



PITTWATER COUNCIL

# Agenda

## Council Meeting

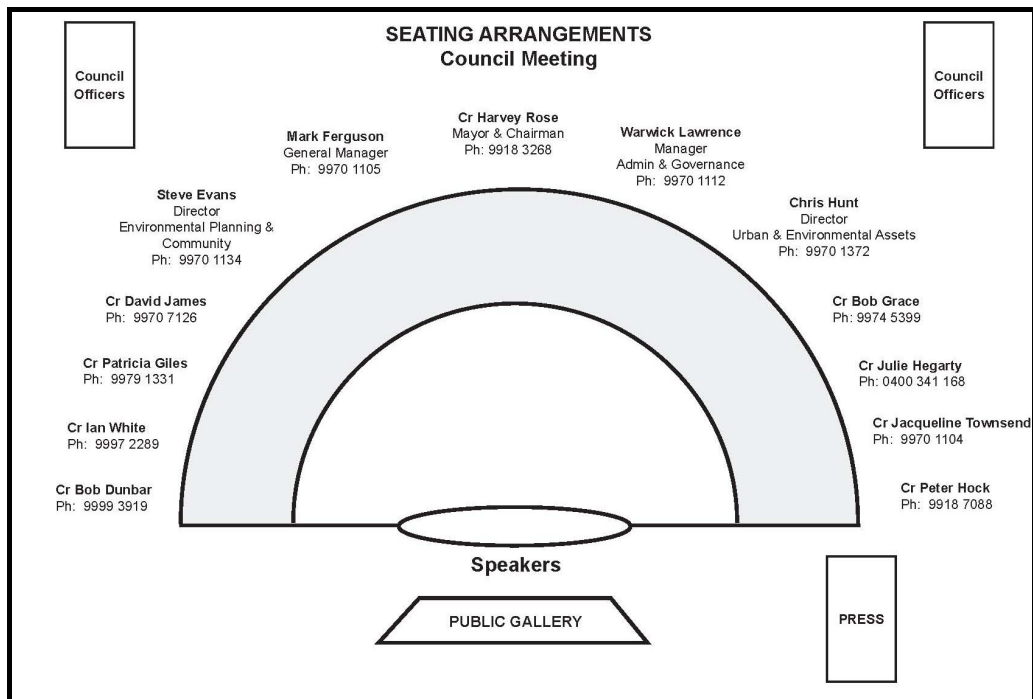
Notice is hereby given that a Council Meeting of Pittwater Council will be held at Mona Vale Memorial Hall on

***1 March 2010***

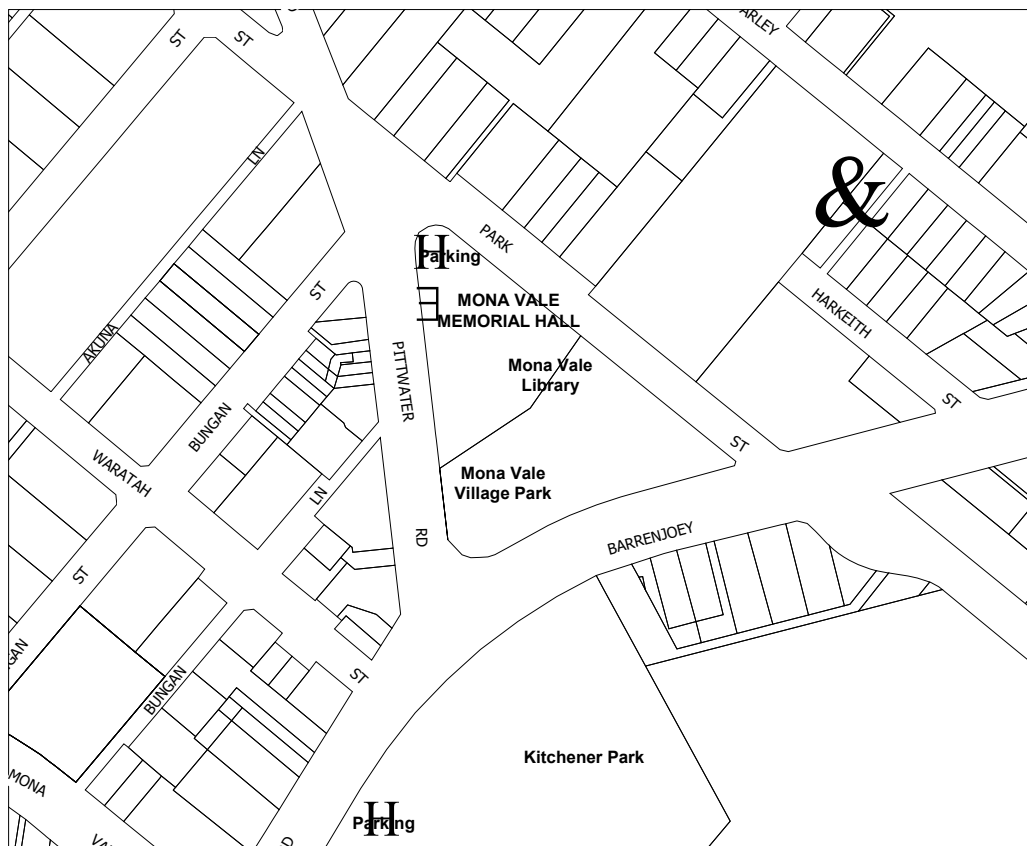
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

Mark Ferguson  
**GENERAL MANAGER**

## Seating Arrangements



## Meeting Location



All Pittwater Council's Agenda and Minutes are available on the Pittwater website at [www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au)

# Council Meeting

## Acknowledgement of Country

Pittwater Council honours and respects the spirits of the Guringai people.  
Council acknowledges their traditional custodianship of the Pittwater area

## TABLE OF CONTENTS

Item No	Item	Page No
	<b>Council Meeting</b>	<b>5</b>
1.0	<b>Apologies</b>	<b>5</b>
2.0	<b>Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts.</b>	<b>5</b>
3.0	<b>Confirmation of Minutes</b>	<b>6</b>
4.0	<b>Business by Exception (All items on the Agenda)</b>	<b>6</b>
5.0	<b>Public Addresses</b>	<b>7</b>
6.0	<b>Mayoral Minutes</b>	<b>7</b>
C6.1	Mayoral Minute - Freedom of the City	8
7.0	<b>Council Meeting Business</b>	<b>10</b>
C7.1	Report on National Climate Change Forum on Adaptation Priorities for Australia's Coast held at Adelaide 18-19 February 2010 and attended by Councillor David James	11
	<b>Community, Recreation and Economic Development Committee</b>	<b>18</b>
8.0	<b>Community, Recreation and Economic Development Committee Business</b>	<b>18</b>
C8.1	Policy Review – Liquor Licence Applications	19
C8.2	Governor Phillip Park Playground Masterplan	34
C8.3	Capital Improvements – Careel Bay Tennis Club	41
C8.4	Amendment to Policy 163 – Banners on Public Land	46

