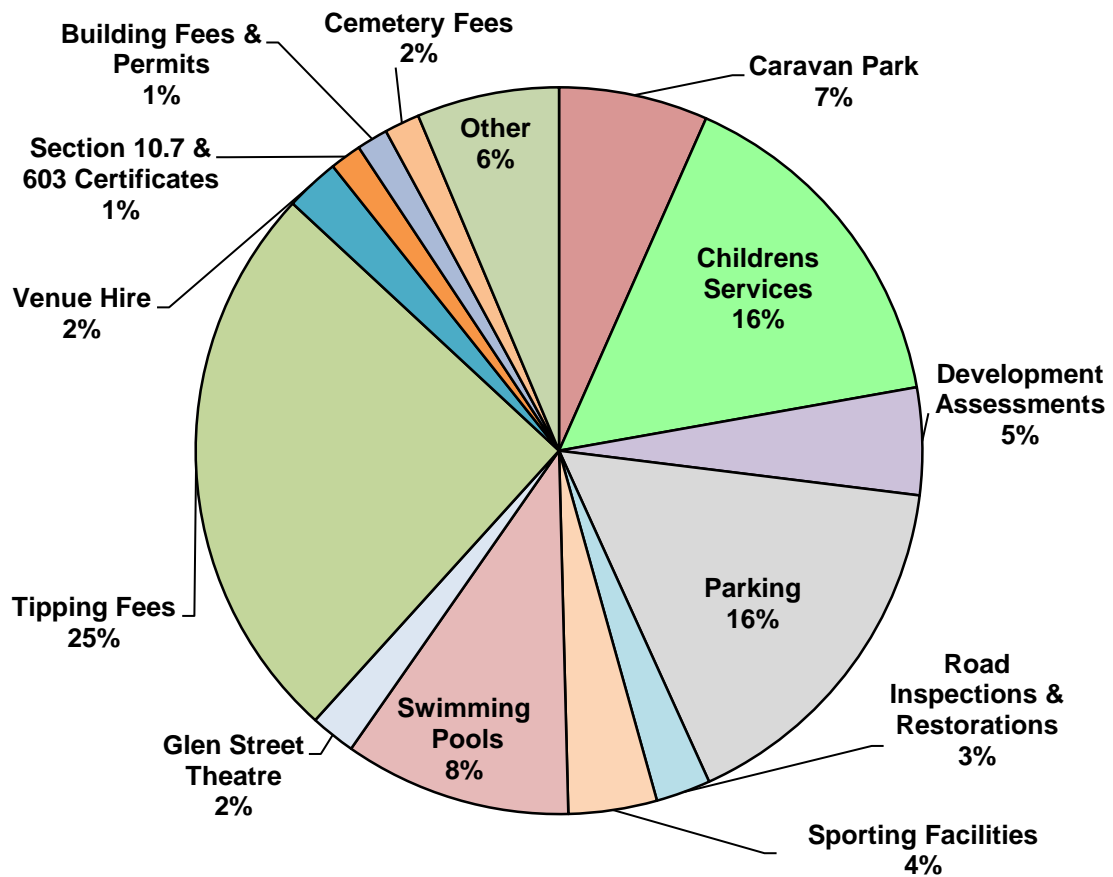
Income from continuing operations



Income Item	1 July 2019 - 31 December 2019			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and Annual Charges	209,395	208,844	550	0.3%
User Charges & Fees	41,267	41,606	(339)	(0.8)%
Investment Fees and Revenues	2,536	2,697	(161)	(6.0)%
Other Revenues	13,924	13,137	788	6.0%
Grants and Contributions - Operating Purposes	5,714	8,414	(2,700)	(32.1)%
Grants and Contributions - Capital Purposes	10,473	11,689	(1,215)	(10.4)%
Gains on disposal of Assets	733	610	123	20.3%
<b>Total Income</b>	<b>284,042</b>	<b>286,996</b>	<b>(2,954)</b>	<b>(1.0)%</b>

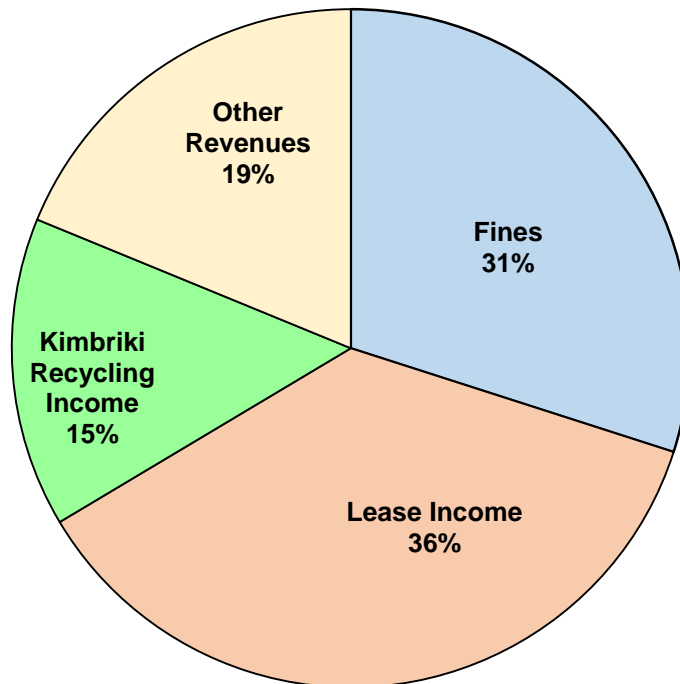


## User charges and fees



User Charges & Fees Item	1 July 2019 - 31 December 2019			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Tipping Fees	10,399	10,378	20	0.2%
Parking	6,709	6,859	(149)	(2.2)%
Childrens Services	6,426	6,591	(165)	(2.5)%
Swimming Pools	4,170	3,665	506	13.8%
Caravan Park	2,737	2,822	(85)	(3.0)%
Development Assessments	1,966	2,174	(209)	(9.6)%
Glen Street Theatre	829	705	124	17.6%
Road Inspections & Restorations	1,004	1,222	(219)	(17.9)%
Venue Hire	991	1,156	(166)	(14.3)%
Sporting Facilities	1,625	1,682	(58)	(3.4)%
Section 10.7 & 603 Certificates	580	565	15	2.7%
Building Fees & Permits	572	637	(64)	(10.1)%
Cemetery Fees	647	415	232	56.0%
Other	2,614	2,735	(120)	(4.4)%
<b>Total User Charges &amp; Fees</b>	<b>41,267</b>	<b>41,606</b>	<b>(339)</b>	<b>(0.8)%</b>

## Other revenues



Other Revenue Item	1 July 2019 - 31 December 2019			
	YTD	YTD	YTD	%
	Actual (\$'000)	Budget (\$'000)	Variance (\$'000)	Variance
Fines	4,170	4,515	(345)	(7.6)%
Lease Income	5,080	4,260	820	19.3%
Kimbriki Recycling Income	2,056	1,868	187	10.0%
Other Revenues	2,618	2,493	125	5.0%
<b>Total Other Revenue</b>	<b>13,924</b>	<b>13,137</b>	<b>788</b>	<b>6.0%</b>

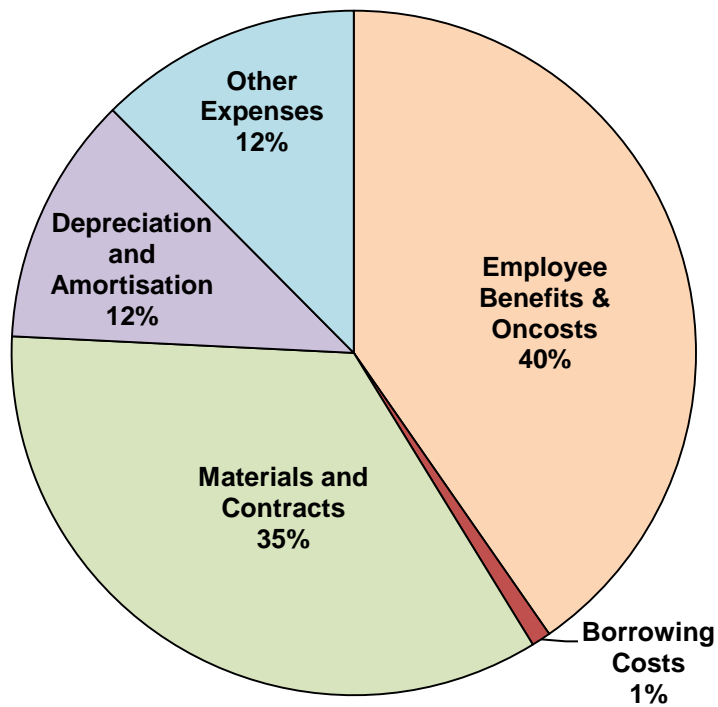
## Operating expenses Year to Date (YTD) Analysis

Total Expenses from Continuing Operations at the end of December 2019 is \$169.1m which is \$2.0m under the forecast. The principal reasons for this variance are as follows:

Operating expenses as at 31 December 2019 – Variance to Approved YTD Budget

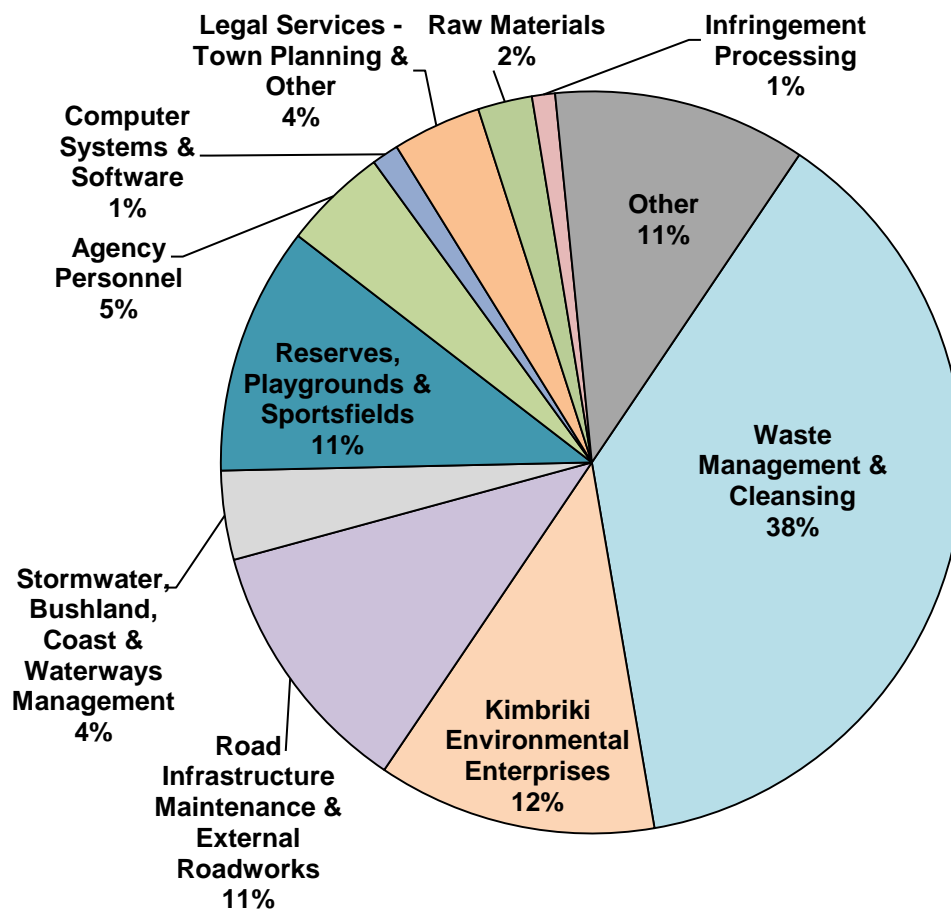
YTD Variance \$'000	Details – Favourable / (Unfavourable)
<b>(964)</b>	<b>Employee Benefits &amp; Oncosts</b> <ul style="list-style-type: none"> <li>Higher employee cost associated with the lifeguard service, field staff, additional arts &amp; culture staff and additional staff to cover extra patronage at Manly Andrew Boy Charlton Aquatic Centre partially offset by vacancies in the Environmental Compliance team.</li> </ul>
<b>4</b>	<b>Borrowing Costs</b> <ul style="list-style-type: none"> <li>Lower than anticipated interest rates on borrowings subject to a variable rate (\$0.006m)</li> </ul>
<b>(492)</b>	<b>Materials and Contracts</b> <ul style="list-style-type: none"> <li>Timing of Accelerated Streetlight Replacement Program (\$1.234m)</li> <li>Higher agency and contract personnel expenses due to staff vacancies in the Environmental Compliance team (\$0.487m)</li> <li>Kimbriki materials and contracts due to increased vegetation processing costs (\$0.460m)</li> <li>Timing of the strategic planning projects including the Northern Beaches Local Environmental Plan \$0.542m</li> <li>Timing of works in the bushland, biodiversity and the floodplain management programs \$1.151m</li> <li>Timing of the delivery of a number of events and the later delivery of the Destination Management Plan \$0.225m</li> </ul>
<b>(405)</b>	<b>Depreciation and Amortisation</b> <ul style="list-style-type: none"> <li>Timing of the completion of capital works projects</li> </ul>
<b>3,887</b>	<b>Other Expenses</b> <ul style="list-style-type: none"> <li>Timing of Stronger Communities fund projects \$1.153m</li> <li>Timing of expenditure on street lighting \$0.726m</li> <li>Timing of software licence renewals \$0.158m and insurance payments \$0.281m.</li> <li>Timing of property management fees \$0.283m</li> <li>Savings on the EPA levy expense due to the reduced landfill volumes at Kimbriki \$0.223m</li> </ul>
<b>2,030</b>	<b>TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET</b>

## Expenses from Continuing Operations



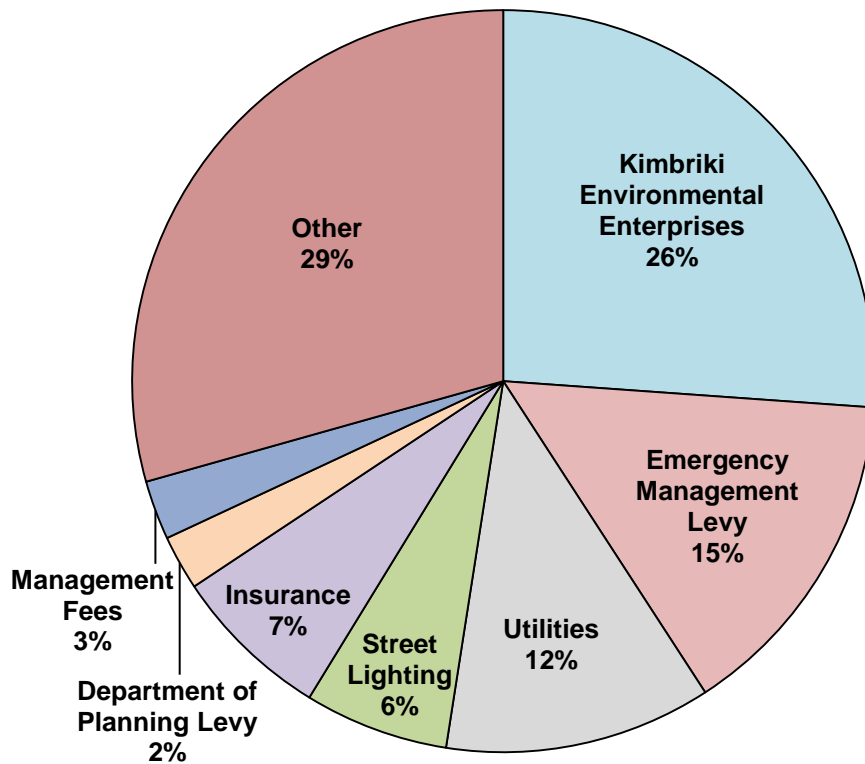
Expense Item	1 July 2019 - 31 December 2019			
	YTD	YTD	YTD	%
	Actual (\$'000)	Budget (\$'000)	Variance (\$'000)	Variance
Employee Benefits & Oncosts	68,204	67,240	(964)	(1.4)%
Borrowing Costs	1,534	1,538	4	0.3%
Materials and Contracts	58,408	57,916	(492)	(0.8)%
Depreciation and Amortisation	19,924	19,518	(405)	(2.1)%
Other Expenses	21,048	24,934	3,887	15.6%
<b>Total Expense</b>	<b>169,118</b>	<b>171,147</b>	<b>2,030</b>	<b>1.2%</b>

## Materials and contracts



Materials & Contracts Item	1 July 2019 - 31 December 2019			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Waste Management & Cleansing	22,110	23,112	1,002	4.3%
Kimbriki Environmental Enterprises	7,100	6,640	(460)	(6.9)%
Road Infrastructure Maintenance & External Roadworks	6,611	5,406	(1,206)	(22.3)%
Stormwater, Bushland, Coast & Waterways Management	2,264	3,537	1,273	36.0%
Reserves, Playgrounds & Sportsfields	6,312	6,137	(175)	(2.9)%
Agency Personnel	2,658	1,778	(880)	(49.5)%
Computer Systems & Software	687	614	(73)	(11.8)%
Legal Services - Town Planning & Other	2,258	1,787	(472)	(26.4)%
Raw Materials	1,381	1,611	230	14.3%
Infringement Processing	587	622	35	5.6%
Other	6,440	6,673	234	3.5%
<b>Total Materials &amp; Contracts</b>	<b>58,408</b>	<b>57,916</b>	<b>(492)</b>	<b>(0.8)%</b>

## Other expenses



Other Expenses Item	1 July 2019 - 31 December 2019			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki Environmental Enterprises	5,500	5,793	293	5.1%
Emergency Management Levy	3,095	3,095	0	0.0%
Utilities	2,448	2,690	242	9.0%
Street Lighting	1,323	2,050	726	35.4%
Insurance	1,456	1,737	281	16.2%
Department of Planning Levy	502	334	(168)	(50.3)%
Management Fees	543	826	283	34.3%
Other	6,181	8,409	2,228	26.5%
<b>Total Other Expenses</b>	<b>21,048</b>	<b>24,934</b>	<b>3,887</b>	<b>15.6%</b>



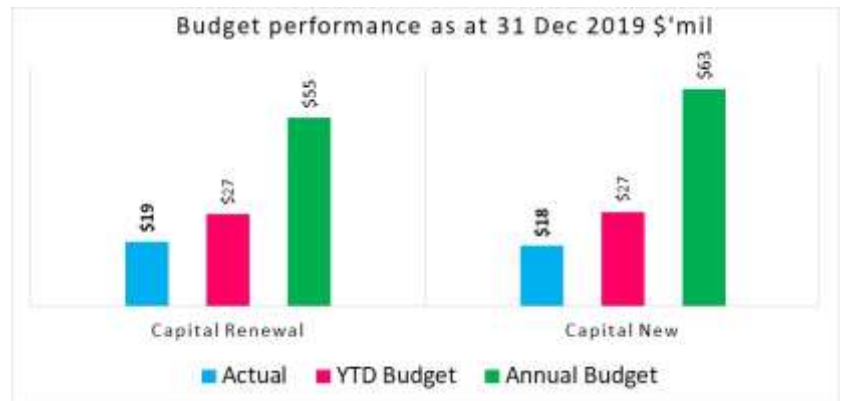
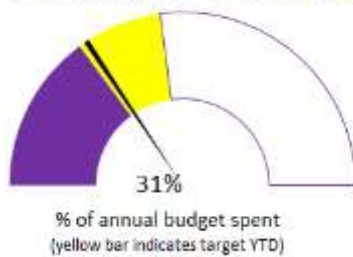
## Capital Budget Statement

Capital Expenditure is forecast to decrease by \$13.7m to \$104.5m as detailed in the Capital Budget Statement within Attachment 1 – ‘Quarterly Budget Review Statement’.

Expenditure on Capital Works for the six months ended 31 December 2019 is \$36.4m.

Capital budget summary – as at 31 December 2019

Capital expenses -v- annual budget



## Financial Performance Measures

The following financial performance measures indicate that Council is in a strong and sustainable position.

	Forecast result 30/6/2020 \$'000	Forecast indicator 30/6/2020 %		Benchmark
<b>1. Operating Performance</b>				
Total continuing operating revenue <sup>1</sup> excluding capital grants and contributions less operating expenses	<b>2,507</b>	<b>0.72%</b>	✓	<b>&gt;0%</b>
Total continuing operating revenue <sup>1</sup> excluding capital grants and contributions	<b>348,944</b>			
This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded. For the 2019-20 financial year, the forecast result remains within the benchmark, but lower than previous years as the Council is returning surplus funds from the domestic waste reserve to customers through lower Domestic Waste Charges.				
<b>2. Own Source Operating Revenue</b>				
Total continuing operating revenue <sup>1</sup> excluding all grants and contributions	<b>325,265</b>	<b>87.46%</b>	✓	<b>&gt;60%</b>
Total continuing operating revenue <sup>1</sup> inclusive of capital grants and contributions	<b>371,901</b>			
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue.				
<b>3. Unrestricted Current Ratio</b>				
Current assets less all external restrictions	<b>111,305</b>	<b>2.04x</b>	✓	<b>&gt;1.5x</b>
Current liabilities less specific purpose liabilities	<b>54,523</b>			

The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g. developer contributions, unexpended grants and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council's other operating and borrowing costs – these funding sources are removed from this ratio.

<sup>1</sup> Excludes fair value adjustments, reversal of revaluation decrements and net gain on sale of assets.

**CONSULTATION**

Where relevant, community feedback on activities or events is included in the attachment.

**TIMING**

The Quarterly Budget Review Statement meets the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2005 (Cl203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

**LINK TO COUNCIL STRATEGY**

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

**SOCIAL CONSIDERATIONS**

The report discloses progress on implementing the Operational Plan 2019/20. This includes the continued delivery of capital works and services that support our community and economy. These initiatives will have a positive social and economic impact on the community.

**ENVIRONMENTAL CONSIDERATIONS**

The report provides progress on implementing the Operational Plan 2019/20 which includes a range of projects which will protect and enhance our natural environment through management of coast, bush and biodiversity; implementing catchment management initiatives; and comprehensive environmental works and education on our urban and natural settings.

**GOVERNANCE AND RISK CONSIDERATIONS**

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e. implementation of the Operational Plan 2019/20 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.



<b>ITEM 9.2</b>	<b>MONTHLY INVESTMENT REPORT - DECEMBER 2019</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2020/017231</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## SUMMARY

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### PURPOSE

To provide a report setting out details of all money that Council has invested under section 625 of the Local Government Act 1993.

### EXECUTIVE SUMMARY

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

The Investment Report shows that Council has total cash and investments of \$200,959,271 comprising:

- Trading Accounts           \$1,968,560
- Investments                 \$198,990,711

Performance over the period from 1 July 2019 to date was strong having exceeded the benchmark: 2.22%pa vs. 1.70%pa.

### Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and existing Investment Policies.

### LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

### FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2019 to date was \$2,310,744 compared to budgeted income of \$2,820,927, a negative variance of \$510,183.

### SOCIAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of social responsibility when making investment decisions.

### ENVIRONMENTAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of environmental responsibility when making investment decisions.

## **GOVERNANCE AND RISK CONSIDERATIONS**

Council's Investment Policy and Strategy were reviewed in August 2019 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy *"remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet"* and that they *"do not recommend any changes to the list of approved investments or credit limit frameworks"*.

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in November 2018, and no change to the Policy was required following that review.

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## **RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL**

That Council receives and notes the Investment Report as at 31 December 2019, including the certification by the Responsible Accounting Officer.

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**REPORT**

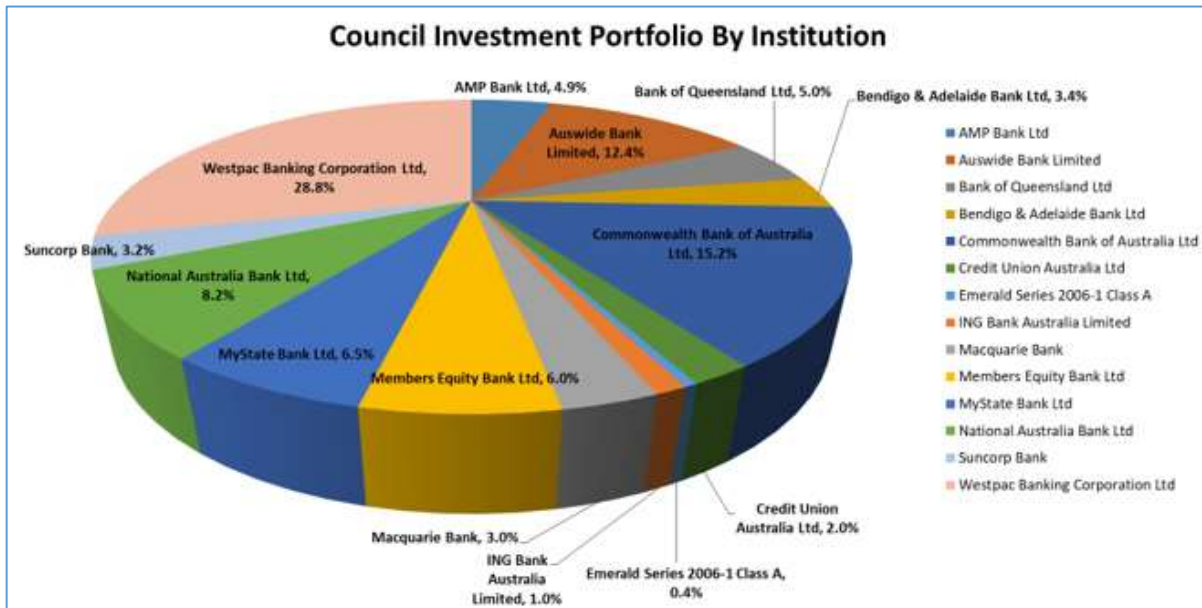
**INVESTMENT BALANCES**

<b>INVESTMENT BALANCES</b>				
As at 31-Dec-2019				
<b>INSTITUTION</b>	<b>RATING</b>	<b>AMOUNT \$</b>	<b>MATURITY DATE</b>	<b>INTEREST RATE</b>
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	609,282		0.80%
National Australia Bank Ltd	A1+	197,613		0.50%
		<b>806,895</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	9,199,689	At Call	1.10%
		<b>9,199,689</b>		
<b>Mortgage Backed Securities</b>				
Emerald Series 2006-1 Class A	AAA	831,821	21-Aug-51	1.34%
		<b>831,821</b>		
<b>Term Deposits</b>				
Auswide Bank Limited	A2	2,000,000	07-Jan-20	2.30%
Auswide Bank Limited	A2	3,000,000	07-Jan-20	2.75%
National Australia Bank Ltd	A1+	2,000,000	09-Jan-20	2.35%
Westpac Banking Corporation Ltd	A1+	3,000,000	14-Jan-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Jan-20	2.10%
Credit Union Australia Ltd	A2	2,000,000	21-Jan-20	2.76%
Westpac Banking Corporation Ltd	A1+	4,000,000	21-Jan-20	2.00%
Suncorp Bank	A1	2,000,000	23-Jan-20	2.35%
Auswide Bank Limited	A2	3,000,000	04-Feb-20	2.75%
Auswide Bank Limited	A2	2,000,000	06-Feb-20	2.30%
Westpac Banking Corporation Ltd	A1+	3,000,000	11-Feb-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	13-Feb-20	2.10%
National Australia Bank Ltd	A1+	1,000,000	18-Feb-20	2.35%
Suncorp Bank	A1	2,000,000	20-Feb-20	2.35%
Credit Union Australia Ltd	A2	2,000,000	25-Feb-20	2.78%
Bank of Queensland Ltd	A2	3,000,000	25-Feb-20	1.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Mar-20	1.73%
Macquarie Bank	A1	3,000,000	03-Mar-20	1.80%
Auswide Bank Limited	A2	3,000,000	03-Mar-20	2.75%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Mar-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-Mar-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	17-Mar-20	1.72%
MyState Bank Ltd	A2	2,000,000	24-Mar-20	1.75%
MyState Bank Ltd	A2	2,000,000	26-Mar-20	1.80%
Members Equity Bank Ltd	A2	3,000,000	31-Mar-20	1.65%
MyState Bank Ltd	A2	2,000,000	02-Apr-20	1.80%
Macquarie Bank	A1	3,000,000	02-Apr-20	1.80%
MyState Bank Ltd	A2	2,000,000	07-Apr-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-Apr-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Apr-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	16-Apr-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	21-Apr-20	1.78%
Bank of Queensland Ltd	A2	1,000,000	23-Apr-20	1.65%

<b>INVESTMENT BALANCES</b>				
As at 31-Dec-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Term Deposits (continued)</b>				
Members Equity Bank Ltd	A2	3,000,000	28-Apr-20	1.65%
Auswide Bank Limited	A2	2,000,000	30-Apr-20	1.75%
MyState Bank Ltd	A2	3,000,000	05-May-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-May-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-May-20	2.10%
National Australia Bank Ltd	A1+	3,000,000	14-May-20	1.70%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-May-20	1.78%
Members Equity Bank Ltd	A2	3,000,000	26-May-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	28-May-20	1.65%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	28-May-20	1.60%
Bank of Queensland Ltd	A2	2,000,000	02-Jun-20	1.65%
Members Equity Bank Ltd	A2	2,000,000	09-Jun-20	1.60%
MyState Bank Ltd	A2	2,000,000	11-Jun-20	1.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jun-20	1.60%
Westpac Banking Corporation Ltd	A1+	4,000,000	23-Jun-20	2.50%
Westpac Banking Corporation Ltd	A1+	2,000,000	02-Jul-20	1.70%
Westpac Banking Corporation Ltd	A1+	3,000,000	02-Jul-20	2.50%
Members Equity Bank Ltd	A2	1,000,000	07-Jul-20	1.60%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Jul-20	2.55%
Westpac Banking Corporation Ltd	A1+	3,000,000	24-Jul-20	2.25%
Westpac Banking Corporation Ltd	A1+	2,000,000	04-Aug-20	1.70%
AMP Bank Ltd	A2	2,000,000	18-Aug-20	1.65%
ING Bank Australia Limited	A1	2,000,000	27-Aug-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-20	1.70%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Sep-20	1.60%
AMP Bank Ltd	A2	1,500,000	15-Sep-20	1.70%
Auswide Bank Limited	A2	2,000,000	10-Nov-20	1.60%
Auswide Bank Limited	A2	2,000,000	24-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	26-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	03-Dec-20	1.65%
		<b>148,500,000</b>		

<b>INVESTMENT BALANCES</b>				
As at 31-Dec-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Kimbriki Environmental Enterprises Pty Ltd</b>				
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,161,665		0.40%
		<b>1,161,665</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	319,671	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	1,001,471	At Call	0.70%
		<b>1,321,142</b>		
<b>Term Deposits</b>				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jan-20	1.82%
Commonwealth Bank of Australia Ltd	A1+	9,338,058	28-Jan-20	1.41%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Jan-20	1.42%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	31-Jan-20	1.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Feb-20	1.43%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Feb-20	1.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Mar-20	1.39%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jun-20	1.44%
		<b>18,338,058</b>		
<b>New Council Implementation Fund</b>				
<b>Term Deposits</b>				
AMP Bank Ltd	A2	900,000	21-May-20	1.90%
		<b>900,000</b>		
<b>Stronger Communities Fund</b>				
<b>Term Deposits</b>				
Westpac Banking Corporation Ltd	A1+	900,000	12-May-20	1.70%
AMP Bank Ltd	A2	1,500,000	18-Jun-20	1.80%
		<b>2,400,000</b>		
<b>Stronger Communities Fund Round 2</b>				
<b>Term Deposits</b>				
National Australia Bank Ltd	A1+	1,700,000	16-Jan-20	2.35%
Auswide Bank Limited	A2	2,000,000	11-Feb-20	2.25%
Bank of Queensland Ltd	A2	2,000,000	25-Feb-20	1.75%
National Australia Bank Ltd	A1+	2,500,000	05-Mar-20	2.65%
National Australia Bank Ltd	A1+	2,000,000	09-Apr-20	2.50%
Suncorp Bank	A1	750,000	23-Apr-20	1.63%
Suncorp Bank	A1	1,750,000	21-May-20	1.63%
Westpac Banking Corporation Ltd	A1+	1,000,000	18-Jun-20	1.78%
Westpac Banking Corporation Ltd	A1+	2,000,000	17-Jul-20	2.25%
Bendigo & Adelaide Bank Ltd	A2	1,800,000	21-Jul-20	1.60%
		<b>17,500,000</b>		
<b>Total Cash and Investments</b>		<b>200,959,271</b>		

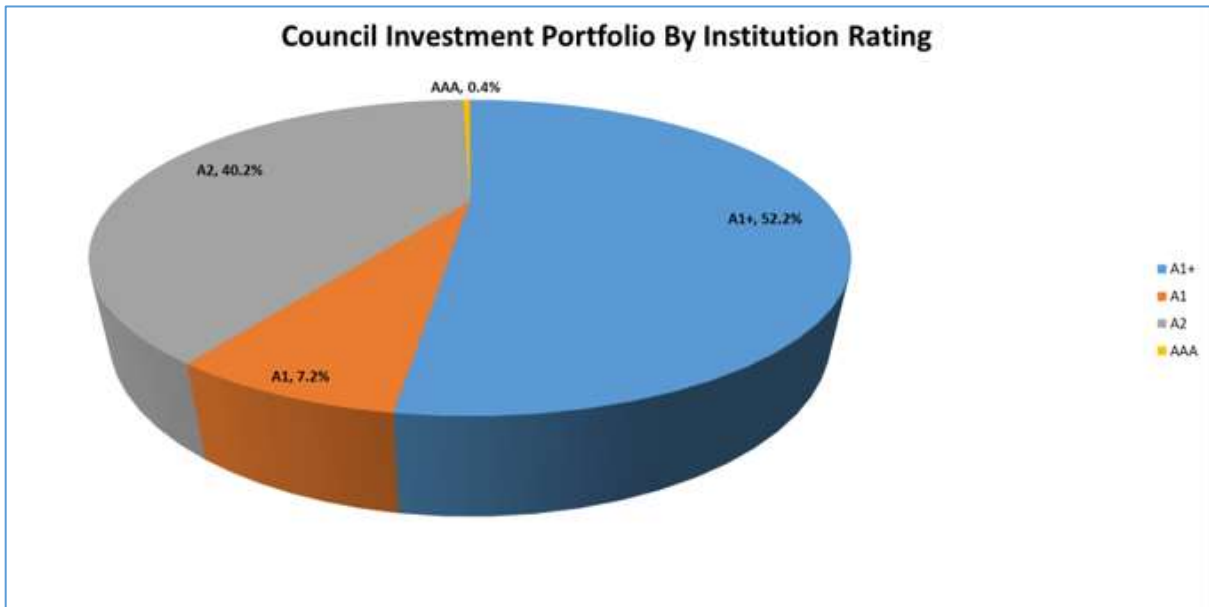
**PORTFOLIO ANALYSIS**



**Institutional Credit Framework – Compliance with Investment Policy Requirements**

Clause 4.2.2 of Council’s Investment Policy requires that exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Rating	Short Term Rating	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-	A-1	40%	Yes
A+			
A			
A-	A-2	30%	Yes
BBB+			
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)



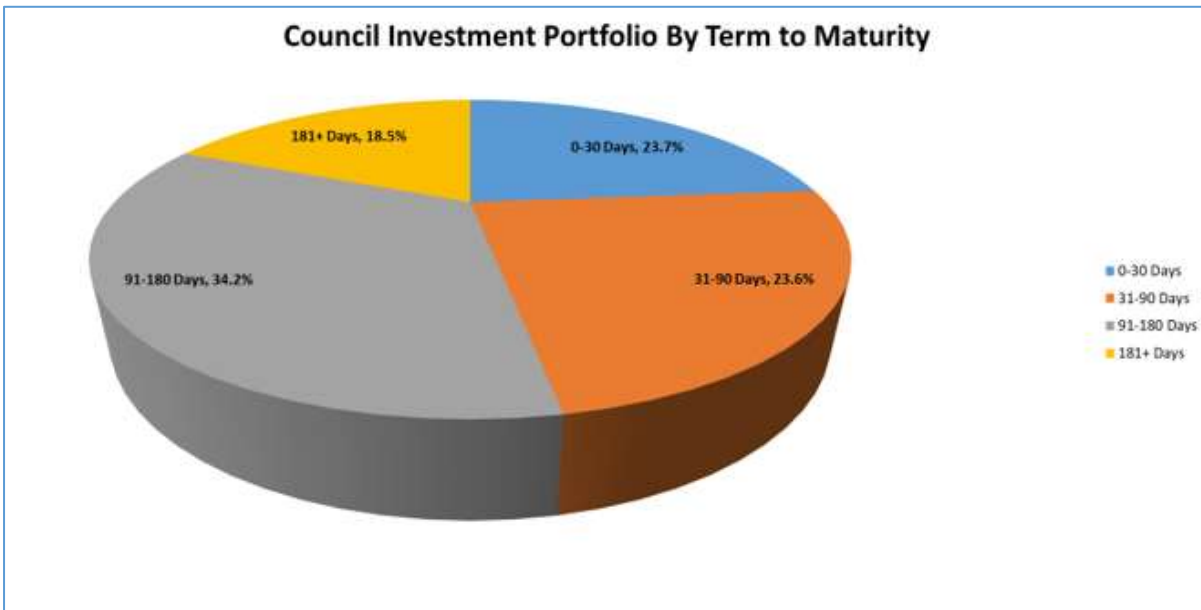
### Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.1 of Council's Investment Policy requires that the total percentage exposure within the market to any particular credit rating category be limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

\* Or Moody's / Fitch equivalents

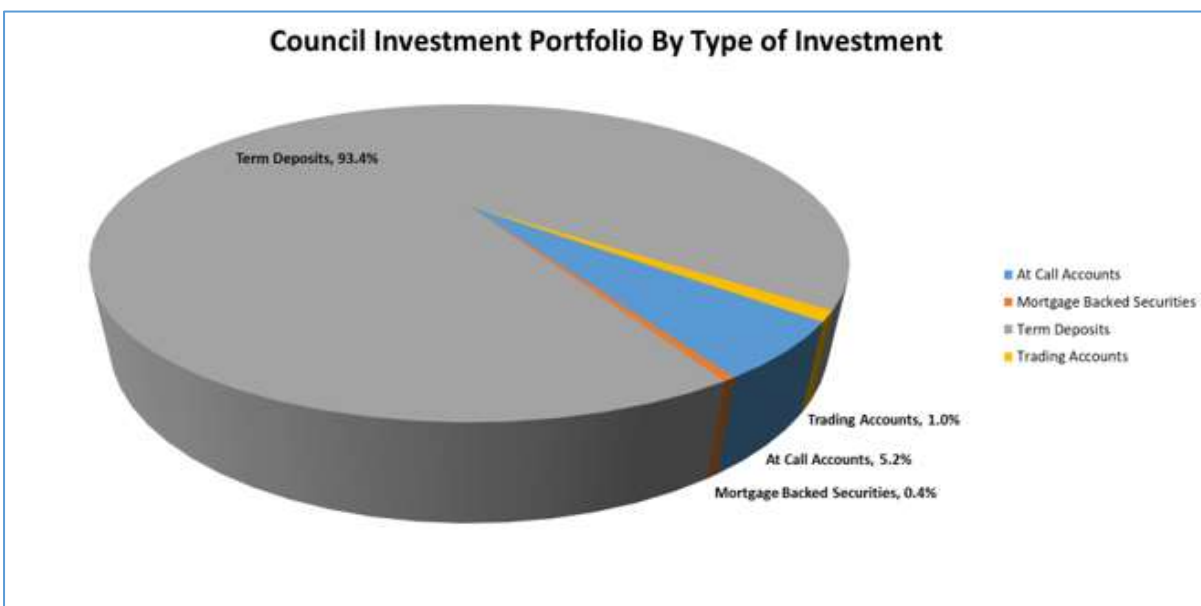
\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



### Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.3 of Council’s Investment Policy requires Council’s investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits			Portfolio Complies with Policy?
Portfolio % <1 year	Min 40%	Max 100%	Yes
Portfolio % >1 year ≤3 year	Min 0%	Max 60%	Yes
Portfolio % >3 year ≤5 year	Min 0%	Max 30%	Yes



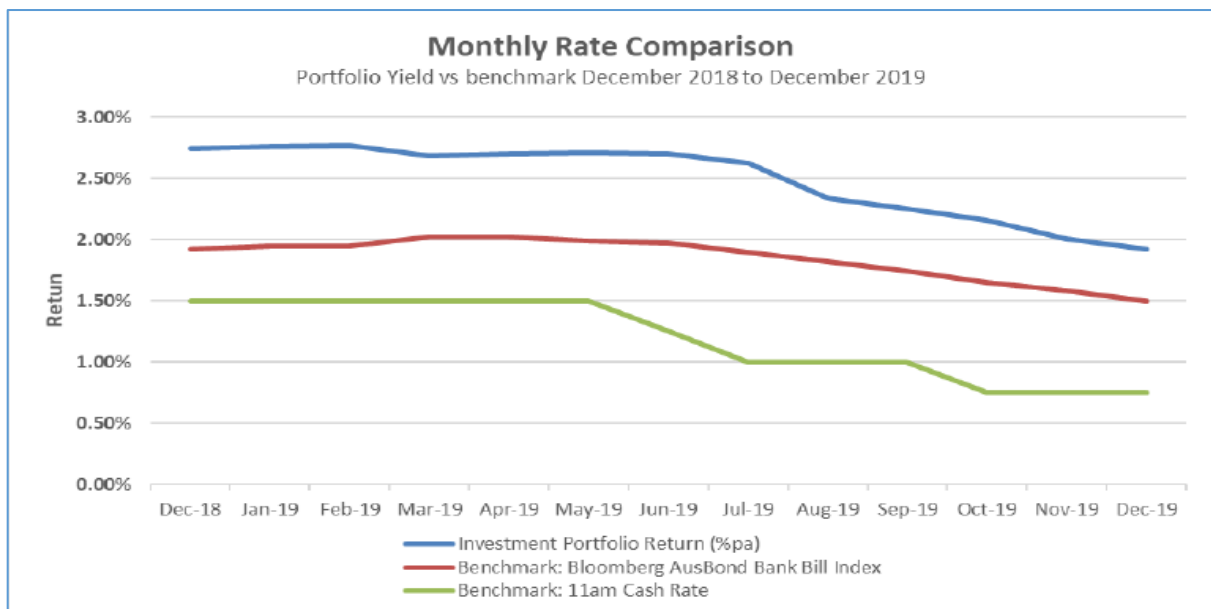


### INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	1.92%	1.50%	0.75%
3 Months	2.03%	1.58%	0.75%
6 Months	2.22%	1.70%	0.88%
FYTD	2.22%	1.70%	0.88%
12 Months	2.46%	1.84%	1.17%

\* Excludes trading account balances

\*\* This benchmark relates to Cash Fund holdings

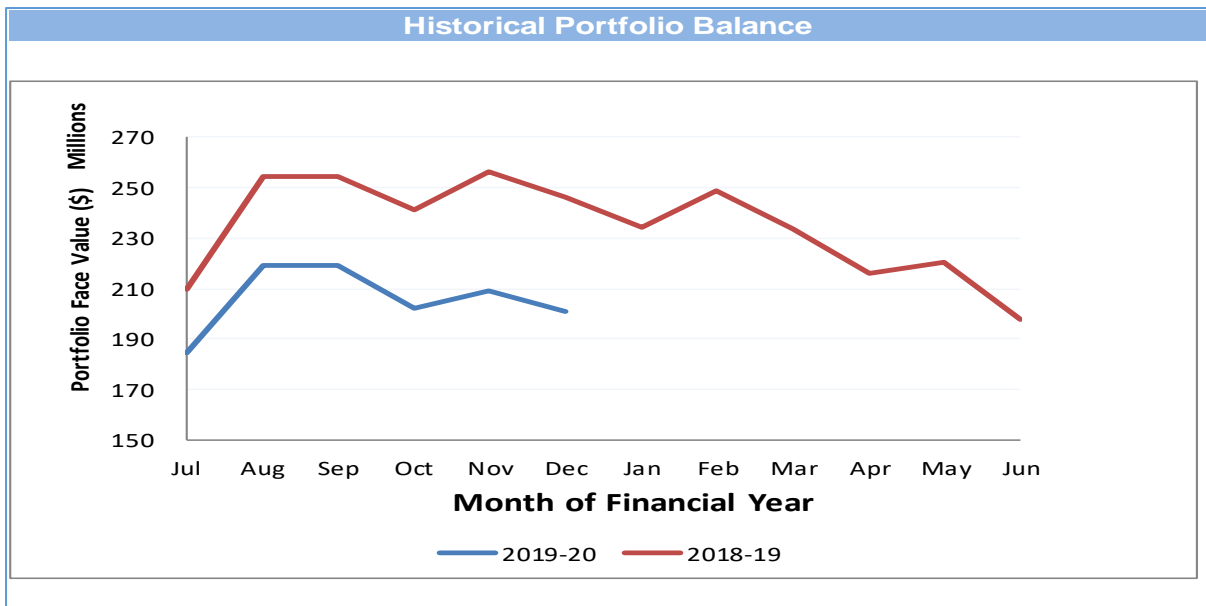


### MONTHLY INVESTMENT INCOME\* VS. BUDGET

	Dec 2019 \$	Year to Date \$
Investment Income	333,943	2,303,540
Adjustment for Fair Value	2	7,204
Total Investment Income	333,945	2,310,744
Budgeted Income	498,750	2,820,927

\*Includes all cash and investment holdings

Historical Portfolio Balance		
	2019-20	2018-19
Jul	184,317,848	209,605,515
Aug	219,369,559	254,510,268
Sep	219,459,189	254,769,836
Oct	201,971,383	240,996,644
Nov	209,221,468	256,137,875
Dec	200,959,271	246,453,069
Jan		234,499,949
Feb		249,011,046
Mar		233,537,191
Apr		215,948,342
May		220,652,093
Jun		198,030,610
<b>Average Portfolio Balance</b>	<b>205,883,120</b>	<b>234,512,703</b>



**Statement of Compliance**

Portfolio Performance vs. Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✗	Council's income from investments did not exceed monthly budget.