<b>Item No</b>	<b>Item</b>	<b>Page No</b>
	<b>Natural Environment Committee</b>	<b>52</b>
<b>9.0</b>	<b>Natural Environment Committee Business</b>	<b>52</b>
	<b>Council Meeting</b>	<b>53</b>
<b>10.0</b>	<b>Adoption of Community, Recreation and Economic Development Committee Recommendations</b>	<b>53</b>
<b>11.0</b>	<b>Councillor Questions</b>	<b>53</b>
<b>12.0</b>	<b>Response to Councillor Questions Taken on Notice at Previous Meetings</b>	<b>53</b>

**The Senior Management Team  
has approved the inclusion of  
all reports in this agenda.**

# Council Meeting

## 1.0 Apologies

Apologies must be received and accepted from absent Members and leave of absence from the Council Meeting must be granted.

## 2.0 Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts.

**Councillors are advised of the following definitions of a "pecuniary" or "conflict" of interest for their assistance:**

\* Section 442 of the Local Government Act, 1993 states that a "pecuniary" interest is as follows:

*"(1) [Pecuniary interest] A Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.*

*(2) [Remoteness] A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter."*

**Councillors should reference the Local Government Act, 1993 for detailed provisions relating to pecuniary interests.**

\* Council's Code of Conduct states that a "conflict of interest" exists when you could be influenced, or a reasonable person would perceive that you could be influenced by a personal interest when carrying out your public duty.

**Councillors are also reminded of their responsibility to declare any Political donation or Gift in relation to the Local Government & Planning Legislation Amendment (Political Donations) Act 2008.**

\* A reportable political donation is a donation of:

- \$1,000 or more made to or for the benefit of the party, elected member, group or candidate; or
- \$1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor; or
- Less than \$1,000 if the aggregated total of the donations made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is \$1,000 or more.

### **3.0 Confirmation of Minutes**

“Councillors are advised that when the confirmation of minutes is being considered, the only question that can arise is whether they faithfully record the proceedings at the meeting referred to. A member of a council who votes for the confirmation of the minutes does not thereby make himself a party to the resolutions recorded: **Re Lands Allotment Co (1894) 1 Ch 616, 63 LJ Ch 291.**”

Minutes of the Council Meeting held on 15 February 2010.

### **4.0 Business by Exception (All items on the Agenda)**

Items that are dealt with by exception are items where the recommendations contained in the reports in the Agenda are adopted without discussion.

## 5.0 Public Addresses

### Statement of Respect

Pittwater Council promotes and strives to achieve a climate of respect for all and endeavours to inspire in our community shared civic pride by valuing and protecting our unique environment, both natural and built, for current and future generations.

The following guidelines apply to any person addressing a Council / Committee meeting in relation to an item on the Council / Committee meeting agenda:

1. *A member of the public may be granted leave to address a meeting of Council or a Committee, where such a request is received by the General Manager no later than 3.00pm on the day of the meeting. This is subject to:*
  - (a) *A maximum of up to four speakers may address on any one item, with a maximum of two speakers in support of the recommendation in the report, and two speakers in opposition.*
  - (b) *A limitation of three minutes is allowed for any one speaker, with no extensions.*
  - (c) *An objector/s to a development application is to speak first with the applicant always being given the right to reply.*

*Exceptions to these requirements may apply where:*

- (a) *The Meeting specifically requests that a person be interviewed at a meeting.*
  - (b) *The Meeting resolves that a person be heard at the meeting without having given prior notice to the General Manager*
2. *Once a public/resident speaker has completed their submission and responded to any Councillor questions, they are to return to their seat in the public gallery prior to the formal debate commencing.*
3. *No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their address will be immediately terminated by the Chair of the meeting.*
4. *Council's general meeting procedures apply to Public Addresses, in particular, no insults or inferences of improper behaviour in relation to any other person is permitted.*
5. *Residents are not permitted to use Council's audio visual or computer equipment as part of their address. However, photographs, documents etc may be circulated to Councillors as part of their address.*

## 6.0 Mayoral Minutes

## **C6.1 Mayoral Minute - Freedom of the City**

**Meeting:** Council Meeting

**Date:** 1 March 2010

---

### **MAYORAL MINUTE**

---

#### **BACKGROUND**

The Council has received a request from the Avalon RSL Club to grant Freedom of Entry to the combined Army, Navy and Air Force Cadets drawn from an area from Canberra to Newcastle and including the cadet corps representing Pittwater.

The practice of conferring Freedom of Entry to military units dates back to the Middle Ages, when local government consisted in Europe of powerful fiefdoms or townships controlled by wealthy aristocrats or landowners. The privilege of Freedom of Entry was granted as a means of securing support for the governing ruler from the military, while at the same time allowing peaceful trading between military units and civilians in a town or city. It was also a means of curbing potential unruly behaviour by the armed forces while they were on leave.

Nowadays the granting of the privilege of Freedom of Entry is the ceremonial recognition of the confidence, trust and friendship existing between a local area and its military personnel. In the case of this request, it would signal recognition by the people of Pittwater of the strong local tradition of providing cadets for the three branches of the armed forces.

Pittwater's cadets have a long and distinguished record of service to the local area. They regularly provide catafalque parties at Anzac Day services, have appeared at various public events such as the Avalon Tattoo and participate in service to the community such as cleaning public buildings. Membership of the cadets also builds young people's interest in and commitment to the armed forces; many air force, army and navy personnel are drawn from the ranks of the cadets.

The granting of Freedom of Entry to the cadets would coincide with this year's Avalon Tattoo, which will take place at Dunbar Park Avalon on Saturday 19 June. This community event, sponsored by the Avalon RSL Club, started in 2007 as a Cadet and Reserve Expo to encourage young residents to join the cadets. Since then the event has continued to grow, with last year's event showcasing local school bands and Scottish dancers. This year's Tattoo will include displays by the various branches of the armed forces, equipment demonstrations, a fly-past by the Navy and performances by various bands, including the Police Concert Band and the NSW Fire Band. The Tattoo will be a day-long event, beginning at 9am and concluding with a Ceremonial Sunset led by a lone piper.

The Freedom of Entry would consist of a march-past at an agreed time by the combined cadet corps, anticipated to be around 400 young people. The suggested route would be the same as the Anzac Day march in Avalon, commencing at Avalon Primary and concluding at the War Memorial outside the Avalon RSL Club.



There are some ceremonial requirements to be observed, namely the exchange of a ceremonial scroll from the Mayor to the commander-in-chief of the cadet corps, presented at a formal parade where the Mayor inspects the assembled cadets. There is also a ceremonial challenge conducted by the police, at which the scroll will be produced and the Freedom of Entry granted. Following the ceremony and inspection of the parade, it is customary for refreshments to be served to the assembled troops, usually in the form of a BBQ.

There are some cost and logistical implications for Council, namely the requirement to close roads at the appointed time and production of a ceremonial scroll. However these are anticipated to be relatively minor when compared with the goodwill and interest that will be generated within the community by participating in this event.

---

### ***Motion***

That Council grant to the three local cadet units (TS CONDAMINE, 201 ACU and 305 SQN AAFC) the right of Freedom of Entry to the Pittwater Local Government Area.

Cr Harvey Rose  
**MAYOR**

## **7.0 Council Meeting Business**

## **C7.1 Report on National Climate Change Forum on Adaptation Priorities for Australia's Coast held at Adelaide 18-19 February 2010 and attended by Councillor David James**

**Meeting:** Council

**Date:** 1 March 2010

---

**STRATEGY:** Business Management

**ACTION:** To report on Councillor attendance at the National Climate Change Forum on adaptation Priorities for Australia's Coast

---

### **PURPOSE OF REPORT**

To advise Council of Councillor James' report following his attendance at the National Climate Change Forum on Adaptation Priorities for Australia's Coast.

### **1.0 BACKGROUND**

- 1.1 Council's Policy No 145 – Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors - provides that:

*'Conference Reporting:*

*Following attendance at a Conference authorised under this Policy, the relevant Councillor/s is required to submit a report of approximately one page in length to the community via the Council's Agenda papers on the outcomes of the Conference, with particular emphasis as to any outcomes affecting Pittwater.'*

- 1.2 Councillor James' Report (Attachment 1) and the Forum Program (Attachment 2) are attached for Council information.

### **2.0 ISSUES**

- 2.1 Reporting on attendance at conferences.

---

### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Supporting & Connecting our Community (Social)**

- 3.1.1 The report will have no impact on this Strategy

#### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

- 3.2.1 The report will have no impact on this Strategy

### **3.3 Enhancing our Working & Learning (Economic)**

3.3.1 The report will have no impact on this Strategy

### **3.4 Leading an Effective & Collaborative Council (Governance)**

3.4.1 This report is in response to Council's Policy 145 – Policy for the Payment of expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors – Conference Reporting

### **3.5 Integrating our Built Environment (Infrastructure)**

3.5.1 The report will have no impact on this Strategy

---

## **4.0 EXECUTIVE SUMMARY**

4.1 Council's Policy No 145 - Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors - provides that following attendance at a Conference authorised under this Policy the relevant Councillor/s is required to submit a report of approximately one page in length to the community via the Council's Agenda papers on the outcomes of the Conference, with particular emphasis as to any outcomes affecting Pittwater.'

Councillor James' report following his attendance at the National Climate Change Forum on Adaptation Priorities for Australia's Coast is attached for Council's information.

---

## **RECOMMENDATION**

That Councillor James' report on the National Climate Change Forum on Adaptation Priorities for Australia's Coast be noted.

Report prepared by

Warwick Lawrence

**MANAGER, ADMINISTRATION & GOVERNANCE**

**Report of the National Climate Change Forum on Adaptation Priorities for Australia's Coast, held at Adelaide 18-19 Feb, 2010 - by Councillor David James.**

The stated objective of the Forum was "to provide an opportunity to engage with key decision-makers to consider national adaptation priorities that will help coastal communities prepare for climate change impacts".

From Local Government, Port Stephens, Pittwater and Warringah Councils, NSW were selected to attend by invitation of the Federal Department of Climate Change, along with other Mayors from City of Gold Coast, Qld; City of Mandurah and Bunbury and Busselton Councils, Western Australia and the hosts, City of Adelaide. The bulk of the other attendees were indeed, key decision-makers from all levels of government.

The forum was addressed at its opening by the Hon. Penny Wong, Minister for Climate Change and Water, who said, inter alia, "The challenge for our coasts is too big for local government or even state governments to handle on their own.....What is needed is a commitment to a 3 way partnership from all levels of government, to set the right conditions for all to cope. Climate Change is with us here and now... in our own lives and businesses we take out insurance, should we not be equally committed to insure our nation. Our task is to reduce the risk for future generations".

Professor Will Steffen executive director of the Climate Change Institute ANU, said that "inter-annual climate variability is natural but the inter-decadal trend is clear. Latest information (2009) shows warming is accelerating and ocean heat is rising slowly, Sea Ice loss is faster than expected and Greenland ice mass loss is faster than previously thought by Working Group 1 of the 2007 IPCC. Projections for future Sea Level Rise had not so far paid much attention to dynamic (as opposed to static) loss of ice, but 2009 information from the German Advisory Council on thermal inertia and the work of Vermeer and Rahmstorf as recently as late 2009 is indicating a 2100 sea level rise in excess of 1 metre.

Dr. Andrew Ash, Director Climate Adaptation Flagship, CSIRO told the conference that 85% of Australia's population currently live within 50 kilometres of the coast, with some indication that could reach 90 %. We are dealing with probabilities, which contain some uncertainties but can use vulnerability trends in planning decision making. Adaptation can wait but planning can not. We need a co-ordinated planning approach that will avoid the tyranny of small decisions".

Picking up on this theme Professor Barbara Norman (Urban and Regional Planning, University of Canberra) said we need a National Plan to manage the suggested 35 million population by 2035, otherwise accelerated Coastal Urbanisation could exceed 90% and thereby reach a tipping point.

Professor Bruce Thom said the task of the Forum was to bring a National Adaptation agenda together for presentation to COAG.

I believe the Forum made a good start on achieving its objectives.

From my perspective it is very pleasing that Pittwater and Warringah were selected to attend, possibly due, in part at least, to a recognition of perceived rising sea level vulnerability of our two LGA's and possibly due in recognition of the very active part played in these matters by Pittwater over a period some years, including our appearance before the Joint Sitting of the House of Representatives enquiry into impacts of Climate Change on Coastal Communities and the Report "The time to act is now".

In this regard it is interesting to note that the front cover of the Australian Government's "Climate Change Risks to Australia's Coast- A First Pass National Assessment" features three images of Narrabeen Lagoon and entrance, covering current sea level and 2100 and 2150 simulations of the effects of predicted sea level rise.

It is also pleasing to advise that the Department of Climate Change released at the Forum its recent study entitled "*Coastal Inundation at Narrabeen Lagoon - Optimising Adaptation Investment*". The purpose of this study permeates from the thought that, mere knowledge of the likely physical impacts of Climate Change can be insufficient if it is unaccompanied by a knowledge of the range of adaptation tools that can be accessed and the optimal timing of implementation of those adaptation tools.