**Investment Policy Compliance**

Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

## ECONOMIC NOTES

(Source: Primarily extracted from information supplied by Laminar Capital Pty Ltd)

Global economic growth prospects are brightening, led by the US economy which although in its longest recorded economic expansion still seems to have further to run and at greater pace in 2020 than in 2019. On latest economic readings and surveys, growth also looks set to quicken in much of Asia, including China and Japan, Europe and possibly Australia as well. There have been several upside surprises in key data released in several major economies so far in December. Also, political headwinds to growth have diminished (with the notable exception of China and Hong Kong) in December with a first stage trade agreement imminent between the US and China and the British election result paving the way to Brexit on 31st January 2020. Another factor that bodes well for growth prospects in 2020 is lack of untoward upward pressure on inflation keeping most central banks either side-lined or in policy easing mode.

During December in the US evidence indicates an early lift in pace of growth in GDP. Quarter 3 GDP on revision has lifted to 2.1% annualised with household spending, the mainstay of US growth improving to 3.2% annualised and showing signs of accelerating in Quarter 4. The labour market is very strong, supporting household spending. Annual growth in average hourly earnings was 3.1% year-on-year in November close to a decade high. The unemployment rate edged down in November to 3.5% the lowest rate since 1969.

China's economy has also shown better growth signs of late in response to earlier monetary and fiscal stimulus. The official manufacturing purchasing managers' index (PMI) lifted to 50.2 in November from 49.3 in October while the non-manufacturing PMI rose to 54.4 from 52.8 in October. November fixed asset investment rose 5.2% year-on-year, industrial production was up 6.2% year-on-year from 4.7% in October and retail sales were up 8.0% year-on-year from 7.2% in October. The stage one trade agreement between China and the US should help China's international trade to stabilize. China still faces significant problems including how to deal with continuing protests in Hong Kong and at home excessive corporate debt, but one constant is the Government's imperative to support economic growth.

In Europe, annual economic growth has stabilized a touch above 1.0% year-on-year. The recent passage of UK legislation means Brexit will occur on 31st January. Britain will then enter negotiations with Europe for a trade deal and it is likely that both Britain and the EU will try to offset potential damage to economic growth with more government spending whilst they negotiate a trade deal. Reduced uncertainty post-Brexit plus easier policy settings in Britain and the EU shift the balance of risk for European economic growth to the upside rather than the downside in 2020.

In Australia, the economic outlook took a gloomier turn in October and November reflected in downgrades to both the RBA's economic forecasts in the early-November quarterly Monetary Policy Statement, as well as Treasury's mid-December budget review. Both the RBA and Treasury reduced forecast annual wage growth to staying below 3% year-on-year for the foreseeable future. Weaker wages growth in turn was likely to keep growth in household consumption spending subdued through 2020. Recent monthly retail sales readings have been consistent with the revised official household consumption forecasts. Retail sales were flat in October after rising only 0.2% in September showing no signs of any lift from tax cuts, lower mortgage rates or fast rising house prices. There is still a chance that household spending may accelerate. Anecdotal evidence suggest that pre-Christmas retail spending has been stronger than expected. Importantly, the latest labour force reading for November was surprisingly strong. The unemployment rate probably needs to fall well below 5% to place greater upward pressure, but it is at least moving in the right direction. Also, the lift in house prices, in Melbourne and Sydney in particular, is showing no signs of moderating. A better labour market plus still fast rising house prices could promote stronger retail sales.

<b>ITEM 9.3</b>	<b>MONTHLY INVESTMENT REPORT - JANUARY 2020</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2020/074278</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## SUMMARY

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### PURPOSE

To provide a report setting out details of all money that Council has invested under section 625 of the Local Government Act 1993.

### EXECUTIVE SUMMARY

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

The Investment Report shows that Council has total cash and investments of \$191,226,461 comprising:

- Trading Accounts           \$3,036,360
- Investments                 \$188,190,101

Performance over the period from 1 July 2019 to date was strong having exceeded the benchmark: 2.16%pa vs. 1.66%pa.

### Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and existing Investment Policies.

### LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

### FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2019 to date was \$2,603,357 compared to budgeted income of \$3,295,410, a negative variance of \$692,053.

### SOCIAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of social responsibility when making investment decisions.

### ENVIRONMENTAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of environmental responsibility when making investment decisions.

## GOVERNANCE AND RISK CONSIDERATIONS

Council's Investment Policy and Strategy were reviewed in August 2019 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy *"remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet"* and that they *"do not recommend any changes to the list of approved investments or credit limit frameworks"*.

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## RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 31 January 2020, including the certification by the Responsible Accounting Officer.

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**REPORT**

**INVESTMENT BALANCES**

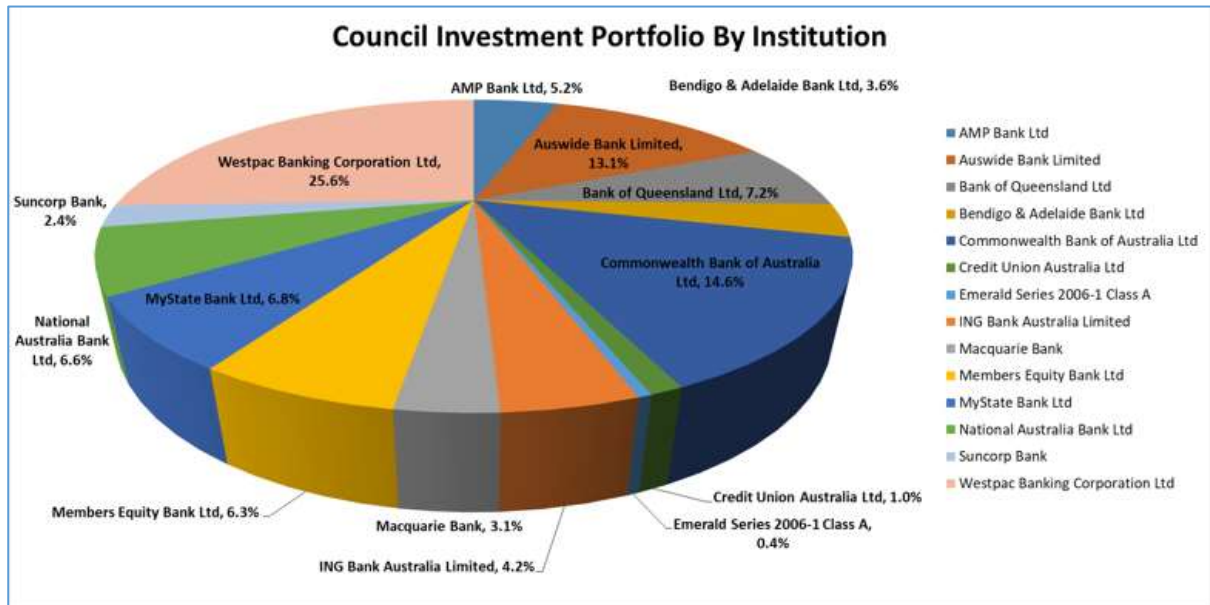
<b>INVESTMENT BALANCES</b>				
As at 31-Jan-2020				
<b>INSTITUTION</b>	<b>RATING</b>	<b>AMOUNT \$</b>	<b>MATURITY DATE</b>	<b>INTEREST RATE</b>
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,211,973		0.80%
National Australia Bank Ltd	A1+	196,099		0.50%
		<b>1,408,072</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	6,207,539	At Call	1.10%
		<b>6,207,539</b>		
<b>Mortgage Backed Securities</b>				
Emerald Series 2006-1 Class A	AAA	831,823	21-Aug-51	1.34%
		<b>831,823</b>		
<b>Term Deposits</b>				
Auswide Bank Limited	A2	3,000,000	04-Feb-20	2.75%
Auswide Bank Limited	A2	2,000,000	06-Feb-20	2.30%
Westpac Banking Corporation Ltd	A1+	3,000,000	11-Feb-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	13-Feb-20	2.10%
National Australia Bank Ltd	A1+	1,000,000	18-Feb-20	2.35%
Suncorp Bank	A1	2,000,000	20-Feb-20	2.35%
Credit Union Australia Ltd	A2	2,000,000	25-Feb-20	2.78%
Bank of Queensland Ltd	A2	3,000,000	25-Feb-20	1.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Mar-20	1.73%
Macquarie Bank	A1	3,000,000	03-Mar-20	1.80%
Auswide Bank Limited	A2	3,000,000	03-Mar-20	2.75%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Mar-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-Mar-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	17-Mar-20	1.72%
MyState Bank Ltd	A2	2,000,000	24-Mar-20	1.75%
MyState Bank Ltd	A2	2,000,000	26-Mar-20	1.80%
Members Equity Bank Ltd	A2	3,000,000	31-Mar-20	1.65%
MyState Bank Ltd	A2	2,000,000	02-Apr-20	1.80%
Macquarie Bank	A1	3,000,000	02-Apr-20	1.80%
MyState Bank Ltd	A2	2,000,000	07-Apr-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-Apr-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Apr-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	16-Apr-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	21-Apr-20	1.78%
Bank of Queensland Ltd	A2	1,000,000	23-Apr-20	1.65%
Members Equity Bank Ltd	A2	3,000,000	28-Apr-20	1.65%
Auswide Bank Limited	A2	2,000,000	30-Apr-20	1.75%
MyState Bank Ltd	A2	3,000,000	05-May-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-May-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-May-20	2.10%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
National Australia Bank Ltd	A1+	3,000,000	14-May-20	1.70%

<b>INVESTMENT BALANCES</b>				
As at 31-Jan-2020				
<b>INSTITUTION</b>	<b>RATING</b>	<b>AMOUNT \$</b>	<b>MATURITY DATE</b>	<b>INTEREST RATE</b>
<b>Term Deposits (continued)</b>				
Westpac Banking Corporation Ltd	A1+	2,000,000	19-May-20	1.78%
Members Equity Bank Ltd	A2	3,000,000	26-May-20	1.65%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	28-May-20	1.60%
Bank of Queensland Ltd	A2	2,000,000	28-May-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	02-Jun-20	1.65%
Members Equity Bank Ltd	A2	2,000,000	09-Jun-20	1.60%
MyState Bank Ltd	A2	2,000,000	11-Jun-20	1.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jun-20	1.60%
Westpac Banking Corporation Ltd	A1+	4,000,000	23-Jun-20	2.50%
Westpac Banking Corporation Ltd	A1+	3,000,000	02-Jul-20	2.50%
Westpac Banking Corporation Ltd	A1+	2,000,000	02-Jul-20	1.70%
Auswide Bank Limited	A2	2,000,000	07-Jul-20	1.65%
Members Equity Bank Ltd	A2	1,000,000	07-Jul-20	1.60%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Jul-20	2.55%
Bank of Queensland Ltd	A2	2,000,000	16-Jul-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	24-Jul-20	2.25%
Westpac Banking Corporation Ltd	A1+	2,000,000	04-Aug-20	1.70%
AMP Bank Ltd	A2	2,000,000	18-Aug-20	1.65%
ING Bank Australia Limited	A1	2,000,000	27-Aug-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-20	1.70%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Sep-20	1.60%
AMP Bank Ltd	A2	1,500,000	15-Sep-20	1.70%
ING Bank Australia Limited	A1	2,000,000	22-Oct-20	1.60%
Auswide Bank Limited	A2	2,000,000	10-Nov-20	1.60%
Auswide Bank Limited	A2	2,000,000	24-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	26-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	03-Dec-20	1.65%
Auswide Bank Limited	A2	3,000,000	05-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	14-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	19-Jan-21	1.65%
		<b>141,500,000</b>		

<b>INVESTMENT BALANCES</b>				
As at 31-Jan-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Kimbriki Environmental Enterprises Pty Ltd</b>				
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,628,288		0.40%
		<b>1,628,288</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	At Call	0.70%
		<b>1,000,000</b>		
<b>Term Deposits</b>				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Feb-20	1.43%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Feb-20	1.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Mar-20	1.39%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Apr-20	1.42%
Commonwealth Bank of Australia Ltd	A1+	9,850,738	28-May-20	1.44%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jun-20	1.44%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jul-20	1.44%
		<b>17,850,738</b>		
<b>New Council Implementation Fund</b>				
<b>Term Deposits</b>				
AMP Bank Ltd	A2	900,000	21-May-20	1.90%
		<b>900,000</b>		
<b>Stronger Communities Fund</b>				
<b>Term Deposits</b>				
Westpac Banking Corporation Ltd	A1+	900,000	12-May-20	1.70%
AMP Bank Ltd	A2	1,500,000	18-Jun-20	1.80%
		<b>2,400,000</b>		
<b>Stronger Communities Fund Round 2</b>				
<b>Term Deposits</b>				
Auswide Bank Limited	A2	2,000,000	11-Feb-20	2.25%
Bank of Queensland Ltd	A2	2,000,000	25-Feb-20	1.75%
National Australia Bank Ltd	A1+	2,500,000	05-Mar-20	2.65%
National Australia Bank Ltd	A1+	2,000,000	09-Apr-20	2.50%
Suncorp Bank	A1	750,000	23-Apr-20	1.63%
Suncorp Bank	A1	1,750,000	21-May-20	1.63%
Westpac Banking Corporation Ltd	A1+	1,000,000	18-Jun-20	1.78%
Bank of Queensland Ltd	A2	1,700,000	14-Jul-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	17-Jul-20	2.25%
Bendigo & Adelaide Bank Ltd	A2	1,800,000	21-Jul-20	1.60%
		<b>17,500,000</b>		
<b>Total Cash and Investments</b>		<b>191,226,461</b>		



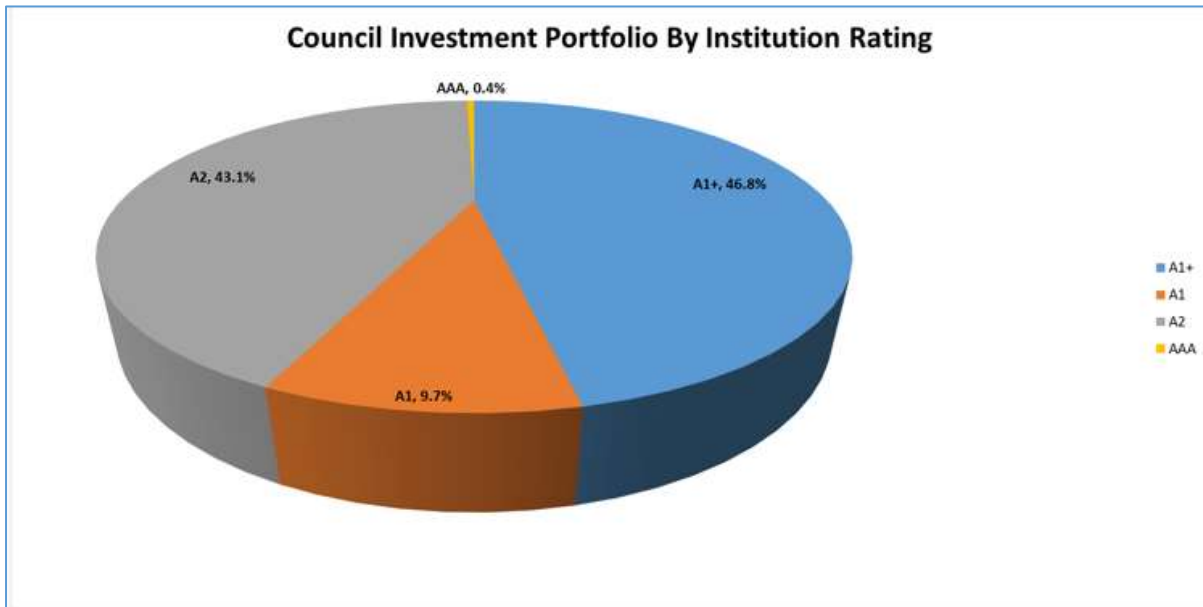
## PORTFOLIO ANALYSIS



### Institutional Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.2 of Council's Investment Policy requires that exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Rating	Short Term Rating	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-	A-1	40%	Yes
A+			
A			
A-	A-2	30%	Yes
BBB+			
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)



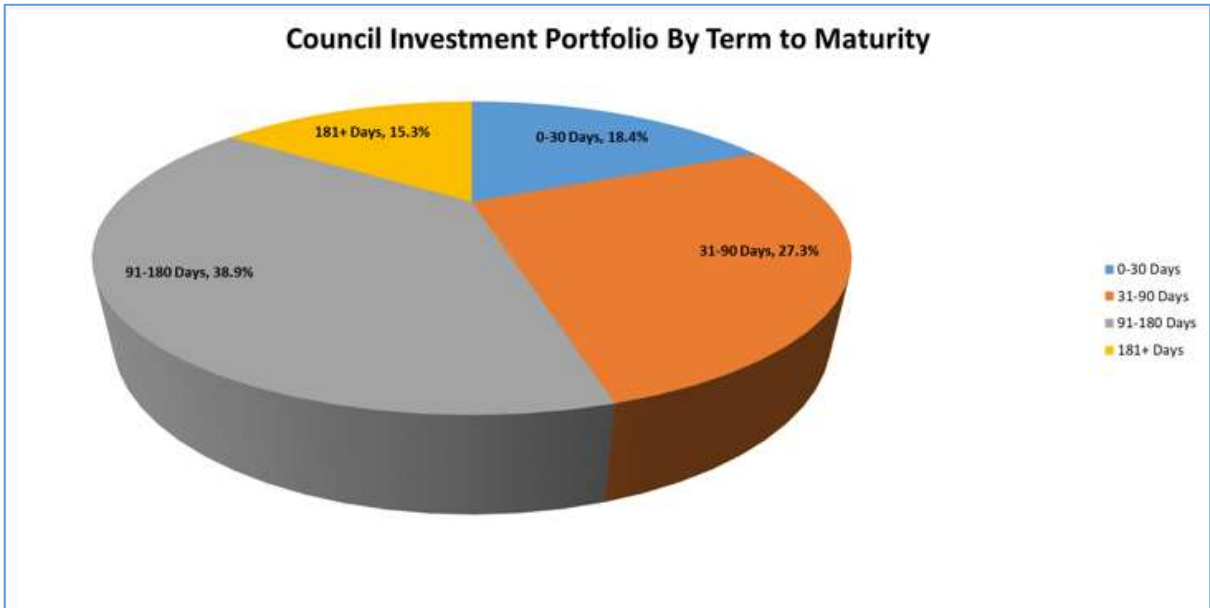
### Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.1 of Council’s Investment Policy requires that the total percentage exposure within the market to any particular credit rating category be limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

\* Or Moody’s / Fitch equivalents

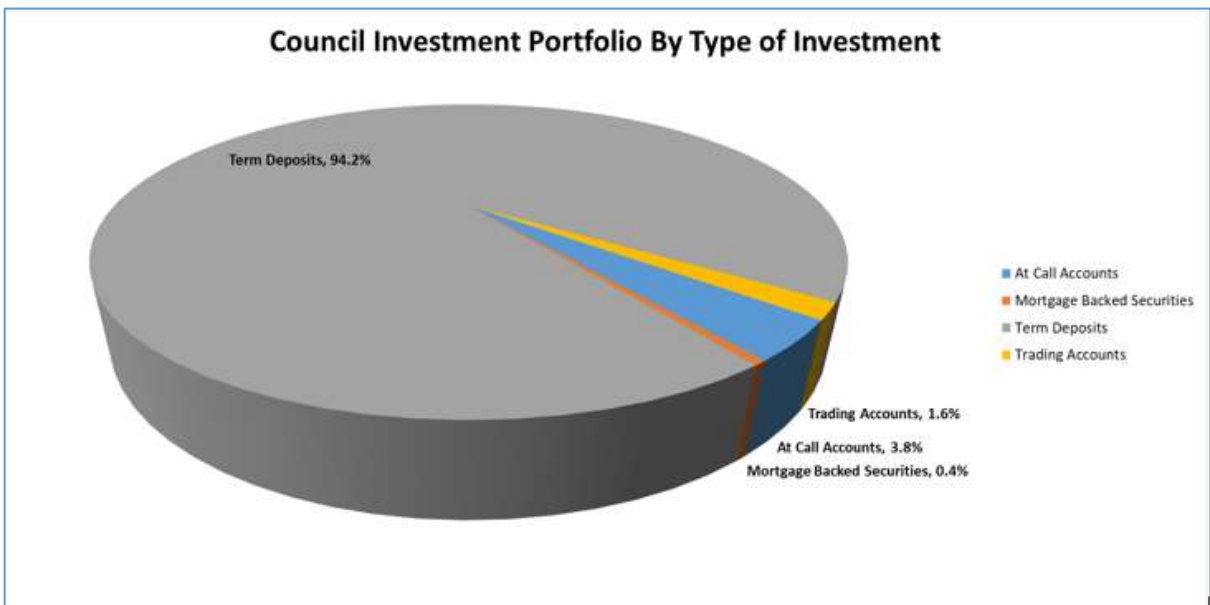
\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



### Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.3 of Council's Investment Policy requires Council's investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits			Portfolio Complies with Policy?
Portfolio % <1 year	Min 40%	Max 100%	Yes
Portfolio % >1 year ≤3 year	Min 0%	Max 60%	Yes
Portfolio % >3 year ≤5 year	Min 0%	Max 30%	Yes

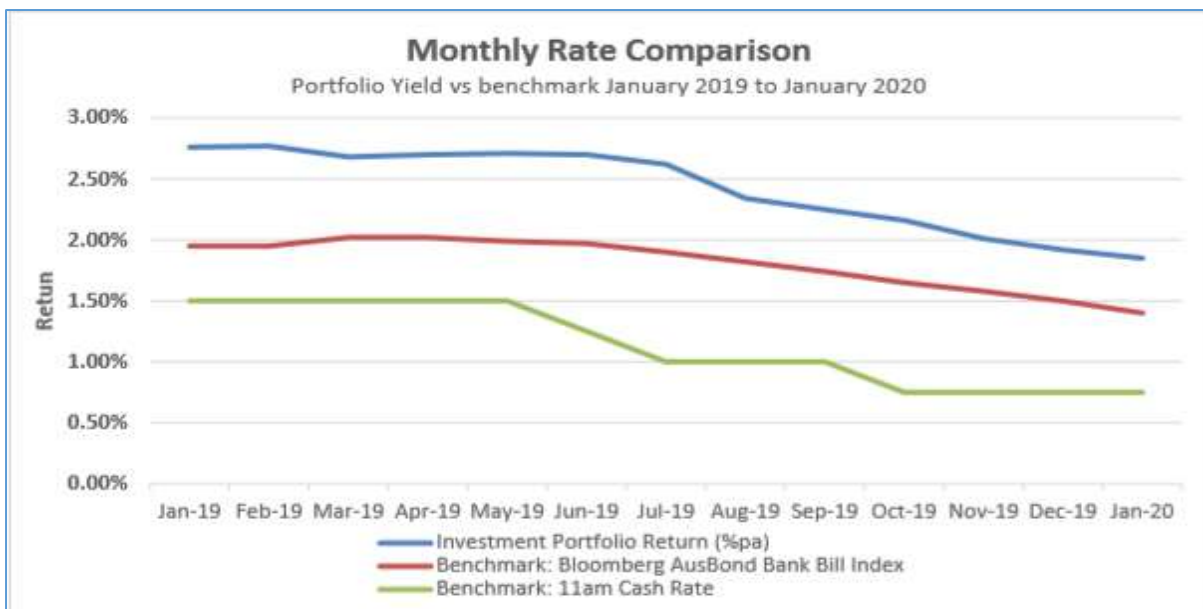


**INVESTMENT PERFORMANCE VS. BENCHMARK**

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	1.85%	1.40%	0.75%
3 Months	1.93%	1.49%	0.75%
6 Months	2.09%	1.62%	0.83%
FYTD	2.16%	1.66%	0.86%
12 Months	2.39%	1.80%	1.10%

\* Excludes trading account balances

\*\* This benchmark relates to Cash Fund holdings

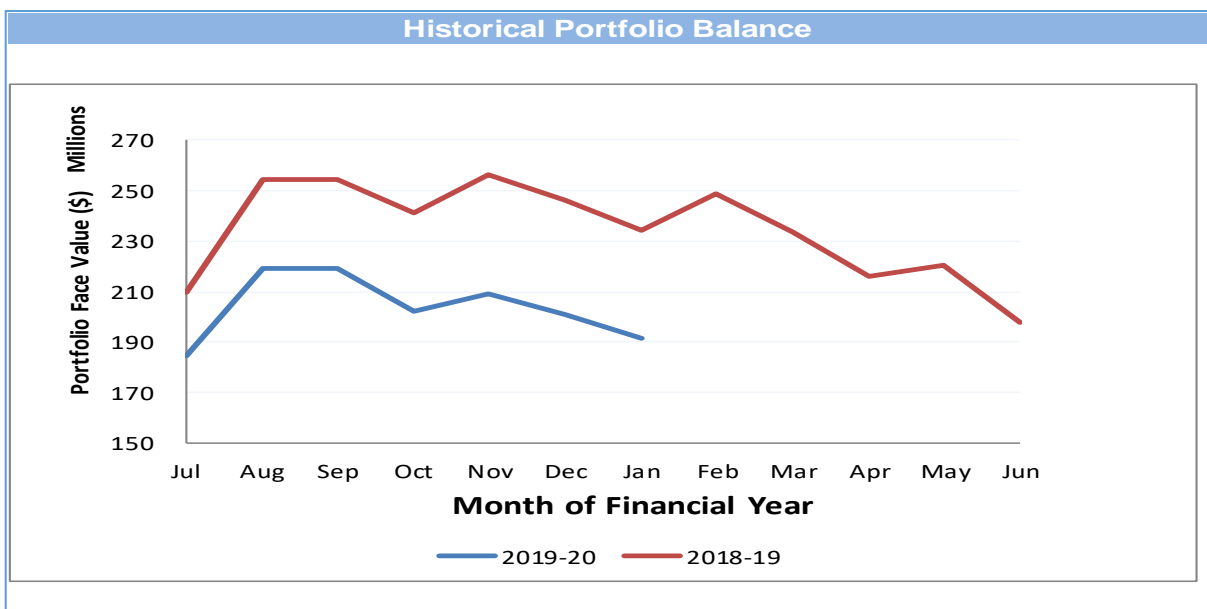


**MONTHLY INVESTMENT INCOME\* VS. BUDGET**

	Jan 2020 \$	Year to Date \$
Investment Income	292,611	2,596,150
Adjustment for Fair Value	2	7,207
Total Investment Income	292,613	2,603,357
Budgeted Income	474,483	3,295,410

\*Includes all cash and investment holdings

Historical Portfolio Balance		
	2019-20	2018-19
<b>Jul</b>	184,317,848	209,605,515
<b>Aug</b>	219,369,559	254,510,268
<b>Sep</b>	219,459,189	254,769,836
<b>Oct</b>	201,971,383	240,996,644
<b>Nov</b>	209,221,468	256,137,875
<b>Dec</b>	200,959,271	246,453,069
<b>Jan</b>	191,226,461	234,499,949
<b>Feb</b>		249,011,046
<b>Mar</b>		233,537,191
<b>Apr</b>		215,948,342
<b>May</b>		220,652,093
<b>Jun</b>		198,030,610
<b>Average Portfolio Balance</b>	203,789,311	234,512,703



**Statement of Compliance**

Portfolio Performance vs. Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✗	Council's income from investments did not exceed monthly budget.

**Investment Policy Compliance**

Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

## ECONOMIC NOTES

(Source: Primarily extracted from information supplied by Laminar Capital Pty Ltd)

Global economic growth looks set to accelerate modestly in 2020 notwithstanding a range of challenges from heightened political tension in the Middle East and the coronavirus outbreak to managing the aftermath of the bushfire crisis in Australia. There is catalogue of potentially growth crimping challenges, but the latest economic readings around the world mostly point to global growth lifting compared with 2019. Growth is improving still with capacity to spare presenting little likelihood of a lift in inflation of an order to concern central banks. They for the most-part are keeping the monetary spigots wide open. There is also greater likelihood that the world's central banks will be joined by governments loosening their budgetary purse strings to promote growth.

In the US almost all indicators of housing and consumer spending released in January have been strong. The National Association of Homebuilders' Index was 75 in January. Housing starts in December rose 16.9%. December existing home sales rose by 3.6% month-on-month. December retail sales rose by 0.3% with a particularly strong 0.7% lift in core sales. The US labour market continues to strengthen with non-farm payrolls up 145,000 in December and the unemployment rate still at a 50-year low 3.5%. US producer prices rose 1.3% year-on-year In December, while CPI inflation at 2.3% year-on-year in December, the producer price pipeline and contained unit labour costs point to little chance of inflation pushing any higher. The Federal Reserve (Fed) meeting for the first time in 2020 maintained the funds rate unchanged at 1.75% with a message that the US economy is performing relatively well.

China's GDP growth rate in Quarter 4 came in at 6.0% year-on-year and the slowest annual growth rate in 30 years. In the near-term, growth may improve a little in responding to policy stimulus during 2019, but China's now advanced stage of economic development points to inevitable attrition in growth longer-term. China's December economic readings mostly were a touch better than expected. Exports lifted to +7.6% year-on-year and the first-stage trade agreement signed off in January with the US while not greatly improving China's export prospects should help stabilise trade. Fixed asset investment spending improved slightly in December to +5.4% while retail sales growth was steady at +8.0% year-on-year. The list of economic challenges is extensive and includes industrial over-investment; too much corporate debt; too much household saving and too little household spending; and population capping out and starting to decline. The headwinds to China's longer-term growth prospects imply that while China may contribute to near-term improvement in global growth it is more likely to become a brake on longer term global growth.

In Europe, annual economic growth has stabilised above 1.0% year-on-year and past policy easing by the European Central Bank plus signs that some European countries are close to providing more budget stimulus point to stronger European growth in 2020. Britain enters the first stage of Brexit with increasing hope that the still comparatively lengthy divorce proceedings that lie ahead will be less disruptive to British and European growth prospects. Several leading indicators of European economic activity have taken a brighter turn in January among them the ZEW economic sentiment survey lifting to +25.6 and the manufacturing PMI rising to 47.8. The European Central Bank at its January policy meeting left rates unchanged but continues to focus on potential downside risks to European growth and in subsequent briefing by President Christine Lagarde continues to put the call out to European governments that are able to commit to fiscal stimulus.

In Australia, despite devastating bushfires, the economic outlook took a brighter turn in January after a run of better than expected economic readings. November retail sales jumped 0.9%; home building approvals lifted 11.8%; the value of owner-occupier home loan commitments rose 1.8%; the trade surplus was bigger than expected at \$A5.8 billion mostly on a 2% lift in exports. The latest December labour force report was again stronger than expected and the unemployment rate falling another notch to 5.1%. While the economic reports have been surprisingly strong consumer and business sentiment readings have remained soft and the extensive bushfire damage will detract from economic growth in the near term. The bushfire crisis has also provided catalyst for a change in Government Budget thinking to spend to help bushfire affected areas recover.

<b>ITEM 9.4</b>	<b>USE OF DELEGATED AUTHORITY OVER THE 2019-2020 RECESS PERIOD</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2019/698805</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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**BRIEF REPORT**

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**PURPOSE**

To inform Council how the delegated authority granted to the Mayor by the Council over the 2019-20 recess was exercised.

**REPORT**

In November 2019 Council granted authority to the Mayor to make decisions on the governing body's behalf on critical or urgent matters over the recess period 18 December 2019 to 2 February 2020 inclusive. The resolution (364/19) required a report to be provided to the 25 February 2020 Council meeting outlining how the delegated authority was exercised.

This report is to advise Council there was one matter for which the delegated authority was exercised during the 2019-20 recess.

**Delegated Authority**

A decision to hold the Bushfire Relief Concert was made by the Mayor under delegation. This decision was required to be made by Council as it pertained to the proposed expenditure of funds towards an initiative to provide financial assistance to communities affected by bushfire and drought.

The decision was considered urgent due to the lead times required to make arrangements for a large scale event, an opportunity to capitalise on the overwhelmingly positive good will from Northern Beaches businesses and residents who made requests to Council to do more to support bushfire ravaged communities, and to expedite the process of providing financial assistance to impacted people.

The event was cancelled on 10 February 2020 due to safety reasons resulting from the extreme weather over the weekend of 8/9 February and further rain forecast.

**LINK TO COUNCIL STRATEGY**

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

**FINANCIAL CONSIDERATIONS**

The event was planned to be cost neutral with proceeds from ticket sales to cover all event costs and profits to be donated to bushfire impacted communities. Expenditure incurred as a result of the cancellation is currently being processed through an insurance claim.



**ENVIRONMENTAL CONSIDERATIONS**

Council's operation of events follow requirements regarding sustainable waste management practices associated with hosting events of this kind. A waste management strategy had been developed for the event.

**SOCIAL CONSIDERATIONS**

This event was developed in response to the local community's request to Council to provide support for the bushfire and drought affected communities that were devastated throughout the summer fire season. The event itself was an opportunity for Northern Beaches residents and businesses to come together to show their support for others.

All profits from the event were intended to go towards bushfire and drought affected communities, along with 100 per cent of proceeds from a major raffle and onsite donations, plus a contribution from the sale of food and beverage and event merchandise was also being put towards the charity partners. This included, WIRES, Rural Fire Service Northern Beaches District, Foodbank and Red Cross Recovery and Relief.

**GOVERNANCE AND RISK CONSIDERATIONS**

This report meets the requirements of Council resolution 364/19 Council Delegated Authority - Christmas / New Year Recess 2019-20.

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**RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL**

That Council note the decision made under the delegated authority granted by the Council to the Mayor for the period 18 December 2019 to 2 February 2020 inclusive.

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<b>ITEM 9.5</b>	<b>BROOKVALE OVAL CENTRE OF EXCELLENCE</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PROPERTY</b>
<b>TRIM FILE REF</b>	<b>2019/680170</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## SUMMARY

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### PURPOSE

To seek Council approval, in accordance with Section 55(3)(i) of the Local Government Act 1993 (LGA), to enter into a direct tenure arrangement with the Manly Warringah Sea Eagles (MWSE) for a lease of land at Brookvale Oval for the construction and operation of a Centre of Excellence and Grandstand.

### EXECUTIVE SUMMARY

The MWSE have recently secured State and Federal funding totaling \$32.5m for the creation of a Centre of Excellence (CoE) and Grandstand facilities at Brookvale Oval. This project has been in planning for many years, with the development of the CoE and 3,000 additional undercover seats seen as Stage 1 of the revitalisation of Brookvale Oval. To facilitate the construction and operation of the CoE and Grandstand the MWSE will need to enter into a ground lease with Council.

As the grant funding has been provided directly to the MWSE and they are realistically the only organisation who will be able to progress this project, it is proposed to enter into direct negotiations with the MWSE under Section 55(3)(i) of the Local Government Act 1993, noting that there is an unavailability of competitive or reliable tenderers.

This proposal is in accordance with Council strategy including Places for People (Goal 9), Vibrant Local Economy (Goal 15), and Good Governance (Goal 19).

With reference to the Council Resolution of 16 April 2019, Council is yet to provide land owners consent for the Development Application. Land owners consent will be subject to the agreement of acceptable terms and conditions for the lease.

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### RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. In accordance with Section 55(3)(i) of the Local Government Act 1993 enter into direct arrangement with the Manly Warringah Sea Eagles for the lease of land at Brookvale Oval for their construction and ongoing operation of a Centre of Excellence and Grandstand due to an unavailability of competitive or reliable tenderers given:
    - A. Specific grant funds have been provided to Manly Warringah Sea Eagles for this proposed development and use.
    - B. There is no other organisation with use and tenure of Brookvale Oval that can achieve the required outcomes of the project.
  2. Delegates authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.
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## REPORT

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### BACKGROUND

The sustainable future of Brookvale Oval and Park has been an ongoing challenge for many years that former Councils were not able to solve. Brookvale Oval is a highly valued community space right in the centre of Brookvale that has dated grandstands and infrastructure, and continues to be expensive to maintain. The Manly Warringah Sea Eagles (MWSE) have stated that they want to remain at Brookvale Oval and play there into the future, but have also noted that the stadium is not to the appropriate modern day standard.

The MWSE have recently secured State and Federal funding totaling \$32.5m for the creation of a Centre of Excellence and new northern grandstand facilities at Brookvale Oval. This project has been in planning for many years, with the development of the Centre of Excellence and 3,000 additional undercover seats seen as Stage 1 of the revitalization of Brookvale Oval.

On 16 April 2019 Council resolved that:

- A. *Council instruct the Chief Executive Officer to negotiate a draft term sheet for the Centre of Excellence Agreement for Lease / Licence for the entirety of Brookvale Park, which includes, but is not limited to the following issues:*
  - a. *Length of the lease period.*
  - b. *The charging of commercial rent.*
  - c. *Rental arrangements during and at the end of the lease period.*
  - d. *Maintenance of the facility.*
  - e. *Condition of the facility.*
  - f. *Community usage and shared sporting uses.*
  - g. *What exclusive rights the Manly Sea Eagles may or may not be entitled to. Sponsorship or naming rights, including Council to have veto rights.*
  - h. *Council receiving a fair share of associated revenue.*
  - i. *Lease termination provisions.*
- B. *Council be provided with the following documents before granting land owners' consent:*
  - a. *The concept plans for the Centre of Excellence facility.*
  - b. *The business case for the Centre of Excellence facility.*
  - c. *The draft term sheet for the Centre of Excellence Agreement for Lease / Licence.*
- C. *The Chief Executive Officer be authorised to do all things to have Council grant land owners consent subject to his satisfaction with the matters in "B" above being satisfied.*

### DISCUSSION

Section 55(3)(i) of the Local Government Act 1993 addresses requirements for tendering and states that *'a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders'*.

It is recommended to proceed under Section 55(3)(i) noting that there is an *unavailability of competitive or reliable tenderers* for the following reasons:

- Specific NSW and Federal grant funds have been provided to MWSE for this proposed development and use.
- There is no other organisation with use and tenure over Brookvale Oval that can achieve the required outcomes of the project.

As such a satisfactory result would not be achieved by inviting tenders.

## CONSULTATION

The Brookvale Park Plan of Management (PoM) was adopted 24 September 2002 and covers development on the subject site. The PoM was subject to community consultation and authorises a new Northern Stand, and states that *“Development may include covered seating, hospitality areas, amenities and change rooms and is to be of similar scale and height as the existing stands.”*

The former Warringah Council Resolution 254/13 (resolved in September 2013) details the previous community consultation on this matter.

## TIMING

Based on the current Funding Agreements that the MWSE has signed, the key funding deadline is that the project needs to be completed by 30 June 2021. To achieve this MWSE need to have construction underway by mid-2020.

## LINK TO COUNCIL STRATEGY

The MWSE proposal aligns with the Community Strategic Plan (CSP) community outcomes as follows:

- Places for People - Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Vibrant Local Economy - Goal 15 - Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
- Good Governance - Goal 19 - Ensure the long-term financial sustainability of Council through strategic management of assets.

## FINANCIAL CONSIDERATIONS

The MWSE have noted that they are not seeking any funds from Council for this project. The funding for this project is provided by the State and Federal Governments (\$32.5m) with the MWSE committing to contributing a minimum of \$600,000 for the internal fit-out of the new facility.

An independent market rental valuation for land has been used to determine the annual rent fee that MWSE will pay to Council for the ground lease.

Potential economic benefits include:

- Economic impact from the construction of new facilities in the precinct.
- Increased economic benefit to local businesses from events held at the community and function centres within the precinct.
- Increasing economic benefits to local businesses from the MWSE (non-match day) and community events held at Brookvale Oval as a result of the relocation of the MWSE's training and administration base.

## **SOCIAL CONSIDERATIONS**

The planned facilities include an additional 3,000 undercover seats which are anticipated to deliver a positive benefit to the users of the ground.

MWSE are a prominent sports team with strong local community support and a long history at Brookvale Oval since their first match on 12 April 1947. Ensuring a future for MWSE is important to a lot of the local community.

Further, the MWSE plan to continue to run and expand a range community programs with a focus on education, literacy, healthy lifestyles and self-esteem and positive behaviour.

## **ENVIRONMENTAL CONSIDERATIONS**

The proposed development is planned to have the following environmental benefits:

- Low carbon footprint through the incorporation of state-of-the-art ESD features.
- Use of recycled and grey-water within the new facilities to reduce overall facility water usage.
- Improved environmental amenity due to the redevelopment of Brookvale Oval.

## **GOVERNANCE AND RISK CONSIDERATIONS**

The parties (MWSE, State Government, Federal Government and Council) are in the process of putting in place a clear governance structure for this project, noting that Council will not be responsible for the construction risks associated with the project.

It is Council's position that given the entirety of construction funding is from State and Federal government grants, that the project is not a Public Private Partnership (PPP), and Council has written to the Office of Local Government to confirm this is the case.

The Brookvale Park Plan of Management (PoM) contemplates the construction of a new northern stand with associated sporting and events facilities, noting that the full detail of the proposed development is yet to be finalised.

## 10.0 COMMUNITY AND BELONGING DIVISION REPORTS

<b>ITEM 10.1</b>	<b>PUBLIC EXHIBITION OF PROPOSED FEES AND CHARGES FOR BILARONG COMMUNITY HALL AND MANLY YOUTH AND COMMUNITY CENTRE</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2020/053577</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### SUMMARY

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#### PURPOSE

To enable public hire of the Bilarong Community Hall, also referred to as Bilarong Scout Hall, and Manly Youth and Community Centre, through the public exhibition of fees and charges. Both community spaces have been undergoing major renovations and will be reopening soon for community use.

#### EXECUTIVE SUMMARY

Bilarong Community Hall is partially on Crown Land, under the care, control and management of Council. It is located within Bilarong Reserve, adjacent to Narrabeen Lagoon and on Wakehurst Parkway, Narrabeen. The 1<sup>st</sup> Elanora Heights Scouts have been the main user group of this facility for over 20 years.

In 2018 it was identified that the Hall had been impacted significantly by termite damage that the building was required to be taken off-line. The Scouts have been unable to use the building since mid-2018. At the Council meeting of 26 March 2019, it was resolved to undertake the required rectification works. These substantial works are nearing completion, with the Hall anticipated to be ready for occupation in April 2020.

Council also resolved to enable the Hall to be utilised by the Scouts and other community groups and hirers. A new license with the 1<sup>st</sup> Elanora Heights Scouts has been discussed in detail with the Scouts and is in progress to be executed for the use of the building at set times only, with the Hall available for hire by the wider community outside of Scout use. The annual license fee proposed is the Council minimum \$605 including GST per year.

Manly Youth and Community Centre (part of the Manly Childcare and Youth Centre building in Kangaroo Street), has been undergoing major renovations for the past year and is nearing completion to be ready for the community to hire.

Fees and charges must be publicly exhibited and adopted by Council, prior to the rooms being made available for hire, as per Section 705 of the Local Government Act.

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#### RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

1. Council place the proposed fees and charges for both Bilarong Community Hall and Manly Youth and Community Centre on public exhibition for a minimum of 28 days.
  2. The outcomes of the public exhibition be reported to Council.
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**REPORT**

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**BACKGROUND**

**1. Bilarong Community Hall**

Bilarong Community Hall is located on Crown Land, under the care, control and management of Council. It is adjacent to Narrabeen Lagoon, just off Wakehurst Parkway, Narrabeen.

The Bilarong Community Hall has been the home of the 1st Elanora Scout Group for over twenty years. It consists of a hall that is 126 square metres, a small meeting room of 23 square metres, and appropriate storage required for the operation of the Scout Group.



Following the discovery of termite damage in 2018, the Bilarong Community Hall has been closed and undergoing major renovations. It is anticipated that the Hall will be ready for occupation in April 2020.

At its meeting on 26 March 2019, Council agreed to fund the upgrade of the building (referred to as the 'Scout Hall') and to:

- C. In order to provide certainty to the 1st Elanora Heights Scout Group the Chief Executive Officer be delegated authority to do all things necessary to:
  - b. *Enable the building to be utilised by other community groups at all other times through Council's usual processes.*
  - c. *Ensure such agreements commence immediately upon completion of the refurbished building.'*

In order to implement parts (b) and (c) of the above resolution Council must publicly exhibit and adopt fees and charges for the hire of the Hall. The proposed hourly fees for the Hall and Meeting Room at Bilarong Community Hall for 2019/20 (up until 30 June 2020) are:

**Bilarong Community Hall – Category C**

- \$35.00 Hire Fee per hour
- \$22.75 Non Profit per hour
- \$10.50 Concession per hour
- \$70.00 Function per hour

**Bilarong Meeting Room – Category G**

\$16.35 Hire Fee per hour

\$10.65 Non Profit per hour

\$4.90 Concession per hour

**2. Manly Youth and Community Centre**

Manly Youth and Community Centre has been undergoing a major renovation over the past year and is nearing completion. It has a hall that is 141 square metres, a large meeting room of 63.8 square metres, a small meeting room that is 17 square metres, and an activity room that is 44 square metres.

The original community centre (also known as Kangaroo Street Youth Centre) had a very large hall, and a small meeting room. The building was in very poor condition. The community centre has undergone complete renewal of amenities, addressing access and reconfiguration of the internal spaces. This includes the creation of a new larger meeting room, where offices formerly existed.

Additionally, two smaller meeting rooms have become available for the community to hire. The relocation of the Adolescent and Family Counsellors Offices to corner of Raglan Street and Pittwater Road Manly resulted in the former offices at Manly Youth and Community Centre now becoming meeting rooms for community use.

**Manly Youth and Community Centre – Hall – Category B**

\$40.85 Hire Fee per hour

\$26.55 Non Profit per hour

\$12.25 Concession per hour

\$61.20 Function per hour

**Manly Youth and Community Centre – Meeting Room – Category D**

\$28.60 Hire Fee per hour

\$18.60 Non Profit per hour

\$8.60 Concession per hour

**Manly Youth and Community Centre - Small Meeting Room – Category G**

\$16.35 Hire Fee per hour

\$10.65 Non Profit per hour

\$4.90 Concession per hour

**Manly Youth and Community Centre - Activity Room – Category F**

\$23.50 Hire Fee per hour

\$15.30 Non Profit per hour

\$7.05 Concession per hour



The proposed fees and charges for both community centres are comparable with the following rooms in similar sized spaces within Council's community centre portfolio:

- Category C:
  - Berry Hall, Tramshed Arts and Community Centre
  - Angophora/Banksia Rooms, Nelson Heather Centre
- Category D:
  - Manly Library Meeting Room
  - Manly Vale Community Centre
- Category E:
  - Tramshed Hall, Tramshed Arts and Community Centre
  - Oxford Falls Peace Park
- Category F:
  - Classrooms at Forest Community Arts Centre
  - Tramshed Meeting Room, Tramshed Arts and Community Centre
- Category G:
  - Lakeside Meeting Room, Tramshed Arts & Community Centre
  - Lorikeet Meeting Room, Forest Community Arts Centre

All other fees and charges for the hire of Bilarong Community Hall and Manly Youth and Community Centre will be in accordance with the general fees and charges for all community centres, as adopted by Council on 25 June 2019.

## CONSULTATION

For Bilarong Community Hall, extensive consultation was undertaken with representatives of the 1<sup>st</sup> Elanora Heights Scouts prior to the Council report of 26 March 2019.

The proposed fees and charges for both Bilarong Community Hall and Manly Youth and Community Centre will be placed on exhibition for a minimum period of 28 days. The results will be presented to Council following the public exhibition period.

## LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan (CSP) 2018 – 2028 outcomes as follows:

- Goal 8 – Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9 – Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Goal 10 – Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 12 – Our community is friendly and supportive.



## **FINANCIAL CONSIDERATIONS**

The community hire of Bilarong Community Hall will bring some additional income to Council, based on the limited availability of the Hall outside use by the Scouts. This will offset cleaning and other operational costs. The hire of Manly Youth and Community Centre is anticipated to result in income of \$59,000 in the 2020/21 financial year, and approximately \$24,000 in operational expenditure. This does not include the cost of salaries and wages required to manage the centres.

## **SOCIAL CONSIDERATIONS**

Providing more community space for hire in these locations will assist in meeting the objectives of the Community Strategic Plan, and meet a growing demand for community centre space in the Narrabeen and Manly areas. The draft Community Centres Strategy, reported to Council on 22 October 2019, has identified this demand.

## **ENVIRONMENTAL CONSIDERATIONS**

There are no foreseen environmental impacts for the increased use of the space, with the exception of a small increase in the power, water and waste impacts from increased community use.

## **GOVERNANCE AND RISK CONSIDERATIONS**

The management of the community use of the Bilarong Community Hall and the Manly Youth and Community Centre will be in accordance with the draft Community Centres Policy and existing operational procedures.

<b>ITEM 10.2</b>	<b>OUTCOMES OF PUBLIC EXHIBITION AND ADOPTION OF CULTURAL POLICY</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2020/011174</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Draft Cultural Policy</b>

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### SUMMARY

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#### PURPOSE

To report on the outcomes of the public exhibition and seek the adoption of the draft Cultural Policy.

#### EXECUTIVE SUMMARY

The draft Cultural Policy (the Policy) was considered at the Council meeting of 22 October 2019, prior to being placed on public exhibition.

The draft Policy sets out Council's commitment to fostering the unique culture of the Northern Beaches and was developed following consideration of the community feedback on the Arts and Creativity Strategy, internal stakeholders, relevant policies and frameworks from other Councils, State and Federal Government agencies and the UNESCO Universal Declaration on Cultural Diversity 2001.

The draft Policy was exhibited on Council's 'Have Your Say' webpage from 26 October to 28 November 2019. In this period, the Your Say page had 40 visitors (41 visits) to the page, with no submissions received. As such, it is proposed that no amendments are made to the draft Cultural Policy.

The adoption of the Policy publicly states Council's intent in developing local arts, culture and creativity, unique to the Northern Beaches. The implementation of the Policy, once adopted, will be met within capital and operational budgets.

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#### RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Notes there were no submissions received.
  2. Adopts the draft Cultural Policy.
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## REPORT

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### BACKGROUND

The draft Cultural Policy sets out Council's commitment to fostering the unique culture of the Northern Beaches and was developed following consideration of the community feedback on the draft Arts and Creativity Strategy, internal stakeholders, relevant policies and frameworks from other Councils, State and Federal Government agencies and the UNESCO Universal Declaration on Cultural Diversity 2001.

At the meeting on 22 October 2019, Council resolved:

*That:*

- A. *Council place the draft Cultural Policy on public exhibition for a minimum of 28 days.*
- B. *The outcomes of the public exhibition be reported to Council.*

Minor grammatical amendments were made to the draft Cultural Policy following Councillors' feedback at the Council meeting.

### CONSULTATION

The draft Cultural Policy was exhibited on Council's 'Have Your Say' webpage from 26 October to 28 November 2019. In this period, the Your Say page had 40 visitors (41 visits) to the page. Council received no submissions.

No amendments to the draft Cultural Policy are proposed prior to adoption.

### TIMING

The draft Cultural Policy will take effect once adopted.

### LINK TO COUNCIL STRATEGY

The draft Cultural Policy aligns with Council's Community Strategic Plan 2018 – 2028 outcomes as follows:

- Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Goal 10 - Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 12 - Our community is friendly and supportive.

### FINANCIAL CONSIDERATIONS

Resourcing the implementation of the draft Cultural Policy will be met within operational budgets.

### SOCIAL CONSIDERATIONS

The draft Cultural Policy provides a clear statement of intent for the Council in developing local arts, culture and creativity, unique to the Northern Beaches.

### ENVIRONMENTAL CONSIDERATIONS

The draft Cultural Policy acknowledges the importance of the arts, culture and creativity in contributing to a thriving environmental future.

## **GOVERNANCE AND RISK CONSIDERATIONS**

There are no specific governance and risk considerations associated with the draft Cultural Policy.

## Cultural Policy

### Purpose

This Policy states the Council's commitment to fostering the unique culture of the Northern Beaches.

### Policy Statement

Council will:

- recognise Aboriginal people as the original custodians of the Northern Beaches and acknowledge the traditional owners of this land and elders past and present. Aboriginal culture is integral to our understanding of belonging, community and care of the land.
- work collaboratively to ensure Aboriginal heritage and areas of cultural significance are preserved and celebrated as the heart of the area's living heritage and rich cultural assets.
- support local creativity at all stages of life as essential to our community's spirit of belonging as proudly expressed by the diversity of communities brought to the area through migration, lifestyle choice and love of its natural beauty.
- celebrate diversity in all forms as essential to an inclusive and engaged community. Council supports residents' freedom to choose their creative life and expressions of culture.
- foster our community's innate creativity, imagination and connection to place, as realised through our heritage and contemporary arts, vital to generating the big ideas and new ways that will deliver our thriving social, environmental and economic future.
- recognise that local creative industries are essential to cultural vitality. Council will actively support sector growth and innovation for change.
- enable established and emerging creatives through places and spaces, partnerships, programs and services to share local stories, engage, inspire and connect our community and visitors to the Northern Beaches.
- support the growth of Northern Beaches as a destination for arts, culture and creativity through leadership, with an outward-focused and inclusive approach achieving the best possible outcomes for our community.

### Principles

This policy operates under the following principles:

- Local Aboriginal communities have the right to self-determination, including the sharing of culture, and the right to access and contribute to the region's cultural and creative life.
- Northern Beaches' residents and visitors have the right to self-expression and the right to access and contribute to the region's cultural and creative life.
- Place and spaces for the arts, cultural expressions and creativity, including experimentation and cross-disciplinary collaboration, are fundamental to community wellbeing, innovation and industry growth.



- Participation and engagement in arts and culture supports our community to express shared values, negotiate diverse beliefs, and increase connection to each other, promoting understanding and a sense of belonging.
- The arts can explore and respond to complex cultural, social, and environmental issues, revealing new possibilities and perspectives that provide opportunities to transform communities.
- Design excellence and artistic expression in the public domain embed creativity and strengthen our connection to place.

### Scope and application

This policy applies to all employees, agents, officers, councillors and committee members of Northern Beaches Council, and the general community engaging in Council services and programs.

### Application

This policy will be implemented through key Council documents, principally the *Arts and Creativity Strategy - Connected through Creativity 2029* that provides a framework for embedding creativity and expanding arts and culture across the Northern Beaches over the next decade.

### Council's role

Council understands that thriving arts and creativity in diverse and inclusive communities will keep our cultural ecosystem strong, producing ideas that will allow us to meet challenges now and into the future. We recognise that creative communities need creative Councils to understand and support them, and we are committed to exploring new ways of working with the community. Council recognises that it needs to be adaptive and responsive and will review the policy periodically to ensure it continues to meet community needs and expectations.

### References and related documents

Northern Beaches Council Community Strategic Plan *Shape 2028 2018-2028* (2018)  
Northern Beaches Council Draft Arts & Creativity Strategy *Connected through Creativity 2029* (2019)  
Northern Beaches Council Cultural Collection Management and Gifts Policy (2018)  
Northern Beaches Council Community Development and Services Policy (2019)  
Northern Beaches Council Draft Community Centres Strategy  
Northern Beaches Council Public Art Policy (2018)  
Northern Beaches Council Northern Beaches Coast Walk Strategic Plan (2018)  
Northern Beaches Events Strategy 2018 – 2025 (2018)  
Northern Beaches Council Draft Local Strategic Planning Statement, Towards 2040  
Northern Beaches Council Social Plan (in development)  
Local Government Act (1993)  
UNESCO, Universal Declaration on Cultural Diversity, adopted 2 November (2001)  
Arts NSW, Create in NSW: NSW Arts and Cultural Policy Framework (2015)



## Definitions

Council considers art to be the manifestations of culture encompassing visual and performing arts, crafts, fashion and design, film and screen-based works, literature, digital and new media, and hybrid and new forms of creative thinking and expression. It also includes community arts, exhibitions, museums and galleries, and activations in public space.

Culture is considered as an inclusive term incorporating creativity, community, diversity, knowledge, heritage and expressed imagination that creates the way of life unique to the Northern Beaches.

Creative industries include a range of businesses that use creativity and knowledge as their primary source of economic generation. This may include:

- Aboriginal arts
- Advertising
- Audio-visual
- Craft
- Cultural heritage
- Design, including architecture, fashion and graphic, industrial and interior design
- Radio, film and television
- Makers
- Media and digital media music
- Publishing
- Performing arts
- Visual arts

## Responsible Officer

Executive Manager Community, Arts and Culture

## Review Date

August 2023

## Revision History

Revision	Date	Status	TRIM Ref
1	25/09/2019	First draft Cultural Policy	2019/554576
2	22/10/2019	Approved Northern Beaches Cultural Policy	2019/554576

<b>ITEM 10.3</b>	<b>MINUTES OF THE PUBLIC ART WORKING GROUP MEETINGS 31 OCTOBER 2019 AND 5 DECEMBER 2019</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2020/013195</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">⇒</a>Public Art Working Group Meeting Minutes 31 October 2019 (Included In Attachments Booklet)</b> <b>2 <a href="#">⇒</a>Draft Public Art Working Group Meeting Minutes 5 December 2019 (Included In Attachments Booklet)</b>

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### BRIEF REPORT

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#### PURPOSE

To report the minutes of the Public Art Working Group meetings held on 31 October 2019 and 5 December 2019, seek endorsement of an amended Vision for the Coast Walk Public Art Strategic Plan and confirmation of the first five (5) priority artwork sites.

#### REPORT

The Public Art Working Group (the Working Group) assists Council to implement the vision and goals of the Northern Beaches Arts and Creativity Strategy, Connected Through Creativity 2029, the delivery of the Coast Walk Public Art Strategic Plan, and other public art projects initiated by Council.

Northern Beaches public art objectives are to:

- Enliven the Northern Beaches with works of public art that will contribute and enhance the character and design of memorable public places.
- Celebrate and reflect the cultural, social and environmental significance of the Northern Beaches, exploring both the historic and contemporary cultural layers of the Northern Beaches through public art outcomes.
- Deliver a distinctive program of permanent and temporary art initiatives to create a cultural connection for the Northern Beaches community.

The discussion at the Working Group meeting of 31 October 2019 included:

- A presentation on the Northern Beaches Arts and Creativity Strategy, Connected Through Creativity 2029.
- A presentation on the process for developing and managing public art on the Northern Beaches.
- The Coast Walk Public Art Strategic Plan and the process to prioritise the first sites for public art works in 2020.

The attached meeting minutes (Attachment 1) have been endorsed by the Working Group.



The discussion at the Working Group meeting of 5 December 2019 included:

- Discussion on simplifying the vision and mission statements in the adopted Coast Walk Public Art Strategic Plan:

From:

*Vision - The Northern Beaches Coast Walk will connect and showcase our extraordinary coastal environment and heritage through a celebration of art and culture.*

*Mission – To create vibrant, distinctive places that inspire artistic collaborations and connect communities from Manly to Palm Beach.*

To:

*Vision - The Coast Walk connects people with our extraordinary environment through art, culture and creativity.*

- Outcomes of the site tours conducted on 27 November 2019 and 4 December 2019.
- Agreement on the first five priority sites for the first four artwork commissions in 2020, with artwork at Freshwater Beach Reserve (southern end) to coincide with the implementation of the Freshwater Beach Reserve Masterplan.

The attached Minutes (Attachment 2) are in draft form and will be tabled at the next Working Group meeting on 5 March 2020. They have been presented to Council to enable Council's endorsement of the first five priority sites for the Coast Walk public art projects and the commissioning of four artworks in 2020.

### **LINK TO COUNCIL STRATEGY**

This report relates to the following Community Strategic Plan Outcome of Community and Belonging outcomes:

- Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Goal 10 - Our community is stimulated through a diverse range of cultural and creative activities and events.

### **FINANCIAL CONSIDERATIONS**

Adoption of the minutes of the Working Group will not result in any financial impact.

### **SOCIAL CONSIDERATIONS**

The Working Group provides valuable advice regarding public art and cultural development. It includes involvement and engagement with a broad range of stakeholders across the creative sector.

### **ENVIRONMENTAL CONSIDERATIONS**

The adoption of the minutes of the Working Group will not create adverse environmental impacts.

## GOVERNANCE AND RISK CONSIDERATIONS

The Working Group is conducted in accordance with Council's governance framework and adopted Public Art Working Group Terms of Reference.

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## RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Notes the minutes of the Public Art Working Group meetings held on 31 October 2019 and 5 December 2019.
  2. Amends the Coast Walk Public Art Strategic Plan vision statement to *The Coast Walk connects people with our extraordinary environment through art, culture and creativity*, and deletion of the Coast Walk Public Art Strategic Plan Mission statement.
  3. Endorses the following five sites to be prioritised for the commissioning and delivery of artwork along the Coast Walk, with the first four sites to commence in 2020:
    - A. McKillop Park (viewing platform), Freshwater
    - B. Governor Phillip Park, Palm Beach (northern end)
    - C. Robert Dunn Reserve, Mona Vale Headland (south)
    - D. Dee Why Beach (southern end)
    - E. Freshwater Beach (southern end).
-

## 12.0 PLANNING AND PLACE DIVISION REPORTS

<b>ITEM 12.1</b>	<b>TOWARDS 2040 - LOCAL STRATEGIC PLANNING STATEMENT</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC &amp; PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2020/024730</b>
<b>ATTACHMENTS</b>	<b>1 ⇒Final draft Towards 2040 (February 2020) (Included In Attachments Booklet)</b>
	<b>2 ⇒Exhibited draft Towards 2040 (September 2019) with Track Changes (Included In Attachments Booklet)</b>
	<b>3 ⇒Summary of Proposed Amendments to Towards 2040 (Included In Attachments Booklet)</b>
	<b>4 ⇒Public Submissions and Responses (Included In Attachments Booklet)</b>
	<b>5 ⇒NSW Government Agency Submissions and Responses (Included In Attachments Booklet)</b>
	<b>6 ⇒Probity Report (Included In Attachments Booklet)</b>

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### SUMMARY

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#### PURPOSE

To report to Council the outcomes of public exhibition of *Towards 2040* - Northern Beaches Local Strategic Planning Statement (LSPS) and to seek Council's endorsement for submission of the LSPS to the Greater Sydney Commission for approval.

#### EXECUTIVE SUMMARY

*Towards 2040* (Attachment 1) is the Northern Beaches Council's first Local Strategic Planning Statement (LSPS), prepared in accordance with the requirements of Section 3.9 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

*Towards 2040* outlines the Northern Beaches' direction for housing, employment, transport, recreation, environment and infrastructure over the next 20 years. It will help guide future land use decisions through planning priorities, principles and actions that build on the strengths and opportunities for the Northern Beaches as well as addressing key issues and challenges. It will inform Council's new Local Environmental Plan (LEP) and Development Control Plan (DCP) and broader framework of Council policies and strategies.

*Towards 2040* reflects local values and aspirations, building on the 10-year vision set out in the Community Strategic Plan, *Shape 2028*.

*Towards 2040* was endorsed by Council for public exhibition on 24 September 2019. It was placed on public exhibition for a six week period from 27 September to 10 November 2019.

Community engagement included advertisements in local newspapers, online social media, community information sessions with registered community groups and five drop-in information sessions.

Feedback was sought via an online survey and submissions form, online interactive PDF and invitation for written submissions. In total, 337 responses were received, including:

- 321 public submissions
- 16 NSW Government agency responses.

Since exhibition of *Towards 2040*, Council staff have met with and received feedback from the Greater Sydney Commission and Department of Planning, Industry and Environment as part of the LSPS assurance process.

This report discusses the key issues raised in submissions and how these are addressed in the final *Towards 2040*. Overall, there was strong support for *Towards 2040*, with 88% of survey respondents supporting the strategy either with or without changes. Key issues raised include:

- Public transport initiatives, including mass transit.
- Concerns with population growth and adequate infrastructure.
- Housing targets and affordable housing.
- Stronger protection of the environment.
- Greater focus on sustainable development, energy, water and waste efficiency
- Directions for the Metropolitan Rural Area.
- Sustainable recreation and open space.
- Site specific rezoning requests and spot rezonings.
- Jobs, centres and retail.
- Response to climate emergency, natural hazards and bushfire.
- Education including schools, tertiary education and university.
- Tree canopy coverage and targets.
- Local character.
- Broadening the range of urban hazards.

A detailed description of changes to *Towards 2040* is included at Attachment 2 which shows track changes made to the exhibited version and Attachment 3 which summarises the key changes. A detailed analysis of public submissions is provided at Attachment 4 and a detailed analysis of NSW Government agency submissions is provided at Attachment 5.

Following Council's endorsement of *Towards 2040*, it is required to be submitted to the Greater Sydney Commission's 'Assurance Panel'. Upon receipt of a letter of support from the Commission, councils can approve the LSPS either via a council resolution or under delegation. Council is required to make the LSPS by 31 March 2020.

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## RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Notes this report and associated attachments, including the outcomes of the public exhibition process and Council's proposed response to the feedback received.
  2. Endorses *Towards 2040 – Northern Beaches Local Strategic Planning Statement*.
  3. Refers *Towards 2040 – Northern Beaches Local Strategic Planning Statement* to the Greater Sydney Commission for the purpose of the assurance process.
  4. Delegates authority to the Chief Executive Officer to make the *Local Strategic Planning Statement* upon written support being received from the Greater Sydney Commission.
-

**REPORT**

**BACKGROUND**

In March 2018, the Greater Sydney Commission (GSC) released the Greater Sydney Region Plan – A Metropolis of Three Cities (*Region Plan*) and the North District Plan (*District Plan*). These plans were accompanied by new requirements under Section 3.8 of the *Environmental Planning and Assessment Act* (EP&A Act) to embed comprehensive strategic planning into the NSW planning framework.

The new planning framework (Figure 1) includes a suite of plans which are intended to give direction to and coordinate land use planning decisions over the longer term and across decision making authorities. It provides a line-of-sight from regional planning to outcomes at a neighbourhood level.

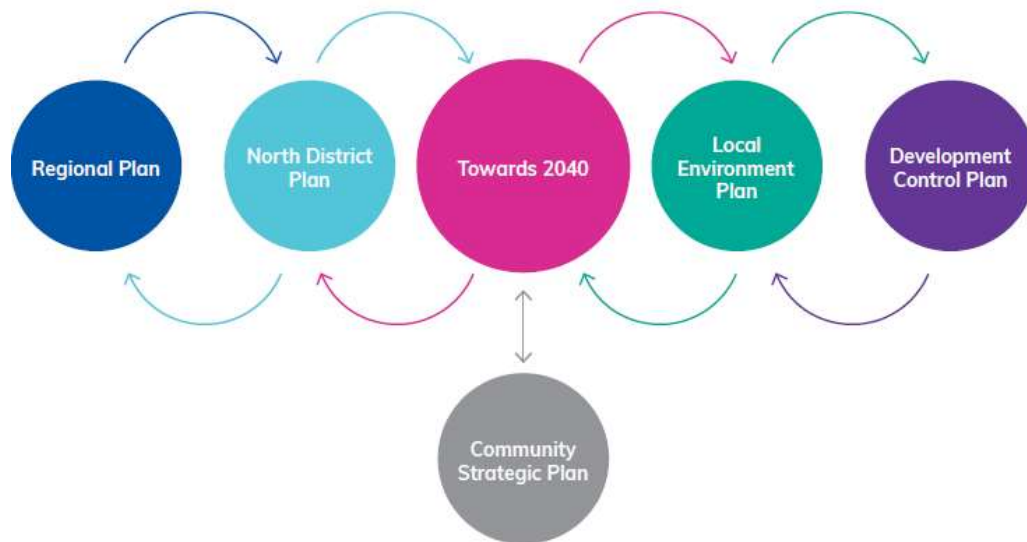


Figure 1 – Strategic planning framework

**LEP Review Program**

To support legislative changes, the NSW Government introduced a LEP Review Program for all councils to prepare and implement planning statements and make subsequent changes to planning controls to give effect to the *Region Plan* and *District Plan*.

The LEP Review Program developed by the Greater Sydney Commission (GSC) and Department of Planning, Industry and Environment (the Department) identified six phases (Figure 2).

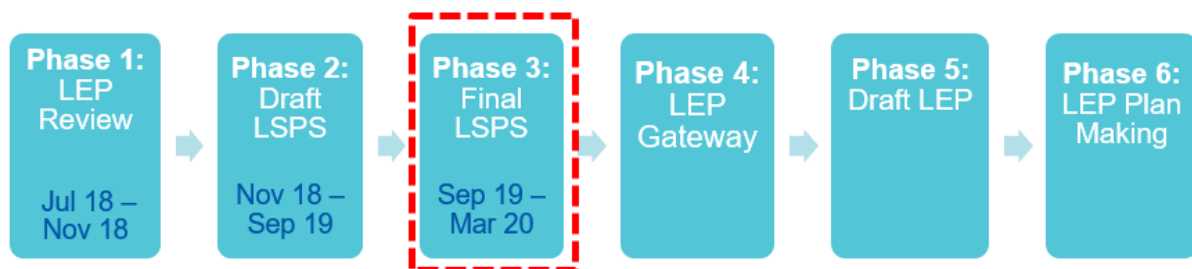


Figure 2 – LEP Review Program

Council is working towards the three year LEP Review Program and has until June 2021 to complete the LEP Review Program.

## Greater Sydney Commission's Assurance Process

The GSC's Assurance Program (outlined below) aims to ensure the LSPS aligns with the *Region Plan* and *District Plan*.

Phase	Step	Date of completion
1: LEP Review	LEP Review Report or 'health check'	November 2018
2: Draft LSPS	Assurance expo	February 2019
	GSC technical health check of draft LSPS	April 2019
3: Final LSPS	Public exhibition of draft LSPS	27 September – 10 November 2019
	GSC preliminary review of draft LSPS	12 November 2019
	GSC technical health check of final LSPS	4 February 2020
	<b>Council endorsement of final LSPS</b>	<b>We are here</b>
	Submission of final LSPS to GSC for consideration by the assurance panel	25 February 2020
	GSC assurance panel meeting	3 March 2020
	Assurance panel issue letter of support	-
	Council makes LSPS and advises the Department to publish LSPS	By 31 March 2020
LEP	LEP updates (non-accelerated councils)	By June 2021

### Phase 1: LEP Review

Council commenced the LEP Review Program, 'Planning our Sustainable Future', in mid-2018. For Phase 1, Council prepared a LEP Review Report or 'health check' outlining how the Northern Beaches LEPs and other Council plans, policies and programs align with the *District Plan* priorities and actions. This report was endorsed by Council on 27 November 2018. The GSC confirmed Council had complied with the Phase 1 on 21 December 2018.

### Phase 2: Draft LSPS

For Phase 2, Council prepared a draft LSPS which was presented to the GSC during its development. The GSC provided written feedback to Council on Phase 2 on 23 April 2019. This feedback was addressed in the exhibited version of *Towards 2040*.

### Phase 3: Final LSPS

For Phase 3, Council endorsed exhibition of *Towards 2040* on 24 September 2019. Public exhibition was undertaken over six weeks, from 27 September to 10 November 2019. The GSC provided preliminary feedback on the draft LSPS at a meeting on 12 November 2019, and further feedback at a second meeting on 4 February 2020. That feedback has been addressed in the final *Towards 2040*.

Upon Council endorsement of *Towards 2040*, it must be submitted to the GSC for the final stage of the assurance process.

A recommendation is included in this report that delegation is granted to the Chief Executive Officer to make the LSPS upon written support being received from the GSC. This is to ensure that the LSPS can be made by 31 March 2020 in accordance with legislative requirements. Should the GSC not support the LSPS it will be reported back to Council. The final LSPS will be placed on the NSW Government's 'e-portal'.

### Towards 2040 - Local Strategic Planning Statement

Requirements for the LSPS are set out in Section 3.9 of the Environmental Planning and Assessment Act 1979 and in the Department's LSPS Guideline for Councils.


#### *Towards 2040:*

- Identifies the local planning context and how the Northern Beaches is expected to change.
- Provides a local response to the NSW Government's planning priorities and actions in the District Plan.
- Establishes a 20-year land use planning vision, planning priorities, principles, actions and measures that outline how local strategic planning will manage change to achieve desirable outcomes.
- Forms the basis of collaboration and advocacy on planning issues with the NSW Government.
- Guides future changes to planning controls, including those sought by proponents through planning proposals.

*Towards 2040* includes a 20-year vision for a sustainable, liveable, connected and productive Northern Beaches. The *Towards 2040* vision will be achieved by 30 planning priorities and associated actions that will guide land-use planning and help achieve the Northern Beaches vision.

The planning priorities in the final *Towards 2040* are as follows:

	Landscape
1	Healthy and valued coast and waterways
2	Protected and enhanced bushland and biodiversity
3	Protected scenic and cultural landscapes
4	Protected Metropolitan Rural Area
5	Greener urban environments
6	High quality open space for recreation
	Efficiency
7	A low-carbon community, with high energy, water and waste efficiency

	<b>Resilience</b>
8	Adapted to the impacts of natural and urban hazards and climate change
	<b>Infrastructure and collaboration</b>
9	Infrastructure delivered with employment and housing growth
	<b>People</b>
10	World-class education facilities, including a university
11	Community facilities and services that meet changing community needs
12	An inclusive, healthy, safe and socially connected community
13	Strong engagement and cooperation with Aboriginal communities
14	A community enriched through the arts and connected through creativity
	<b>Housing</b>
15	Housing supply, choice and affordability in the right locations
16	Access to quality social housing and affordable housing
	<b>Great places</b>
17	Centres and neighbourhoods designed to reflect local character and lifestyle
18	Protected, conserved and celebrated heritage
	<b>Connectivity</b>
19	Frequent and efficient regional public transport connections
20	Sustainable local transport networks
21	Re-designed road space and facilities to match changing community needs
	<b>Jobs and skills</b>
22	Jobs that match the skills and needs of the community
23	Frenchs Forest as a sustainable health and education precinct
24	Brookvale as an employment and innovation centre



25	Dee Why as a thriving cosmopolitan centre by the sea
26	Manly as Sydney's premier seaside destination
27	Mona Vale as the contemporary urban heart of the north
28	Safeguarded employment lands
29	A thriving, sustainable tourism economy
30	A diverse night-time economy

## CONSULTATION

### Exhibition and submissions period

*Towards 2040*, and supporting background papers, were placed on public exhibition for a period of 44 days (approximately six weeks), from 27 September to 10 November 2019, which satisfies the minimum 28 day requirement in the EP&A Act.

### Exhibited materials

The following documents were exhibited:

- Towards 2040 - draft Northern Beaches Local Strategic Planning Statement.
- Overview document (18 page summary document).
- Plan on a page (1 page summary).

The following supporting documents were also exhibited as part of the exhibition package:

- Demographic Analysis.
- Housing Issues and Opportunities Paper.
- Employment Study – Background Paper.
- Social Infrastructure issues and Opportunities Paper.
- Environment Background Paper.
- Community Engagement Report.

### Exhibition venues

Hard copies of the *Towards 2040* exhibition package were available at the following customer service locations:

- Avalon Customer Service Centre.
- Dee Why Customer Service Centre.
- Manly Customer Service Centre.
- Mona Vale Customer Service Centre.

Hard copies of the *Towards 2040* exhibition package were available at the following libraries:

- Dee Why Library.
- Forestville Library.
- Glen Street Library.
- Manly Library.
- Mona Vale Library.
- Warringah Mall Library.

Electronic copies of *Towards 2040* were available online at Northern Beaches Council 'Your Say' website: <https://yoursay.northernbeaches.nsw.gov.au/towards-2040>

There were 3,480 visitors to the project Your Say page during the exhibition period.

### **Public notice**

Media releases for *Towards 2040* were issued as follows:

- Manly Daily, 21 September (reached 236,000 people).
- Northern Beaches Council website, 25 September.
- Peninsular Living, 1 October and 1 November (reached 87,000 people).
- Pittwater Life editorial, October edition (reached 32,000 people).

Notices were placed in the following newspapers advising details of the public exhibition:

- Manly Daily, 28 September; 5 October; 12 October; 19 October; 26 October; 2 November; 9 November (reached 236,000 people).
- Pittwater Life, 1 October.
- Peninsular Living south, 1 October (reach 57,000).
- Peninsular Living north, 1 October.

Two local schools voluntarily participated in distribution of flyers.

### **Online media**

A three-minute video was promoted online via Council's website, the *Towards 2040* project page, Facebook, Linked In, Youtube and the Mayor's Message.

A 30 second video was promoted online via Council's E-News, Facebook and Instagram.

### **Survey**

Council's Your Say webpage hosted an online survey during the public exhibition. The survey asked respondents to indicate how much they agreed with the 30 priorities on a five-point scale ('strongly agree', 'agree', 'neutral', 'disagree' or 'strongly disagree') and whether overall, they supported *Towards 2040*, selecting either 'yes', 'yes, with changes', 'no' or 'unsure'. Written comments were also received via this survey.

### **Online interactive document**

An online interactive version of *Towards 2040* was available to view on Council's Your Say webpage during the public exhibition period. The document was published using Konveio software, which allowed users to post comments on the document and click on links to view introductory videos.

### **Notification of land owners**

Council notified landowners within the LGA via a flyer with rates notices, issued on 21 and 22 October 2019, reaching 70,589 people.

### **Notification of key stakeholders**

Bulk emails were sent to key stakeholders including:

- Four emails to people following the 'Planning our sustainable future project' (700 people reached per email).
- Three emails to people registered on Council's community engagement newsletter (20,000+ people reached per email).
- One email to businesses on the Northern Beaches (12,000 businesses reached).
- One email to resident associations on the Northern Beaches (24 associations reached).

### **NSW Government agency notification**

Exhibition notification emails were sent to 29 NSW Government agencies:

- Aboriginal Housing Office.
- Ausgrid.
- Create NSW.
- Department of Education.
- Department of Planning, Industry and Environment.
- Department of Primary Industries – Fisheries.
- Destination NSW.
- Environmental Protection Authority.
- Foreshore and Waterways Planning and Development Advisory Committee.
- Greater Sydney Commission.
- Health Infrastructure.
- Infrastructure NSW.
- Liquor and Gaming NSW.
- Maritime NSW.
- Natural Resource Access Regulator.
- Northern Beaches Liquor Accord.

- NSW Government Architect.
- NSW Health.
- NSW Land and Housing Corporation.
- NSW National Parks and Wildlife Service.
- Office of Environment and Heritage.
- Office of Open Space and Parklands.
- Office of Sport.
- Roads and Maritime Service.
- Rural Fire Service.
- State Transit Authority of NSW.
- Sydney Trains.
- Tourism Australia.
- Water NSW.

#### **Councils Notification**

Exhibition notification emails were sent to 15 Councils:

- Bayside Council.
- City of Ryde Council.
- Hornsby Shire Council.
- Hunters Hill Council.
- Inner West Council.
- Ku-rin-gai Council.
- Lake Macquarie Council.
- Lane Cove Council.
- Mosman Council.
- North Sydney Council.
- Randwick Council.
- Sutherland Shire Council.
- Waverley Council.
- Willoughby Council.
- Woollahra Council.

### Information sessions

Council hosted five targeted information sessions during the exhibition period:

- Mona Vale (30 September), 4pm-6pm.
- Frenchs Forest (1 October), 4pm-6pm.
- Freshwater (3 October), 4pm-6pm.
- Narrabeen (8 October), 4pm-6pm.
- Manly (10 October), 4pm-6pm.

Approximately 45 people attended the information sessions.

Council presented to the six Strategic Reference Group's (SRG) during the exhibition period:

- Transport and travel (17 October), Manly.
- Partnership and participation(23 October), Dee Why.
- Places for people (24 October), Narrabeen.
- Community and belonging (30 October), Manly.
- Economic and smart communities (6 November), Manly.
- Environment (7 November), Dee Why.

Approximately 90 people attended the SRG presentations.

Council hosted five drop-in information sessions during the exhibition period:

- Pittwater (16 October), Mona Vale Library Lane, 10am-2pm.
- Narrabeen (19 October), Berry Reserve, 10am -2pm.
- Frenchs Forest (22 October), Forestville Shops, 1pm-5pm.
- Curl Curl (23 October), Meriton Dee Why, 10am-2pm.
- Manly (24 October) – Manly Forecourt, 3pm-7pm.

Approximately 260 people attended the drop-in information sessions, which were opportunities for members of the public to discuss *Towards 2040* with the project team. Hard copies of the exhibition package and large format prints of the structure plan and priorities were available to view at these sessions.

Members of the public also filled out the online survey on iPads at the sessions and participated in a dot-voting activity where they were asked to indicate whether they agreed, disagreed or felt neutral about each priority. The results of the dot-voting activity were not specifically considered as part of the submissions analysis.

### Meetings (1:1)

Council undertook meetings (1:1) with interested groups and/or individuals throughout the planning process. These meetings provided an opportunity to inform, consult and involve members of the public in the planning process.

## Submissions Summary

### Number of submissions

A total of 337 responses were received, including 321 public submissions and 16 NSW Government agency submissions.

### **321 public submissions, including:**

- 218 surveys (including 173 surveys with written comments)
- 95 email and/or written letter responses
- 8 interactive PDF responses

Feedback from Phase 3 of the assurance process with the GSC (GSC Assurance Phase 3) and the Department has been incorporated into the analysis of submission responses.

Submissions were received from 16 NSW Government agencies:

- Cancer Institute NSW.
- Cemeteries and Crematoria NSW.
- City of Ryde.
- Create NSW.
- Department of Planning Industry and Environment – Development and Transactions.
- Department of Primary Industries – Fisheries.
- Environmental Protection Authority.
- Greater Sydney Commission and Department of Planning, Industry and Environment.
- Heritage NSW.
- Northern Sydney Local Health District (NSLHD) Health Promotion.
- NSW Rural Fire Service.
- Office of Sport.
- State Library of NSW.
- Sydney Water.
- Transport for NSW.
- Water NSW.

### Geographical Spread of Public Submissions

Submissions were received from across the LGA. The geographical spread of public submissions received is shown in Figure 3 below.

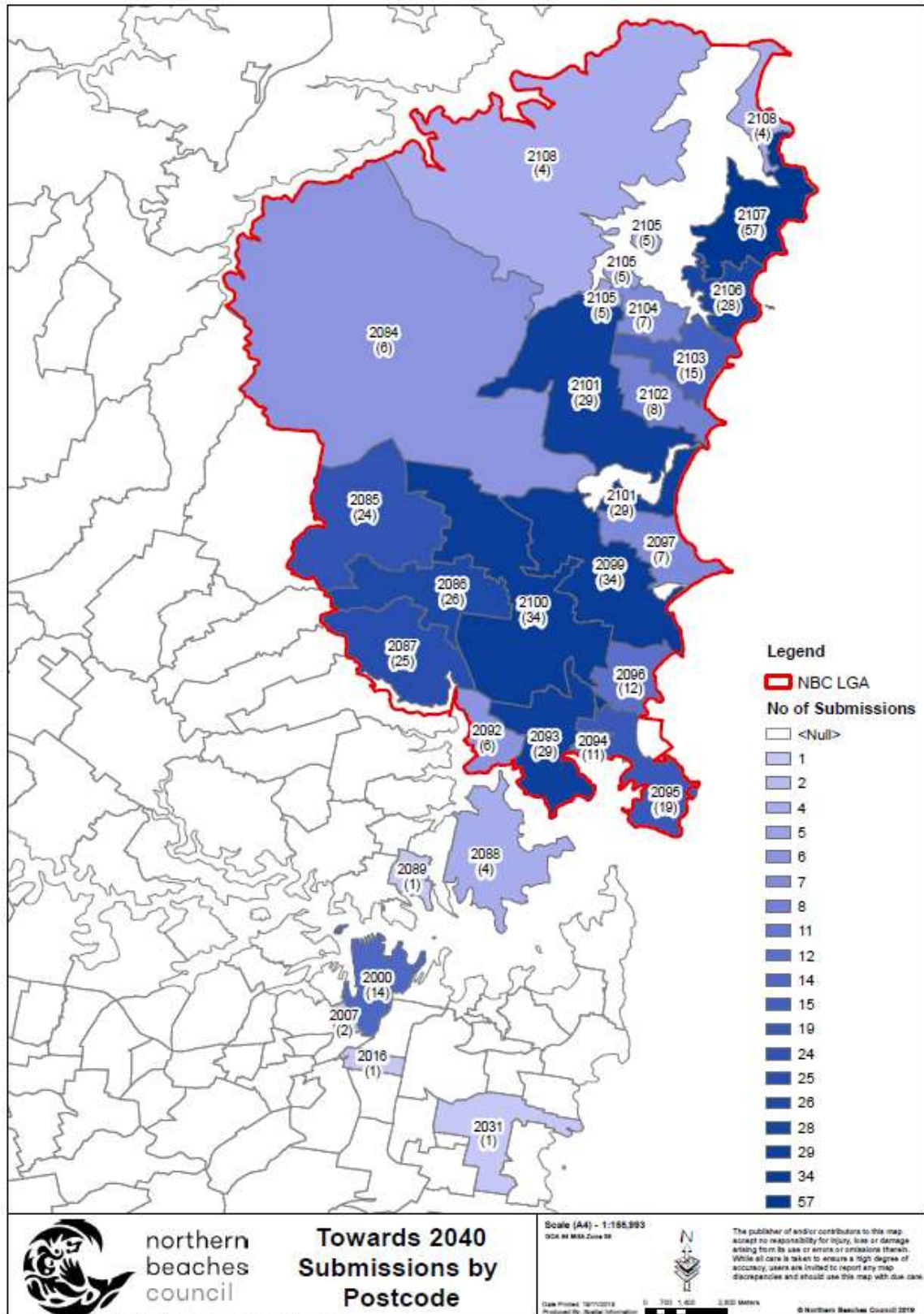


Figure 3 – Towards 2040 submissions by postcode



## Survey Results

In total, 218 survey responses were received. The majority of respondents indicated that overall, they supported *Towards 2040* either with changes (51%) or without changes (37%).