In my view, the document is valuable to Pittwater (and I hazard, Warringah) in a number of ways for which I formally thanked Minister Wong and the Department of Climate Change at conference.

1. It sets out a clear methodology for assessing the likely direct and indirect damage costs to Residential, Commercial, Public property and Infrastructure assets that are able to be predicted in line with increases in the floodability of estuarine floodplains brought about by progressive increase in Sea Level.
2. Indicative examples are given of some of the measures that can be considered for employment in three North Narrabeen sub-catchments. The list is not exhaustive (and not intended to be). Some of the recommendations are already in place, ( e.g. elevation of Flood Planning Level), while other suggested measures (Permanent Lagoon Entrance Opening) would have to be subjected to further study and analysis. However taken as a whole, the measures do suggest an important way forward for the discussion that both Warringah and Pittwater should now embark upon.
3. New high resolution data developed under the Federal Urban Digital Elevation Model underpins the study. The accompanying visualisation tool will be available to Pittwater and should prove of great benefit, particularly in relation to catchment issues.
4. Significant information in the Study constitutes new, best available data (in my view) which should be introduced into our Strategic Planning and also Floodplain Hazard modelling. An example of this important new information is contained at p.22 *Climate Change Influencing Flooding* which says, inter alia;
  - "A sea level rise of around 1m would reduce this constriction (*of the current mid tide level of the entrance rock shelf*) significantly, increasing the tidal discharge of the lagoon. Further the higher levels of the high tide planes may also result in increasing the tidal prism even further. These changes to tidal estuaries have the potential to trip ICOLL's into unstable scouring modes (Nielsen and Gordon, 2008). This could lead to further increases in tidal range and high water levels in the Lagoon". *Coastal Inundation at Narrabeen Lagoon-Department of Climate Change, 2010.*
  - "Another secondary effect has the potential for even greater changes to the flooding characteristics of the Lagoon. A sea level rise of 1 m has the potential to cause significant erosion of the entire Collaroy-Narrabeen Beach, causing recession of the unconsolidated foreshores. Without revetment protection, the entire sand spit at the ocean entrance is likely to be eroded, causing the loss of Birdwood Park and allowing the Lake to enter the ocean at the Ocean Street Bridge. This could reduce greatly the impedance to tidal flow, which would have a significant impact on the tidal hydraulics of the Lagoon. The increased tidal prism would be reflected in higher tidal planes, which would result in increased flooding around the foreshores of the Lagoon". –*Coastal Inundation at Narrabeen Lagoon-Department of Climate Change, 2010.*

- “It is beyond the scope of this study to predict or model these secondary effects”. – (*Coastal Inundation at Narrabeen Lagoon, 2010*).

It seems to me, having carefully considered all that I can, that these matters constitute important new, best available information that must now be taken into account in our strategic planning directives and also, that the Minister of Planning NSW, the Hon Tony Kelly MP should be apprised by Council of this information.

It further seems to me that beach nourishment for Collaroy-Narrabeen Beach may offer a useful, perhaps the only viable, strategy available to counter the projected rate of erosion of the beach. But, it will be imperative to only consider any nourishment proposal in a way that is fully integrated within the context of the future entrance dynamics, forced by rising sea levels, as Narrabeen Lagoon continues in its progress of reversion by re-assuming some estuarine characteristics it previously had at the conclusion of the last inter-glacial period.

If this be so, then I believe that wise planning imperatives dictate that we must, at an early date, combine with Warringah to conduct the necessary analysis of likely lagoon entrance dynamics based on the predicted changes in geomorphology in hope of achieving an integrated solution to future oceanic and catchment flood flow conditions.

**Cr. David James**

20 February, 2010.



## PROGRAM DAY 1 – Thursday 18 February 2010

9.00 **Welcome to Country**  
Aunty Josie Agius (Kaurua Elder)

**SESSION 1 – OPENING AND EVIDENCE BASIS**  
Chair: Professor Penny Sackett (Chief Scientist for Australia)

9.10 **Opening address**  
Senator the Hon. Penny Wong (Minister for Climate Change and Water)

9.25 **Magnitude of the risk: the science of climate change for the coast**  
Professor Will Steffen (Executive Director, Climate Change Institute, ANU)

9.50 **Climate change impacts on infrastructure, settlements and the environment**  
Dr Andrew Ash (Director, Climate Adaptation Flagship, CSIRO)

10.15 **Discussion / questions**

10.30 Morning tea

**SESSION 2 – COASTAL ADAPTATION OPTIONS**  
Chair: Mr Ian Carruthers (First Assistant Secretary, Department of Climate Change)

11.00 **South Australia's adaptation agenda**  
Mr Allan Holmes (Chief Executive, SA Department for Environment and Heritage)

11.20 **Overview: state of coastal adaptation around Australia**  
Professor Bruce Thom (President, Australian Coastal Society)

11.40 **Planning for coastal urban growth**  
Professor Barbara Norman (Foundation Chair and Head of Discipline, Urban and Regional Planning, University of Canberra)

12.00 **Spatial information for decision-making**  
Mr Warwick Watkins (Chief Executive, Surveyor General and Registrar General, Land and Property Management Authority NSW)

12.20 **Discussion / questions**

12.45 Lunch

**CONCURRENT WORKSHOPS: KEY ISSUES FOR ADAPTATION**

<p>13.45 <b>Science for capacity building</b> <u>Discussion Leaders:</u> Dr Bruce Mapstone (CSIRO) Dr John Schneider (Geoscience Australia)</p> <p>Climate change science Climate change and coastal processes Data and methods development Coastal climate change scenarios Regional risk assessments</p>	<p><b>Urban and regional planning</b> <u>Discussion Leaders:</u> Cr Peter Young (City of Gold Coast, QLD) Mr Allen Kearns (CSIRO)</p> <p>Planning frameworks and national consistency Essential services and critical infrastructure Planning and disaster management Ecosystem migration and planning Developing adaptation strategies</p>	<p><b>Risk guidance and standards</b> <u>Discussion Leaders:</u> Ms Sam Mostyn (University of Sydney) Prof Bruce Thom (Australian Coastal Society)</p> <p>Risk guidance frameworks Construction and engineering codes and standards Legal liabilities Insurance</p>
--	---	---

15.30 Afternoon tea

16.00 Science for capacity building cont.      Urban and regional planning cont.      Risk guidance and standards cont.

17.30 **Close of Day 1**

19.00 **Forum Dinner**  
Dinner venue – Adelaide Town Hall  
Dinner address – Ms Wendy Harmer "What's so funny about climate change?"