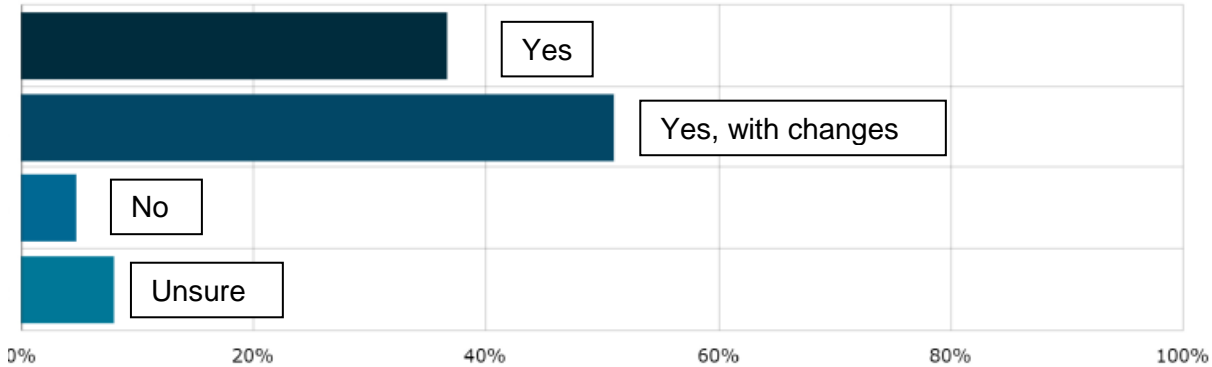


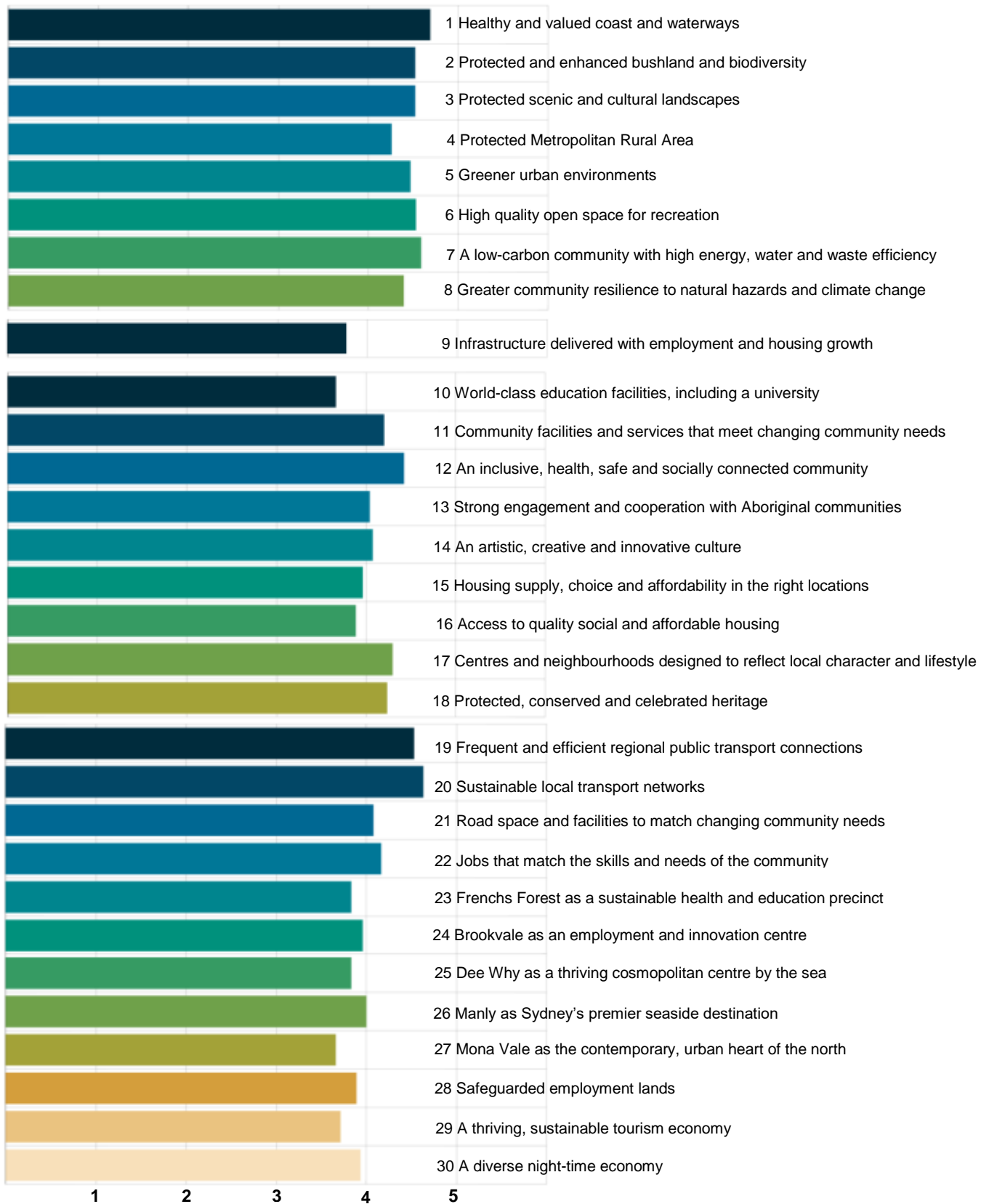
Figure 4 – *Towards 2040* – overall support for *Towards 2040*

It is important to note that the majority of respondents did not review the full version of *Towards 2040*, with many reviewing the one page summary or overview document only.

The results for the priority questions indicated that the majority of respondents either strongly agreed or agreed with every priority (refer to Figure 5). The highest levels of support amongst the themes were for the sustainability priorities, with Priority 1 (Healthy and valued coasts and waterways) with the strongest level of support, followed by Priority 20 (Sustainable local transport networks) and Priority 7 (A low-carbon community, with high energy, water and waste efficiency).

The priorities with the lowest levels of support were Priority 10 (World class education facilities, including a university), Priority 27 (Mona Vale as the contemporary urban heart of the north), Priority 29 (A thriving, sustainable tourism economy) and Priority 9 (Infrastructure delivered with employment and housing growth).

Respondents were also able to provide further comments on each of the themes and *Towards 2040* overall, and attach a file as a written submission. The written survey responses are incorporated into the submissions analysis below and addressed in Attachment 4.



Note: priority headings referenced above relate to the draft *Towards 2040*

<b>Key:</b>	1 = strongly disagree	2 = disagree	3 = neutral	4 = agree	5 =
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Figure 5 – *Towards 2040* – survey results

## Key issues from Written Public Submissions per Priority

Key issues from written public submissions per priority, showing the number of submissions received:

Theme and direction	Key issue	# submissions
<b>Sustainability</b>		
<b>Landscape</b>	P1 – Coastal and waterway management and Pittwater Waterway	31
	P2 – Bushland and biodiversity policy, management actions, clearing and offsets	33
	P3 – Scenic and cultural landscapes	10
	P4 – Metropolitan Rural Area (MRA) extent, future zoning, and the deferred lands planning proposal	46
	P5 – Green urban environments including tree canopy, urban heat and the green grid	28
	P6 – Open space for recreation supply, use, access and environmental impacts	41
	Protection of the environment and support for sustainability measures	21
<b>Efficiency</b>	P7 – Sustainable development, energy, water and waste efficiency	49
<b>Resilience</b>	P8 – Natural and urban hazards, bush fire and climate change	35
<b>Infrastructure and collaboration</b>		
	P9 – Infrastructure deficit, delivery and financing, population growth and collaboration	103
	Community engagement	19
	Site specific zoning requests	19
	Spot rezoning	12
<b>Liveability</b>		
<b>People</b>	P10 – Education including schools, tertiary education and university	34
	P11 – Social infrastructure including community facilities, health, sport and recreation facilities and shared use	22
	P12 – Community needs including seniors, youth and cemeteries	20
	P13 – Aboriginal culture, heritage and communities	11
	P14 – Arts and creativity	4
<b>Housing</b>	P15 – Housing supply, diversity and Ingleside	89
	P16 – Affordable and social housing provision, boarding houses and rental conditions	28
<b>Great places</b>	P17 – Local character, design excellence and the public domain	22
	P18 – Aboriginal and European heritage	7
<b>Productivity</b>		
<b>Connectivity</b>	P19 – Regional transport including the Beaches Link Tunnel, B-Line and BRT	58
	P20 – Connectivity through public transport, active travel and technology	68

Theme and direction	Key issue	# submissions
<b>Jobs and skills</b>	P21 – Road space, friendly streets, freight and parking	30
	P22 – Jobs, centres and retail	38
	P23 – Frenchs Forest	21
	P24 – Brookvale	19
	P25 – Dee Why	11
	P26 – Manly	14
	P27 – Mona Vale	17
	P28 – Employment lands and managing conflicts	16
	P29 – Tourism management, opportunities and short term accommodation	23
	P30 – Night time economy	17

Detailed responses to the public submissions are provided in Attachment 4.

#### Issues raised by NSW Government Agencies

The GSC and the Department indicated to Council through Phase 3 of the assurance process (12 November 2019 and 4 February 2020) that *Towards 2040* met many of the minimum requirements. It was commended across all four themes: sustainability; infrastructure and collaboration; liveability; and productivity.

The key issues raised by NSW Government agencies include:

- Waterways – coast, seawalls, aquatic reserves, marine environment, tourism.
- Metropolitan Rural Area extension.
- Tree canopy coverage.
- Expansion of green grid projects and access to open space.
- Waste and water efficiency and reduced consumption.
- Natural hazards – bushfires, UV radiation.
- Urban hazards - air quality, noise, water quality, contaminated land.
- Support for shared and joint use of government-owned property.
- Planning for social infrastructure – libraries, cemeteries.
- Strengthening initiatives around healthy and active communities.
- Integration of cultural objectives.
- Public art integration into transport projects.
- Housing projections, supply and mechanisms to improve diversity.
- Clarification of public transport initiatives.

- Requests to partner with Council for various actions.

Detailed responses to the NSW Government responses are provided in Attachment 5.

## Amendments

No issues were raised in submissions that have not been able to be resolved by either refinement of *Towards 2040*, or by clarification of Council's position on the matter.

A number of revisions are proposed to *Towards 2040* prior to its endorsement in light of the feedback received from the Greater Sydney Commission, State agencies, Council staff and public submissions. The key changes are discussed below, and shown in the track changes version at Attachment 2 and the list of changes at Attachment 3.

## Response to Issues

The key issues raised in submissions and referrals are addressed in this section, while Attachments 4 and 5 provide responses to individual submissions and referrals. The key issues addressed are as follows:

Key issue	Public submissions	Agency feedback
Public transport initiatives including mass transit	87	Transport for NSW, GSC Assurance Phase 3
Concerns with population growth and adequate infrastructure	68	
Housing targets and affordable housing	68	GSC Assurance Phase 3*
Stronger protection of the environment	52	DPI Fisheries, EPA
Greater focus on sustainable development, energy, water and waste efficiency	49	GSC Assurance Phase 3, EPA, Sydney Water
Directions for the Metropolitan Rural Area	46	GSC Assurance Phase 3
Sustainable recreation and open space	45	GSC Assurance Phase 3, DPI Fisheries, EPA, Office of Sport
Site specific rezoning requests and spot rezonings	40	
Jobs, centres and retail	38	GSC Assurance Phase 3
Response to climate emergency, natural hazards and bushfire	35	NSW RFS, Cancer Institute NSW
Education including schools, tertiary education and university	34	NSLHD, State Library
Tree canopy coverage and targets	22	GSC Assurance Phase 3, Cancer Institute NSW, Community
Local character	22	Heritage DPC, Create NSW
Broadening the range of urban hazards	4	GSC Assurance Phase 3, EPA, Sydney Water

\*Note GSC Assurance Phase 3 feedback includes feedback from several agencies

## 1. Public transport initiatives including mass transit

Public submissions: 87

NSW Government agency submissions: Transport for NSW, GSC Assurance Phase 3 feedback

Issue description:

Many submissions supported the need for improved public transport in the LGA and commended the success of recent transport initiatives, such as the B-Line. Submissions called for more sustainable forms of public transport such as electric buses, and for Council to go further than the proposed Bus Rapid Transit (BRT) corridor initiatives within Towards 2040 and investigate trains and trams. Support was also expressed for existing on-demand transport services such as Keoride in the Northern peninsular and Uberpool from Manly Wharf.

Some submissions supported the proposed extension of the B-Line to Newport, while others opposed this initiative. Submissions also expressed concerns with impacts from the Beaches Link Tunnel, and the need for public transport to be included if this were to proceed.

GSC Assurance Phase 3 feedback and Transport for NSW's submission suggested amendments to update the extent of the Tunnel Investigation area and clearly delineate public transport initiatives proposed by Council, but not currently within Future Transport 2056. They stated that the NSW Government has not confirmed or committed to the type of public transport services to be provided in the Beaches Link Tunnel.

Response:

Priority 19 identifies regional public transport priorities based on a vision for four fast and efficient public transport corridors for the Northern Beaches (which is also included in the Towards 2040 vision and structure plan). Whilst initially these corridors will support improved bus services such as the B-Line, Council intends for these corridors to transition to BRT requiring dedicated transport lanes.

The regional public transport network will promote north-south and east-west connections enhancing connections to strategic and metropolitan centres to improve access to jobs and services. The public transport connections identified in Priority 19 not only guide planning decisions about future growth, but also respond to existing settlement patterns and will enhance public transport for existing residents.

Priority 19 includes an action to investigate public transport corridors and future routes, this includes mass transit, and aligns with Council's *MOVE* Transport Strategy 2038. The wording of the action has been clarified.

Key changes and source:

- Structure Plan (Map 1) and Figure 18 amended to extend Beaches Link Tunnel investigation area along Wakehurst Parkway to Warringah Road (Frenchs Forest) to align with NSW Government maps for the tunnel link (TfNSW).
- Priority 19 actions amended to clarify Council's intent to investigate mass transit (Action 19.9), and delineate transport initiatives driven by Council not currently included in Future Transport 2056 in Actions 19.3 to 19.6 (Community, TfNSW, GSC Assurance Phase 3).

## **2. Concerns with population growth and adequate infrastructure**

Public submissions: 68

Issue description:

These submissions were unsupportive of population growth due to impacts on the environment, lifestyle and concerns that infrastructure is currently inadequate, especially transport infrastructure.

Response:

Towards 2040 seeks to guide growth and development at a local level as determined by demographic trends and projections. Sustainability and growth coupled with appropriate infrastructure are at the core of the document.

Whilst aligning infrastructure with forecast growth is important, we recognise that there are existing infrastructure challenges that need to be addressed.

Priority 9 seeks to plan for a Northern Beaches supported by infrastructure, together with a number of priorities throughout the document and actions to prepare studies that address both existing and projected infrastructure needs. These studies include housing, employment, social infrastructure, green infrastructure and transport. They also include an LGA-wide land use infrastructure implementation plan which will set out a plan for funding and timing for delivery of new infrastructure as the population grows.

The sustainability priorities (Priorities 1-8) seek to ensure infrastructure is sustainable and to manage the impacts of growth on the environment. The implementation of place-based approaches to planning will ensure future development is in keeping with the vision for the locality (Priority 17).

Key changes:

- No changes as the above concerns will be addressed in Council studies.

## **3. Housing targets and affordable housing**

Public submissions: 68

NSW Government agency submissions: GSC Assurance Phase 3 feedback

Issue description:

Community submissions questioned the proposed housing targets and statistics in Towards 2040, and the need to accommodate increased numbers. With respect to social and affordable housing, some community members expressed support for Council priorities, including Community Housing Providers, while some were against addressing this need.

Submissions also discussed proposed locations for future housing and housing designs and types, including some support for low-rise medium density housing and opposition to high rises and apartment buildings. Some support was expressed for Council to seek exemption from State policies that override local provisions such as seniors housing, boarding houses and the medium density housing code, while others expressed concern as to the impact this would have on housing delivery and affordability.

GSC Assurance Phase 3 feedback outlined a discrepancy of 6,235 dwellings between Towards 2040 housing projections to 2036 and the numbers released by the GSC, with concern that future housing supply would not contribute enough to the 92,000 North District implied dwelling target.



In January 2020 the Department issued new population projections for NSW LGAs. The new 2019 projection for the Northern Beaches anticipates growth of 23,000 dwellings from 2016 to 2036, rather than 34,250 dwellings as anticipated by the 2016 projections.

Response:

The population projections within Towards 2040 are based on NSW Government data. These projections are not targets and they are based on assumptions and trends. They are vital in helping Council plan for housing, infrastructure and employment needs and influence how and where growth occurs.

Five-year housing targets established by the NSW Government are set out in the *District Plan*. Medium and long-term housing projected demand in Towards 2040 are based on population projections and informed by detailed analysis at the LGA level, which is included in the Housing Issues and Opportunities paper. Medium and long term housing targets for the LGA will be established through the local housing strategy (Action 15.1) which requires endorsement from the NSW Government to ensure the LGA sufficiently contributes to the North District target.

Priority 16 outlines Council's commitment to ensure access to quality social housing and affordable housing, which includes addressing the existing unmet demand of 8,100 dwellings. Council's priorities and actions align with Council's endorsed Affordable Housing Policy and Action Plan and responsibilities under the Local Government Act 1993, the Region Plan, the District Plan, the EP&A Act and State Environmental Planning Policy No.70.

Towards 2040 sets out strategic directions to help guide decisions about the need to provide a diversity of housing in response to community needs and where housing should be located. Council will prepare and implement a local housing strategy which will then inform new LEP and DCP controls to ensure an appropriate housing supply and housing mix to meet the needs of the Northern Beaches community.

Council will work with the Department to finalise housing supply targets in its Local Housing Strategy having regard to new population growth projections and based on specific housing needs e.g. affordability and diversity. P15 identifies that there is capacity for around 6,400 new dwellings to be developed in areas already zoned for growth and 4,360 dwellings in Frenchs Forest Planned Precinct. The local housing strategy (Action 15.1) will include a more detailed analysis of housing capacity, including take up and future housing opportunities to inform changes to the LEP.

Key changes and source:

- Changes made throughout Towards 2040 to change the additional housing demand from 11,200 to 11,747, increasing the estimated demand from +7,865 to +8,347, to align with updated data from the research into the local housing strategy (Council).
- Priority 15 text amended to note the discrepancy between the Department and Council's estimated future dwelling demand figures due to different household size projections. Further work to determine dwelling targets to be detailed in Council's local housing strategy (GSC Assurance Phase 3).

#### **4. Stronger Protection of the Environment**

Public submissions: 52

NSW Government agency submissions: Department of Primary Industries – Fisheries, Environmental Protection Authority

Issue description:

These submissions expressed strong support for priorities that protect the environment, including the LGA's bushland and biodiversity, waterways and coast, including requests to do more and make this the main focus of Towards 2040. Concern was expressed over development impacts on the natural environment including habitat and species loss, and waterway impacts including stormwater and water quality of downstream catchments.

Requests were made to increase enforcement of illegal land clearing and for specific actions such as community education and infrastructure such as fauna crossings. Concern was expressed with proposed biodiversity offsets that these would result in more loss and not benefit the LGA.

Agency submissions from the Department of Primary Industries – Fisheries and Environmental Protection Authority were generally supportive of priorities within Towards 2040 to protect the natural environment, suggesting minor edits and requesting to partner with Council on certain actions.

Response:

Both Towards 2040 and Council's Environment and Climate Change Strategy, Protect. Create. Live. outline Council's strong commitment to protect the natural environment and align with the goals, outcomes and strategies within Shape 2028.

Within Towards 2040, Priorities 1-4 outline Council's intent for healthy and valued coast and waterways, protected and enhanced bushland and biodiversity, protected scenic and cultural landscapes and a protected Metropolitan Rural Area. These priorities acknowledge the challenge of protecting environmental values on private land.

Water quality and stormwater runoff is being addressed in Council's pilot project with DPIE to implement the risk-based framework for waterway health. Principles and actions within Priority 2 align with Council's Bushland and Biodiversity Policy including the requirement for future development to avoid, then minimise, impacts on bushland before offsetting is considered.

While Towards 2040 seeks to inform future planning and development at a high level, specific Council actions such as educational programs, services and capital works, relate more broadly to Council's operations that are outlined in Council's delivery program exhibited on an annual basis. Actions to protect the environment will also be addressed in action plans linked to Protect. Create. Live.

Key changes and source:

- Action 2.9 added to address unauthorised removal of tree canopy or native vegetation, such as through ongoing monitoring and reporting, planning controls in the LEP and DCP, increased enforcement and compliance, and education programs (Community).

**5. Greater focus on sustainable development, energy, water and waste efficiency**

Public submissions: 49

NSW Government agency submissions: GSC Assurance Phase 3 feedback, Environmental Protection Authority and Sydney Water

Issue description:

Community submissions included calls for Council and the community to improve energy, water and waste efficiency and strengthen carbon emission reduction targets, including support for renewable energy, community solar, solar farms, electric vehicles and transport, e-bikes, and smart technology. There was support for increasing sustainability requirements for buildings and concerns regarding water supply and waste including single use plastic.

GSC Assurance Phase 3 feedback and the Environmental Protection Authority suggested Council identify future waste management challenges and consider waste infrastructure planning and opportunities for the circular economy. Both Sydney Water and the Environmental Protection Authority supported *Towards 2040's* focus on integrated water cycle management including water harvesting and waste water recycling.

Response:

Priority 7 outlines Council's commitment to a low-carbon community, with high energy, water and waste efficiency, with Figure 38 referencing efficiency initiatives throughout the document. On 17 December 2019, Council adopted Protect. Create. Live. which includes commitments across a broad range of matters including operational matters (e.g. Council services, education programs). Protect. Create. Live. commitments relating to resource efficiency have been added in order to align the two documents.

With respect to waste management, a number of changes have been made throughout the document in response to feedback from both the agency submissions. Actions have also been included to reference the existing work with Sydney Water to address opportunities for integrated water cycle management and improved water supply.

Key changes and source:

- Towards 2040 was amended to reference Council's commitment to transition to a circular economy (Priority 7 and Priority 9). A new principle was added to Priority 9 to protect existing waste infrastructure land and activities including waste transfer stations and resource recovery facilities, with Map 22 in Priority 21 amended to show waste facilities in relation to freight movements outside the LGA (GSC Assurance Phase 3, EPA).
- Priority 7 infographic was added to reference Protect. Create. Live. resource commitments for both Council and the community regarding use of renewable energy, carbon emissions, diversion of waste from landfill, construction waste, reducing the rate of waste generation per person, reducing single use plastics and net zero emissions (GSC Assurance Phase 3, EPA, Community).
- Priority 1 action was added to reference Council's collaboration with Sydney Water on the Eastern Sydney Regional Master Plan project to identify and plan for resilience in the Northern Beaches water supply (Sydney Water, Community).

## **6. Directions for the Metropolitan Rural Area**

Public submissions: 46

NSW Government agency submissions: GSC Assurance Phase 3 feedback

Issue description:

While there was strong support from some community members to protect the Metropolitan Rural Area (MRA), there were many requests from MRA land owners to consider this area for future housing and development including seniors living, boarding houses and small lot housing, with objections to the proposed exemptions to State policies in these areas.

MRA land owners, especially those in Oxford Falls Valley and Belrose North (i.e. deferred lands), objected to the application of Environmental Protection Zones, arguing private land shouldn't be used to achieve the LGA's green objectives and that land owners should be compensated if there were any loss in development potential in the new LEP. Objections were raised to Council's reference to the Belrose North and Oxford Falls Valley Strategic Review and Planning Proposal, stating issues with the supporting studies and process.

The extent of the MRA boundary was also a key issue. GSC Assurance Phase 3 feedback outlined the proposed extension to District Plan MRA boundary cannot be considered by the GSC until the next review of the Region Plan. The GSC suggested Council update Towards 2040 to note the difference and investigate whether the MRA should be expanded to include this land. There were some objections from landowners within Belrose North to their proposed inclusion in the MRA.

Response:

Towards 2040 outlines that the MRA is not considered suitable for more intense urban housing development due to inconsistency with the housing principles in Priority 15, including bushfire hazards and risks, other environmental constraints, and distance from centres and high-frequency public transport.

Future zoning of the MRA will be addressed in Council's planning proposal for the new LEP that will be subject to community consultation. As identified in Priority 4 and Action 4.1, Council will use a number of studies to inform place-based planning in the MRA. The extent of further studies required to finalise new zonings in Oxford Falls Valley and Belrose North is currently being determined. Given this, and as Council has requested approval for the withdrawal of the Planning Proposal for these areas, reference to the Oxford Falls Valley and Belrose North strategic review has been removed from the LSPS. It should be noted that it is not required in law and is not established strategic land use planning practice to compensate landowners for any financial loss resulting from rezoning.

The draft Towards 2040 outlined Council's preferred MRA extent which included the area identified in the Region Plan, all deferred lands (Oxford Falls Valley and Belrose North), plus some additional parcels along Mona Vale Road. This was consistent with mapping in the draft Region Plan (pg 135). However the draft District Plan and revised District Plan amended the MRA boundary to exclude part of Oxford Falls (south), Cromer Heights (west) and Belrose North, and the reasons for this change remain uncertain.

For the final Towards 2040, Council has identified this land area as 'Future MRA investigation area', and will work with the GSC to assess its suitability for inclusion in the MRA when the District Plan is reviewed. Using the precautionary principle, Council will apply the principles and actions in this priority to these lands until that review is complete.

Key Changes and Source:

- Priority 4 text, principles and actions amended to describe the future MRA investigation area and ensure this area is considered together. A new action was added to work with the GSC and the Department to consider inclusion of future MRA investigation areas within the revised Region Plan (GSC Assurance Phase 3).
- P4 amended to remove reference to the Oxford Falls Valley and Belrose North Strategic Review as a consideration for new planning controls, in light of the number of updated studies being obtained (Community).
- Towards 2040 text and maps all amended to refer to both the MRA and future MRA investigation area (GSC Assurance Phase 3).

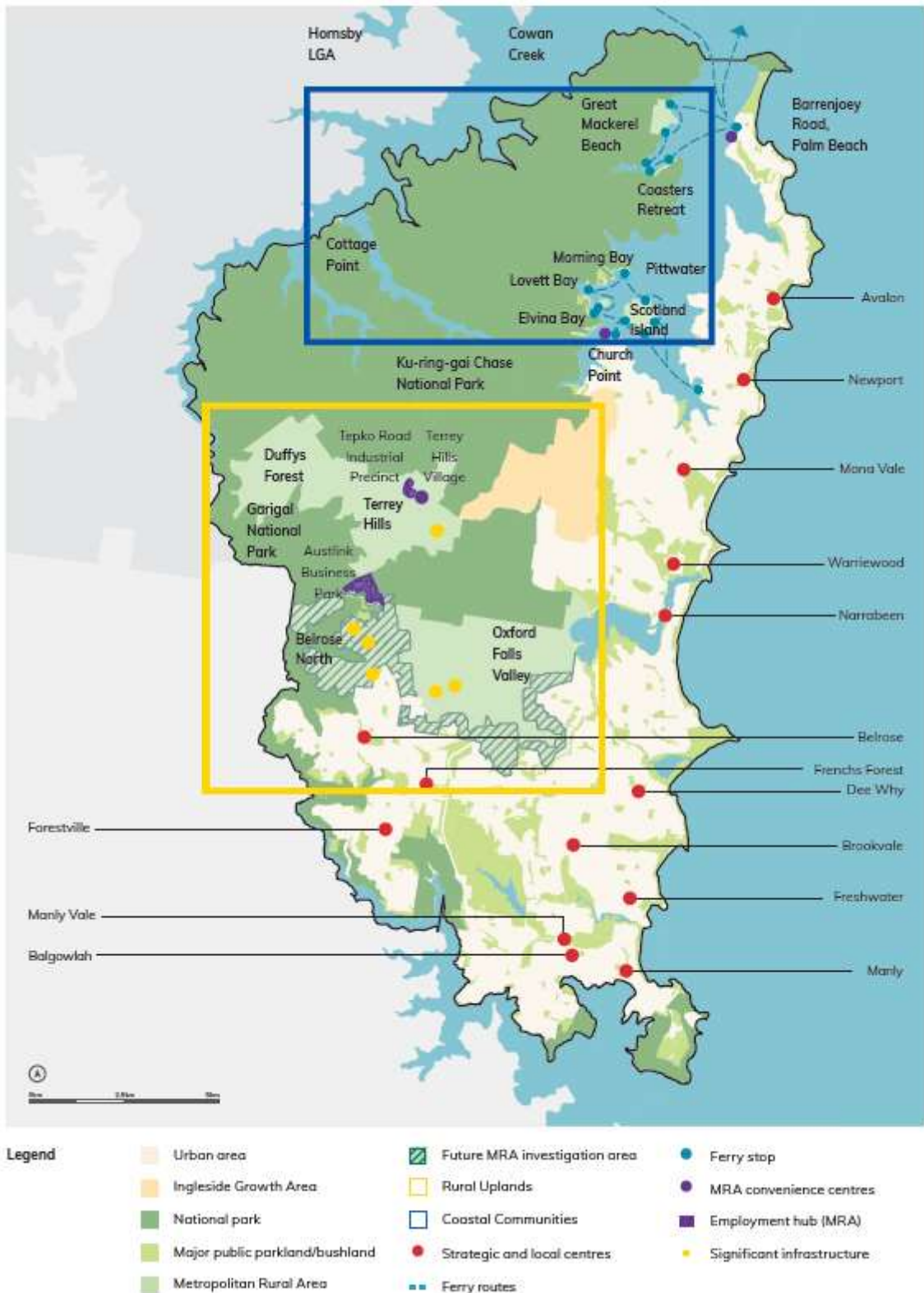


Figure 6 – MRA and the future MRA investigation area





*Figure 7 – Aerial photo showing future MRA investigation area (pink hatch)*



*Figure 8 – Bushfire prone land map showing future MRA investigation area (pink hatch)*

## 7. Sustainable Recreation and Open Space

Public submissions: 45

NSW Government agency submissions: Office of Sport, Department of Primary Industries - Fisheries, Environmental Protection Authority, GSC Assurance Phase 3 feedback.

Issue description:

Submissions expressed support for more sporting fields and open space for recreation, including specific uses, and a suggestion that roof top parks shouldn't replace parks at ground level. There was however, concern that increased active recreation will encroach and negatively impact natural areas including bushland and waterways including impacts associated with any marina expansion, increase in moorings or additional boat ramps in Pittwater.

GSC Assurance Phase 3 feedback suggested Council describe the current quality of open space within the LGA and broadly describe areas of the LGA with poor access to open space based on 400m and 200m benchmarks in the District Plan. There was general support from the Office of Sport, the Department of Primary Industries - Fisheries and the Environmental Protection Authority with suggested edits and requests to partner with Council on certain actions.

Response:

Both Towards 2040 and Protect. Create. Live. outline Council's intent to improve and manage sustainable recreational access while protecting environmentally sensitive lands. Priority 1 references sustainable recreation on our coast and waterways, with Map 2 showing community environmental value and uses for waterways, including recreational uses. Impacts on bushland and biodiversity associated with any recreational facilities must ensure compliance with the principles in Priority 2.

Priority 6 acknowledges the limited resources currently available for open space and seeks to plan for flexible open space that responds to identified trends. Council has commenced the studies identified in Action 6.1 (social infrastructure and open space study and open space and recreation strategy) and a preliminary audit of open space to inform changes to the final Towards 2040. The suggestion of rooftop parks is one of many options available to address the expected shortfall.

An assessment of open space quality in the LGA will be undertaken as part of the open space and recreation strategy (Action 6.1). Open space access has been addressed through new maps (Maps 9 and 10) that show existing residential lots that are not located within 400m of open space and existing high-density residential lots (more than 60 dwellings/ha) not located within 200m of open space. The maps are based on 400m and 200m buffers of Council's 2019 spatial analysis of access to Northern Beaches open space. This differs from the pedshed data referenced in the GSC's Pulse of Greater Sydney 2019, based on the Public Open Space Audit 2016.

Key changes and source:

- Priority 6 text, map and infographic amended to describe new open space categories from the preliminary open space audit, including private open space (e.g. courts and golf courses) and schools as opportunities for future shared-use (Council, Office of Sport).
- P6 text and maps added to describe urban residential areas in the LGA with poor access to open space based on the 400m and 200m benchmarks (GSC Assurance Phase 3).
- P6 principle added to ensure no net loss of public open space and no reduction on current levels of supply (Community).

## 8. Site specific rezoning requests and spot rezonings

Public submissions: 40



Issue description:

A number of submissions were received by property owners requesting that Council consider rezoning specific sites. These submissions were mostly by planning consultants, on behalf of a number of property owners, including not-for-profit and religious organisations.

GSC Assurance Phase 3 feedback requested that Council reframe some of the principles in the section 'Managing growth and change' to provide greater consistency with the District Plan. A number of community members also wrote in response to this section stating their objection to spot rezonings.

Response:

The aim of Towards 2040 is to provide a strategic planning framework to guide development in the Northern Beaches over the next 20 years including the development of a new LEP and DCP. These new documents will reduce the demand for planning proposals and spot rezonings.

Regardless of the above, Council cannot override current planning legislation that allows proponents to lodge applications for spot rezoning. Any future applications for spot rezoning will be assessed against the strategic directions set out in Towards 2040, including those set out in the section 'Managing growth and change', together with other relevant legislative considerations.

As a strategic document, Towards 2040 does not address planning outcomes on a site specific basis, so is unable to respond to submissions requesting Council to consider rezonings.

Key Changes and Source:

- Strategic principles for managing growth and change have been amended to provide greater consistency with the District Plan (GSC Assurance Phase 3).

**9. Jobs, Centres and Retail**

Public submissions: 38

Agency submissions: None

Issue description:

These submissions included suggestions to improve job opportunities in the LGA, including more part-time employment opportunities for under 18s, volunteers, upskilling the community, providing for higher paying jobs, provision of specialised housing including for key workers and students and growing business parks supported by residential accommodation.

There was also concern that there was too much focus strategic centres and a need to recognise the role of local centres and the high proportion of people working online and from home. It was requested that Council review the classification of local centres, consider additional centres and further recognise the role of retail in the LGA particularly large format retail and emerging trends.

Response:

The strategic and local centres were established by the GSC in the Region Plan and District Plan. Council's employment study provides an opportunity to identify if any other centres should be considered as a 'local centre' and to assess demand and projected supply for retail floor space (including supermarkets) to 2036. It will consider the alignment of jobs growth with skills demand and the need to protect and preserve employment lands including industrial and business zones.

Key Changes and Source:

- P22 text added to identify the potential for volunteer opportunities and acknowledge the significant role of retail to the LGA (Community). P22, Map 26\* amended to note that centres play an important role in providing for local jobs and services and are also considered employment hubs (as per the definition in the glossary) (Community).

**10. Response to climate emergency, natural hazards and bush fire**Public submissions: 35

NSW Government agency submissions: NSW Rural Fire Service

Issue description:

Some submissions supporting Council's declaration of a climate emergency, and Protect. Create. Live., recognising climate change impacts including increased dangers from bushfires and sea level rise, with some suggesting a need to phase out development in areas most vulnerable to natural hazard risks (e.g. beaches, estuaries, lagoons). Some submissions objected to Council's declaration of a climate emergency for reasons including impacts on the economy and private landowners.

With respect to bushfire, the NSW Rural Fire Service supported the strategic planning principles relating to bushfire risk, referencing Planning for Bushfire Protection and recommending further studies be obtained. Community submissions advocated for better bushfire management including minimising biodiversity loss in hazard risk reduction, preventing developments such as Ingleside and the need to plan for events such as the California bushfires, including water supply for firefighting purposes.

Response:

Northern Beaches Council resolved on 27 August 2019 to join over 900 jurisdictions worldwide, including 35 Australian councils, and declare a state of Climate Emergency that requires immediate action by all levels of Government. Since then, Australia has been subject to one of the worst bushfire seasons in known history which is thought to have been exacerbated by climate change.

Priority 8 outlines a number of principles and actions to address the impacts of climate change. This includes actions to limit intensification of development in areas subject to hazards (Action 8.3) and the investigation of a natural hazards and resilience framework to address hazards including, but not limited to, natural hazards and climate related risks (Action 8.4).

When preparing the new LEP, Council will consider Planning for Bushfire Protection, which includes measures such as evacuation and water supply for firefighting.

Key changes and source:

- Priority 8 principles amended to reference strategic planning principles from Planning for Bushfire Protection (BPP), and a new action added to outline Council's work in finalising the new Northern Beaches Bush Fire Prone Land Map and undertake a Strategic Bushfire Risk Assessment (NSW RFS).
- P8 text added to reference the Northern Beaches Council resolution to declare a state of Climate Emergency on 27 August 2019 and Map 11\* amended to show more detailed flood prone mapping and bush fire prone land mapping (Community).

## 11. Education including schools, tertiary education and university

Public submissions: 34

Agency submissions: State Library, DPIE – Development and Transactions

Issue description:

Those who supported the university noted the limited availability of tertiary education opportunities on the Northern Beaches and highlighted opportunities to align with specialisations including with the Northern Beaches Hospital. Reasons for objections included inadequate supporting infrastructure and a decrease in demand for universities as well as preferences to focus on more targeted educational and vocational opportunities instead such as TAFE. Submissions also raised the need to deliver more schools and improve the standard.

A submission from the State Library identified the important role of libraries in education and providing space by students at all levels, and DPIE – Development and Transactions noted the former Manly Hospital site master plan will consider potential education opportunities.

Response:

P10 seeks to establish world-class education facilities, including a university. The exact nature of the education facilities, or potential university will largely be driven by market demand and changing models of education facilities, such as communal learning facilities which are referenced in A10.3. Council's support for the establishment of a university is that it be located in a strategic centre close to high-frequency public transport, with supporting infrastructure including student housing or affordable housing. Any proposals for a university would need to demonstrate they achieve these requirements.

Planning for schools is also addressed in P10 and A10.2 outlines Council's commitment to work with the NSW Government and independent schools to respond to the expected increase in school students.

Key Changes and Source:

- P10 text, principles and actions to reference tertiary education opportunities (in addition to a university), acknowledge new models of learning including satellite campuses, shared communal learning spaces and flexible teaching facilities and reference the availability of local education opportunities and use of libraries (Community, State Library, DPIE – Development and Transactions).

## 12. Tree Canopy Coverage and Targets

Public submissions: 22

NSW Government agency submissions: Cancer Institute NSW, GSC Assurance Phase 3 feedback

Issue description:

Concern was expressed by the community about tree canopy loss from development and associated impacts on the natural environment. There was support to increase the tree canopy, including the use of tree canopy targets based on updated tree canopy data.

The Cancer Institute NSW outlined the importance of trees in protection from UV radiation and GSC Assurance Phase 3 feedback suggested that Council quantify the current tree canopy coverage for the LGA.

Response:

Council has now received updated LiDAR data which was a key action in the draft Urban Tree Canopy Plan. This differs from the tree canopy data referenced in the GSC's Pulse of Greater Sydney 2019, based on aerial photos from 2016.

Priority 5 outlines Council's intent to investigate tree canopy targets to assist in protecting trees and mitigating tree canopy loss from development, and link to NSW Government targets to increase urban tree canopy in Greater Sydney by 2036. Targets will be established for different urban conditions based on the Government Architect's proposed targets (CBD Areas > 15%; light commercial areas > 25% and suburban areas > 40%).

Tree canopy targets will be based on Council's LiDAR data and will need to be relevant to the LGA in order to maintain tree canopy in areas with existing high coverage and improve tree canopy in areas of deficiency. For those areas constrained by infrastructure, other measures will be encouraged to address urban heat, such as green verges, green roofs and green walls, water sensitive urban design and improved building design.

Key Changes and Source:

- P5 text amended to identify an overall tree canopy coverage of 39% (Pulse of Greater Sydney), detail the Government Architect's urban tree canopy benchmarks and Council's work in establishing tree canopy targets using 2019 LiDAR data including new maps showing tree canopy coverage per suburb (GSC Phase 3, Community).
- Changes have also been made throughout Towards 2040 to describe risks associated with UV radiation (Cancer Institute NSW and Community).

**13. Local Character**

Public submissions: 22

NSW Government agency submissions: Heritage NSW

Issue description:

Community submissions acknowledged the importance of local character, with requests to include local character statements within the final LEP and DCP. The submission from Heritage NSW suggested articulating heritage as it relates to the character of the city.

Response:

Towards 2040 commits to the preparation of a LEP local character study and local character statements for key areas (Action 17.1). This will include a scenic and cultural landscape assessment. The Department has released a draft Local Character Statement that will guide the preparation of future documents.

Key changes and source:

- New text has been added to Priority 17 to acknowledge the importance of heritage and culture in local character (Heritage NSW, Community).

## 14. Broadening the Range of Urban Hazards

Public submissions: 4

NSW Government agency submissions: GSC Assurance Phase 3 feedback, Environmental Protection Authority

Issue description:

Community submissions raised concerns with air, noise, light and water pollution, including concerns with air quality impacts from the Beaches Link Tunnel and bushfire smoke haze from climate change.

GSC Assurance Phase 3 feedback and the Environmental Protection Authority suggested that more discussion be included on urban hazards including air, noise and water pollution and contaminated lands. The Environmental Protection Authority highlighted that wood heaters are the major source of human-made fine particle emissions in the LGA and the need to consider planning controls that help deliver cleaner forms of heating.

Response:

Priority 8 outlines Council's commitment to build resilience in the community and natural and built environments. This priority refers not only to natural hazards but also chronic stresses and acute shocks, such as pollution, disease, cyber or terror attacks and social unrest – aligning with Resilient Sydney's definition of 'resilience'. Principles within this priority also refer to both 'natural and urban hazards', with the *Towards 2040* glossary defining 'urban hazards' as those resulting from past and present urban activities such as noise, air pollution and soil contamination'.

Although *Towards 2040* identifies noise pollution with respect to freight corridors and late-night activities, it is not made exactly clear within the priority title that Council is referring to both 'natural and urban hazards'. Also, *Towards 2040* does not outline the work Council is proposing within the new planning framework to address urban hazards and environmental health issues, such as air quality, noise pollution, asbestos, water pollution, soil contamination, disease, wastewater overflows, illegal dumping, construction sites and ongoing use of buildings.

A number of changes are recommended throughout the document to better address urban hazards and Council's work in this space.

Key Changes and Source:

- Title for Priority 8 changed from 'Greater community resilience to natural hazards and climate change' to 'Adapted to the impacts of natural and urban hazards and climate change' (GSC Assurance Phase 3, Community).
- Priority 8 amended to reference Council's work in the NSW Wood Smoke Reduction Program, include principles to address water, air and noise pollution and soil and groundwater contamination and actions to address monitoring and enforcement and compliance and / or education programs (GSC Assurance Phase 3, EPA, Community).
- Priority 8 Map 11\* amended to show wastewater and employment lands in close proximity to waterways or coast (GSC Assurance Phase 3, EPA, Community).

## TIMING

Subject to endorsement by Council, *Towards 2040* will be referred to the GSC for the final stage of the assurance process, consideration by the Assurance Panel.

Council must not make the LSPS unless the GSC has advised in writing that they support the statement as being consistent with the applicable regional and district strategic plans.

The letter may include conditions or terms for support. Once Council has received the letter of support, the LSPS can be made, subject to any conditions or terms, if any, that are included in the letter of support. It is also required to be published on the NSW Government's e-planning portal.

The Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 requires the LSPS to be made by 31 March 2020.

Once the LSPS is made, it is required to be reviewed at least every seven years and the LEP must be reviewed every five years. The LEP is also required to be reviewed and updated after a District Plan is made.

## LINK TO COUNCIL STRATEGY

*Towards 2040* is aligned with the community outcomes of Shape 2028 as follows:

	<b>Shape 2028 community outcomes</b>	<b>Summary of alignment between <i>Towards 2040</i> and Shape 2028</b>	<b>Relevant <i>Towards 2040</i> planning priorities</b>
a)	Protection of the environment	<i>Towards 2040</i> supports protection of the LGA's environmental and recreational attributes including coast and waterways, bushland and biodiversity, scenic and cultural landscapes and the Metropolitan Rural Area. It supports increased tree canopy and implementation of a risk-based framework for waterway health.	P1, P2, P3, P4, P5, P6, P8
b)	Environmental sustainability	<i>Towards 2040</i> provides a road map of land use planning actions to develop a pathway towards net zero carbon emissions through efficiencies in managing energy, water and waste. It also identifies opportunities to increase resilience to natural hazards.	P7, P8
c)	Places for people	<i>Towards 2040</i> supports a place-based approach to deliver great places through design excellence that enhances local character and protects connections to heritage. It supports planning to achieve housing targets and support a diverse supply of housing to meet the needs of the community.	P10, P11, P12, P13, P14, P15, P16, P17, P18
d)	Community and belonging	<i>Towards 2040</i> supports planning for community needs to enable the community to engage in activities that assist them to interact with others and to improve their health and wellbeing. Supporting an inclusive and socially connected community through education, arts and creative opportunities, community facilities and services and genuine engagement.	P12, P13, P14



e)	Vibrant local economy	<i>Towards 2040</i> identifies the economic focus for strategic and local centres, with separate priorities for each of the five strategic centres to meet the employment targets set by the GSC.	P22, P23, P24, P25, P26, P27, P28, P29, P30
f)	Transport, infrastructure and connectivity	<i>Towards 2040</i> integrates land use planning and transport by planning for development in areas well serviced by the existing transport network and setting out advocacy positions for transport to service existing and future populations. It also supports better walking and cycling options and reprioritising space for improved liveability.	P19, P20, P21
g)	Good governance	<i>Towards 2040</i> will be monitored and implemented to align with reporting for Shape 2028 through the existing Integrated Planning and Reporting Framework under the Local Government Act 1993.	Refer to implementation section of <i>Towards 2040</i>
h)	Partnership and participation	<i>Towards 2040</i> identifies opportunities for partnerships with State agencies, councils, the community and other stakeholders to optimise existing infrastructure, deliver new and upgraded infrastructure and align growth with infrastructure.	P9

### FINANCIAL CONSIDERATIONS

The immediate imperatives and short-term actions identified in *Towards 2040* are funded within existing budgets and the delivery program. Medium and long-term actions will require consideration of funding in future budgets.

Implementation of *Towards 2040* will result in operational costs to integrate this document with the Integrated Planning and Reporting (IP&R) framework and ongoing costs associated with monitoring and reporting.

### SOCIAL CONSIDERATIONS

*Towards 2040* supports improved access to education, community and recreational facilities to enhance community wellbeing. It supports an inclusive, healthy, safe and socially connected community whereby people can interact in great places that reflect local character, heritage and lifestyle. It supports arts, creative and innovative industries, sustainable tourism and night-time economy. *Towards 2040* will have a positive social impact by giving effect to Shape 2028 and the District Plan.

### ENVIRONMENTAL CONSIDERATIONS

*Towards 2040* supports protecting and enhancing waterways, bushland and biodiversity, and scenic and cultural landscapes. It supports improved management of the MRA, increased urban tree canopy cover, green grid connections and high quality open space. It supports reduced carbon emissions and managing energy, water and waste efficiently, and adapting to the impacts of urban and natural hazards and climate change. *Towards 2040* will have a positive environmental impact by giving effect to Shape 2028 and the District Plan.



## **GOVERNANCE AND RISK CONSIDERATIONS**

A preliminary probity audit has been completed (Attachment 6). This will be finalised following Council's resolution and GSC Assurance.

The relevant considerations for the LSPS, as outlined in Section 3.9 of the EP&A Act, have been met.

Council is required to make its first LSPS by 31 March 2020, otherwise it will not accord with the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017.

<b>ITEM 12.2</b>	<b>ASSESSMENT OF DRAFT VOLUNTARY PLANNING AGREEMENT - 31 BELLARA AVENUE AND 66 POWDERWORKS ROAD, NORTH NARRABEEN</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC &amp; PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2020/046343</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">📄</a> Draft Voluntary Planning Agreement - 31 Bellara Avenue and 66 Powderworks Road, North Narrabeen (Included In Attachments Booklet)</b>

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## SUMMARY

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### PURPOSE

To seek Council's endorsement for the statutory exhibition of a draft Voluntary Planning Agreement in relation to 31 Bellara Avenue and 66 Powderworks Road, North Narrabeen.

### EXECUTIVE SUMMARY

On 17 September 2019, Council received an offer to enter into a Voluntary Planning Agreement (the 'VPA offer') and a draft Voluntary Planning Agreement document (the 'draft VPA'). The draft VPA relates to Development Application (DA2018/1335) that seeks approval to the consolidation of two lots and re-subdivision of the consolidated lot into two lots with a new dwelling entitlement at 31 Bellara Avenue and 66 Powderworks Road, North Narrabeen. This matter is the subject of Land and Environment Court proceedings.

The draft VPA offer seeks to construct a formalised three-point turn bay at 31 Bellara Avenue and dedicate to Council the portion of the land containing the turn bay.

The Development Contributions Committee (the 'Contributions Committee') have considered an assessment of the VPA offer and determined there is a public benefit arising from the offer.

The draft VPA is forwarded to Council for consideration.

If Council supports the VPA offer, the draft VPA will be publicly exhibited for 28 days in accordance with statutory requirements.

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### RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Notes the assessment of the draft Voluntary Planning Agreement.
  2. Places the draft Voluntary Planning Agreement and Explanatory Note on public exhibition for a minimum 28 days in accordance with legislative requirements.
  3. Be presented with a report on the outcomes of the public exhibition of the draft Voluntary Planning Agreement.
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## REPORT

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### BACKGROUND

On 13 August 2018, Council received Development Application (DA2018/1335) which seeks consent to the consolidation of two lots and re-subdivision of the consolidated lot into two lots with a new dwelling entitlement at 31 Bellara Avenue and 66 Powderworks Road, North Narrabeen.

A preliminary assessment of the DA identified issues with the proposed development, including the requirement for an appropriate turning facility whether via dedication of land or via an easement for right of way.

In particular, comments from Council's Traffic Officer included:

*It should be noted that Bellara Avenue is a narrow street with minimal opportunities to undertake a u-turn safely, without utilising a private driveway. As such, as the applicant is seeking to undertake works at the end of the street, it will be necessary that they provide an appropriate turning facility whether via dedication of land or within the site via a right of way.*

Bellara Avenue is a sealed public road approximately 15m wide and closed at the eastern end. At this end of Bellara Avenue, vehicle turning to exit the street is difficult and cannot occur without accessing private driveways.

A Class 1 appeal against Council's deemed refusal of the DA was lodged with the Land and Environment Court (LEC) on 20 December 2018.

The Developer agreed to prepare an offer to enter into a Voluntary Planning Agreement (the 'VPA offer') to:

- Construct road pavement on land adjoining Bellara Avenue to incorporate a three-point turn bay
- Dedicate to Council, 101.4m<sup>2</sup> of land adjoining Bellara Avenue that will contain a three-point turn bay. The dedication of the land would allow for a three-point turn bay for public use.

The VPA offer and a draft Voluntary Planning Agreement document (the 'draft VPA') was originally received on 17 September 2019.

This report does not deal with the Development Application including any merit assessment of the DA.

### Process

At the time of Council receiving the draft VPA offer, the Warringah Voluntary Planning Agreement Policy was the applicable policy for consideration of VPA offers. The VPA offer was reviewed by the Development Contributions Committee who recommended minor amendments. The recommended amendments have been made to the satisfaction of the Development Contributions Committee.

During the preparation/review of the draft VPA offer, the Developer was advised to consider the draft Northern Beaches Voluntary Planning Agreement Policy (the 'Northern Beaches VPA Policy') when it was exhibited (being 26 October to 24 November 2019).

The Northern Beaches VPA Policy ("Council Policy"), adopted on 17 December 2019, guides Council's assessment and management of planning agreements. This policy requires all parties to a Voluntary Planning Agreement ('VPA') to decide whether a VPA is appropriate in the circumstances.

The draft VPA and Explanatory Note, in the Attachments Booklet, is now presented to Council with the view to placing it on public exhibition.

If Council supports the draft VPA, the draft VPA and Explanatory Note will be exhibited for 28 days in accordance with the statutory requirements. The outcomes of the exhibition are to be reported back to Council for consideration.

### **Draft VPA Offer**

The VPA offer involves:

1. Construction of new road surface and retaining walls to function as a three-point turn bay.
2. Dedication of that portion of land to Council.

### **Assessment of the VPA Offer**

The Development Contributions Working Group (the 'Working Group'), in considering the VPA offer, advised as follows:

- Executive Manager of Transport & Civil confirmed that Council have no immediate plans to construct a three-point turn bay in this location.
- The land proposed to be dedicated to Council is not identified for acquisition in any statutory plans - the Pittwater Local Environmental Plan Land Reservation Map, or an adopted development contributions plan.
- There is public benefit in the construction of a formalised turn bay at the end of Bellara Avenue if it came at no cost to Council, subject to meeting some other requirements.
- The turning bay would allow vehicles to safely turn in the street without using private driveways.

The construction of the three-point turn bay will require the removal of seven trees. However, only one of the trees (tree 39 *Allocasuarina littoralis* - Black Sheoak), in an assessment of impact that was undertaken by Urban Forestry Australia (UFA), is identified as being of high value. Council's Landscape Architect, having reviewed the UFA report, confirms removal of the 7 trees including Tree 39 is necessary. The UFA report recommendations include a requirement of an Arborist to attend the site during all excavation activities for the existing trees in the vicinity of the driveway works. There is also a requirement for tree protection measures to be installed and maintained and replacement planting will be included in development consent conditions for the DA.

At its meeting of 25 September 2019, the Working Group recommended in-principle support for the VPA offer subject to the following:

- i The construction of the turn bay and retaining wall being completed as part of the subject development at 66 Powderworks Road and 31 Bellara Avenue
- ii Confirm timing of transfer of the infrastructure (the turn bay and land upon which the turn bay is contained) to Council
- iii The land being transferred to Council is free of any other private structures
- iv A valuation of the land that being transferred to Council is undertaken by the developer (at no cost to Council).

The Development Contributions Committee (the 'Contributions Committee'), at its meeting of 15 October 2019, having considered the Working Group's assessment of the VPA offer and recommendation, agreed to, inter-alia:

- A. *Support the offer to enter into a Voluntary Planning Agreement subject to:*
- a. *The construction of the turn bay and retaining wall being completed as part of the subject development at 66 Powderworks Road and 31 Bellara Avenue*
  - b. *Timing of transfer of the infrastructure (the turn bay and land upon which the turn bay is contained) to Council*
  - c. *The land being transferred to Council is free of any other private structures*
  - d. *A valuation of the land that is being transferred to Council is undertaken by the developer (at no cost to Council).*
- B. *Request the Developer be advised of the decision in recommendation A above, and that Council, via the Responsible Officer being the Executive Manager Development Assessment, be instructed to commence negotiations with the Developer to ensure that the Draft Voluntary Planning is prepared to effect the following terms:*
- a. *The turn bay is designed and constructed in accordance with Council's Engineering Standards including inspections of this infrastructure by Council.*
  - b. *Any retaining walls required by the subject development will be on privately owned land.*
  - c. *No private assets are to be on the land to be dedicated to Council, such as stairs and retaining walls.*
  - d. *The turn bay and retaining walls are to be completed prior to the issue of the Subdivision Certificate.*
  - e. *The Developer is to provide an unconditional bank guarantee to the value of the proposed works plus a 5% contingency to cover any defects or maintenance required within 12 months from the date of dedication to Council.*
  - f. *The Voluntary Planning Agreement must not exclude the payment of development contributions.*
  - g. *A valuation of the land to be dedicated to Council is to be prepared by the Developer at no cost to Council.*
  - h. *Preparation of the Voluntary Planning Agreement is at no cost to Council.*
- C. *Request the draft Voluntary Planning Agreement, being updated to account for the terms identified in recommendation B above, be circulated electronically to the Development Contributions Committee for comment.*

*The draft Voluntary Planning Agreement as updated will then be reported to Council for its consideration.*

The revised draft VPA has been reviewed by the Development Contributions Committee. The Committee support the draft VPA being progressed to Council for consideration.

The updated draft VPA is now presented to Council to consider the formal terms for planning agreement by all parties (the proponents - Keenwill Pty Ltd & Robert Corless, and Council).

## **CONSULTATION**

The draft VPA and Explanatory Note will be publicly exhibited for 28 days in accordance with statutory requirements. The outcomes of the public exhibition of the draft VPA and Explanatory report will be brought back to Council following the completion of the public exhibition.

## **TIMING**

The draft VPA and Explanatory Note will be publicly exhibited for 28 days in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.

## **LINK TO COUNCIL STRATEGY**

This report relates to the following Community Strategic Plan Outcomes:

- Transport, Infrastructure and Connectivity Goal 16 – Our integrated transport network meets the needs of our community.
- Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Partnerships and Participation Goal 22 – Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

## **FINANCIAL CONSIDERATIONS**

All planning agreements must state the relationship to other development contributions including s7.11 (formerly s94) and s7.12 (formerly s94A) of the Environmental Planning and Assessment Act 1979. This draft Planning Agreement does not exclude the application of s.7.11 or s7.12 contributions applicable to the site. As such standard development contributions will apply to this development.

A valuation of the land to be transferred to Council was obtained. The valuation was considered in the review of the public benefit offer. The construction of the three-point turn bay and the dedication of land will be at no cost to Council.

## **SOCIAL CONSIDERATIONS**

The draft VPA seeks to construct a three-point turn bay on land that will, in turn, be dedicated to Council for public use. This will provide a public benefit which will facilitate the safe turning of vehicles on Bellara Avenue.

## **ENVIRONMENTAL CONSIDERATIONS**

The construction of a three-point turn bay and the dedication of this land allows vehicles to safely complete a turn in Bellara Avenue and enter the local road network.

This new infrastructure requires the removal of two existing trees, which cannot be avoided due to the configuration and location of the turn bay. Nonetheless, this infrastructure provides appropriate management of stormwater and improved efficiency in the existing road condition that, in turn, facilitates orderly development of the adjacent properties.

## **GOVERNANCE AND RISK CONSIDERATIONS**

An assessment of the draft VPA has occurred in accordance with the Northern Beaches Council Voluntary Planning Agreement Policy. The public benefit proposed in the VPA offer will allow vehicles travelling on Bellara Avenue to safely complete a U-turn within Council's local road network. This will remove any associated risk to accessing private land.

## 13.0 TRANSPORT AND ASSETS DIVISION REPORTS

<b>ITEM 13.1</b>	<b>PROPOSED EASEMENT TO DRAIN WATER OVER TOONGARI RESERVE, AVALON BEACH TO BENEFIT 69 AND 71 CENTRAL ROAD, AVALON BEACH</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PROPERTY</b>
<b>TRIM FILE REF</b>	<b>2019/512944</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Proposed Easement to Drain Water Over Toongari Reserve - Draft Easement Survey Plan</b> <b>2 <a href="#">↓</a> Proposed Easement to Drain Water Over Toongari Reserve to Benefit 69 and 71 Central Road, Avalon Beach - Summary of Submissions</b>

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### SUMMARY

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#### PURPOSE

To consider a request for an easement to drain water through a Council reserve (Toongari Reserve, Avalon Beach) (Community Land) by the adjacent property owners for the installation of an underground stormwater drainage pipe for connection to Council's underground stormwater drainage pit within Council's reserve.

#### EXECUTIVE SUMMARY

The owners of 69 and 71 Central Road, Avalon Beach (Lots 15 and 16 DP 8698, also known as Lot 1 DP 1252560) (the applicant) have received deferred Development Consent for the demolition of the existing dwellings and construction of a 12 unit Seniors Living development with basement parking, landscaping and strata subdivision at this location.

The properties, 69 and 71 Central Road, are located on the low side of Central Road, therefore, are required to adequately deal with the stormwater overflow generated from the proposed development at 69 and 71 Central Road.

The deferred development consent condition requires the applicant to obtain an easement over the downstream property for the disposal of stormwater generated from the proposed development.

Therefore, the applicant has applied to Council to obtain an easement to drain water through Toongari Reserve for the installation of an underground stormwater drainage pipe for connection to Council's stormwater drainage pit within Toongari Reserve.

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#### RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council apply to the Minister for Local Government in accordance with Section 47 (5) – (9) of the Local Government Act 1993 for consent to grant the proposed easement referred to in item B of this recommendation.
2. Council, subject to Item 4 of this recommendation and Minister's consent, authorises a two metre wide Easement to Drain Water and associated Positive Covenant, by underground pipe within Lot 102 DP 785848 Toongari Reserve, Avalon Beach in favour of 69 and 71 Central Road (Lots 15 and 16 DP 8698, also known as Lot 1 DP 1252560) for an amount in accordance with Council's adopted Fees and Charges.



3. Council delegates authority to the Chief Executive Officer to execute the necessary documentation in order to give effect to this resolution.
  4. All costs associated with the granting of the proposed easement and associated Positive Covenant as referred to in Item 2 of this recommendation, including but not limited to, Council's legal costs, GST if applicable, document registration and reinstatement of land post authorised drainage works, be funded by the applicant.
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## REPORT

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### BACKGROUND

The owners of 69 and 71 Central Road, Avalon Beach (Lots 15 and 16 DP 8698, also known as, Lot 1 DP 1252560) (the applicant) have received deferred Development Consent (N0512/17) (the Consent) for the demolition of the existing dwellings and construction of a 12 unit Seniors Living development with basement parking, landscaping and strata subdivision at this location. The properties, 69 and 71 Central Road, are located on the low side of Central Road, therefore, are required to adequately deal with the stormwater overflow generated from the development.

The Consent (N0512/17) was approved at the Land and Environment Court of NSW on 6 February 2019 with the following deferred commencement condition:

*“Part A*

*This consent does not operate until the following deferred commencement condition is satisfied and the Applicant has received written confirmation of the satisfactory completion of the requirements within this condition and the activation of the consent from Council. The information required by the deferred commencement condition below is to be provided to the Council within twenty-four (24) months from the date of this consent. If this information is not provided within this time frame, the consent will lapse.*

- 1. An easement for the disposal of stormwater is to be created on the adjoining downstream property under s88B of the Conveyancing Act 1919.”*

Therefore, the applicant has applied to Council to obtain an Easement to Drain Water through Toongari Reserve, being the downstream property, for the installation of an underground stormwater drainage pipe to connect to Council’s stormwater drainage pit.

Council’s Water Management Policy PL 850 (more specifically, Council’s Technical Specifications on Stormwater Drainage from Low Level Properties), recommends obtaining a drainage easement over the downstream property to Council’s drainage infrastructure as an option to deal with stormwater disposal.

Section 46 (1) (a1) of the Local Government Act 1993 specifically allows for such easements over Community Land and Council has granted similar easements over other Council reserves in the past. The proposed easement will require that the stormwater drainage pipe be placed under the surface of the ground; therefore, the drainage pipe will have minimal impact on the use of the reserve after installation.

The proposed easement is two metres wide and approximately five metres in length and is illustrated in Attachment 1 of this report.

Rectification of the Council reserve following installation of the proposed stormwater drainage pipe will be done by the applicant and the applicant will be required to submit an appropriate bond, prior to the commencement of construction, for works within the Council reserve. Ongoing maintenance obligations for the underground pipe by the owners of 69 and 71 Central Road will be registered in a Positive Covenant over 69 and 71 Central Road as a condition of granting the proposed easement.

## CONSULTATION

The application for Easement was publicly notified for a period of 28 days in accordance with Section 47 of the Local Government Act 1993, which included a Public Notice in The Manly Daily on 13 July 2019, notice on Council's website, notice letters to surrounding property owners and notice signs at Toongari Reserve seeking public submissions. The submission period commenced on 13 July 2019 and concluded on 11 August 2019.

Three objections to the proposed easement were received during the notification period. The objections were opposed to the granting of the proposed drainage easement as the easement relates to the adjoining development at 69 and 71 Central Road (N0512/17).

In accordance with Section 47 (5) of the Local Government Act 1993, if an objection is received, Council is required to apply to the Minister for Local Government for consent to grant the proposed easement.

If the elected Council or the Minister for Local Government refuse to grant the proposed easement, the applicant may appeal to have the proposed easement granted at the Land and Environment Court in accordance with Section 88K of the Conveyancing Act 1919.

A summary of the submissions received is included in this report as Attachment 2.

## TIMING

The creation of the easement to drain water over Toongari Reserve, Avalon Beach is expected to be completed within the next twelve months.

## LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Goal Strategy Goal 19(c) - Ensure the long-term financial sustainability of Council through strategic management of assets.

## FINANCIAL CONSIDERATIONS

Independent valuation advice received by Council has assessed the valuation for the proposed easement at a figure lower than Council's minimum compensation fee in accordance with Council's adopted 2019/2020 Fees and Charges. Therefore, the applicant will be required to pay Council the current minimum compensation fee of \$11,700.00 (including GST) for the subject easement.

## SOCIAL CONSIDERATIONS

There will be minimal impact to the Community as the stormwater drainage pipe will be installed under the surface of the ground.

## ENVIRONMENTAL CONSIDERATIONS

Rectification of Toongari Reserve after construction and ongoing maintenance of the proposed underground drainage pipe will be undertaken by the owners of 69 and 71 Central Road, Avalon Beach.

With regards to the submission that queried the suitability of this drainage and the impact to flooding on the Toongari Reserve, this was reviewed by Council's Stormwater team and it was not considered to cause any significant additional flooding impact.

In accordance with Council's standard easement terms, any vegetation or plants that may be affected by any work undertaken will require replacement. Replacement vegetation or plants will be species selected from the Swamp Sclerophyll Forest Threatened Ecological Community pursuant to Schedule 2 of the NSW Biodiversity Conservation Act 2016.

## **GOVERNANCE AND RISK CONSIDERATIONS**

If the Council or the Minister for Local Government refuse to grant the proposed easement, the applicant may appeal to have the proposed easement granted at the Supreme Court in accordance with Section 88K of the Conveyancing Act 1919 or the Land and Environment Court under Section 40 of the Land and Environment Court Act 1979.



Drainage Easement over Council Land - Summary of Submissions				
Burdened Lot/Reserve	Toongari Reserve, Avalon Beach - Lot 102 DP 785848			
Benefited Lot/Property:	69 & 71 Central Road, Avalon Beach - Lot 15 & 16 DP 8698 also known as Lot 1 DP 1252560			
Applicants:	Tucker Holdings Pty Ltd (71 Central Road) & Raymond Chang and Bei Jiang (69 Central Road)			
Council application date:	24-May-19			
Council application TRIM reference	2019/290156 and 2019/307997			
Public notice from:	13 July 2019 to 11 August 2019			
Development Application	N0512/17			
Writer	Submission	TRIM Reference	Objection/No Objection	Response
Northern Beaches Council Local Resident	I'm writing on behalf of my 94 year old mother who is a resident at Pittwater Palms. We found the letter a little vague as to how the proposed easement to drain water, will impact the residents, particularly my mother. In Unit 23. Can you explain more clearly how this proposal will affect her.	2019/405543	No Objection	Response sent 2019/409964
Northern Beaches Council Local Resident	We have no objection to Council granting the proposed drainage easement, however we urge Council to place conditions on the approval to (1) force the property owners to replace the topsoil in the area which is to be excavated for the easement with appropriate topsoil (not subsoil, which is clay) and (2) to plant a number of trees, indigenous to Toongari Reserve in the cleared area behind number 71 Central Road. Furthermore, the owners must undertake to maintain the revegetated area behind 71 Central Road and to keep any mulch clear of the grated drain into the stormwater culvert, which is part of the headwaters to Carrol Creek.	2019/427574	No Objection subject to certain conditions.	Response sent 2019/430863
Northern Beaches Council Local Resident	I refer to council's Notice advising of its intention to "Grant Easement for Water Drainage in Toongari Reserve Avalon Beach being Lot 102 in DP 785848", comments required by 11/8/2019. I would like to voice my disapproval for such a grant given that Council refused the proposed for 12 Seniors Development on the 16/5/2018. The amended D.A. was eventually approved via Appeal, such approval is a gross over development of the site and adversely affects local residents. It is pure profit grab by developers, I am "not anti development" just opposed to the scale of this development which will have significant impact on the Avalon Beach/Central Road community during years of construction and going forward I am still struggling how Seniors Living requires 12 X 3 b/r dwellings & "Stick Everything Possible being SEPS" development is simply overplayed by greedy developers from outside our community. Council objected to the development so why would Northern Beaches Council now "agree to a granting of an easement in perpetuity" when it is only required because of the gross over-scale development of the site? Council now has an opportunity to REFUSE the easement resulting in a scaled down development as originally supported by the residents. Council's granting of the easement can only be for financial gain and serves no consistency with their original refusal of the development. Many, many trees are being removed, a number of which are on Public Land just so the developers can build a ridiculous footpath to an UNUSED bus stop as required under SEP 5. Please REFUSE the developer authority and align with Council's original decision to NOT GRANT development approval. A scaled down development, consistent with the amenities of Avalon Beach, would see the developers having to revert to a more modest development and not the "super normal profit" they are manoeuvring for under this over scaled development. This is Council's opportunity to say NO.	2019/445030	Objection	Response sent 2019/448393
Northern Beaches Council Local Resident	I strongly object to the Grant Easement for Water Drainage in Toongari Reserve, Avalon Beach, Lot 102 in DP 785848. Since this oversized development was initially refused by your Council due to a case of obvious overdevelopment for Central Road I would like to see that this Grant Easement will be refused. It would serve to give notice to this developers that what they are envisaging is in nobodies interest but their own, which is to get out of it as much as possible without any regard for the residents living in the vicinity of this unwanted monster project. Please refuse the developer's authority and align with Council's original decision to NOT GRANT DEVELOPMENT APPROVAL.	2019/451144	Objection	Response sent 2019/454721
Northern Beaches Council Local Resident	I would like to voice my disapproval for the intention of granting an easement to drain water over Council Community land in Toongari Reserve, Avalon. This development was refused firstly by Council due to all the issues raised in the original submissions and then by the Northern Beaches Council Determination Panel before it was taken out of its control by the Land and Environment Court. This is the councils opportunity to regain control of this over development and limit it's size and scale. You would not need a 10 square metre drain on Community parkland if the size of the development was on par with the local area. Please say no to the granting of this easement and lets go back to the original refusal - so that a more appropriate development can be approved on this site. Very fortunate to have this chance to right the wrong.	2019/452394	Objection	Response sent 2019/454736
Northern Beaches Council Local Resident	It should be noted that we fully supported the NBC decision to refuse the proposed development application for this site. One of our main reasons for doing so was our observation that the current infrastructure cannot support the existing population base let alone the higher density development that is proposed for this site. The developer appears to have found an easy way to tap into the existing drainage system. With a substantial increase in the footprint on this site, the developer should be obliged to contribute towards any increased capacity requirement. We note that Toongari Reserve is already a flood prone area as is the adjoining ROW to the village.	2019/452410	Comment	Response sent 2019/448393



<b>ITEM 13.2</b>	<b>PROPOSED EASEMENTS TO DRAIN WATER OVER PATANGA PARK - FRENCHS FOREST ROAD EAST, FRENCHS FOREST TO BENEFIT 22 AND 26 FRENCHS FOREST ROAD EAST, FRENCHS FOREST</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PROPERTY</b>
<b>TRIM FILE REF</b>	<b>2019/648890</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1 <a href="#">↓</a> <b>Proposed Easement to Drain Water across Patanga Park - 22 Frenchs Forest Road East, Frenchs Forest to 26 Frenchs Forest Road East, Frenchs Forest - Draft Easement Plan</b></li><li>2 <a href="#">↓</a> <b>Proposed Easement to Drain Water over Patanga Park - 26 Frenchs Forest Road East, Frenchs Forest to Patanga Park - Draft Easement Plan</b></li><li>3 <a href="#">↓</a> <b>Proposed Easements to Drain Water over Patanga Park to Benefit 22 and 26 Frenchs Forest Road East, Frenchs Forest - Summary of Submissions Received</b></li></ol>

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## SUMMARY

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### PURPOSE

To consider a request for two easements to drain water through a Council reserve (Patanga Park, Frenchs Forest) (Community Land) by the adjacent property owners for the installation of underground stormwater drainage pipes that will connect to Council's underground stormwater drainage pit within Council's reserve (Patanga Park).

Note: The proposed easements relate to two separate addresses and are interrelated having common ownership, "matching" Development Application (DA) court approvals and reliant easement arrangements. As such, both easement applications have been reported together.

### EXECUTIVE SUMMARY

The common owners of 22 Frenchs Forest Road East, Frenchs Forest and 26 Frenchs Forest Road East, Frenchs Forest (Lot 86 DP 20077 and Lot 84 DP 20077) (the applicants) have received separate deferred commencement development consents for the demolition of existing dwellings and construction of Boarding Houses with basement carparking at these sites.

The natural fall of these sites in Frenchs Forest Road East, Frenchs Forest is towards the rear of the properties with disposal of stormwater drainage sought via easements through the adjoining Public Reserve (Patanga Park). This is to allow installation of underground stormwater drainage pipes connecting to Council's stormwater drainage pit within Patanga Park.

The Land and Environment Court of NSW approved both Development Consents on 24 September 2019. The court rulings' deferred development consent conditions require the applicants to obtain easements for the disposal of stormwater generated from the proposed developments.

Consequently, the applicants have applied to Council to obtain the necessary easements.

The applicants will be required to pay Council the current minimum compensation fee of \$11,700.00 (including GST) for each easement.

After public notification of the proposed easements, eight submissions were received, which opposed the proposal. Where an objection is received, Council is required to apply to the Minister for Local Government for consent to grant the proposed easements.



If the elected Council or the Minister for Local Government refuse to grant the proposed easements, the applicants may appeal to have the proposed easements granted at the Land and Environment Court.

This report relates to the Community Strategic Plan Goal Strategy Goal 19(c) - Ensure the long-term financial sustainability of Council through strategic management of assets.

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## RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council apply to the Minister for Local Government in accordance with Section 47 (5) – (9) of the Local Government Act 1993 for consent to grant the proposed easements referred to in item B of this recommendation.
  2. Council, subject to Item 4 of this recommendation and Minister's consent, authorises:
    - A. Easement 1  
An Easement to Drain Water, 1 metre wide and approximately 21 metres in length, and associated Positive Covenant, by underground pipe within Lots 82 and 87 in DP 25964 Patanga Park, Frenchs Forest in favour of 22 Frenchs Forest Road East, Frenchs Forest (Lot 86 DP 20077) for an amount in accordance with Council's adopted Fees and Charges.
    - B. Easement 2  
An Easement to Drain Water, 1 metre wide and approximately 5 metres in length, and associated Positive Covenant, by underground pipes within Lot 82 DP 25964 Patanga Park, Frenchs Forest in favour of 26 Frenchs Forest Road East, Frenchs Forest (Lot 84 DP 20077) for an amount in accordance with Council's adopted Fees and Charges.
  3. Council delegates authority to the Chief Executive Officer to execute the necessary documentation in order to give effect to this resolution.
  4. All costs associated with the granting of the proposed easements and associated Positive Covenants as referred to in item B of this recommendation, including but not limited to, Council's legal costs, GST if applicable, document registration and reinstatement of land post authorised drainage works, be funded by the applicants.
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## REPORT

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### BACKGROUND

The owners of 22 Frenchs Forest Road East, Frenchs Forest (Lot 86 in DP 20077) and 26 Frenchs Forest Road East, Frenchs Forest (Lot 84 DP 20077) (the applicants) have received separate Development Consent (DA2018/1598) and (DA2018/1597) for the demolition of existing dwellings and construction of Boarding Houses with basement parking on the sites.

The natural fall of both 22 and 26 Frenchs Forest Road East, Frenchs Forest is towards the rear of the property with disposal of stormwater drainage sought via easements through the adjoining Public Reserve (Patanga Park). This is to allow installation of underground stormwater drainage pipes connecting to Council's stormwater drainage pit within Patanga Park.

#### Easement 1.

The proposed easement is to drain water along the boundary of Patanga Park from 22 Frenchs Forest Road East to 26 Frenchs Forest Road East and will be non-exclusive to allow for potential additional drainage easements by other adjoining owners in future. A private easement arrangement will also be required over 26 Frenchs Forest Road East to allow Easement 1 to connect to Easement 2.

#### Easement 2.

The proposed easement is to Drain Water from 26 Frenchs Forest Road East, Frenchs Forest to an existing stormwater pit within Patanga Park.

The Land and Environment Court of NSW approved both Development Consents on 24 September 2019 with the relevant deferred commencement easement conditions as follows:

#### Easement 1. (LEC Proceedings 18/387752) (DA2018/1598)

*"This is a "deferred commencement consent" issued under section 4.16(3) of the Environmental Planning and Assessment Act 1979. The following deferred commencement condition must be complied with to the satisfaction of Council, prior to the issue of an operative Development Consent.*

##### *1. Stormwater Drainage Easement*

*As the natural fall of the land is towards the rear of the site the disposal of stormwater drainage is to be via an easement through the adjoining Public Reserve. The easement is to be created under Section 88B of the Conveyancing Act 1919. A copy of the registered document and plans shall be submitted to Council for information and confirmation prior to commencement of this consent."*

##### *2. Stormwater Drainage Design*

*The proposed stormwater drainage system connects to a pipeline and pit located within the adjoining Reserve. The applicant is to investigate the existing pipeline and provide documentary evidence to Council for its approval confirming that the built system can accommodate the additional flows from the subject development and those from No. 26 Frenchs Forest Road east, Frenchs Forest."*

#### Easement 2. (LEC Proceedings 18/387730) (DA2018/1597)

*"This is a "deferred commencement consent" issued under section 4.16(3) of the Environmental Planning and Assessment Act 1979. The following deferred commencement condition must be complied with to the satisfaction of Council, prior to the issue of an operative Development Consent.*

### 1. Stormwater Drainage Easement

*As the natural fall of the land is towards the rear of the site the disposal of stormwater drainage is to be via an easement through the adjoining Public Reserve. The easement is to be created under Section 88B of the Conveyancing Act 1919. A copy of the registered document and plans shall be submitted to Council for information and confirmation prior to commencement of this consent."*

### 2. Stormwater Drainage Design

*The proposed stormwater drainage system connects to a pipeline and pit located within the adjoining Reserve. The applicant is to investigate the existing pipeline and provide documentary evidence to Council for its approval confirming that the built system can accommodate the additional flows from the subject development and those from No. 22 Frenchs Forest Road east, Frenchs Forest."*

The applicants have now applied to Council to obtain Easements to Drain Water through Patanga Park for the installation of underground stormwater drainage pipes for connection to Council's stormwater drainage pit.

The proposed easements are shown in the Draft Easement Plans (Attachments 1 and 2) to this report.

Council's Water Management Policy PL 850 (more specifically, Council's Technical Specifications on Stormwater Drainage from Low Level Properties), recommends obtaining a drainage easement over the downstream property to Council's drainage infrastructure as an option to deal with stormwater disposal.

Section 46 (1) (a1) of the Local Government Act 1993 specifically allows for such easements over Community Land and Council has granted similar easements over other Council reserves in the past. The proposed easements will require that the stormwater drainage pipes be placed under the surface of the ground. Therefore, the drainage pipes will have minimal impact on the use of the reserve after installation.

Rectification of Council's reserve following installation of the proposed stormwater drainage pipes will be the responsibility of the applicants. The applicants will be required to submit appropriate bonds, prior to the commencement of construction, for works within the Council reserve. Ongoing maintenance obligations for the underground pipes by the owners of Nos. 22 and 26 Frenchs Forest Road East, Frenchs Forest will be registered in Positive Covenants over Nos. 22 and 26 Frenchs Forest Road East, Frenchs Forest as a condition of granting the proposed easements.

## CONSULTATION

Both applications for Easements were publicly notified for a period of 28 days in accordance with Section 47 of the Local Government Act 1993 including a Public Notice in The Manly Daily on 21 September 2019, a notice on Council's website, notice letters to surrounding property owners and notice signs at Patanga Park seeking public submissions. The submission period commenced on 21 September 2019 and concluded on 20 October 2019.

Nine submissions to the proposed easements were received during the notification period (eight against and one in support).

The objections raised to the proposed granting of the drainage easements related to:

- concerns about the ongoing cost to Council in maintaining the pipes
- a desire to keep Community Land as Community Land

- the future capacity of the stormwater pit to cope with the extra volumes of water that would be discharged into the Park from these sites and other new developments in Frenchs Forest area.

The submission in support was lodged on the basis that the increased flow of water from the site would be taken into consideration.

In accordance with the Court approved deferred commencement Development Consents, the applicant(s) must provide appropriate evidence to Council for its approval confirming the existing Council drainage infrastructure can accommodate the additional flows generated from the proposed developments prior to any works commencing. This condition will be strictly enforced by Council's stormwater team and as such address the objections raised regarding capacity and water discharge.

In accordance with Section 47 (5) of the Local Government Act 1993, if an objection is received, Council is required to apply to the Minister for Local Government for consent to grant the proposed easements.

If the elected Council or the Minister for Local Government refuse to grant the proposed easements, the applicants may appeal to have the proposed easements granted at the Land and Environment Court in accordance with Section 88K of the Conveyancing Act 1919.

A summary of the submissions received is included in this report as Attachment 3.

## **TIMING**

The creation of the easements to drain water over Patanga Park, Frenchs Forest is expected to be completed within twelve months of the applicants satisfying the Deferred Commencement Development Application conditions.

## **LINK TO COUNCIL STRATEGY**

This report relates to the Community Strategic Plan Goal Strategy Goal 19(c) - Ensure the long-term financial sustainability of Council through strategic management of assets.

## **FINANCIAL CONSIDERATIONS**

Independent valuation advice received by Council has assessed the valuations for the proposed easements at figures lower than Council's minimum compensation fee in accordance with Council's adopted 2019/2020 Fees and Charges. Therefore, the applicants will be required to pay Council the current minimum compensation fee of \$11,700.00 (including GST) for each easement.

## **SOCIAL CONSIDERATIONS**

There will be minimal impact to the Community as the stormwater drainage pipe will be installed under the surface of the ground and the area re-instated after installation. There will be a short term disruption for the duration of the proposed construction of the stormwater drainage pipes, however this is unavoidable to complete any installation.

## **ENVIRONMENTAL CONSIDERATIONS**

Rectification of Patanga Park after construction and ongoing maintenance of the proposed underground drainage pipes will be undertaken by the owners of 22 and 26 Frenchs Forest Road East, Frenchs Forest.

In accordance with Council's standard easement terms, any vegetation or plants affected by any work undertaken will require replacement.

**GOVERNANCE AND RISK CONSIDERATIONS**

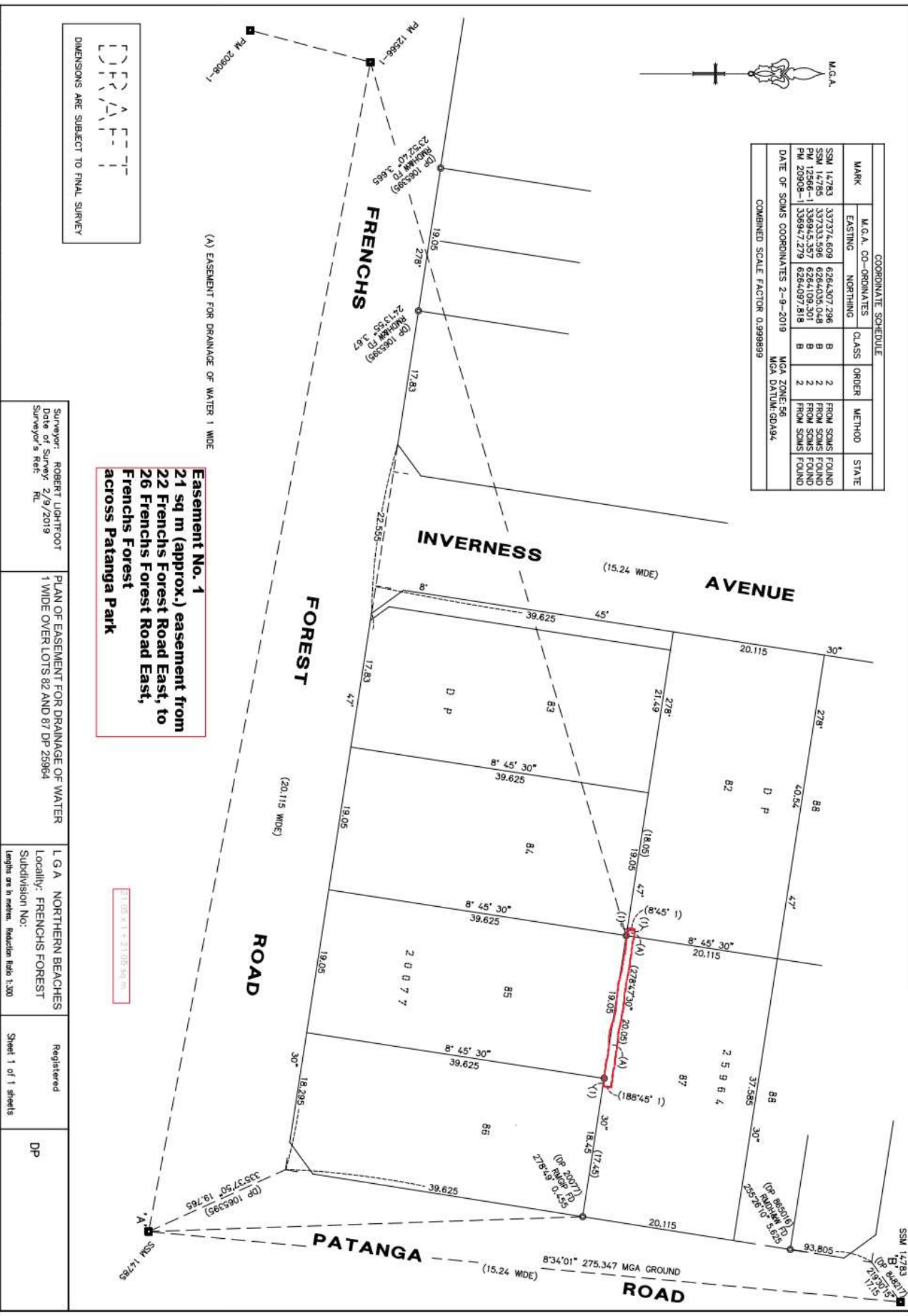
If the Council or the Minister for Local Government refuse to grant the proposed easement, the applicant may appeal to have the proposed easement granted at the Supreme Court in accordance with Section 88K of the Conveyancing Act 1919 or the Land and Environment Court under Section 40 of the Land and Environment Court Act 1979.