## PROGRAM DAY 2 – Friday 19 February 2010

### SESSION 2 – COASTAL ADAPTATION OPTIONS (cont.)

*Chair: Dr Mal Washer MP (Deputy Chair, House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts)*

- 9.00 **State Minister's address**  
*The Hon. Jay Weatherill MP (Minister for Environment and Conservation, South Australia)*
- 9.20 **Key findings from *Managing our Coastal Zone in a Changing Climate – the time to act is now* report**  
*Ms Jennie George MP (Chair, House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts)*
- 9.45 **Report-back from Day 1 workshops – priorities for adaptation action**  
*Workshop discussion leaders*
- 10.15 **Discussion / questions**
- 10.30 *Morning tea*

### SESSION 3 – FRAMING A NATIONAL STRATEGY

*Chair: Cr Jan Barham (Mayor, Byron Shire Council, NSW)*

- 11.00 **The human dimension**  
*Professor Tim Flannery (Faculty of Science, Macquarie University; Chair, Coasts and Climate Change Council)*
- 11.20 **National perspective**  
*Dr Martin Parkinson (Secretary, Department of Climate Change)*
- 11.40 **State perspective**  
*Mr John Ginivan (Executive Director Planning Policy, Department of Planning and Community Development, Victoria)*
- 12.00 **Local government perspective**  
*Cr Paddi Creevey (Mayor, City of Mandurah, WA)*
- 12.20 **Discussion / questions**
- 12.30 *Lunch*
- 1.30 **National adaptation priorities – plenary discussion**  
*Facilitator: Mr Rob Gell, World Wind*  
*Panel: Mr Alan Stokes (National Seachange Taskforce), Mayor Michael Regan (Warringah Council NSW), Mr Greg Allen (Sydney Water), Prof Will Steffen (ANU), Mr Michael Nolan (AECOM), Cr Walter Mackie (Torres Strait Regional Authority), Prof Bruce Thom (Australian Coastal Society)*  
*Session to discuss and identify:*
  - Immediate priorities to build adaptation capacity (what required in next 5 years)
  - National priorities for implementing coastal adaptation (time horizon next 20 years)*Electronic voting of participants on top areas for national action over next 5 years.*
- 15.30 *Afternoon tea*

### SESSION 4 – CLOSING AND NEXT STEPS

*Chair: Dr Martin Parkinson (Secretary, Department of Climate Change)*

- 16.00 **Closing address**  
*Senator the Hon. Penny Wong (Minister for Climate Change and Water)*
- 16.30 **Close of Day 2**

## **Community, Recreation and Economic Development Committee**

### **8.0 Community, Recreation and Economic Development Committee Business**

## **C8.1 Policy Review – Liquor Licence Applications**

**Meeting:** Community, Recreation & Economic  
Development Committee

**Date:** 1 March 2010

---

**STRATEGY:** Town & Village

**ACTION:**

- Provide planning, design, investigation and management of town and villages
- Land use planning to provide for the widest possible range of recreational spaces and opportunities

---

### **PURPOSE OF REPORT**

To update Council on the nature and extent of new liquor licence applications in Pittwater and to provide information on the review of *Council Policy – No 175 Liquor Licence Applications* (Attachment 1).

### **1.0 BACKGROUND**

- 1.1 A new Liquor Act was passed by the NSW Parliament on 5 December 2007, and these laws came into effect from 1 July 2008.
- 1.2 Council responded to these legislative changes with the development of an interim policy on liquor licensing in Pittwater. The interim policy was adopted by Council on 3 November 2008, and was placed on exhibition for public comment.
- 1.3 Despite extensive promotion of the interim policy the exhibition only generated a small number of submissions from the community. Further consultation was carried out internally with key business units, as well as externally with licensing Police from Northern Beaches Local Area Command (LAC).
- 1.4 Due consideration was given to the results of the public exhibition process, as well as staff experience with new liquor licence applications. The amended Liquor Licensing Applications policy was adopted by Council on 2 March 2009. This policy is currently due for review.

### **2.0 ISSUES**

#### **2.1 The impact of the new Act**

- 2.1.1 There is now a single Act for the regulation of liquor sales, including sales in registered clubs. The laws have removed liquor licensing from the courts, and introduced an administrative based system coordinated by the Office of Liquor, Gaming and Racing (OLGR).
- 2.1.2 Applications for a new licence, or to alter an existing licence are subject to a range of requirements. Licences are issued by the Casino, Liquor and Gaming Control Authority (the Authority).

- 2.1.3 The laws were intended to simplify licensing requirements, provide greater flexibility, and reduce red tape, cost and complexity. They aim to reduce harm associated with alcohol abuse, and promote a culture of responsible service and consumption of alcohol, as well as promoting industry sustainability and enhanced access to the liquor licensing system for all stakeholders.
- 2.1.4 Although in the early stages of implementation, staff have observed that the simplification of the new Act and the liquor licence application process has already encouraged a wider variety of licenced premises.
- 2.1.5 In the past, restaurants had to obtain a dine-or-drink authority to serve alcohol without meals, costing up to \$15,500. A restaurant or café owner can now apply for an 'on-premises' licence for \$500 which allows them to serve alcohol, as long as they continue to prepare and serve meals to their patrons. The majority of new liquor licence applications to date have been for an on-premises licence. An increasing amount of restaurants have also applied for a 'primary-service authorisation' (PSA) to accompany the on-premises licence and allow them to serve alcohol without a meal.
- 2.1.6 While there are positive benefits associated with the increased diversity of licenced venues, it is important to note that the changes to the legislation alone are unlikely to have any major positive impact on the drinking culture of the community in the short term.
- 2.1.7 It has been argued that new Act has also allowed for increased community consultation and involvement in liquor licence applications. The Community Impact Statement (CIS) now replaces the old system of Social Impact Assessments (SIA), which were complicated and expensive. The CIS can increase community consultation and involvement in some licensing applications; however these are not required for all types of liquor licence applications, for example an application for an on-premises licence for a restaurant.

## 2.2 Update on recent liquor licence applications in Pittwater

- 2.2.1 To date Council has seen over 35 applications for new liquor licences or changes to existing liquor licences.
- 2.2.2 Staff have developed an internal process for responding to new liquor licence applications and this is currently coordinated by Community Services (private land) and Property (public land). Staff make submissions to OLGR based on Council's policy, any submissions received from the community, and any development consent, permissibility or compliance issues.
- 2.2.3 The Liquor Act 2007 contains a range of offence provisions aimed at ensuring compliance with regulatory controls, the responsible service and consumption of alcohol, the responsible management and operation of licenced premises, and prevention of underage drinking. Council, as well as police and residents, can make a disturbance complaint to the Director of Liquor and Gaming, when the quiet and good order of a neighbourhood is unduly disturbed by the conduct of licenced premises and or/ the behaviour of patrons after leaving the premises.
- 2.2.4 Staff have been involved in one *Section 79 Disturbance Complaint* from the community in regard to a licenced premise. This required attendance at a conference of stakeholders, and making recommendations (based on Council's policy) about reasonable conditions that could be imposed to ensure a more effective balance between the needs of the business and community concerns.