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

Sheet 1 of 1 sheets

COORDINATE SCHEDULE					
MARK	M.G.A. CO-ORDINATES	CLASS	ORDER	METHOD	STATE
SSM 14783	332734.609	626.4307296	B	FROM SCMS FOUND	
SSM 14785	332733.596	626.4035048	B	FROM SCMS FOUND	
PM 12566-1	336945.357	626.4109301	B	FROM SCMS FOUND	
PM 20908-1	336947.279	626.4097818	B	FROM SCMS FOUND	
DATE OF SCMS COORDINATES 2-9-2019				MGA ZONE 58	
				MGA DATUM: GDA94	
COMBINED SCALE FACTOR 0.9999899					



DIMENSIONS ARE SUBJECT TO FINAL SURVEY

**Easement No. 1**  
21 sq m (approx.) easement from  
22 Frenchs Forest Road East, to  
26 Frenchs Forest Road East,  
Frenchs Forest  
across Patanga Park

Surveyor: ROBERT LIGHTFOOT  
Date of Survey: 2/9/2019  
Surveyor's Ref: RL

PLAN OF EASEMENT FOR DRAINAGE OF WATER  
1 WIDE OVER LOTS 82 AND 87 DP 23964

L G A NORTHERN BEACHES  
Locality: FRENCHS FOREST  
Subdivision No:  
Lengths are in metres. Reduction ratio 1:300

Registered  
Sheet 1 of 1 sheets

DP



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1 sheets

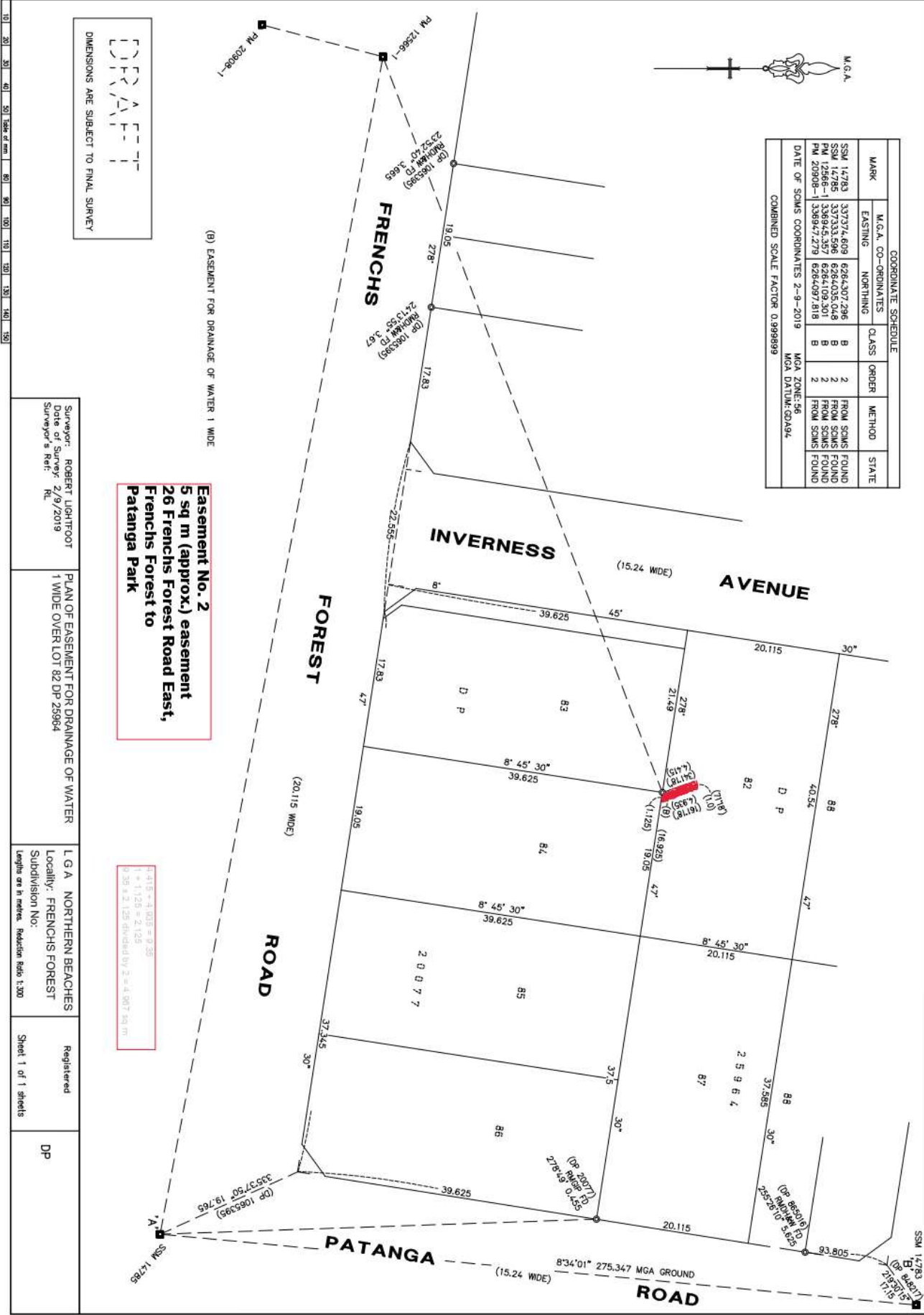
COORDINATE SCHEDULE					
MARK	M.G.A. CO-ORDINATES	CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING			
SSM 14783	337374.609	6264207.296	B	2	FROM SCMS FOUND
SSM 14785	337333.998	6264035.048	B	2	FROM SCMS FOUND
PM 12566-1	338945.357	6264109.301	B	2	FROM SCMS FOUND
PM 20908-1	338947.279	6264097.818	B	2	FROM SCMS FOUND

DATE OF SCMS COORDINATES 2-9-2019  
MGA ZONE: 56  
MGA DATUM: GDA94  
COMBINED SCALE FACTOR 0.9998999



DIMENSIONS ARE SUBJECT TO FINAL SURVEY

DETAILED



(B) EASEMENT FOR DRAINAGE OF WATER 1 WIDE

**Easement No. 2**  
5 sq m (approx.) easement  
26 Frenchs Forest Road East,  
Frenchs Forest to  
Patanga Park

1:115 = 1:105 = 2:30  
1:125 = 2:125  
1:30 = 2:125 divided by 2 = 4:307 sq.m

Surveyor: ROBERT LIGHTFOOT Date of Survey: 2/9/2019 Surveyor's Ref: RL	PLAN OF EASEMENT FOR DRAINAGE OF WATER 1 WIDE OVER LOT 82 DP 28964	L G A NORTHERN BEACHES Locality: FRENCHS FOREST Subdivision No: Lengths are in metres. Reduction Ratio 1:300	Registered Sheet 1 of 1 sheets	DP
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Drainage Easement over Council Land - Summary of Submissions		TRIM Reference	Objection/No Objection	Acknowledgement
<p>Patanga Park, Frenchs Forest - Lot 82 &amp; 87 DP 25964 Easement 1: Benefitting 22 Frenchs Forest Road East, Frenchs Forest and Easement 2: Benefitting 26 Frenchs Forest Road East, Frenchs Forest</p> <p>Benefitted Lot/Property: Twintify Investments Pty Ltd Applicants: 9-Sept-19 Council application TRIM reference 2019/635762 Public notice from: 21 September 2019 to 20 October 2019 Easement 1: DA2018/1598 Easement 2: DA2018/1597 Development Application</p>		2019/597356	Objection	"Your Say" have acknowledged receipt of submissions and content will be included when reporting easement application to Council.
<b>Writer</b> Northern Beaches Council Local Resident (Anonymous)	<b>Submission</b> I object to the proposal to grant an easement on Council community land to the owners of 22 and 26 Frenchs Forest Rd East. This is council community land and as such should be reserved for the community. I am also concerned whether the pipelines will cope with the added volume from the development of the 2 boarding houses proposed for these sites. According to the drafted engineers referral response dated 5/8/19 'these pipelines have been amended and constructed as a part of the Northern Beaches Hospital development and road upgrade on Warringah Road and Frenchs Forest Road East. The final and executed drawings have not been handed over to Council. If the applicant wishes to connect to the pipelines, an investigation must need to be undertaken to confirm the built system can accommodate the additional flows from this development' I am deeply concerned that if this is approved and with further development around the locality such as the Parkway Hotel site the pipework may not cope with the added volume from the 2 boarding houses within the space of 3 houses. It appears that there are plans for more development in the Frenchs Forest area around the hospital precinct and if council approves this easement for the purpose of providing for boarding houses what is to stop other developers demanding the same options. Council community land should not be utilised by developers as an easy option to divest their responsibilities. The developers of 22 and 26 Frenchs Forest Rd East should ensure they devise their own solution without encroaching on council community land. If this is approved will the developers conduct the investigation as stipulated in the engineer's referral? Will they upgrade the system if required? And will the developers then contribute to the maintenance of the easement? Or will it fall to the Northern Beaches Council rate payers. The management plan of storm water should be declared at the time of the development application to ensure that all parties are aware of the full consequences of the development. Council community land should be kept for exactly that purpose - the community.	2019/599010 2019/599014 2019/599017 2019/599029 2019/599039	Objection	"Your Say" have acknowledged receipt of submissions and content will be included when reporting easement application to Council.
<b>Resident</b> Northern Beaches Council Local Resident	I object to the granting of easements at 22 and 26 Frenchs Forest Rd Frenchs Forest with concerns that even though the stormwater pipes will be underground, if it needs repairs the public will be alienated from full use of the park whilst that is happening. Are councils storm water lines adequate to cater for the added extra volume of a highly developed site? If it is not, who is going to for the upgrading of the council system? I object to the granting of easements at 22 and 26 Frenchs Forest Rd Frenchs Forest with concerns that even though the stormwater pipes will be underground, if it needs repairs the public will be alienated from full use of the park whilst that is happening. Are councils storm water lines adequate to cater for the added extra volume of a highly developed site? If it is not, who is going to for the upgrading of the council system? How will these easements effect the parks drainage and future full use of the park. Eg. If the council build toilets or a pond or skate park, might it be a problem with easements?	2019/600443	Objection	"Your Say" have acknowledged receipt of submissions and content will be included when reporting easement application to Council.
<b>Resident</b> Northern Beaches Council Local Resident	I object to this proposal with these concerns. How will these easements effect the park from full use to the residents if the council want to build toilets or skate park or play equipment. Might these have to be worked around the proposed easements and the public lose an area. Even though the stormwater pipes will be underground, if it needs repairs the public will be alienated from full use of the park whilst that is happening. Are councils storm water lines adequate to cater for the added extra volume of a highly developed site? If it is not, who is going to for the upgrading of the council system?	2019/600446	Objection	"Your Say" have acknowledged receipt of submissions and content will be included when reporting easement application to Council.
<b>Resident</b> Northern Beaches Council Local Resident	I have no objection to the proposed easement from 26 Frenchs Forest Road East as long as the increased flow does not require an upgrade of the reserve drainage at ratepayer expense. I have no objection to the proposed easement from 22 Frenchs Forest Road East on the same proviso. I do query where the drainage from 24 Frenchs Forest Road East is/is to be located as if this is to be coupled to that from 22 and 26 it would further increase the flow and must be taken into consideration in requiring a reserve upgrade.	2019/600437	No Objection provided the increased flow is taken into consideration.	"Your Say" have acknowledged receipt of submissions and content will be included when reporting easement application to Council.

<b>ITEM 13.3</b>	<b>PROPOSED LOCATION FOR A NEW WARRINGAH GOLF CLUB CLUBHOUSE</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PROPERTY</b>
<b>TRIM FILE REF</b>	<b>2020/084257</b>
<b>ATTACHMENTS</b>	1 <a href="#">↓</a> Draft Concept - Warringah Golf Club & Community Sports Centre

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## SUMMARY

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### PURPOSE

To seek Council approval to progress the proposal to re-locate the Warringah Golf Club clubhouse building to the current Warringah Recreation Centre site.

### EXECUTIVE SUMMARY

The Warringah Golf Club (the Club) has been working with Council on the proposition to re-locate the Club's clubhouse from 397 Condamine Street, Allambie Heights to a location adjacent to their golf course.

This proposed re-location is seen as highly important by the Club to not only deliver a greater user experience, but also to realise the value within their existing property, to be able to invest both in the construction of new facilities and the improvement of the course. The Club believes that this will improve the financial sustainability of their operations.

The site identified by the Club as the most suitable for building a new clubhouse, is the current Warringah Recreation Site. This site is in average condition and is currently in need of rejuvenation, which has been deferred pending the future direction of the site being determined. As such, it is now proposed to renew the Warringah Recreation Centre site to include a new Warringah Golf Club clubhouse, additional parking and community sports and recreation facilities in a manner similar to the concept shown in Attachment 1.

It is proposed that a lease would be entered into with the Club on the terms detailed in this report and aligned to the dates currently being finalized for the golf course lease.

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### RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Agrees in principle to the proposal for the Warringah Golf Club to build a new clubhouse on the current Warringah Recreation Centre site, subject to appropriate terms being agreed by the parties.
  2. Delegates to the Chief Executive Officer to carry out all things necessary to give effect to this resolution including the execution of any required documentation under Delegated Authority, subject to his satisfaction that the terms agreed have met with Council's requirements.
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**REPORT**

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**BACKGROUND**

In April 2019, Council resolved to enter into a 20 year lease for the Warringah Golf Course with the Warringah Golf Club (the Club) and to enter into licences with the Warringah Recreation Centre operators Voyager Tennis Pty Ltd, Luik Holdings Pty and Northern Beaches Futsal Association Inc for an interim period of one year from 1 September 2019 to 31 August 2020 pending the finalization of the future direction of the site.

Since that time, the Warringah Golf Club (Club) has been working with Council officers on the proposition to re-locate the Club's existing clubhouse from 397 Condamine Street, Allambie Heights to a location adjacent to their golf course. The PoM envisages the relocation of the clubhouse to an alternate location within District Park, possibly within a multipurpose modern sporting and community facility in District Park which consolidates existing clubhouses.

The site identified by the Club as the most suitable for their future clubhouse is the current Warringah Recreation Site. This site is in average condition and is currently in need of rejuvenation, which has been on hold awaiting the future direction of the site being determined.

This proposed re-location is seen as highly important by the Club and the community to not only deliver a greater user experience, but also to realise the value within their existing property to be able to invest both in the construction of new facilities and the improvement of the course.

Draft Concept:

As part of initial due diligence to determine whether the clubhouse would fit on the site, Council officers and the Club have developed a draft concept that locates the proposed clubhouse additional parking and a number of multi-purpose community sports and recreation facilities on the site. This draft concept is shown in Attachment 1.

While the final solution for the site may have a different mix to what is shown on the concept plan, it does display that a clubhouse, parking and community assets can all fit on the site.

Draft Heads of Agreement Terms

A set of terms for the Heads of Agreement (HoA) have been drafted and are currently under discussion between the parties. While the HoA has not been finalised and signed, the parties are in general alignment regarding the key terms, being:

Lease Term	Aligned to co-terminate with the adjacent Golf Course Lease. Lease subject to requirements of LGA 1993. At expiration of the Lease Term, if the Lessor has not given notice to terminate the lease, the Lessee shall continue as a monthly tenancy.
Option Terms	Both Parties acknowledge the capital contribution required to complete the proposal and a further lease term will be granted in line with any extension of the Golf Course lease
Lease Commencement Date	Upon the Practical Completion of the Construction of the Golf Clubhouse and associated parking.
Construction Lease	A Construction Lease shall be entered into by the Lessee and the Lessor for \$1 compensation per annum.  The Construction Lease shall commence from handover of the Lease Area to the Lessee, or as otherwise agreed, and continue until the Lease Commencement Date.

Lease Area	<p>The proposed clubhouse will be located on the northern part of the former Warringah Recreation Centre Site area.</p> <p>Based on initial concept plans, the Leased Area will comprise approximately 1,000 square metres of land area for the clubhouse.</p>
Construction Responsibilities	<ul style="list-style-type: none"> <li>• Building and improvements location, determination and site planning – Council</li> <li>• Site Investigation and Clearing - Council</li> <li>• Funding, design and construction of clubhouse (including building size and function) – Warringah Golf Club</li> <li>• Funding, design and build car park – Council</li> <li>• Funding, design and build other community infrastructure – Council</li> </ul>
Permitted Use	<p>The Leased Area will be used as a Golf clubhouse which will in indicative terms comprise the components set out in concept plans attached</p> <p>No poker machines permitted in either lease area.</p>
Sub-lease, Transfer or Assignment	<p>The Lessee shall not sublet or otherwise deal with the Premises without the consent of the Lessor, which shall not be unreasonably withheld.</p> <p>The Lessee does not have the right to assign or transfer the Lease.</p>
Community Use of Improvements	<p>In the clubhouse there will be publicly accessible change room / toilets, office access for managers of the adjacent sports / recreation facilities and public access to the café and any associated outdoor seating area</p>
Annual Rent	<p>The first five years rent shall be \$1 per year in recognition of the capital investment in the form of the new Clubhouse.</p> <p>A market valuation will be undertaken to determine the rent for year 6 and onwards on instructions to be agreed by the parties.</p>

## CONSULTATION

The proposed new lease would be notified as required under the Local Government Act 1993.

## TIMING

Finalisation of the agreement terms are expected to be carried out over the next two months. Subject to these terms being successful, the Club will progress with the sale of the property and the design and construction of the new building. This process will be subject to market forces, including ensuring the realisation of the best value of the property, and this delivery will occur over a number of years.

Council officers will work with the existing licensees on the Warringah Recreation Centre with the aim to deliver continuous community use until the construction period begins.

## **LINK TO COUNCIL STRATEGY**

This report relates to the Community Strategic Plan Community Outcome: Places for People - We aspire to create welcoming, accessible and affordable private and public places that foster good health and social interaction.

## **FINANCIAL CONSIDERATIONS**

The lease income and costs of renewing of the Warringah Recreation Centre as proposed in this report have not be quantified at this time. Once an agreed concept has been finalised, it will be presented to the Council, including timing, capital costs and ongoing operational incomes and costs for consideration.

## **SOCIAL CONSIDERATIONS**

The golf course provides a useful and well-loved sporting facility, in particular for older members of the community, as well as an opportunity to attract younger residents to the sport of golfing. The continued financial sustainability of the Club as well as the ability to invest in renewal of course infrastructure will assist in providing this well into the future.

Additionally, by renewing the site and providing a range of community sports and recreation facilities on the Warringah Recreation Centre site, the social and physical benefits of sports and recreation will continue.

## **ENVIRONMENTAL CONSIDERATIONS**

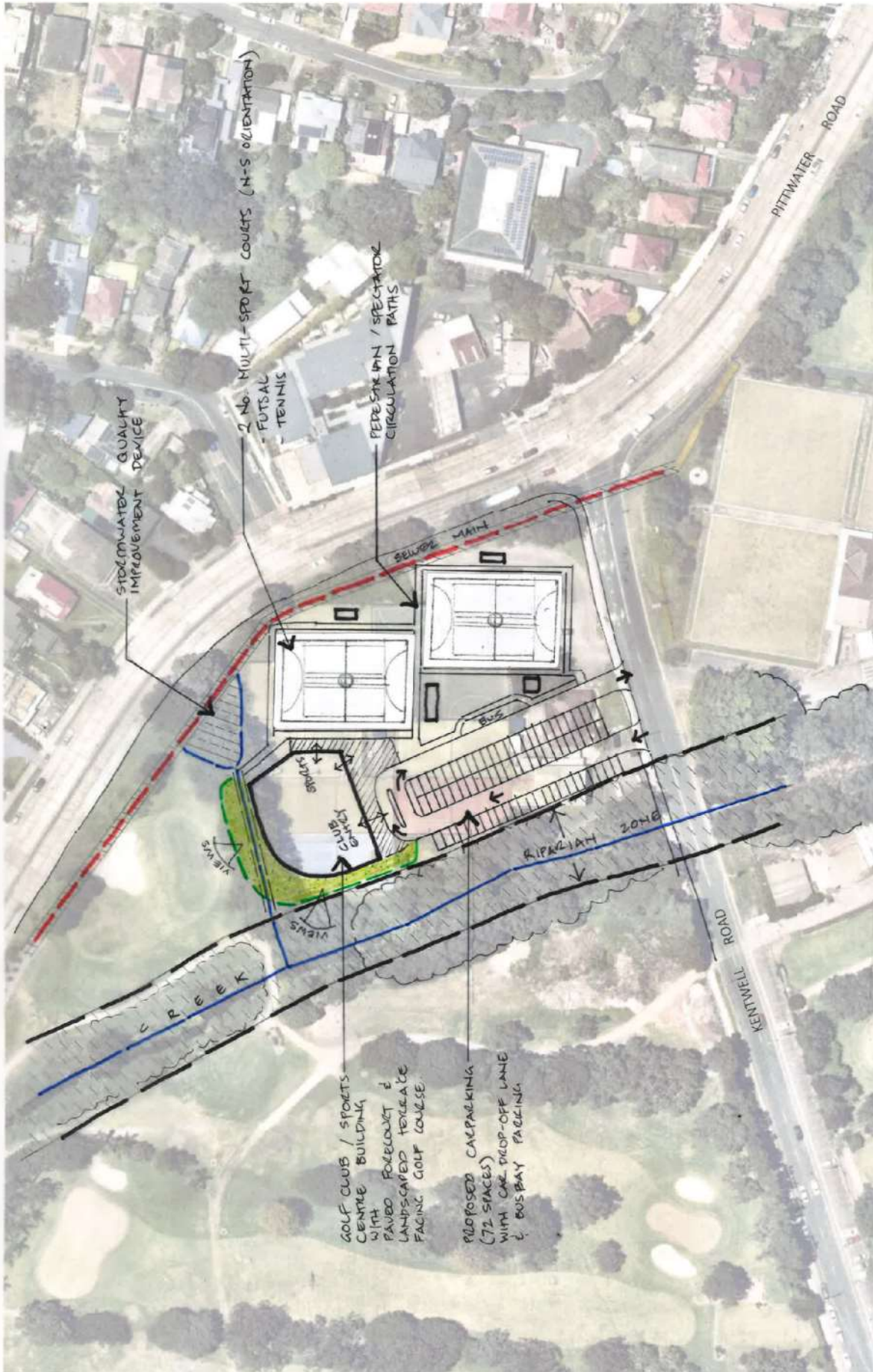
The proposed renewal of the Warringah Recreation Centre site, including the construction of a new clubhouse, will need to carefully address the environmental requirements of the site, which is adjacent to Brookvale Creek.

## **GOVERNANCE AND RISK CONSIDERATIONS**

Any lease to the Warringah Golf Club will need to be publicly notified for a period of 28 days with submissions sought in accordance with the Local Government Act 1993.

The Club has acknowledged that there is a financial risk associated with their proposed move, relating to the uncertainty of the quantum of funds they may receive for their existing site at 397 Condamine Street, Allambie Heights. Should the funds received from the sale not be enough to deliver the full scope of their building, they have proposed that the clubhouse would be scaled back, but built in such a way that it could be extended once further funds became available.





WARRINGAH GOLF CLUB & SPORTS CENTRE PROPOSAL

Draft Concept Plan

7 February 2020

Scale 1:1000 @ A3



<b>ITEM 13.4</b>	<b>LONG REEF SURF LIFE SAVING CLUB &amp; ASSOCIATED COMMUNITY FACILITIES</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PROPERTY</b>
<b>TRIM FILE REF</b>	<b>2020/027797</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### BRIEF REPORT

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#### PURPOSE

To report on the funding model for the proposed redevelopment of Long Reef Surf Life Saving Club and Associated Community Facilities.

#### REPORT

At its meeting of 26 February 2019, Council resolved to proceed with the alternative concept design presented for the redevelopment of Long Reef Surf Life Saving Club and Associated Community Facilities as follows:

*That:*

- A. *Council determine to progress with the alternative concept design.*
- B. *Council progress to Development Application with the preferred concept and report back to Council with final costings and a proposed funding model.*

Council officers have worked closely with the Club and appointed architects Adriano Pupilli Architects over the last 12 months to refine the design to ensure the club building and associated community facilities provide fit for purpose buildings for the Club members and the community, while still remaining sympathetic to the natural environment.

The Development Application was lodged on 15 January 2020 with the full support of the Long Reef Surf Life Saving Club project representatives.

#### LINK TO COUNCIL STRATEGY

In line with Community Strategic Plan (CSP) Goals 21 and 22, Council has worked in a highly collaborative manner to finalise the design for lodgement of the Development Application. The proposed new building site in the Long Reef foreshore area is highly valued by many community groups for a range of reasons including its intrinsic environmental value, the active recreational value and the social value.

The concepts presented address these complex interactions with the intent to provide a solution that delivers on the CSP Goal 9 "Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities".



## FINANCIAL CONSIDERATIONS

The consultant quantity surveyor has prepared a cost estimate based on the design submitted for Development Application.

While the construction costs will not be fully known until such a time the construction tender is awarded, the cost plan prepared by the consultant quantity surveyor has been prepared based on the detail provided at development application stage.

The total project cost is estimated as \$6.9m excluding GST and is summarised as follows:

Construction cost estimate	\$5,940,000 (including contingency)
Consultant Fees	\$ 540,000 (including contingency)
Authority Fees	\$ 320,000
Temporary Accommodation	\$ 100,000
<b>TOTAL</b>	<b>\$6,900,000</b>

The proposed project is shown in the table below.

The funds that have been spent to date include the engagement of the design consultants and quantity surveyor for the concept design and development application stage for the 2017/2018, 2018/2019 and 2019/2020 financial years.

Funding Source	Amount	Expenditure to date	Forecast Expenditure 19/20
Warringah Council - Special Internal Reserve	\$171,000	\$171,000	
Council Active Play Program	\$554,500		
Stronger Communities Fund	\$3,176,000	\$133,463	\$161,097
Community Building Partnership Grant Funding	\$1,900,000		
Crown Reserves Grant Funding	\$181,818		
Working Capital funded by Depreciation (draft Delivery Program 2020/21)	\$916,682		
<b>TOTAL</b>	<b>\$6,900,000</b>	<b>\$304,463</b>	<b>\$161,097</b>

## ENVIRONMENTAL CONSIDERATIONS

This project has been consulted and designed with a key focus on minimizing visual and environmental impact in this sensitive coastal region. The environmental requirements have been carefully addressed as part of the design with no encroachment into the existing dune areas and foundation solutions put in place in accordance with coastal engineers' recommendations.

## **SOCIAL CONSIDERATIONS**

This project will deliver an excellent outcome for the area, providing a valuable community asset that will not only support surf life saving activities, but also provide important community spaces and facilities.

## **GOVERNANCE AND RISK CONSIDERATIONS**

To ensure transparency, the project has been subject to a lengthy community engagement process, with a public exhibition of the design forming part of the Development Application process.

Project risks will be managed in accordance with Council's risk management practices and the project will be delivered utilising Council's established project management methodology and associated governance structures.

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## **RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS**

That Council:

1. Notes the proposed funding model based on the costings as at Development Application stage.
  2. Upon receiving development consent, progress the project to construction tender phase.
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<b>ITEM 13.5</b>	<b>RESPONSE TO NOTICE OF MOTION NO 27/2019 - HERITAGE LISTING OF IVANHOE PARK</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PARKS AND RECREATION</b>
<b>TRIM FILE REF</b>	<b>2019/674303</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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**SUMMARY**

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**PURPOSE**

To provide a response to the Notice of Motion – Heritage Listing of Ivanhoe Park.

**EXECUTIVE SUMMARY**

Ivanhoe Park (the Park), Manly, is the site of Manly Oval and the Ivanhoe Park Regional Botanical Gardens. On 19 August 2019, the Park was listed on the State Heritage Register. The citation recognises the environmental heritage of the site specifically referring to the “cultural landscape including Manly Oval”.

A Notice of Motion (27/2019) was resolved upon on 27 August 2019:

*That Council:*

- A. Review the existing Plan of Management for Ivanhoe Park.*
- B. Prepare a Heritage Conservation Plan for Ivanhoe Park, under the Heritage Act.*
- C. Prepare a masterplan for the improvement and embellishment of Ivanhoe Park.*
- D. Prepare a report recommending a suitable location and wording for a plaque to be erected by Council to commemorate the listing of Ivanhoe Park on the NSW State Heritage Register.*

This report responds to point “D” and identifies a suitable location for the plaque. An update on Points A-C is included in the body of the report.

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**RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS**

That Council notes the contents of this report.

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## REPORT

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### BACKGROUND

Ivanhoe Park (the Park), Manly, is Crown Land managed by Council. The Park is the site of Manly Oval and the Ivanhoe Park Botanic Gardens. On 19 August 2019, the Park was listed on the NSW State Heritage Register. The citation recognises the environmental heritage of the site specifically referring to the “cultural landscape including Manly Oval”.

On 8 August 2017 the Ivanhoe Park Botanic Gardens Landscape Masterplan (Gardens Landscape Masterplan) was adopted by Northern Beaches Council. The Gardens Landscape Masterplan aims to improve opportunities for recreation, provide all-ability pedestrian connections, further enhancements to the botanic garden and protection of historic elements such as the Merrett Historic Gate, old tramway alignment and the ANZAC Memorial.

### PARK HISTORY OVERVIEW

In times before European arrival, significant wetlands occupied much of the low areas of Manly and would have provided an abundance of natural resources for Aboriginal people.

In latter times, the Park was initially called Manly Park. It was held in private ownership and used for recreation and events by the public who generally paid for the privilege. During these years, it contained a large pavilion that was used for dances and events, and a hotel – the Ivanhoe Park Hotel (not to be confused with the current Ivanhoe Hotel at the Corso). The Council operated from the hotel building in the park until 1909.

The land was purchased by Manly Council in 1883, and then sold to the state government who handed control over to the Council in 1887. During the 1880s and 1890s, the Manly Wildflower Shows were held at the pavilion, which was demolished in 1893.

Part of the park was separated off in 1910 and the trees cleared to accommodate a crossing loop for the Spit to Manly tram route. The tramway was completed in 1911 and the first tram travelled along Sydney Road via a horseshoe curve between Crescent and George streets, skirting the western and northern boundaries of Ivanhoe Park before reaching level terrain in Raglan Street.

The last trams ran in 1939, and the tracks were taken up, but a portion of the tramway loop is still visible. Council is using these tracks for inspiration for the design of this financial year's stage of works to implement the Gardens Landscape Masterplan adopted in 2017.

A public meeting was called in 1951 to discuss a memorial for the fallen soldiers of World War II, and a second meeting resulted in the construction of a memorial garden, which was named War Memorial Park.

In 1962, the council approved a £50,000 redevelopment at the oval, including a new Girl Guides and kindergarten building in Ivanhoe Park.

Manly Oval has been the historic home for the Manly Cricket Club and Manly Rugby Club since the 1890s with many of the features of the original ground and early developments remaining.

The reserve at the western end of the park was renamed Ivanhoe Park Botanic Garden in 2006, after being approved by the Geographical Names Board.

Ivanhoe Park Botanic Gardens and the tram loop are heritage listed in the Manly LEP 2014, Schedule 5 Environmental Heritage Items Part 1 - Heritage. Significance: Local. Item Numbers:

- 1162 - Ivanhoe Park (bounded by Sydney Road, Belgrave Street and Raglan Street)
- 1161 - The Ivanhoe Loop (former train track route).

After a number of years of interest and involvement in preserving the Park. The Save Manly Oval Alliance nominated the park for State Heritage listing with Council's support and was officially acknowledged and listed on the 19 August 2019.

### **RESPONSE TO NOTICE OF MOTION 27/2019**

A Notice of Motion (27/2019) was resolved upon on 27 August 2019:

*That Council:*

- A. *Review the existing Plan of Management for Ivanhoe Park.*
- B. *Prepare a Heritage Conservation Plan for Ivanhoe Park, under the Heritage Act.*
- C. *Prepare a masterplan for the improvement and embellishment of Ivanhoe Park.*
- D. *Prepare a report recommending a suitable location and wording for a plaque to be erected by Council to commemorate the listing of Ivanhoe Park on the NSW State Heritage Register.*

The location of the plaque will be finalised on site in consultation with the Friends of Ivanhoe Park and Save Manly Oval Alliance.

It is proposed that the wording of the plaque should read:

"This plaque commemorates the listing of Ivanhoe Park, including Manly Oval, on the NSW State Heritage Register on 19 August 2019 following years of work by the Save Manly Oval Alliance, on behalf of the Manly community. This area is of significant cultural and environmental heritage, which will now be protected forevermore."

The other items listed A-C in the Notice of Motion have also progressed. A specialised Heritage Consultant will shortly be engaged to prepare the Heritage Conservation Plan for the site. This document is a critical planning instrument for Council to ensure that the landscape character of the site is preserved moving forward.

A whole of Park Masterplan will be prepared integrating the 2017 Gardens Landscape Masterplan along with Manly Oval. Ivanhoe Park does not have a Plan of Management, however it is mentioned in the Manly Plan of Management for Community Lands. A site specific Plan of Management and whole of Park Masterplan will be prepared in 2020/21.

### **CONSULTATION**

The Friends of Ivanhoe Park and Save Manly Oval Alliance have been consulted on the proposed wording, location and design of the plaque.

### **TIMING**

It is proposed that the plaque can be suitably located and unveiled at a mutually convenient time for Council, the Friends of Ivanhoe Park and Save Manly Oval Alliance.

### **LINK TO COUNCIL STRATEGY**

This proposal relates to the Community Strategic Plan Community Outcomes – Places For People – Goal 8 – Our neighbourhoods inspire social interaction and support health and wellbeing.

### **FINANCIAL CONSIDERATIONS**

The fabrication and installation of a plaque and plinth can be accommodated within existing operational budgets.

### **SOCIAL CONSIDERATIONS**

The installation of a plaque is an important way to commemorate the Heritage Listing of Ivanhoe Park and symbolises the important place the park has not just in physical landscape of Manly but also the importance to the community as well.

### **ENVIRONMENTAL CONSIDERATIONS**

The installation of a plaque and plinth will have negligible environmental impacts.

### **GOVERNANCE AND RISK CONSIDERATIONS**

Council will conduct stakeholder consultation in line with the Community Engagement Framework and in accordance with the Memorandum of Understanding between the Friends of Ivanhoe Park and Northern Beaches Council.



<b>ITEM 13.6</b>	<b>SUSPENSION OF THE ALCOHOL PROHIBITED AREA ON MANLY BEACH FOR VOLLEYBALL AUSTRALIA'S VOLLEYFEST 2020 EVENT</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PARKS AND RECREATION</b>
<b>TRIM FILE REF</b>	<b>2020/014077</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### SUMMARY

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#### PURPOSE

To consider the request from Volleyball Australia to suspend the Alcohol Prohibited Area at Manly Beach for their VolleyFest 2020 event on Friday 28 February and Saturday 29 February 2020.

#### EXECUTIVE SUMMARY

Volleyball Australia are holding their VolleyFest 2020 event at Manly Beach from Saturday 22 February to Saturday 29 February 2020. Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Friday 28 February and Saturday 29 February 2020. Alcohol and security management plans will be in place where alcohol is approved to be made available.

Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Volleyball Australia has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2020 event. The Northern Beaches Police Local Area Command are aware of this request. The service of alcohol is dependent on Volleyball Australia obtaining the required licencing approvals.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016, twice in 2017 and 2019. The APA was suspended for VolleyFest in 2017 and 2019 without incident.

It is recommended that Council suspend the Alcohol Prohibited Area at Manly Beach for Volleyball Australia's VolleyFest 2020 event on Friday 28 February and Saturday 29 February 2020 as outlined in this report.

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#### RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Suspends the Alcohol Prohibited Area at Manly Beach for Volleyball Australia's VolleyFest 2020 event on Friday 28 February and Saturday 29 February 2020 as outlined in this report.
  2. Provides notice of the suspension of the Alcohol Prohibited Area via signage at the VolleyFest 2020 event site.
  3. Continues to liaise with Volleyball Australia and Northern Beaches Police Local Area Command about safe management of service of alcohol at VolleyFest 2020 during the suspension of the Alcohol Prohibited Area at Manly Beach.
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**REPORT**

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**BACKGROUND**

Volleyball Australia are holding their VolleyFest 2020 event at Manly Beach (adjacent to the North Steyne beach volleyball courts) from Saturday 22 February to Saturday 29 February 2020.

Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Friday 28 February and Saturday 29 February 2020. Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Volleyball Australia has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2020 event.

The Northern Beaches Police Local Area Command are aware of this request. The service of alcohol is dependent on Volleyball Australia obtaining the required licencing approvals.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016, twice in 2017 and 2019. The APA was suspended for VolleyFest in 2017 and 2019 without incident.

Volleyball Australia propose to appoint a licensee responsible for ensuring the responsible service of alcohol in the VIP area. Agreed alcohol and security management plans will be in place where alcohol will be served, including enforcement notification by signage and security personnel provided by Volleyball Australia. Where required by Police, user-pays Police personnel will be on-site at the expense of Volleyball Australia. The following controls are also proposed to be applied:

- Light, mid strength and/or reduced quantity of drinks will be served in the VIP area only.
- Security will be on site at all times when alcohol is available for consumption.
- Alcohol will not be sold or distributed to members of the public.

Under the provisions of section 645(1) of the Local Government Act 1993 the Council may of its own motion suspend the operation of an alcohol-free zone by publishing notice of the suspension in the area concerned. The provisions under section 632A of the Local Government Act in regards to APAs do not define the requirements for the suspension of an APA. However, in order to adhere to best practice, it is proposed that Council approve the suspension of the APA for VolleyFest 2020 in accordance with the legislated process for suspension of an Alcohol Free Zone.

It is recommended then that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Volleyball Australia's VolleyFest 2020 event as outlined in this report.

**CONSULTATION**

If the APA is suspended as requested, Council will place signage at the VolleyFest 2020 event site to notify the public.

Council will continue to collaborate with Volleyball Australia and Northern Beaches Police Local Area Command about safe management of service of alcohol at VolleyFest 2020 during any suspension of the Alcohol Prohibited Area at Manly Beach.

**TIMING**

Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Friday 28 February and Saturday 29 February 2020.

**FINANCIAL CONSIDERATIONS**

Volleyball Australia will be required to meet all costs associated with the service of alcohol, licensing and the suspension of the APA including all advertising requirements and signage.

**SOCIAL CONSIDERATIONS**

The consumption of alcohol will only be allowed within the approved designated and licensed event VIP area. Volleyball Australia will be required to provide at its cost sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol.

The VIP area where alcohol is served will have strict capacity limits enforced to control crowd size and behaviour. Northern Beaches Police Local Area Command may also impose licensing restrictions on the service of alcohol to minimise potential for alcohol-related incidents.

**ENVIRONMENTAL CONSIDERATIONS**

Volleyball Australia will be required to ensure that VolleyFest 2020 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy.

**GOVERNANCE AND RISK CONSIDERATIONS**

Volleyball Australia will be required to provide and implement risk, security and alcohol management plans as well as appropriate structures, staffing, fencing and signage.

<b>ITEM 13.7</b>	<b>SUSPENSION OF THE ALCOHOL PROHIBITED AREA ON MANLY BEACH FOR SURFING NSW'S SYDNEY SURF PRO EVENT 2020</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER PARKS AND RECREATION</b>
<b>TRIM FILE REF</b>	<b>2020/014112</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### SUMMARY

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#### PURPOSE

To consider the request from Surfing NSW to suspend the Alcohol Prohibited Area at Manly Beach for their Sydney Surf Pro 2020 event from Wednesday 11 March to Sunday 15 March 2020.

#### EXECUTIVE SUMMARY

Surfing NSW are holding their Sydney Surf Pro event at Manly Beach from Thursday 5 March to Sunday 15 March 2020. Surfing NSW propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 8pm each day from Wednesday 11 March to Sunday 15 March 2020. Alcohol and security management plans will be in place where alcohol is approved to be made available.

Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Surfing NSW has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their Sydney Surf Pro 2020 event. The Northern Beaches Police Local Area Command are aware of this request. The service of alcohol is dependent on Surfing NSW obtaining the required licencing approvals.

Surfing NSW, established in 1963, is responsible for managing events across the state from grassroots through to international professional events. The APA was suspended for their Sydney Surf Pro events in 2018 and 2019 without incident.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Surfing NSW's Sydney Surf Pro 2020 event from Wednesday 11 March to Sunday 15 March 2020 as outlined in this report.

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#### RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Suspends the Alcohol Prohibited Area at Manly Beach for Sydney NSW's Sydney Surf Pro 2020 event from Wednesday 11 March to Sunday 15 March 2020 as outlined in this report.
  2. Provides notice of the suspension of the Alcohol Prohibited Area via signage at the Sydney Surf Pro 2020 event site.
  3. Continues to liaise with Surfing NSW and Northern Beaches Police Local Area Command about safe management of service of alcohol at the Sydney Surf Pro 2020 during the suspension of the Alcohol Prohibited Area at Manly Beach.
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## REPORT

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### BACKGROUND

Surfing NSW are holding their Sydney Surf Pro event at Manly Beach (south of the North Steyne Surf Life Saving Club building) from Thursday 5 March to Sunday 15 March 2020.

Surfing NSW propose to make alcohol available in a designated VIP area (and not available to the public). The VIP area is planned to operate no earlier than 12noon and no later than 8pm each day from Wednesday 11 March to Sunday 15 March 2020. Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Surfing NSW has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their Sydney Surf Pro 2020 event.

The Northern Beaches Police Local Area Command are aware of this request. The service of alcohol is dependent on Surfing NSW obtaining the required licencing approvals.

Surfing NSW, established in 1963, is the largest and longest running of the state bodies for the sport of surfing in Australia. Surfing NSW is responsible for managing events across the state from grassroots through to international professional events. The APA was suspended for their Sydney Surf Pro events in 2018 and 2019 without incident.

Surfing NSW propose to appoint a licensee who would be responsible for ensuring the responsible service of alcohol in the VIP area. Agreed alcohol and security management plans will be in place for the event in the areas where alcohol will be served, including enforcement by appropriate signage and security personnel provided by the event organiser. Where required by Police, user-pays Police personnel will also be on-site at the expense of Surfing NSW. The following controls are also proposed to be applied:

- Light, mid strength and/or reduced quantity of drinks will be served in the VIP area only.
- Security will be on site at all times when alcohol is available for consumption.
- Alcohol will not be sold or distributed to members of the public.

Under the provisions of section 645(1) of the Local Government Act 1993 the Council may of its own motion suspend the operation of an alcohol-free zone by publishing notice of the suspension in the area concerned. The provisions under section 632A of the Local Government Act in regards to APAs do not define the requirements for the suspension of an APA. However, in order to adhere to best practice, it is proposed that Council approve the suspension of the APA for the Sydney Surf Pro 2020 in accordance with the legislated process for suspension of an Alcohol Free Zone.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for the Sydney Surf Pro 2020 event as outlined in this report.

### CONSULTATION

If the APA is suspended as requested, Council will place signage at the Sydney Surf Pro 2020 event site to notify the public.

Council will continue to collaborate with Surfing NSW and Northern Beaches Police Local Area Command about safe management of service of alcohol at Sydney Surf Pro 2020 during any suspension of the Alcohol Prohibited Area at Manly Beach.

### TIMING

Surfing NSW propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 8pm each day from Wednesday 11 March to Sunday 15 March 2020.

## **FINANCIAL CONSIDERATIONS**

Surfing NSW will be required to meet all costs associated with the service of alcohol, licensing and the suspension of the APA including all advertising requirements and signage.

## **SOCIAL CONSIDERATIONS**

The consumption of alcohol will only be allowed within the approved designated and licensed event area. Surfing NSW will be required to provide at its cost sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol.

The VIP area where alcohol is served will have strict capacity limits enforced to control crowd size and behaviour. Northern Beaches Police may also impose licensing restrictions on the service of alcohol to minimise potential for alcohol-related incidences.

## **ENVIRONMENTAL CONSIDERATIONS**

Surfing NSW will be required to ensure that the Sydney Surf Pro 2020 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy.

## **GOVERNANCE AND RISK CONSIDERATIONS**

Surfing NSW will be required to provide and implement risk, security and alcohol management plans as well as appropriate structures, staffing, fencing and signage.

<b>ITEM 13.8</b>	<b>PUBLIC EXHIBITION OF DRAFT NORTHERN BEACHES BIKE PLAN</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE</b>
<b>TRIM FILE REF</b>	<b>2019/161953</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">⇒Draft Bike Plan - Final for Endorsement (Included In Attachments Booklet)</a></b> <b>2 <a href="#">⇒Bike Plan Stage One Engagement Report (Included In Attachments Booklet)</a></b> <b>3 <a href="#">⇒Draft Bike Plan Priority List (Included In Attachments Booklet)</a></b>

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## SUMMARY

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### PURPOSE

To seek Council endorsement to release the draft Northern Beaches Bike Plan for public exhibition.

### EXECUTIVE SUMMARY

Cycling is one of the most important modes of transport on the Northern Beaches and this Bike Plan is Council's commitment to creating a safe and connected cycling network. Northern Beaches Bike Plan is the second of the seven plans that sit under the adopted MOVE Northern Beaches Transport Strategy. This plan provides the methodology for how Council prioritises the delivery of the future shared path network and other cycling infrastructure to enable Council to deliver a network that connects the community of the Northern Beaches to where they want to go.

The Northern Beaches Bike Plan will help Council achieve our active travel objective outlined in the Northern Beaches Transport Strategy, which is to "enable freedom of movement to, from and within the Northern Beaches using a safe, smart, efficient, integrated and sustainable transport network." The Bike Plan aligns with the adopted WALK - Northern Beaches Walking Plan to enhance the accessibility of our Community and provide further options to reduce the dependence on cars for the short to medium length journeys, that being between home and local or neighborhood centres.

The proposed network caters for all residents and visitors that can use cycling for transport, recreation and facilitate tourism. The network is divided into groups; the Safe Cycling Network for all users, the Road Cycling Network for the longer commuter trip and for those who partake in Road Cycling for recreation.

The draft Northern Beaches Bike Plan also contains actions to provide end of trip facilities suited for the purpose of those accessing the destination, and actions to educate and enhance the safety of the network.

This report relates to the adopted MOVE - Transport Strategy actions 2.1, 2.2, 2.3, and 2.4 as well as:

Goal 17- Our community can safely and efficiently travel within and beyond Northern Beaches – b - Facilitate and promote safe cycling and walking networks as convenient transport options from the Community Strategic Plan.



**RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS**

That:

1. Council endorses the draft Northern Beaches Bike Plan to be placed on public exhibition for a minimum of 28 days.
  2. The outcomes of the public exhibition be reported back to Council.
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## REPORT

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### BACKGROUND

MOVE – Northern Beaches Transport Strategy identified the need to reduce carbon emissions through the increase in cycling, walking, and public transport patronage and a reduction in private vehicle trips over the next 20 years. Council needs to provide significant infrastructure, in partnership with State and Federal agencies, where possible, to meet these ambitious targets within the timeframe adopted by in MOVE.

The Bike Plan provides direction on future infrastructure and programs that will encourage more people to consider riding a bicycle for transport more often. The Bike Plan also aims to create a safer environment for people cycling on both paths and roads.

Bicycle usage and infrastructure design have progressed since previous bike plans were undertaken for the area. Best-practice and community expectations have evolved in terms of infrastructure design and the need for greater separation from motor vehicles. Bicycles themselves are also evolving with electric bikes (e-bikes) and cargo bikes becoming a more common sight within the community.

The Bike Plan focuses on cycling undertaken around the road network. The Bike Plan also supports recreational cycling, however, recreational cycling facilities, such as BMX, children's bike tracks and mountain bike trails will be addressed in the Northern Beaches Open Space and Recreation Strategy.

Shape 28, Northern Beaches Community Strategic Plan 2018-2028 defines our community's vision and sets a direction for everything we must do over the next 10 years with our future planning, budgets and actions. The responsibility for making the long term community vision a reality rests with everyone and we look forward to working in close collaboration with the community, key partners and stakeholders in making Northern Beaches an even better place to live, work and play.

The Bike Plan relates directly to:

Goal 17        Our community can safely and efficiently travel within and beyond Northern Beaches

Part (b)       Facilitate and promote safe cycling and walking networks as convenient transport options.

This Bike Plan also helps Council meet a number of other goals in the Community Strategic Plan, particularly those relating to promoting sustainability and healthy and active lifestyles.

Move - Northern Beaches Transport Strategy 2038 was adopted by Council in August 2018 and sets out policy directions for improving transport during the next 20 years.

The transport strategy includes the following directions that relate to the Bike Plan:

- Create and enhance 'Places for People' that are integrated with public transport, creating vibrant, connected places with wide footpaths, safe cycling options, and where the car is not the first transport option.
- Prioritise smart, active travel network improvements through technology, end-of-trip facilities and way-finding signage.
- Expanding the footpath and shared path networks to improve connectivity and safety that make walking and cycling attractive alternatives to the car, providing a safe environment for all users.

Our Transport Strategy and associated transport plans have been developed in line with NSW Government planning and its future vision for a 30 Minute City. This concept allows people to reach their nearest metropolitan and strategic centres within 30 minutes, seven days a week by public transport. Crucial to this are improved public transport services and infrastructure to ensure people can move efficiently around the city. This involves cycling corridors to connect people to their nearest centre and a Principal Bicycle Network that provides connections between strategic centres.

The Future Transport Strategy 2056 and the Greater Sydney Commission North District Plan view cycling as an important mode of transport that has the potential to increase modal share.

The North District Plan contains the direction to prioritise infrastructure that enables cycling connectivity within 5km of Strategic Centres. The strategic centres on the Northern Beaches include:

- Frenchs Forest Strategic Centre
- Mona Vale Strategic Centre
- Manly Strategic Centre
- Dee Why Strategic Centre
- Brookvale Strategic Centre

The Government Architect of NSW has identified the Sydney Green Grid, which provides preliminary prioritisation of opportunities to provide an interconnected high-performance green infrastructure network that will support healthy urban growth. Key project opportunities relevant to this Bike Plan include:

- Extending the Narrabeen Lagoon Trail along creek-lines including Mullet, South, Dee Why and Middle Creeks and access to surrounding suburbs.
- Upgrading access to Manly and Curl Curl Lagoons.
- Improving access to Manly Dam from Frenchs Forest Hospital Precinct.
- Improving connection from Brookvale to Curl Curl Lagoon.
- Providing active transport corridors on Pittwater Road, Warringah Road and Wakehurst Parkway.

## CONSULTATION

The first phase of community engagement has sought community feedback on proposed routes that form part of the Bike Plan. As part of this engagement, the project Your Say Project Page received 1550 Page Views; the Social Pin Point Mapping tool received 2198 Page Views and 852 Comments. Staff held meetings with 10 key stakeholders, 4 pop ups events (food for your thoughts program) at Avalon, Dee Why, Manly, and Middle Creek Reserve, and 3 more focused drop-in sessions were held as well as 2 presentations were provided to the Transport and Travel Strategic Reference Group.

A communication program was also conducted which included two targeted Facebook posts, a media release, EDM distributed to 25,000 individual email addresses, 20 temporary signs installed at key locations across the Northern Beaches. Information was provided through traditional media formats including six advertisements in the Manly Daily, plus the Mayor's message in the Saturday edition and an editorial article in Pittwater Life.

The next phase of the community engagement program is proposed to include popup events across the Northern Beaches, drop-ins held at times to provide maximum opportunities for the community to attend and interact with staff. A webinar will also be held to provide further information on the draft and the delivery schedule items.

A program of detailed consultation will also be undertaken with industry and infrastructure providers including Transport for NSW, and the adjoining Councils where we will partner with them to deliver the cross regional connections.

### **TIMING**

Following the public engagement period, it is anticipated that a final version of the Bike Plan will be reported to Council for consideration and adoption in mid 2020. Once adopted, work will commence immediately on adding the highest priority locations to the 2020/2021 delivery program and detailed design commenced shortly after that on a 4 Year program based on the available funding level. A fully developed and designed delivery program for the high priority locations is expected to be completed by the end of the 2021/2022 financial year.

### **LINK TO COUNCIL STRATEGY**

This report relates to the adopted MOVE - Transport Strategy actions 2.1, 2.2, 2.3, and 2.4, and The Shape 2028 Community Strategic Plan Community Outcome of Transport, Infrastructure and Connectivity, Goal 17 - Our community can safely and efficiently travel within and beyond Northern Beaches, Part b. Facilitate and promote safe cycling and walking networks as convenient transport options.

### **FINANCIAL CONSIDERATIONS**

The draft plan is currently the subject of a high level costing based on the draft infrastructure schedule that is attached to this report, and at around \$167M of infrastructure will require a significant increase in funding to deliver the current proposed network over time.

The funding for this program is expected to come from a mix of current Council CAPEX budget as well as delivery through grants provided by Transport for NSW, and sections of the network delivered as part of larger infrastructure projects like Beaches Link and Strategic Centre redevelopment. Other grant funding opportunities are also available from time to time.

Some sections will be funded through the operational budget as other renewal projects are undertaken on the existing Road Network, where the delivery is limited to new signage and line marking.

A fully costed infrastructure program will be provided after the public exhibition has concluded once all feedback has been evaluated.

### **SOCIAL CONSIDERATIONS**

The purpose of the Bike Plan is to provide not only necessary infrastructure, but also to influence behaviour changes in terms of how we travel around the Northern Beaches. We know that active travels – cycling and walking - increases opportunities for face-to-face social contact and connections. Improved infrastructure and safety through increased numbers of people using the street will also strengthen the potential for casual social contact.

Leaving our cars at home also reduces traffic and parking congestion and helps to make streets safe and active for cyclists and pedestrians. This also adds to the public health benefits that come from a more active community, reducing some lifestyle related health impacts.

**ENVIRONMENTAL CONSIDERATIONS**

Increased shared paths led to increased active travel activity, reducing car usage and therefore carbon emissions. It is acknowledged that there will be some environmental impacts during the construction of the infrastructure required. While every effort will be made to avoid any tree loss, some trees may need to be removed to construct the shared path network and where possible the network has been located to reduce this to the minimum impact. As per Council's Urban Tree Strategy any trees removed will be replaced with a minimum of two more. Shared path construction also results in increased carbon emissions, adds to the urban heat island effect and reduces ground permeability that can increase storm water run-off.

**GOVERNANCE AND RISK CONSIDERATIONS**

The draft Bike Plan will provide a clear policy framework to ensure that Council asset planning and implementation results in a better shared path network for the Northern Beaches community. It provides a transparent priority evaluation and justification framework with clarity to the ongoing development costs across several capital works cycles to assist in forward planning and to reduce the risk of asset delivery based on undesirable factors.

## 14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

<b>ITEM 14.1</b>	<b>STRONGER COMMUNITIES FUND AND NEW COUNCIL IMPLEMENTATION FUND - DECEMBER QUARTERLY REPORT</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGY AND PERFORMANCE</b>
<b>TRIM FILE REF</b>	<b>2019/710244</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### SUMMARY

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#### PURPOSE

To provide a progress report on the outcomes delivered and expenditure of funds from the \$36.1 million Stronger Communities Fund and \$10 million New Council Implementation Fund.

#### EXECUTIVE SUMMARY

Council received \$36.1 million from the NSW Government's Stronger Communities Fund (SCF) to provide funding to kick-start the delivery of improved infrastructure and services to the community. The SCF funding has been broken into streams including \$1 million for a Community Grants Program, \$14 million into the Connecting Communities Program and a further allocation of \$21.1 million of tied funding across 11 projects.

An additional \$10 million was provided to Council under the New Council Implementation Fund (NCIF) to assist with the upfront costs of implementing the new council.

A summary of the program of work and expenditure to 31 December 2019 is below:

<b>Program</b>	<b>Funding</b>	<b>Expenditure to 31 December 2019</b>
Community Grants Program (SCF)	\$1,000,000	\$1,025,599 <sup>1</sup>
Connecting Communities Program (SCF)	\$14,000,000	\$13,146,628
Tied Grants Program (SCF)	\$21,100,000	\$4,453,383
NCIF	\$10,000,000	\$9,507,128
<b>Total</b>	<b>\$46,100,000</b>	<b>\$28,132,738</b>

<sup>1</sup>The additional \$25,599 on the Community Grants Program is interest earned on the SCF funds

In accordance with the SCF funding agreement, quarterly progress reports to Council are required on the expenditure and outcomes until these funds are spent. The Barrenjoey Community Performance Space is now complete and the SCF funding for the Cycleways and Shared Paths project has been exhausted. Final reports are being prepared for the Office of Local Government to acquit these projects.

## **RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY**

That Council:

1. Notes the Stronger Communities Fund and New Council Implementation Fund report for the quarter ending December.
  2. Notes final reports are being prepared for the Office of Local Government to acquit the Stronger Community Fund for the projects listed below:
    - A. Cycleways and Shared Paths (Connecting the Northern Beaches program) – funds exhausted.
    - B. Barrenjoey Community Performance Space (Tied Grants Program) – building works complete.
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## REPORT

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### BACKGROUND

The Stronger Communities Fund (SCF) was established by the NSW Government to provide new councils with funding to kick-start the delivery of improved infrastructure and services to the community. Northern Beaches Council received \$36.1 million from the SCF for the following programs:

- Community Grants Program - \$1 million. This program has been completed and acquitted.
- Connecting Communities Program - \$14 million.
- Tied Grant Program - \$21.1 million.

In addition, a New Council Implementation Fund (NCIF) was established by the NSW Government to cover the up-front costs of implementing the new council. Northern Beaches Council received \$10 million from the NCIF.

Under the terms of the funding agreement, quarterly progress reports to Council are required on the expenditure and outcomes until these funds are spent. The September 2019 Quarterly Report was the final report for the following completed program and projects:

1. Community Grants Program
2. Tied Grants Program - North Pittwater foreshore improvements projects:
  - Hudson Parade, Clareville - footpath between Clareville Beach and Taylors Point
  - George Street, Avalon - extended the seawall
  - South Palm Beach - landscaping works.

### Connecting Communities Program - \$14 million From SCF

The *Connecting Communities Program* is a \$32.6 million multi-year program of works partially funded by SCF (\$14 million). It comprises:

1. The \$22.3 million *Connecting the Northern Beaches* program, providing a continuous all-weather walkway from Palm Beach to Manly and an extensive Council-wide cycleway and shared path network focused on the B-Line. This will deliver 35.5km of new cycleway and shared paths (12.4km off road and 23.1km on-road) and 36km of continuous all weather coastal walkways including 8km of new boardwalks, stairs, footpaths and tracks as well as the Palm Beach Walkway from Palm Beach Wharf to Beach Road.
2. The \$10.3 million *Connecting All Through Play* program features a regional network of inclusive accessible playgrounds including a major new all abilities playground at Lionel Watts Reserve, accessibility upgrades and new playgrounds at Manly Dam and Clontarf Reserve and upgrades to play areas across the Northern Beaches. It also includes \$4 million for sporting facilities and surf lifesaving clubs.

Progress on these programs is below:

### Connecting the Northern Beaches – Cycleways and Shared Paths

Since the program commenced 32kms of cycleways and shared paths have been delivered. The Stronger Communities Fund, Council and other grants have funded the works. The allocation of \$2.97 million from the Stronger Communities Fund on this project is exhausted and will be acquitted with Office of Local Government shortly. The project will no longer appear in this report but will continue to be reported to Council in the Quarter Report on the Operational Plan.

This quarter, consultation and revision of designs for Newport to Avalon cycle link continued. Council and Transport for NSW will fund the remaining work.

### **Connecting the Northern Beaches – Coast Walk**

Construction of the Coast Walk is well advanced with 5.9kms delivered since the program commenced. Below is the status of the work this quarter on the Coast Walk:

- Whale Beach Road Stage 1 concept has been finalised and is ready for public consultation.
- Concept design for Governor Phillip Park to Palm Beach Pavilion is complete and ready for public consultation.
- Continuing consultation and revision of the Newport to Avalon pedestrian link.
- Upgrade to Bilgola Beach foreshore and the pedestrian link through the carpark complete

### **Connecting All Through Play - Inclusive Play**

Below is the status of work this quarter on Inclusive Play projects:

- Lionel Watts Playground is completed. The Speaker Johnathon O’Dea MP and Northern Beaches Council Mayor Michael Regan opened the new playground in December 2019.
- Clontarf Reserve Playground – public exhibition of the concept plan for Clontarf Beach Reserve including the playground has concluded and Council adopted the plan. The detailed design for the playground has commenced with construction expected to start in winter 2020 to minimise impacts on park users.
- Manly Dam Playground – Detailed design is finalised and a contractor appointed with work expected to commence in early 2020.

### **Connecting All Through Play - Active Play**

Below is the status of work this quarter on Active Play sporting facilities:

- Lionel Watts West Sporting Amenities – work has commenced with expected completion in March 2020.
- The development applications for the proposed lighting at Passmore Reserve and Frank Gray/Mike Pawley have been delayed pending the outcomes of community engagement.

Below is the status of work this quarter on Surf Life Saving Clubs (SLSC):

- South Narrabeen – Contract works to the lift installation and accessibility upgrade to the carpark was completed in October 2019.
- Mona Vale – A Modification to the DA for the changes to the floor plan was approved by the regional planning panel in late November. Tender documentation is currently being finalised and an Expression of Interest is being evaluated ready for selection of a panel of five contractors to be invited to tender in February. Works are expected to commence in May 2020.
- Long Reef – Following extensive community engagement, the development application was lodged in January 2020.
- North Steyne, Warriewood and Queenscliff – Discussions with club representatives to scope the projects are continuing. These works will need to be funded by an alternate source once the scope of works has been defined and approvals obtained.

### **Tied Grants Program - \$21.1 Million**

The Tied Grants Program commenced in October 2017 whereby the NSW Government allocated \$21.1 million for the following 11 projects:

1. Church Point Community Park (Pasadena) – closed.
2. Wakehurst Parkway flood mitigation
3. Mona Vale Public School – Regional Performing Arts Centre
4. Mona Vale Surf Life Saving Club refurbishment
5. Long Reef Surf Life Saving Club refurbishment
6. Currawong Beach heritage refurbishment
7. North Pittwater foreshore improvements – complete.
8. Scotland Island wastewater feasibility study
9. Northern Pittwater permanent netball courts
10. Newport Surf Club refurbishment (planning)
11. Barrenjoey Community Performance Space.

The Church Point Community Park (Pasadena) project was abandoned and the funds disbursed among a number of other tied grant projects with confirmation on the reallocation from the Office of Local Government received in October 2018. The North Pittwater Foreshore Improvements have been completed (reported to Council 26 November 2019) and will shortly be acquitted with the Office of Local Government.

Progress on the remaining nine projects is below.

#### **Wakehurst Parkway Flood Mitigation**

Council has been investigating options to reduce the smaller but more frequent floods on Wakehurst Parkway. During these investigations it became apparent that to provide meaningful flood immunity on the roadway, more expansive works and corresponding funding would be required. The necessary funding will exceed that available under the Stronger Communities Fund. In November 2019, Council Executives met with representatives from Transport for NSW and the Minister for Transport to explain the potential benefits of an expanded program of work. A formal request for additional funding was made to Minister Constance in December, the outcome of which will inform the next stages of the project.

#### **Mona Vale Public School: Regional Performing Arts Centre**

Discussion with the Department of Education is ongoing. The Department of Education is undertaking a review of the schools projected student numbers and scoping the project.

#### **Mona Vale Surf Life Saving Club refurbishment**

A Modification to the DA for the changes to the floor plan was approved by the regional planning panel in late November. The Tender documentation is being finalised and an Expression of Interest is being evaluated ready for selection of a panel of five contractors to be invited to tender in February. Works are expected to commence in May 2020.

#### **Long Reef Surf Life Saving Club refurbishment**

Following extensive community engagement, the documentation has now been finalised and the DA was lodged in January 2020.

### **Currawong Beach Heritage: refurbishment and upgrade of existing infrastructure**

In October 2019, a tender was issued for building refurbishment works comprised four different scope options varying from four to seven building to allow Council to allocate the available funding. A second tender was also issued for landscape works to construct the new pathway, drainage and retaining wall works.

Council accepted the tender evaluation recommendation on 17 December 2019 to award the contracts for the provision of building refurbishments to three cabins, games room, the new pathway and retaining wall works. Works will commence in February 2020 and are expected to be completed by November 2020, ready for the summer holiday period.

The development application for refurbishments to a further six cabins and associated landscaping was approved in December 2019 and preparation of a Section 60 application is underway incorporating the conditions of consent. However, these works are on hold, subject to further funding being secured. This secondary component will no longer be included in future quarterly reports.

### **Scotland Island Wastewater Feasibility Study**

This study is assessing the feasibility of providing a reticulated water and/or wastewater service to Scotland Island. The high-level review of social and environmental factors and options assessment is complete. The options assessment process and the preferred options were discussed with and endorsed by the Community Working Group. Costings have been completed and the options are being assessed for commercial feasibility. This is the final step of the project. Professional peer review of the project is continuing.

### **Northern Pittwater Permanent Netball Courts**

This includes four new hardcourts, lighting and ancillary infrastructure at Avalon Beach for training. Council has adopted a revised Plan of Management (following exhibition) that provides for two multi-purpose hardcourts, a grass court and half-court basketball court. Lighting on all courts will be to Australian Standards.

Construction of the hardcourts will commence in early 2020 with the lighting and bridge to follow later in the year.

### **Newport Surf Club Refurbishment**

Following geotechnical investigations works, the appointed Coastal Engineer has been seeking feedback from all stakeholders on a range of options from doing nothing to extensive coastal protection works. The feedback will be collated into a report and a Stakeholder meeting held in the new year for feedback and engagement. The Heritage planners (including an external expert) have provided 'in principle' approval of the architects' extension to the club building – more detailed plans of finishes are currently being considered. A cost plan will be sought prior to submitting the DA which is anticipated for March 2020.

### **Barrenjoey Community Performance Space**

This involves the development of a multi-use community facility and performance space within the grounds of Barrenjoey High School managed by the NSW Department of Education.

This project has been completed and was officially opened by the Hon. Rob Stokes MP on 15 November and was also attended by Jason Fallinski MP and Councillor Ferguson. This project is currently being closed with the Department of Education and will then be acquitted with the Office of Local Government. It will no longer be included in future quarterly reports.

### New Council Implementation Fund (NCIF) - \$10 Million

The NCIF has been fully committed in accordance with the fund guidelines. The following are examples of activities eligible for funding from the NCIF:

- The provision of expert implementation advice, either from a panel of providers established by Department of Premier and Cabinet, or procured locally.
- Integrating systems to support the operation of the new council.
- Redundancy payments for staff.
- Signage for the new council.
- Development and release of the website for the new council.
- Change management programs of staff to support implementation.
- Councils may also use the NCIF to contribute to the cost of system upgrades.

The NCIF is not to be used for:

- Merger costs incurred prior to the commencement of the new council.
- Other existing or ongoing staff costs.
- Upgrades to the councils administrative buildings.

Operational priorities such as integrating core systems, signage, development of Council's website, and operational policy harmonisation have all been funded through NCIF.

Remaining funds and any accrued interest will be spent on the following operational areas:

- Continued signage rollout
- Internal website.

### CONSULTATION

Consultation on individual projects funded by the SCF is ongoing.

### LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance; Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

### FINANCIAL CONSIDERATIONS

At 31 December 2019, a total of \$24,309,741 has been spent on the *Connecting Communities Program*, *Community Grants Program* and *Tied Grants* of which \$18,625,610 is from the SCF as follows:

Program	Total Expenditure	SCF
Community Grants	\$1,025,599	\$1,025,599
Connecting Communities		
Cycleways	\$6,952,344	\$2,968,354
Pathways	\$5,509,148	\$5,162,859

Inclusive play	\$4,483,704	\$3,265,138
Active Play	\$1,869,797	\$1,750,277
Tied Grants	\$4,469,149	\$4,453,383
<b>Total Expenditure</b>	<b>\$24,309,741</b>	<b>\$18,625,610</b>

Any interest earned is being applied to the balance of available funds to be expended against the approved projects.

At 31 December 2019, a combined total of \$9,507,128 has been spent on the up-front costs of creating the new council from the NCIF as follows:

<b>Expenditure Category</b>	<b>Total Expenditure</b>
Expert Advice	\$268,393
Systems Integration	\$4,290,079
Redundancy	\$3,169,961
Signage	\$293,942
Website	\$675,252
Change Management	\$601,158
System Upgrades	\$20,563
Other	\$187,780
<b>Total Expenditure</b>	<b>\$9,507,128</b>

Remaining funds and any accrued interest will be spent on the following operational areas:

- Continued signage rollout
- Internal website.

### **SOCIAL CONSIDERATIONS**

The entire Northern Beaches community will benefit from significant social, health and well-being improvements derived from use of this community infrastructure. It will connect people and places through improved active and public transport links and upgraded community infrastructure, this includes programs implemented by our community groups. The recently completed Barrenjoey Performance Space provides a highly desired community space for the performing arts to nurture and grow within our community.

### **ENVIRONMENTAL CONSIDERATIONS**

Environmental impact assessments form part of the detailed design for the major projects. Where possible works will be undertaken to minimise environmental impacts. The anticipated number of users of the new cycleways and footpaths as well as the lighting upgrades across a number of sporting facilities will have a positive impact on air quality and is another step towards reducing our community's greenhouse gas emissions. The foreshore improvement projects and the Scotland Island wastewater project will improve water quality within the Pittwater estuary upon implementation.

**GOVERNANCE AND RISK CONSIDERATIONS**

Funds continue to be expended in line with the commitments previously outlined to the Office of Local Government (OLG). A request has been submitted to the OLG seeking an extension of time to complete the remaining projects under the Connecting the Northern Beaches and Connecting All Through Play Programs. A separate request has been made for an extension to complete flood mitigation works at points along the Wakehurst Parkway should additional funding be made available to Council to implement the project.



## 15.0 NOTICES OF MOTION

<b>ITEM 15.1</b>	<b>NOTICE OF MOTION NO 45/2019 - WAKEHURST PARKWAY TREE MANAGEMENT</b>
<b>TRIM FILE REF</b>	<b>2020/021956</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Rory Amon

*(Originally submitted to the 26 November 2019 Council meeting)*

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### MOTION

That Council:

1. Calls on the Roads and Maritime Services to ensure that the safety of the Wakehurst Parkway (Narrabeen to Frenchs Forest) corridor is maintained in relation to risks present by trees and to provide assurances regarding the nature and frequency of their maintenance program.
2. Writes to the Roads and Maritime Services, the State Members of Parliament for Pittwater, Davidson and Wakehurst regarding this matter.

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### BACKGROUND FROM COUNCILLOR RORY AMON

Together with Warringah Road, Mona Vale Road, Pittwater Road through to the Spit, the Wakehurst Parkway (Narrabeen to Frenchs Forest) is a vital transport corridor. With the new Frenchs Forest Hospital and a new town centre on the way, the Parkway becomes even more significant for residents on the Coast. 20,000 cars travel the Parkway each day.

The Parkway is home to significant tree life. Along the roadside, there is a significant number of trees which pose risk to community safety - leaning trees, overgrown branches which, in high winds or other conditions, can break fall and cause harm, including impeding the road way.

The Roads and Maritime Services is responsible for maintaining the safety of the Wakehurst Parkway. However, the effectiveness of this program is not clear. See, for example, the recent article in the November Pittwater Life edition which can be accessed on page 12 of the below link <https://www.yumpu.com/en/document/read/62894765/pittwater-life-november-2019-issue>.

<b>ITEM 15.2</b>	<b>NOTICE OF MOTION NO 46/2019 - WARRIEWOOD DEVELOPMENT CONTROL PLAN BREACHES</b>
<b>TRIM FILE REF</b>	<b>2020/021955</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Rory Amon

*(Originally submitted to the 26 November 2019 Council meeting)*

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## MOTION

That Council:

1. Opposes the continued use of the Exempt and Complying Development Codes 2008 SEPP (Codes SEPP) within the Northern Beaches LGA. Council remains concerned about the impacts that buildings approved under the Codes SEPP have on local character, streetscapes and residential amenity. The state wide (generic) planning provisions undermine local site and locality based development controls.
2. Writes to The Minister for Planning and Public Spaces and Member for Pittwater, the Hon. Rob Stokes, The Hon. Brad Hazzard MP, The Hon. Jonathan O’Dea MP, James Griffin MP informing them of Council’s opposition and concerns relating to the operation of the Codes SEPP.

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## BACKGROUND FROM COUNCILLOR RORY AMON

Development Control Plans (DCP) are in place to provide detailed planning and design guidelines to support the planning controls in the Local Environmental Plan developed by a council. A major purpose of a DCP is to ensure development occurs consistent with the character of a local area. For example, a DCP can require that the roof and building colours of new developments can only be a certain kind.

Unfortunately, where an application is made pursuant to the Exempt and Complying Development Codes 2008 SEPP (SEPP), the provisions of the relevant DCP can be overridden. This defeats the purpose of a DCP and the orderly planning it is meant to facilitate. It is important to note that the DCP is a product of community consultation and a decision of a democratically elected Council. That community consultation process and the decisions of the elected Council can be disregarded where developments made pursuant to the SEPP conflict with the requirements of the DCP.

The SEPP can be valuable in allowing non-controversial development to occur quicker and more cheaply, but this should not occur at the expense of a DCP’s requirements.

The issue of a DCP conflicting with the SEPP is particularly relevant to the Warriewood Valley. It is no doubt applicable elsewhere around the Northern Beaches. The latest example in Warriewood is a new build, which was approved as a development pursuant to the SEPP, on Garden Street between Orchard and Macpherson. The relevant Warriewood Valley DCP mandates certain colours for buildings and rooves to maintain the local character and streetscape. This new development in Warriewood is essentially a white box, which is in breach of the DCP but compliant with the SEPP. This is not the first such example and will not be the last. The SEPP needs to be amended so that applications pursuant to the SEPP are not inconsistent with the relevant DCP.

<b>ITEM 15.3</b>	<b>NOTICE OF MOTION NO 47/2019 - BIKE SHARE OPERATIONS EXPRESSION OF INTEREST</b>
<b>TRIM FILE REF</b>	<b>2020/021953</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott; David Walton; Rory Amon  
(Originally submitted to the 26 November 2019 Council meeting)

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## MOTION

That Council:

1. Immediately suspends the expression of interest for Bike Share Operations and resubmit it with the inclusion of a "docking station only" option.
2. Prepares a briefing on the advantages and disadvantages of GPS positioning systems verses docking station for bike share systems and to be presented to Council before a decision is made to proceed with the expression of interest process.

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## BACKGROUND FROM COUNCILLOR SPROTT

Recently an Expression of Interest (EOI) was issued out to the public, and this EOI allows for the introduction of electric scooters and bikes with satellite positioning system to be introduced into the community. This type of system allows for the user to drop the bike at any one spot to be collected within a time frame by the participating company. This system allows for a bike to be dropped off in the middle of the Manly Corso for example for a period of 24 hours causing nothing but a hazard to shoppers and pedestrians. These types of systems have recently caused problems in Melbourne and Brisbane and are a major problem for councils in Europe. Dedicated docking stations are now being retro fitted in high tourist areas in Europe to combat this growing problem. Docking stations organise the bikes away from a busy area so as not to cause pedestrian hazards. This will reduce the visual pollution of bikes and the real time pollution of bikes being dumped in our creeks, rivers oceans and bush land. This EOI is for a period of 5 years, this is a system we need to get right now before we go out to tender.

Below is a photo taken Thursday 14th November 2019, at circular key at the entrance of wharf 2, and photo 2 is of the docking stations that are now being used in Europe due the dangers and pollution caused by these bike share systems.



Photo 1



Photo 2

<b>ITEM 15.4</b>	<b>NOTICE OF MOTION NO 48/2019 - RECOGNITION FOR NETBALL AND COMMUNITY CONTRIBUTION</b>
<b>TRIM FILE REF</b>	<b>2020/021947</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott; Vincent De Luca OAM  
(Originally submitted to the 26 November 2019 Council meeting)

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## **MOTION**

That in recognition of the long service and outstanding work for the people of Frenchs Forest in the area of netball, Council writes to the Geographical Names Board of NSW and associated State Government departments requesting the newly refurbished netball courts at Melwood Oval be named the Margaret Cliff Netball Courts.

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## **BACKGROUND FROM COUNCILLOR STUART SPROTT; VINCENT DE LUCA OAM**

Margaret Cliff is a Life Member and a stalwart of Forest Netball Club, where she has served for 49 years and is also a current committee member of the Forestville RSL Memorial Playing Fields Committee (formerly a section 534A Local Government Act committee). She has held a position on this Committee in excess of 23 years.

Margaret has also been a valued Executive Member of Manly Warringah Netball Association for in excess of 25 years, retiring this year, but is still an "Active Life Member," on various sub-committees and looking after the Association's history.

With the recent completion of the new courts at Forestville, the Club's Committee thought it would be a worthy gesture to acknowledge her for her contribution to both Forest Netball Club and the community.

As the "memorial bench" is now out of the question, this motion seeks support to name the netball complex, which is within the boundaries of the Memorial Playing Fields, in her honour, with something along the lines of "The Margaret Cliff Netball Courts".

## **CHIEF EXECUTIVE OFFICER REPORT**

*In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:*

A plaque will cost approximately \$1,500. This can be funded from the Parks Budget, subject to meeting the requirements of the "Naming our Reserves, Roads and Facilities Policy".

<b>ITEM 15.5</b>	<b>NOTICE OF MOTION NO 53/2019 - AUSTRALIA DAY CITIZENSHIP CEREMONIES</b>
<b>TRIM FILE REF</b>	<b>2020/021945</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Kylie Ferguson

*(Originally submitted to the 17 December 2019 Council meeting)*

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## **MOTION**

That Council holds future Citizenship Ceremonies on Australia Day on a rotating basis at the following three locations:

1. Newport Beach.
2. Dee Why Beach.
3. Manly Beach.

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## **BACKGROUND FROM COUNCILLOR KYLIE FERGUSON**

Australia Day Citizenship Ceremonies have long been a tradition on the Northern Beaches and they play an important part of Australia Day celebrations.

Australian citizenship symbolises our unity as a nation and represents commitment to Australia and its people, the values we share and our common future. It also symbolises the sense of belonging to this country where people have decided to make it their home and nothing more brings relevance than having these ceremonies on the Beach on Australia Day.

Australia Day is special to many people and that is why 16,000 choose Australia Day to become an Australian Citizen.

The three former Councils all held Citizenships at various locations. The former Pittwater Council held their Citizenship Ceremony at Newport Beach which was well supported from the Community. Since the amalgamation, Ceremonies have been held at the Glen Street Theatre, far away from the beach and Australia Day Festivities.

**ITEM 15.6 NOTICE OF MOTION NO 55/2019 - 5G ON THE NORTHERN BEACHES**

**TRIM FILE REF 2020/021941**

**ATTACHMENTS NIL**

Submitted by: Councillor Vincent De Luca OAM

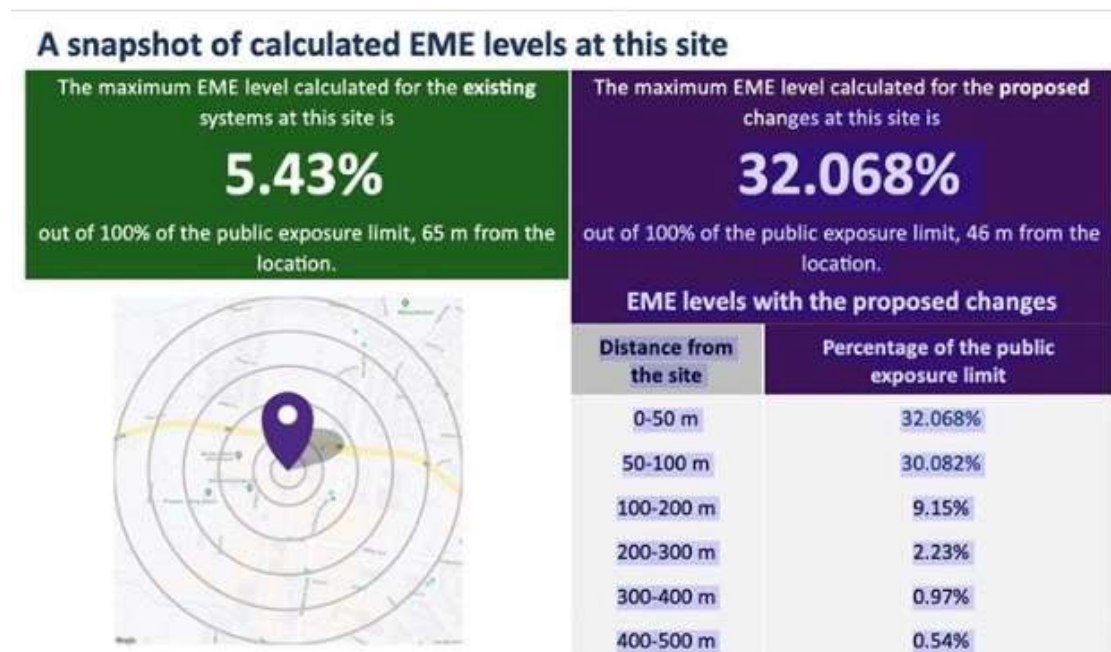
*(Originally submitted to the 17 December 2019 Council meeting)*

**MOTION**

That Council:

1. Notes the concern of some residents regarding (EME) from 5G proposed installations across the Northern Beaches, particularly at 92A Mona Vale Road, Warriewood where it is alleged the EME levels will go from 5.43% to 32.068%.
2. Noting that 5G Infrastructure falls under the Federal Government’s jurisdiction, Council formally writes to local Federal MPs, Jason Falinski MP and Zali Steggall MP requesting they respond to community concern and ensure independent testing of 5G infrastructure on the Northern Beaches in the interests of public safety as a matter of urgency.

**BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM**









<b>ITEM 15.8</b>	<b>NOTICE OF MOTION NO 57/2019 - NETWORK OF RECYCLING CENTRES</b>
<b>TRIM FILE REF</b>	<b>2020/021936</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Natalie Warren

*(Originally submitted to the 17 December 2019 Council meeting)*

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## **MOTION**

That Council staff bring back a feasibility study to a council briefing within four months regarding how Council might go about setting up a network of distributed recycling centres throughout the Northern Beaches LGA, including details such as:

- Identifying possible locations for recycling centres.
- An initial business plan and operating model that allows for expansion in stages.
- Any potential grants available.
- Visiting and benchmarking successful business models in other LGAs.

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## **BACKGROUND FROM COUNCILLOR NATALIE WARREN**

Whilst many education and community programmes exist to encourage reuse, recycling and reducing consumption, the fact remains that many residents simply throw out bulky goods which may not be at the end of their useful life. Once these goods are in the back of the compacter, they generally cannot be recycled. They are taken to Kimbriki and mostly end up in landfill.

However bulky goods which are taken to Kimbriki by residents can be donated to the Buy Back Centre. Kimbriki management is currently looking at revitalising the Buy Back Centre, by moving it outside of the weigh bridge and creating a social enterprise precinct to encourage the growth of bulky and useful goods recycling, to reduce the landfill tonnage.

I believe we can do even better than this, potentially by setting up a network of distributed recycling centres in complement to Kimbriki. For example Canberra has two tip shops, called "Green Sheds". This small network provides employment, keeps waste out of landfill, reduces greenhouse gas emissions and turns a profit which is donated to charity - \$850k so far since opening and 73 jobs created with 62m kg saved from landfill.

Some of the programmes and services offered by this and other networks of recycling centres are:

- Pick up of goods as well as drop off.
- Employ electricians to check and repair electronic goods.
- Have technicians who clean and prepare computers for resale.
- "Mend sheds" for minor repairs on a DIY basis.
- "Mens sheds" which offer residents a chance to work on projects together and have been shown to hugely improve mental health in older men who participate.
- Retail shops for vintage and high end items.

- Junkyard cafes for lower end / more industrial items with a food and drink facility.

This motion calls to a feasibility study to see if a network of “Green Beach Sheds” could be set up on the Northern Beaches, following the business models used in Canberra’s Green Sheds. Potential locations should be investigated which would shorten the trip for residents both in the north and south of the peninsula, since the current Buy Back Centre is 20km from both Manly and Palm Beach.

Additional services should be investigated as described above as well as a business case, potential operating model and any grants which may be available from State or Federal Government. For example the EPA/NSW Environmental Trust Resource Waste and Recycling Infrastructure Fund. Assistance could also be sought from other successful operators e.g. The Community Resource Network (CRN) and Resource Recovery Australia (RRA).

<b>ITEM 15.9</b>	<b>NOTICE OF MOTION NO 58/2019 - HONOURING STATE EMERGENCY SERVICE AND RURAL FIRE SERVICE</b>
<b>TRIM FILE REF</b>	<b>2020/021934</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

*(Originally submitted to the 17 December 2019 Council meeting)*

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## **MOTION**

That Council:

1. Acknowledges the outstanding service, particularly recently during the unprecedented bushfires and storms, of Northern Beaches State Emergency Service (SES) and Rural Fire Service (RFS) officers.
  2. In honour and in appreciation of Northern Beaches' SES and RFS Officers' outstanding service Council's Chief Executive Officer be requested to investigate and report to the first 2020 Council meeting the feasibility of Council granting free access to them and their families, upon proof of membership of a Northern Beaches SES or RFS a year's access to all Council run pools as well as one free parking sticker for the member, for one year, upon proof of membership of a Northern Beaches SES or RFS.
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<b>ITEM 15.10</b>	<b>NOTICE OF MOTION NO 01/2020 - MARINE PARK IN NORTH HARBOUR</b>
<b>TRIM FILE REF</b>	<b>2020/096044</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott

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## **MOTION**

That Council:

1. Writes to the relevant State Minister/s and their departments requesting that the existing North Harbour (Sydney) Aquatic Reserve:
    - A. be extended to include Little Manly Cove to Smedley Point
    - B. be made a “no take” marine reserve to help protect the little penguin colony and build a fish nursery for all of Sydney Harbour.
  2. Applies for grant funding from State and Federal Governments to help facilitate any activity associated with implementing Part 1 of this resolution.
- 

## **BACKGROUND FROM COUNCILLOR STUART SPROTT**

We have seen the huge success of the “no take” marine park at Cabbage tree bay marine reserve.