## **2.3 Responding to liquor applications**

- 2.3.1 Staff currently make submissions to OLGR in regard to all new significant liquor licence applications in Pittwater.
- 2.3.2 Council is generally notified by the applicant when they submit an application for a liquor licence, however information is also available on the OLGR website about new licences.
- 2.3.3 Although the situation is slowly improving, staff have experienced considerable difficulty navigating the OLGR website due to information not being readily available or accessible in full in regard to liquor licence application paperwork.
- 2.3.4 Another outstanding issue is that once new liquor licences are granted by the Authority, neither Council nor the Northern Beaches LAC get a copy of the licence and any restrictions that may have been imposed on the licence. This proves extremely difficult in terms of compliance and enforcement issues.

## **2.4 Effectiveness of the policy**

- 2.4.1 Following the introduction of new liquor licensing laws, and in anticipation of an increased number of liquor licence applications, it was necessary for Council to develop a policy statement to ensure a consistent approach to applications.
- 2.4.2 Overall the current policy continues to provide Council with a sound framework in which to assess its position and make submissions to OLGR in relation to liquor licence applications. The policy clearly presents Council's position on suitable trading hours and locations.
- 2.4.3 The standard trading hours recommended by OLGR for a number of liquor licence categories suggest that liquor can be sold for consumption on the licenced premises at any time during the hours between 5am – midnight (Monday – Saturday) and 10am – 10pm (Sundays). Council's Policy is consistent with these closing times, however varies in terms of the opening times from Monday to Saturday. These hours have been considered reasonable by most applicants when submitting their liquor licence applications, as they have often consulted with council in preparing their application and adjusted trading hours accordingly if required.
- 2.4.4 In terms of the policy information on locations, it suggests that what may be appropriate and acceptable in a large or small village setting would not be acceptable in a primarily residential area with neighbouring properties in close proximity. For this reason Council's identification of six village centres continues to assist in defining the licence types that are recommended for the areas outlined in the policy.
- 2.4.5 Staff have approached other Council's in the context of this policy review in order to obtain information on alternative policy and process approaches. Sutherland Council and North Sydney Council were able to provide some information for consideration; however both Council's only have policy statements in relation to licences on Council land, not licences on private land.
- 2.4.6 Staff have only made minor changes to the format of the policy in order to align the review with the new template for Council policies.

## **2.5 Consultation with Northern Beaches Local Area Command**

- 2.5.1 Council have consulted with licensing Police from Northern Beaches LAC in reviewing this policy.
- 2.5.2 No recommendations or changes have been proposed by the Police in relation to the current liquor licence policy.

---

## **3.0 SUSTAINABILITY ASSESSMENT**

### **3.1 Supporting & Connecting our Community (Social)**

- 3.1.1 The policy provides some balance between community concerns regarding increased availability of alcohol and longer trading hours, and the benefits from a greater diversity of licenced premises which could serve to enhance the community's feeling of connectedness.

### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

- 3.2.1 There is no environmental impact.

### **3.3 Enhancing our Working & Learning (Economic)**

- 3.3.1 The new liquor licensing regime is likely to result in an increase in the number of liquor licensing applications within Pittwater, generating local employment opportunities for workers and small business opportunities.

### **3.4 Leading an effective & Collaborative Council (Governance)**

- 3.4.1 There are no substantive changes to the policy so there is no requirement for further public exhibition.

### **3.5 Integrating our Built environment (Infrastructure)**

- 3.5.1 There is no impact on infrastructure.

---

## **4.0 EXECUTIVE SUMMARY**

- 4.1 The role that Council plays in responding to new liquor licence applications assists the community to be informed and encourages active participation in issues that may affect them individually or collectively. *Council Policy – No 175 Liquor Licence Applications* allows Council to do this effectively and consistently.
- 4.2 Council staff will continue to monitor changes to the legislation, effectiveness of the policy, and workload generated in regular reviews of the policy and process.

---

## **RECOMMENDATION**

That Council continue to implement the current Liquor Licence Applications policy.

Report prepared by Angela Boyle

Lindsay Godfrey

**MANAGER, COMMUNITY, LIBRARY & ECONOMIC DEVELOPMENT**

<b>Council Policy – No 175</b>	<b>Adopted:</b>	<b>OM02.03.09</b>
	<b>Amended :</b>	

**TITLE:** Liquor Licencing Applications

**STRATEGY:** Town and Village

**BUSINESS UNIT:** Community, Library and Economic Development

**RELEVANT LEGISLATION:** Liquor Act 2007

**RELATED POLICIES:**

### **Objective**

This policy seeks to provide Council with a sound framework in which to assess its position and make submissions to the Office of Liquor, Gaming and Racing (OLGR) in relation to liquor licence applications. The policy clearly presents Council's position on suitable trading hours and locations.

### **Background**

A new Liquor Act was passed by the NSW Parliament on 5 December 2007, and these laws came into effect from 1 July 2008. These new laws impact on existing liquor licensees and registered clubs. Existing liquor licences will continue under the new laws, although the type of liquor licence will change for many businesses. Applications for a new licence, or to alter an existing licence are now subject to a range of requirements.

Liquor licences are issued by the Casino, Liquor & Gaming Control Authority. The Authority determines liquor licence applications and disciplinary outcomes in NSW.

Under the new regulations, a Community Impact Statement (CIS) must accompany an application for most types of permanent liquor licences. The intention of the CIS is to enable the Authority to consider the likely impact of the proposed licence or authorisation on the local community, and gauge the level of community support for the proposal.

The CIS process is the first opportunity for the community to influence the outcome of a liquor licensing proposal. It is prepared before the liquor licensing application is made. In compiling the CIS, the applicant consults with local stakeholders before deciding to lodge an application. The CIS summarises the results of consultation between the applicant and the local community about any issues and concerns with a proposed application. A CIS must be included with the papers lodged with the Authority when a liquor licence application is made. The Authority cannot grant a licence unless it is satisfied that the overall social impact will not be detrimental to the well being of the local or broader community.

The new Liquor Act provides for six new categories of liquor licence:



<b>New Licence</b>	<b>Former Licence</b>
Hotel licence (including a general bar licence)	Hotelier
Club licence	Registered club (certificate of registration under the Registered Clubs Act 1976)
On-premises licence	On-licence (restaurant) Nightclub On-licence (restaurant) with motel endorsement On-licence (motel, vessel, public hall, theatre) On-licence (airport, university)
Packaged liquor licence	Off-licence (retail)
Producer/wholesaler licence	Off-licence (vigneron, brewer wholesale)
Limited licence (multifunction or single function)	On-licence (function) Special event licence

### **Policy Statement**

This policy seeks to establish criteria for considering applications from two broad categories:

1. Facilities on Council land including but not limited to bowling clubs, golf clubs, surf clubs, cafes/restaurants/'kiosks', and whether Council owns the land or is the Trust manager of a Crown Reserve; and
2. Premises on private land, including but not limited to hotels, clubs, cafes or restaurants.