This new park could be a much bigger and more important park for Manly, Sydney and Sydney Harbour.

I would like to expand the current marine park to include Little Manly Cove and to make it a “no take” reserve similar to that of the Cabbage tree bay marine park at Shelly Beach.

This would still allow fishing in areas North Harbour but would allow for an area where the little penguins breed to be fully protected.

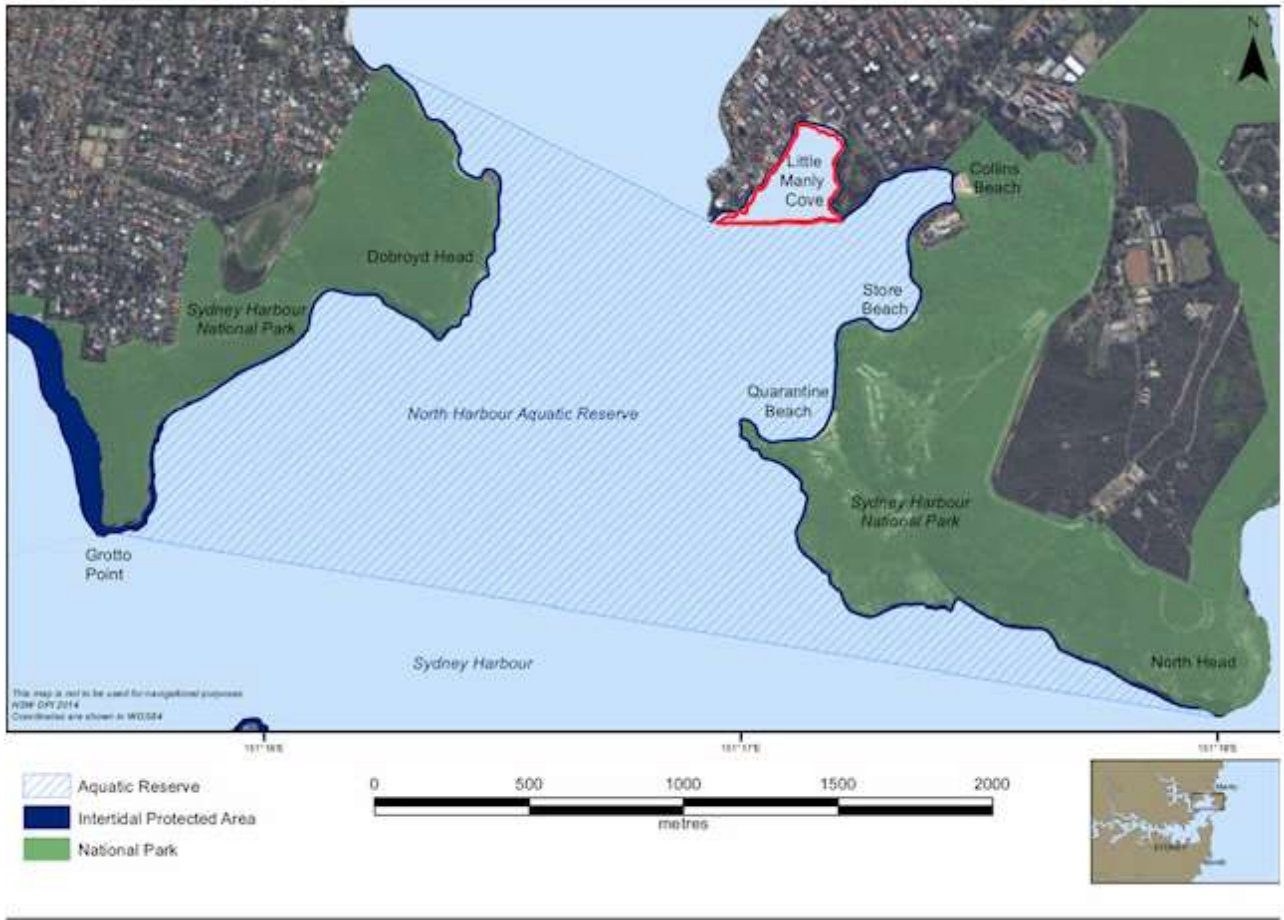
This is all within Northern Beaches Council boundary area and would be a great initiative from Northern Beaches Council.

Parks like these are essential to maintain healthy fish stocks throughout Sydney Harbour and our oceans. They are safe nurseries for our fish to breed and grow until they can move out into other areas.

This would ensure fish stocks for future generations and for the little penguin colony.

The tourist benefits and the environmental benefits for the Northern Beaches has been proven at Cabbage Tree Bay and would be expanded to the harbour side of Manly.

We would have the first “no take” marine park within Sydney Harbour and show real commitment to protecting our environment and the little penguin colony.



<b>ITEM 15.11</b>	<b>NOTICE OF MOTION NO 02/2020 - WAKEHURST PARKWAY BIODIVERSITY LAND BRIDGE</b>
<b>TRIM FILE REF</b>	<b>2020/095932</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott

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## **MOTION**

That Council:

1. Recognises the potential impact of widening of Wakehurst Parkway on animal movement, especially between Manly Dam and Garigal National Park
2. Writes to the NSW State Government and its relevant Ministers requesting that before commencement of the tunnel construction at the Seaforth end that:
  - A. a land bridge for animals, bush walkers and mountain bikers be constructed to ensure the biodiversity of the Manly Dam War Memorial Park is connected with Garigal National Park
  - B. this bridge be designed with considerable width to allow for all animals and people to use this access.

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## **BACKGROUND FROM COUNCILLOR STUART SPROTT**

Manly Dam is a unique place with endangered flora and fauna, it is a place not only of natural beauty but it also provides an essential life source for our native animals, fresh water.

Wakehurst Parkway is a vital connection for all the residents of the Northern Beaches and with the new development of the N.B Tunnel and the widening to four lanes this major artery will only get busier cutting off animals from their freshwater source and causing more accidents with native animals.

We have all seen the devastating effects of the droughts on the land and its animals and this bridge will secure the biodiversity of the area.

With a little bit of forethought and planning we can ensure our native wildlife and bushland are protected.





<b>ITEM 15.12</b>	<b>NOTICE OF MOTION NO 03/2020 - PITTWATER RUGBY PARK FACILITIES</b>
<b>TRIM FILE REF</b>	<b>2020/068608</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillors Pat Daley OAM, Rory Amon and Sue Heins

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## **MOTION**

That:

1. Council conducts an immediate review regarding the women's change rooms at Pittwater Rugby Park to ensure that there are adequate facilities for women's rugby and other sports at the ovals that reflect not only their inclusiveness and standing in the game of rugby, but also provides women with the same quality facility as that provided to a male player when both are scheduled to play at Pittwater Rugby Park at the same times/days.
  2. Staff bring back an urgent report to council within one month giving recommendations regarding these issues.
  3. Council also conducts an immediate review of all relevant sporting ovals and premises within the Northern Beaches Local Government area regarding women's change room facilities and come back with a report to council within three months which also gives recommendations.
- 

## **BACKGROUND FROM COUNCILLORS PAT DALEY OAM, RORY AMON AND SUE HEINS**

Clearly women's facilities at Pittwater Rugby Park and other sporting ovals and premises on the Northern Beaches is not adequate. I understand that Council has been deliberating on this issue for some time however immediate action is now required.

Women's participation in rugby and other sports is growing every year and this needs to be encouraged. However women's facilities at sporting ovals on the Northern Beaches and for that matter other areas has not kept up with this participation.

In the vast majority of cases women's change room facilities at sporting grounds is grossly inadequate and governments at all levels need to put in place strategies which are going to rectify this totally unsatisfactory situation.

Information will be made available during debate which clearly shows the dramatic increase in women's participation in sport over the last ten years.

<b>ITEM 15.13</b>	<b>NOTICE OF MOTION NO 04/2020 - MOVIES AT LIONEL WATTS RESERVE</b>
<b>TRIM FILE REF</b>	<b>2020/074248</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Penny Philpott

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## **MOTION**

That Council investigate and report back within three months on the instigation in December/January 2020/21, of a program of summer time movies to be held outdoors, which will be freely open to the community. It is anticipated this would be ideally situated in community areas/sports fields; initially, and in particular, at Lionel Watts recreation area, Frenchs Forest.

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## **BACKGROUND FROM COUNCILLOR PENNY PHILPOTT**

Viewing movies in the outdoors on a summer evening is a perfect way for the community to interact and strengthen ties. It is recommended that the movies be categorised G - suitable for family viewing.

Initially, Lionel Watts recreation area in Frenchs Forest would be an ideal site.

The introduction of a family orientated movie program at Lionel Watts Recreation area would represent a very welcome and generous gesture by Council for the community, which largely comprises of young and growing families, and grandparents.

The development of the new playing field, children's all-abilities playground and new skate park at Lionel Watts, presents an ideal opportunity for further resident interaction, and in holiday time, a golden opportunity to bring the community together.

The need for community interaction is well illustrated by the number of residents who attend the annual Lion's club Christmas event each year at Lionel Watts. This is just one example of the popularity of such events and demonstrates the desire of residents to interact in their community.

For the open air movie program it is visualised the audience will be seated, picnic style on the grassed playing fields on the eastern end of the Lionel Watts. As a result, summer sporting activities will not be effected. The promotion should encourage the audience to BYO low chairs and/or picnic rugs.

With the completion of the Show Ground parking area by mid 2020, parking will not present a problem as ample parking will be available at the playing fields, the all abilities playground and the show ground.

The movie screen should be such that it is able to be moved out of the way, presenting no obstruction to scheduled sporting events.

While these events would present an opportunity for mobile food outlets, the audience should also be encouraged to bring their own picnics.

Events such as this have proven extremely popular in other Local Government areas and a summer-time outdoor movie program in Frenchs Forest presents an ideal opportunity for Council to give to the community and encourage unity.



<b>ITEM 15.15</b>	<b>NOTICE OF MOTION NO 06/2020 - INFRASTRUCTURE WITHIN MANLY DAM CATCHMENT</b>
<b>TRIM FILE REF</b>	<b>2020/097460</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Roslyn Harrison

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## **MOTION**

That:

1. The Chief Executive Officer writes to the NSW Department of Planning and Transport for NSW requesting the inclusion of appropriate Northern Beaches Council staff in the EIS development, and throughout the design and construction process for the Northern Beaches tunnel, should it proceed, to ensure the ongoing protection of the ecology of Manly Dam.
  2. The Chief Executive Officer writes to School's Infrastructure within the NSW Department of Education requesting:
    - A. Appropriate Northern Beaches Council staff are included throughout the design and construction process of any new school in the Manly Dam catchment to ensure the ongoing protection of the ecology of Manly Dam.
    - B. The old Spastic Centre of NSW be considered as a possible site for the relocation and construction of The Forest High School.
- 

## **BACKGROUND FROM COUNCILLOR ROSLYN HARRISON**

### **Northern Beaches Tunnel**

Although many trees and local flora and fauna were removed to build the Northern Beaches Hospital and extensive roadworks, Council played an important role in minimising environmental impact. It is pertinent then that Council, along with its local knowledge and understanding of the environment, play a key role in advising Transport for NSW and Department of Planning on the most appropriate way forward to protect the natural environment around the proposed build site. This role should to the Balgowlah and Seaforth components of the proposed Northern Beaches Tunnel.

### **Forest High School**

The Department of Education's Manly Vale Public School build has been devastating to the local natural environment, the local residents and to parts of the Manly Dam Catchment. Council does not want to see a repeat of this process, so being on any advisory committee may help to better understand the local area and guide the department in a more ecologically friendly way.

The old Spastic Centre site appears to be in an educational precinct surrounded by Sunnyfield and the Arranounbai School. It is currently rundown and unused. It is possibly already owned by the State Government, and any build would cause significantly less disturbance to the local area. Other "brown" sites might also be available outside the proposed Frenchs Forest Precinct that could support a high rise school.

The Frenchs Forest Precinct Plan was endorsed as an Health and Educational precinct. We must reflect on the loss of habitat from the hospital build and extensive roadworks, the ecological damage caused the build of Manly Vale Public School, and damage from recent storm and bushfire events. These impacts should be taken into consideration when investigating a new school build.

<b>ITEM 15.16</b>	<b>NOTICE OF MOTION NO 07/2020 - UNDERGROUND POWERLINES AND CABLES</b>
<b>TRIM FILE REF</b>	<b>2020/097541</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

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## **MOTION**

That Council resolves to:

1. Note:

- A. During and following the recent floods on the Northern Beaches and across the State thousands of residences have been without power for significant lengths of time occasioning great hardship and expense.
- B. As far back as 2002 the NSW IPART conducted an Inquiry into Electricity Undergrounding in New South Wales, which highlighted the quantifiable and unquantifiable benefits of undergrounding powerlines and cables:
  - i. Avoided costs associated with motor vehicle accidents
  - ii. Improved reliability of electricity supply
  - iii. Avoided maintenance cost
  - iv. Reduction in lost revenue to Distribution Network Service Providers
  - v. Improved public amenity
  - vi. Improved environment
  - vii. Improved public and workplace safety
  - viii. New opportunities
  - ix. Reduced health risks.
- C. The Federal Parliament's Inquiry in 1996/1997 found "In most Australian states, underground power delivery is compulsory in new, outer suburban subdivisions and this has had some impact in recent years. It is estimated that between 150 000 and 200 000 new homes are connected to underground power supplies each year throughout Australia, and over a number of decades this will result in a significant proportion of the national housing stock having underground connection".
- D. The undergrounding of powerlines involved significant expense, further delay increases the cost.

- E. The NSW IPART in 2002 concluded that in relation to funding “that a beneficiary pays approach is more appropriate, but that no single funding mechanism can ensure that all costs are set against the benefits in an equitable way and that market distortions are minimised the Tribunal recommends a mixed approach, with funding coming mostly from local rates or levies and partly from state contributions and the Distribution Network Service”.
2. Writes to the NSW Minister for Energy, The Hon Matt Kean MP, the Minister for Planning, The Hon Dr Rob Stokes MP and Minister for Local Government, The Hon Shellie Hancock MP:
- A. Calling for powerlines and cables to be undergrounded to improve reliability of electricity supply, public amenity, the environment, public and workplace safety, reduction in health risks and maintenance costs.
  - B. Requesting an update as to what, if anything, their respective Departments are currently doing to effect the undergrounding of powerlines and cables now and into the future in New South Wales.
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<b>ITEM 15.17</b>	<b>NOTICE OF MOTION NO 08/2020 - WAKEHURST PARKWAY AND MONA VALE ROAD</b>
<b>TRIM FILE REF</b>	<b>2020/097626</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

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## **MOTION**

That Council:

1. Notes:

- A. The recent floods again highlighted the serious dangers occasioned by the closure of Wakehurst Parkway and risks on Mona Vale Road in they being the main arterial roads from the former Pittwater Local Government area to the new Northern Beaches Hospital.
- B. During the campaign to Save Mona Vale Hospital, in response to concerns that residents would not be able to travel to Northern Beaches Hospital in an expeditious way, they were assured major works would be undertaken to overcome safety risks on Wakehurst Parkway as well as Mona Vale Road and that rescue helicopters could also be used.
- C. Helicopters have been unable to be used during the unprecedented poor air quality as a result of the bush fires and also during storms because of inclement weather.
- D. That Council and Transport NSW have contributed to a Feasibility Study for Wakehurst Parkway works.
- E. Works have commenced as part of the Mona Vale Road East Upgrades to increase Mona Vale Road from two lanes to four and that the Chief Executive Officer has recently written to the RMS highlighting the safety risks at lower Mona Vale Road.
- F. The efforts of Federal Member for Mackellar, Mr Jason Falinski MP with a Petition to widen and flood proof Wakehurst Parkway and his advice that he has spoken with the Federal Minister for Infrastructure, The Hon Alan Tudge MP who indicated funds may be available from the Urban Congestion fund to assist with the progression of works needed to Wakehurst Parkway.

2. Resolves to:

- A. Call upon the New South Wales and Federal Governments to allocate funding to urgently overcome safety risks and obstructions and commence works on Wakehurst Parkway and expedite works to Mona Vale Road in order to ensure residents can travel to the Northern Beaches Hospital in an expeditious way.
- B. Acknowledge the efforts of Mr Jason Falinski MP to address the safety risks of Wakehurst Parkway and ensure funding from the Federal Government.

- C. Request the Chief Executive Officer to write to the Premier of NSW, The Hon Gladys Berejiklian MP, the Minister for Roads and Transport, The Hon Andrew Constance MP and the Member for Pittwater, The Hon Dr Rob Stokes MP and the Member for Wakehurst, The Hon Brad Hazzard MP advising of this Resolution.
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<b>ITEM 15.18</b>	<b>NOTICE OF MOTION NO 09/2020 - SUPPORT FOR WIDENING AND FLOOD PROOFING WAKEHURST PARKWAY</b>
<b>TRIM FILE REF</b>	<b>2020/096304</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott

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## **MOTION**

That Council:

1. Recognises the poor safety record of head on accidents and frequent flooding of such a vital transport route for the Northern Beaches and supports Jason Falinski the federal Member for Mackellar in his request to widen the northern end of Wakehurst Parkway and flood proof it.
2. Writes to the federal Member for Mackellar showing Council's support in his request to widen the northern end of Wakehurst Parkway and flood proof it.
3. Writes to the state member Andrew Constance asking for a business case be done for such a project.
4. Seeks grant funding from state and federal funding to support council's role in the project.

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## **BACKGROUND FROM COUNCILLOR STUART SPROTT**

With two recent, and frequent head on accidents the widening and improving safety along the northern end of Wakehurst parkway should not be delayed any further. The narrow and winding road with high speed bends are dangerous and should be fixed.

We have also all seen the affects of heavy rain on Wakehurst Parkway and how quickly it can flood, cutting off a vital connection to the suburbs of the Northern Beaches.

This link between the suburbs of the north and critical infrastructure like the northern beaches hospital needs to be upgraded to safe guard and support our residents to the north.

<b>ITEM 15.19</b>	<b>NOTICE OF MOTION NO 10/2020 - TREE PLANTING FOR NEWBORNS</b>
<b>TRIM FILE REF</b>	<b>2020/095809</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Stuart Sprott

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## **MOTION**

That Council:

1. Writes to all families with new born babies born on the Northern Beaches offering a free tree to be planted in a ceremonial planting here on the beaches.
  2. Writes to the NSW Registry of Births Deaths & Marriages for information on newborns born in the area and report back to Council.
- 

## **BACKGROUND FROM COUNCILLOR STUART SPROTT**

Council currently offers a planting program and new tree for new Australians at the citizenship ceremony. I would like to expand this to new babies born here on the Northern Beaches so as they grow their tree grows with them, so they have a connection for life with the place they were born.

This works alongside our whole tree planting program and works with our 2040 plan.

This has be implemented in Europe and I believe we should roll out a similar program here in Australia.

I believe we would be the first council in Australia to offer such a program.

<https://www.euronews.com/2019/02/06/brussels-plans-to-plant-a-tree-for-every-child-born-within-the-city>

## **CHIEF EXECUTIVE OFFICER REPORT**

*In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:*

This motion if adopted can be implemented with existing funds.

**ITEM 15.20 NOTICE OF MOTION NO 11/2020 - WASTE COLLECTION SERVICE**

**TRIM FILE REF 2020/094257**

**ATTACHMENTS NIL**

Submitted by: Councillor Pat Daley OAM

**MOTION**

That Council:

1. Acknowledges that:
  - A. Council has just completed the biggest bin rollout in the Southern Hemisphere in an unprecedented exercise for an Australian Council.
  - B. Change to a waste collection service on this scale will inherently have teething issues for Council, Contractor and the community.
  - C. Significant improvements are being achieved by Council and our waste contractor, URM as this service is bedded down.
2. Thanks the community for their patience during this period of change.
3. Arranges a briefing to Councillors on the dashboard reporting systems developed for the new waste service to provide confidence that performance is being monitored for our community.

**BACKGROUND FROM COUNCILLOR PAT DALEY OAM**

Table 1: Comparative Trend Data provided to me by staff regarding this issue.

	% Service Enquiries (Jul-Aug)	% Service Enquiries (Sep – Jan)
Bin Type		
Red - general waste	0.69%	0.30%
Blue - paper	0.42%	0.31%
Yellow - containers	0.50%	0.23%
Green - vegetation	1.22%	0.25%
TOTAL	0.61%	0.28%

Note: The above figures relate to service enquires as a % of bins. A service enquiry could be a range of things from missed collections, to overloaded bins, to bins placed in the wrong location for collection, bins placed out after a truck has passed etc. The service enquiry % does not include the old bins still in service that URM are collecting at Council's request.

I understand that Council officers and our Contractor are working through these issues to further increase service levels for our community.

On this basis I would like to praise Council on the progress made to date and I look forward to further improvements being made.

## 16.0 NOTICES OF RESCISSION

<b>ITEM 16.1</b>	<b>NOTICE OF RESCISSION NO 4/2019 - PLANNING PROPOSAL - HERITAGE LISTING OF 21 WHISTLER STREET MANLY</b>
<b>TRIM FILE REF</b>	<b>2020/024988</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Notice of Rescission - Item 12.4 Planning Proposal Heritage Listing of 21 Whistler Street Manly</b> <b>2 <a href="#">↓</a> Ordinary Council Meeting - Item Number 12.4 - Planning Proposal - Heritage Listing of 21 Whistler Street, Manly</b>

Submitted by: Councillors Rory Amon, Vincent De Luca, Pat Daley

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### MOTION

That Council rescind resolution 439/19 – Item 12.4 Planning Proposal – Heritage Listing of 21 Whistler Street, Manly adopted at the Council meeting of 17 December 2019, being:

*That Council resolve to submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.*

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Submitted by: Councillors Rory Amon, Vincent De Luca and Pat Daley

### CHIEF EXECUTIVE OFFICER REPORT:

*In accordance with Council's Code of Meeting Practice Clause 4.14 I offer the following report on this matter to assist Council in the deliberation of this motion:*

Council officers and the land owner met in early January and agreed to engage an independent heritage expert to conduct a peer review of the documentation that has been prepared from both parties.

Stephen Davies from Urbis has been engaged to provide a peer review document incorporating the following:

- Independent assessment of significance of the place against the 7 criteria for assessing significance set down by the NSW Heritage Council.
- Advice regarding whether the place meets the threshold for listing as an item of local heritage significance.
- Advice regarding the option for Council to continue with the proposal to list the item in the Manly LEP or not.

Due to delays in the parties agreeing to the final terms of the consultant brief, the fee proposal was not accepted until 13 February. This means that the peer review will not be completed prior to the February Council meeting, but it is expected that a report will be prepared prior to the March Council meeting.





To: The Chief Executive Officer  
Northern Beaches Council

### Notice of Motion to Rescind or Alter a Resolution

in accordance with s372(1) of the Local Government Act, 1993.

Passed By Council on 17/12/19

We give notice of the following motion to rescind or alter a resolution of Council:

"That Council's resolution relating to Item No 12-4, point/s All  
adopted at the Council Meeting held on 17/12/19 be rescinded".

### Notice of Replacement Motion

in accordance with clauses 18.3 to 18.14 of the Northern Beaches Council Code of Meeting Practice.

Should the motion to rescind or alter a resolution be adopted we give notice that it is our intention to move the following motion:

Nil

<u>Rory Amon</u> Name of Councillor	<u>[Signature]</u> Signature of Councillor	<u>17/12/19</u> Date
<u>Vincent De Luca</u> Name of Councillor	<u>[Signature]</u> Signature of Councillor	<u>17/12/19</u> Date
<u>Pat Daley</u> Name of Councillor	<u>[Signature]</u> Signature of Councillor	<u>17/12/19</u> Date

TRIM: 2017/338901

<b>ITEM 12.4</b>	<b>PLANNING PROPOSAL - HERITAGE LISTING OF 21 WHISTLER STREET, MANLY</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC &amp; PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2019/670954</b>
<b>ATTACHMENTS</b>	<b>1 Planning Proposal - 21 Whistler Street, Manly (Included In Attachments Booklet)</b> <b>2 Heritage Report on 21 Whistler Street Manly (Included In Attachments Booklet)</b>

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## SUMMARY

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### PURPOSE

To report the assessment of a Planning Proposal to list 21 Whistler Street, Manly as a heritage item under Manly LEP 2013 and to seek a resolution to submit the proposal for a Gateway Determination.

### EXECUTIVE SUMMARY

Development Application 2019/1669 (DA2019/1669) was lodged with Council on 11 October 2018. The application sought consent for the demolition of the existing building on 21 Whistler Street, Manly and the construction of a shop top housing development. The development application was referred to Council's Heritage Advisor for comment due its proximity to a number heritage items in the vicinity. During the assessment of the development application the property was identified as being of potential heritage significance due to its association with Thomas Rowe, a celebrated architect and the first Mayor of Manly Council.

Council commissioned an independent heritage consultant to assess the significance of the property. The assessment found that the property met four criteria for a heritage listing and recommended that Council proceed to place an Interim Heritage Order (IHO) on the property. Council resolved at its meeting of 24 September 2019 to place an IHO on the property which was published in the Government Gazette on 27 September 2019. Subsequently on 16 October 2019, the Northern Beaches Local Planning Panel determined the subject development application by way of refusal, in which the IHO was one of the reasons stated for refusal.

In accordance with the terms of the IHO, Council now has six months to resolve to list the property as an item of heritage under Schedule 5 of Manly Local Environmental Plan 2013. To list the property as a local heritage item requires the preparation, adoption and gazettal of a Planning Proposal to amend Schedule 5 Environmental Heritage and the Heritage Map of Manly Local Environmental Plan 2013. A Planning Proposal (Attachment 1) to achieve this outcome has been prepared.

The Northern Beaches Local Planning Panel (LPP) considered the subject Planning Proposal at its meeting on 9 December 2019. The applicant's representative provided information to the LPP and the LPP deferred consideration of the matter to allow Council's Heritage Consultant to review the information provided by the applicant at the LPP meeting. The LPP are expected to provide their recommendation by Tuesday 17 December 2019 and the advice of the LPP will be provided to Councillors prior to the Council meeting.

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### RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council resolve to submit the attached Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.

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**REPORT**

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**BACKGROUND**

A Planning Proposal (Attachment 1) has been prepared by Northern Beaches Council (the 'Applicant') to list the subject site at 21 Whistler Street Manly, as an item of local heritage in Schedule 5 of Manly Local Environmental Plan 2013.

The site is located close to the southwest corner of the intersection between Whistler Street and Raglan Street. The site is zoned B2 Local Centre, and is situated in close proximity to the Manly Town Centre, Manly Oval and Manly Beach.

To the east of the property at 34 Whistler Street is the State heritage listed 'Electricity substation No 15009', which is listed as item I255 in Schedule 5 of Manly Local Environmental Plan 2013, in addition to it being listed on the State Heritage Register.

The site is approximately 278 square metres in area and is currently occupied by a modified late 19<sup>th</sup> century single storey building with a two storey mid 20<sup>th</sup> century addition on its northern extent. The building encompasses two dwellings, a lock-up garage and an interior garden. The building is well-maintained and has identified heritage value.



Figure: 1 Aerial Image - Subject property marked by red cross hatching



Development Application (DA2019/1669) was lodged with Council on 11 October 2018. The application sought consent for the demolition of the existing building on 21 Whistler Street, Manly and the construction of a shop top housing development. The development application was referred to Council's Heritage Advisor for comment due its proximity to a number heritage items within the vicinity, the closest being the State Heritage listed electricity substation at 34 Whistler Street, Manly.

During the assessment of this development application, the property was identified as being of potential heritage significance due to its association with Thomas Rowe, a celebrated architect and the first Mayor of Manly Council. While the development application did provide a Heritage Impact Statement noting this connection, it considered the building and the connection to be of low significance and not worthy of retention and protection. It recommended a photographic archival recording and the development of an interpretation strategy. Council's heritage advisor after reviewing the relevant information established that the building was of significance due to the link and should be retained and protected.

Given the discrepancy between the Heritage Impact Statement and Council assessment of the level of heritage significance, a heritage consultant (Full Circle Heritage) was engaged to undertake an independent assessment in April 2019 and provided a report (Attachment 3).

The results of the assessment indicated that based on the material available, the building could meet the threshold for inclusion in the Manly Local Environmental Plan 2013 as an item of local heritage significance. The assessment found that 21 Whistler Street, Manly contained the remains of the former service wing of a much larger dwelling called 'Roseville' that Rowe himself designed and constructed in 1876/7. Rowe owned the property for a number of years and resided there for a period while serving as the first Mayor of Manly Council. The assessment concluded with the recommendation to undertake additional research and assessment to obtain a greater understanding of the heritage significance of the building, including an assessment against the NSW Heritage Office's guidelines and criteria for heritage listing. Based on the recommendation Council engaged a heritage consultant to undertake the additional research and assessment.

Robertson and Hindmarsh Architects (RHA) were engaged in June 2019 to undertake the additional research. RHA concurred with the findings of Full Circle Heritage, that the property contained the remnants of the service wing of 'Roseville' and further expanded on that research. The assessment indicated that the property was a rare example of a Rowe building in Manly and furthermore the survival of the service wing demonstrated Rowe's philosophy and approach to sanitation and public health in building design.

In summary, the consultant found that the property met four criteria of the NSW Heritage Office's criteria for a heritage listing being:

- Historical significance as it shows evidence of a significant human activity and is associated with a historical phase being the development of Manly.
- Associative significance due to its links to Thomas Rowe, a celebrated architect and the first Mayor of Manly.
- Technical significance due its evidence of Thomas Rowe's approach to sanitation and health in building design.
- Rarity as the only remaining large service outbuilding in the Manly town centre from the 19<sup>th</sup> Century period.

Further information on how the property meets the established criteria can be found in RHA's report, which is attached to the Planning Proposal.

In addition, RHA also recommended that Council proceed to place an Interim Heritage Order (IHO) on the property. Council resolved at its meeting of 24 September 2019 to place an IHO on the property, which was published in the Government Gazette on the 27 September 2019. Subsequently on 16 October 2019, the Northern Beaches Local Planning Panel determined DA2019/1669 for the property by way of refusal. The heritage significance of the property and the IHO formed one of the reasons stated for refusal.

In accordance with the terms of the IHO, Council now has six months to decide whether to list the property as an item of heritage in the Manly Local Environmental Plan 2013 or not. To list the item requires the preparation, adoption and gazettal of a Planning Proposal to amend the Manly Local Environmental Plan 2013. This Planning Proposal aims to achieve this outcome.

A report was presented to the Northern Beaches Local Planning Panel at its meeting of 9 December 2019 for advice. The applicant at the meeting provided the panel with additional information. The resolution of the Northern Beaches Local Planning Panel was as follows:

*“The Northern Beaches Local Planning Panel defers advising the Council until the panel receives an assessment by Council’s Heritage Consultant concerning documents provided by the applicant today which the applicant contended does not warrant the item being listed as a heritage item”.*

It is expected that the LPP will provide their advice to Council on the Planning Proposal prior to the matter being considered by Council on 17 December 2019. The advice of the LPP will be circulated to Councillors prior to the Council meeting.



Figure 2: Street view of 21 Whistler Street (Robertson & Hindmarsh Pty Ltd, 1 July 2019)

## CONSULTATION

Should the proposal receive a Gateway Determination to proceed, the Planning Proposal will be placed on statutory exhibition. The proposal will be on exhibition for a minimum of 28 days, or as directed by the Gateway Determination.

Should the Planning Proposal proceed to exhibition, consultation will be undertaken as follows:

- A public notice in the Manly Daily notifying of the public exhibition and exhibition period.
- Notification to affected and adjoining land owners.
- Notification to the NSW Heritage Office.
- Electronic copies of the exhibition material placed on Council's website.
- Printed copy of the Planning Proposal placed in Manly Customer Service Centre.

Should the Determination require consultation with State government agencies, they will be notified of the proposal and given the opportunity to provide a response.

## TIMING

Task	Anticipated timeframe
Submission to DPIE for Gateway Determination	February 2020
Gateway Determination	April 2020
Government agency consultation (if required)	May 2020
Commencement of public exhibition	June 2020
Completion of public exhibition	July 2020
Consideration of submissions	July 2020
Consideration of a proposal post-exhibition	August 2020
Date of submission to the Department to finalise the LEP	August 2020
Forwarding of the plan to the PCO for publication	September 2020
Gazettal of LEP Amendment	October 2020

## LINK TO COUNCIL STRATEGY

The Planning Proposal aligns with the following Goal 12: Our community is friendly and supportive part (d) Values and celebrates our diverse heritage and cultural differences of the Northern Beaches Community Strategic Plan 2018-2028.

## FINANCIAL CONSIDERATIONS

The Planning Proposal will be prepared within the existing Strategic and Place Planning budget.

## SOCIAL CONSIDERATIONS

Protection of the built heritage of the Northern Beaches has significant positive social impacts for the broader community. It provides opportunities for significant items from our history to be protected and preserved for future generations to enjoy and provides a valuable physical link to our past. This Planning Proposal therefore will have a positive social impact.

## **ENVIRONMENTAL CONSIDERATIONS**

It is not considered that there will be any significant impact on the natural environment as a result of this Planning Proposal.

## **GOVERNANCE AND RISK CONSIDERATIONS**

The heritage listing of the property is unlikely to generate significant additional risk.



## 17.0 QUESTIONS WITH NOTICE

<b>ITEM 17.1</b>	<b>QUESTION WITH NOTICE NO 04/2020 - RISK ASSESSMENT OF TREES AND BUSHES ON THE NORTHERN BEACHES</b>
<b>TRIM FILE REF</b>	<b>2020/096853</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### QUESTION

1. When was the last time Council undertook a Risk Assessment as to trees and bushland in the Council area (or former Council areas), particularly in relation to the risk of fire or trees and their branches falling during storms?
2. How regularly does Council:
  - A. What are the main areas in the last 12 months where Council has cleared noxious weeds, dead trees and branches?
  - B. What are the main areas in the last 12 months where Council has cleared drains and stormwater drains?
3. In the last 12 months, how many:
  - A. Development applications have been lodged to remove trees/bushes on private land?
  - B. Of those development applications in (a) how many were approved and how many refused?
  - C. Requests have been received from the public for Council to remove trees and/or bushes on public land?
  - D. Requests from the public in (c) were acceded to and carried out by Council?
  - E. In the last 12 months, how many requests have been received by Council to prune or remove trees following Ausgrid or any other Network Service Distribution provider trimming trees or bushes?
4. Following Ausgrid or any other Network Service Distribution provider pruning a tree on a nature strip/public land, that company liable for any damage should the tree or branches fall or is Council?
5. Is Council or Ausgrid/Network Service Distribution provider responsible for pruning the rest of a tree if it becomes unstable following original pruning by Ausgrid/Network Service



## 18.0 RESPONSES TO QUESTIONS WITH NOTICE

### ITEM 18.1 RESPONSE TO QUESTION WITH NOTICE NO 23/2019 - COLLECTION OF BINS

TRIM FILE REF 2019/712981

ATTACHMENTS NIL

Submitted by: Councillor Vincent De Luca OAM

#### QUESTION

1. Since the revelation at the Council meeting of 27 August 2019 that there had been 6,747 of old bins not having been removed, how many further complaints have been received since that last report?
2. How many complaints/reports of non-collection of bins have been received by Council since the report of the 9,466 missed collections since that last report?

#### RESPONSE

1. The total number of requests for removal of old bins for the period 10 August 2019 to 5 February 2020 was 2,646.
2. The following table details the total number of reports received for missed services for each bin type for the period from 10 August 2019 to 4 February 2020.

	Total number of missed service enquiries/reports by waste type 10/08/2019 to 04/02/2020	Total number of bins by waste type 10/08/2019 to 04/02/2020	% of missed service enquiries/reports by service type during period 10/08/2019 to 04/02/2020
Bin Type:			
Red - general waste	6,184	2,059,150	0.30%
Blue - paper	3,177	1,036,938	0.31%
Yellow - containers	2,191	950,188	0.23%
Green - vegetation	2,870	1,154,988	0.25%
<b>TOTAL</b>	<b>14,422</b>	<b>5,201,263</b>	<b>0.28%</b>

Note: The above figures relate to service enquires/reports as a % of bins. A service enquiry or report could be a range of things from missed collections, to overloaded bins, to bins placed in the wrong location for collection, bins placed out after a truck has passed etc. The service enquiry % does not include the old bins still in service that URM are collecting at Council's request.

<b>ITEM 18.2</b>	<b>RESPONSE TO QUESTION WITH NOTICE NO 24/2019 - STAFFING EXPENDITURE SINCE AMALGAMATION</b>
<b>TRIM FILE REF</b>	<b>2019/713061</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Vincent De Luca OAM

### **QUESTION**

Since the amalgamation:

1. How many staff have been made redundant?
2. What is the total expenditure on redundancies to date?
3. How many new staff positions have been created since amalgamation?
4. What is the total amount of expenditure (including employee on costs) of these new positions to date?

### **RESPONSE**

1. How many staff have been made redundant?  
69
2. What is the total expenditure on redundancies to date?  
\$6.985m
3. How many new staff positions have been created since amalgamation?  
The net movement of staffing numbers since the date of the merge and the end of January 2020 is -87. This is a reliable indication of the overall staffing strength over that period. The data related to the new positions created over this period is unreliable. The maintenance of three different role classification systems, merging of records, variations in position titles, introduction of new Northern Beaches Council position numbers and multiple organisational shifts and restructures.
4. What is the total amount of expenditure (including employee on costs) of these new positions to date?  
Direct expenditure associated with new positions only for this period is unavailable (refer question above). An estimate savings with respect to the -87 staff is \$8.7m based on the rule of thumb used in the merger analysis of \$100,000 per employee.

**ITEM 18.3   RESPONSE TO QUESTION WITH NOTICE NO 25/2019 - URM CONTRACT**

**TRIM FILE REF   2019/713332**

**ATTACHMENTS                                        NIL**

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

1. Does the contract have Key Performance Indicators and Service expectation provisions and if so, what are these?
2. On what grounds, and in accordance with what provisions of the Contract, can the Contract be terminated?
3. Has Council made any formal complaints to URM as to its performance to date, if so, on what dates and in what regard?

**RESPONSE**

1. Does the contract have Key Performance Indicators and Service expectation provisions and if so, what are these?

Yes. The general service requirements and resolution timeframes apply to the provision of the waste service include the following:

Requirement	Resolution Timeframe
Missed or partial service (all services)	Within 24 hours of Contractor receipt of request, including weekends and public holidays
Replace or Repair MGB	Next scheduled service day after Contractor receipt of request
Supply new MGB to service site	Next scheduled service day after Contractor receipt of request
On call service of Bulk Bins	Within 2 week days (Monday – Friday) of Contractor receipt of request
Cleanup of spilled material	Within 4 hours of Contractor receipt of request
Perform unscheduled service	Within 24 hours of Contractor receipt of request
Allegations of damage to property or vehicles	- Commence investigation and initial contact with 3 <sup>rd</sup> party within 4 hours of contractor receipt of request. - Initiate action within 24 hours - Notify Council of outcome or update within 2 weeks until completed.

There are a range of other key performance indicators and service expectations woven throughout the contract. They need to be read in the context of the overall contract in order to be properly interpreted, and therefore cannot be summarised readily. However, Councillors are welcome to view a full copy of the contract at any time.

2. On what grounds, and in accordance with what provisions of the Contract, can the Contract be terminated?

The decision to move to termination would depend on the facts and circumstances at the time, and again need to be read in the context of the overall contract, including Council's responsibilities under the contract. Councillors are able to view a copy of the contract at any time.

3. Has Council made any formal complaints to URM as to its performance to date, if so, on what dates and in what regard?

No formal complaints in relation to breaches of this contract have been made. However, Council has fortnightly contract meetings with URM in which contract performance issues are discussed including working on improvements to the delivery of the service.

<b>ITEM 18.4</b>	<b>RESPONSE TO QUESTION TAKEN ON NOTICE NO 11/2019 - CODE OF CONDUCT COMPLAINT STATISTICS</b>
<b>TRIM FILE REF</b>	<b>2020/094806</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Taken on notice at the Council meeting on 17 December 2019 from Councillor Rory Amon.

**QUESTION**

Provide the Code of Conduct Complaint Statistics for the period 1 September 2017 to 31 August 2018.

**RESPONSE**

Model Code of Conduct Complaints Statistics Northern Beaches Council	
<b>Number of Complaints</b>	
1 a The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	6
b The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	5
<b>Overview of Complaints and Cost</b>	
2 a The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	0
b The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	0
c The number of code of conduct complaints <b>referred to a conduct reviewer</b>	4
d The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	1
e The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
f The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	1



g	The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>	0
h	The number of finalised complaints investigated where there was found to be <b>no breach</b>	0
i	The number of finalised complaints investigated where there was found to be <b>a breach</b>	1
j	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police	1
k	The number of complaints being investigated that are <b>not yet finalised</b>	1
l	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	37,418

### Preliminary Assessment Statistics

3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a	To take no action	1
b	To resolve the complaint by alternative and appropriate strategies	1
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
e	To investigate the matter	0
f	To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0

## Investigation Statistics

4	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:	
a	That the council revise its policies or procedures	0
b	That a person or persons undertake training or other education	0
5	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:	
a	That the council revise any of its policies or procedures	0
b	That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	1
c	That the subject person be counselled for their conduct	1
d	That the subject person apologise to any person or organisation affected by the breach	0
e	That findings of inappropriate conduct be made public	0
f	In the case of a breach by the GM, that action be taken under the GM's contract for the breach	0
g	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	0
h	In the case of a breach by a councillor, that the matter be referred to the Office for further action	0
6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	0

### Categories of misconduct

7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	1
b	Conflict of interest (Part 4)	0
c	Personal benefit (Part 5)	0
d	Relationship between council officials (Part 6)	0
e	Access to information and resources (Part 7)	0

### Outcome of determinations

8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

## 19.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

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### RECOMMENDATION

That:

A. In accordance with the requirements of Section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- a. Item 19.1 RFT 2019/001 - Services for Pavement Cleaning on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning a competitive Tender for Services for Pavement Cleaning. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice the commercial position of the person who supplied it.

- b. Item 19.2 RFT 2020/005 - Installation of a Solar Photovoltaic System at Manly Andrew 'Boy' Charlton Aquatic Centre on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning the installation of a solar system on a Council facility. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice the commercial position of tenderers.

- c. Item 19.3 RFT 2019/271 - East Esplanade Reserve Amenities on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning LM Graham Reserve Sports Amenities. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would impact the competitive tender process for future projects.

- d. Item 19.4 RFT 2019/164 - Gutter and Roof Inspection, Cleaning, Condition Reporting and Minor Repair on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning Gutter and Roof Inspection, Cleaning, Condition Reporting and minor repairs. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice the commercial position of the organisation who supplied it.

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- e. Item 19.5 RFT 2019/204 - Effluent Removal Services on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning effluent removal services. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice the commercial position of the organisation who supplied it.

- f. Item 19.6 RFT 2020/011 - Commercial Building Upgrade and Office Fit Out Works at 52 Raglan Street Manly on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses details of tender submissions and the disclosure of this matter in open meeting would, on balance be contrary to the public interest in maintaining openness and transparency in council decision making because the disclosure of this information would prejudice the commercial position of the person who supplied it.

- B. The resolutions made by the Council in closed session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

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## 20.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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In accordance with Part 15 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.

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