The following criteria and the attached tables for Council and Private Land will form the basis of whether Council supports or opposes liquor licensing applications. However, individual applications will be considered on their merits.

### **Criteria for Assessing Liquor Licence Applications**

#### **Both Council and Private Land**

- Council will only support an application if appropriate planning approvals are in place and any requirements of the Building Code of Australia have been or will be met.

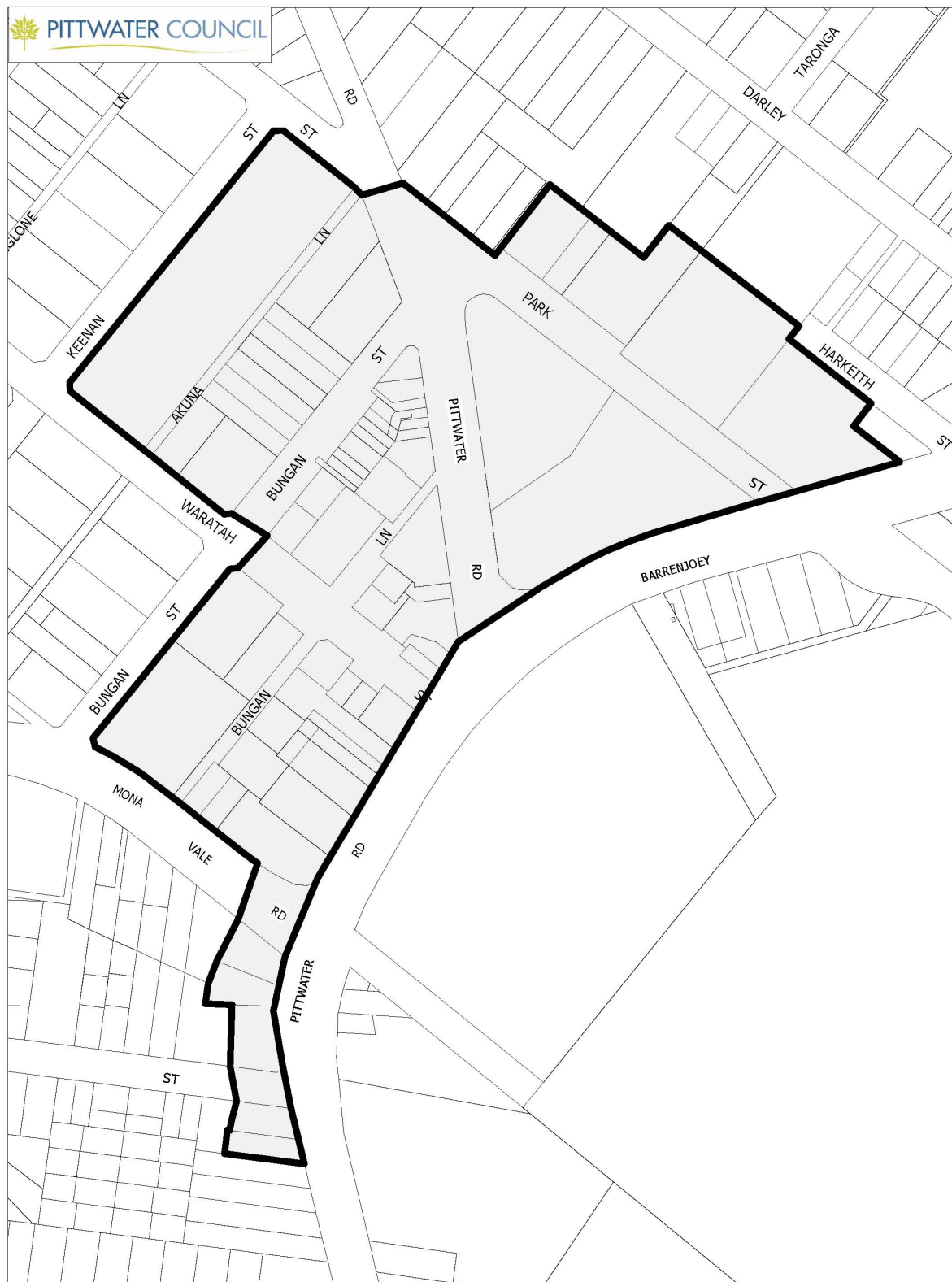
#### **Council Land**

- Applicants must consult with Council before embarking on any required Community Impact Statement process (before consulting residents), and before lodging their application.
- In the event the applicant does not consult with Council, and based on compliance issues and adverse community concerns, Council will strongly oppose the applicant's licence application.
- The application must be consistent with any adopted Plans of Managements, and lease/licence conditions.

- Council will generally only support the application if the basis of how the facility is to operate as a licenced premises has been agreed with Council and that this agreement has been included via an amendment to their existing lease with Council or via entering into a new lease.

<b>COUNCIL LAND</b>			
<b>Category of licence</b>	<b>Licenced Hours</b>		<b>Other conditions</b>
<ul style="list-style-type: none"> <li>- Hotel Licence</li> <li>- General Bar Hotel Licence</li> <li>- Packaged liquor licence</li> <li>- Producer/Wholesaler licence</li> </ul>	These types of licences will generally <u>not</u> be supported.		Minors Area Authorisations generally will <u>not</u> be supported by Council in small bar / hotel type situations.
<ul style="list-style-type: none"> <li>- Club Licence (RSLs)</li> </ul> <p><i>Note: the outdoor leased area of Dunbar Park by Avalon Beach RSL is further restricted to: Monday – Sunday 10am to 10pm</i></p>	Monday – Saturday Sunday Public Holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
<ul style="list-style-type: none"> <li>- Club Licence (Sporting clubs)</li> </ul>	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
<ul style="list-style-type: none"> <li>- On-premises licence – Surf Clubs</li> <li>- Limited licence (multi-function or single)</li> </ul>	Sunday – Thursday Friday – Saturday Public holidays New Years Eve	midday to 10pm midday to midnight midday to 10pm midday to 1am	N/A
<ul style="list-style-type: none"> <li>- On-premises licence for a Restaurant for locations as follows: (see shaded areas in attached maps)</li> </ul> <ul style="list-style-type: none"> <li>• Mona Vale</li> <li>• Newport</li> <li>• Avalon</li> <li>• North Narrabeen</li> <li>• Elanora Heights</li> <li>• Palm Beach</li> </ul>	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Primary Service Authorisations generally will be supported. Council will <u>not</u> support the PSA extending into any outdoor footpath area / reserve leased from council.
<ul style="list-style-type: none"> <li>- On-premises licence for a Restaurant, Entertainment Venue, Accommodation, all areas other than above.</li> </ul>	Seven days per week New Years Eve Public holidays	10am to 10pm 10am to 1am 10am to 10pm	Primary Service Authorisation generally will <u>not</u> be supported.
<p>Note:</p> <ul style="list-style-type: none"> <li>• Council acknowledges that many existing licences may be entitled to trade for longer than the above hours.</li> <li>• Council will only seek to reduce these longer hours where there are serious complaints regarding the licenced premises or where the premises seek a significant change to their licence.</li> <li>• Council will also seek to make all future leases/licences consistent with this Policy including voluntary compliance until such time as leases/licences are renewed.</li> </ul>			

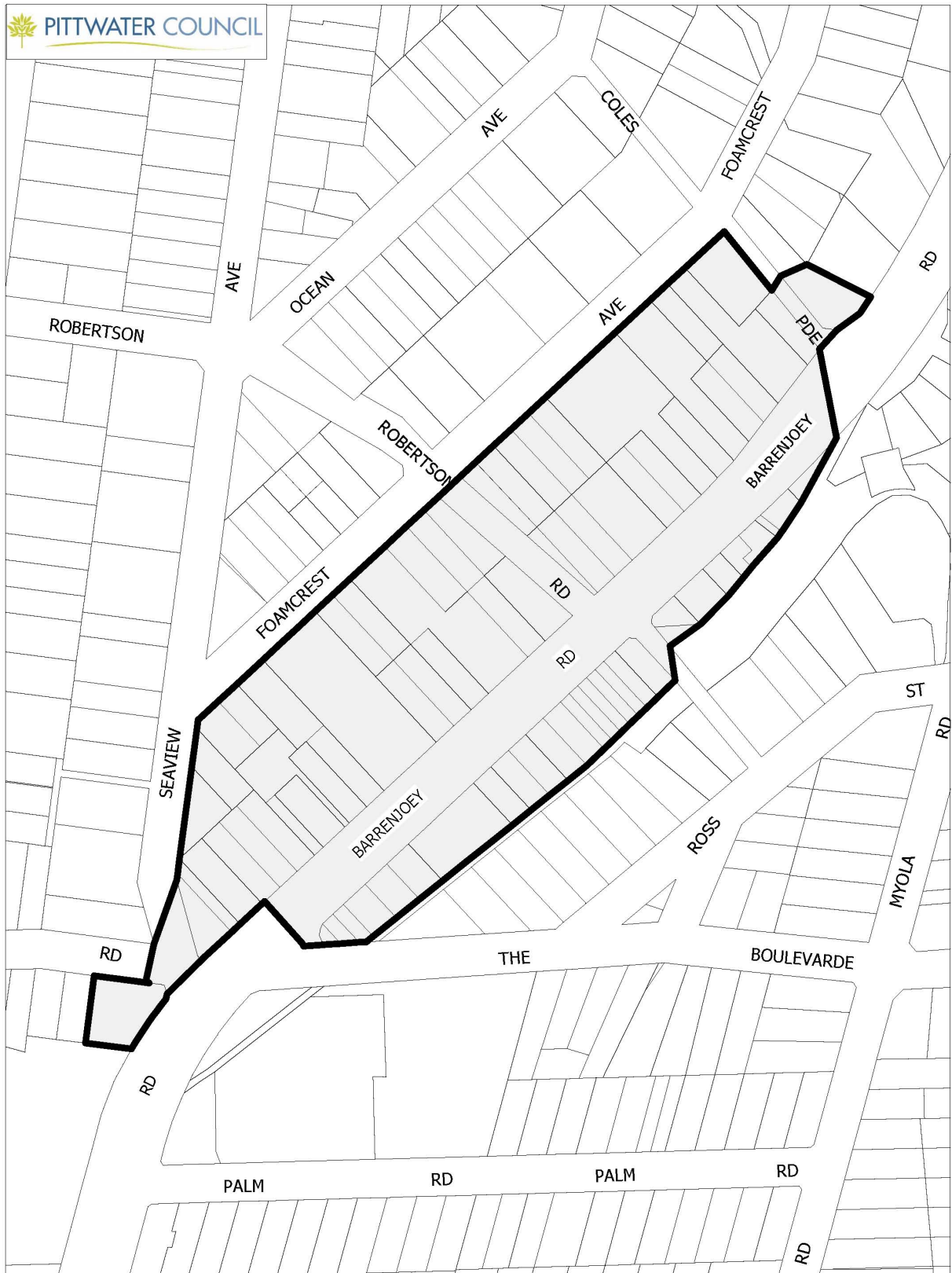
<b>PRIVATE LAND</b>			
<b>Category of licence</b>	<b>Licenced Hours</b>		<b>Other conditions</b>
- Hotel Licence	These types of licences will need to be assessed in detail based on their merits.		N/A
- General Bar Hotel Licence  This type of licence will generally not be supported except in the following areas: <i>(see attached maps)</i> <ul style="list-style-type: none"> <li>• Mona Vale</li> <li>• Newport</li> <li>• Avalon</li> <li>• North Narrabeen</li> <li>• Elanora Heights</li> <li>• Palm Beach</li> </ul>	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Minors Area Authorisations generally will <u>not</u> be supported by Council in small bar / hotel type situations.
- On-premises licence for a Restaurant, Entertainment Venue, Accommodation for locations as follows: <i>(see shaded areas in attached maps)</i> <ul style="list-style-type: none"> <li>• Mona Vale</li> <li>• Newport</li> <li>• Avalon</li> <li>• North Narrabeen</li> <li>• Elanora Heights</li> <li>• Palm Beach</li> </ul>	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	Primary Service Authorisations generally will be supported. Council will <u>not</u> support the PSA extending into any outdoor footpath area / reserve leased from council.
- On-premises licence for a Restaurant, Entertainment Venue, Accommodation, all areas other than above.	Seven days per week New Years Eve Public holidays	10am to 10pm 10am to 1am 10am to 10pm	Primary Service Authorisation generally will <u>not</u> be supported.
- Club Licence (RSLs)	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
- Club Licence (Sporting clubs)	Monday – Saturday Sunday Public holidays New Years Eve	10am to midnight 10am to 10pm 10am to 10pm 10am to 1am	N/A
- On-premises licence – Surf Clubs - Limited licence (multi-function or single)	Sunday – Thursday Friday – Saturday Public holidays New Years Eve	midday to 10pm midday to midnight midday to 10pm midday to 1am	N/A
- Packaged Liquor Licence	Seven days per week	10am to 10pm	N/A
- Producer/Wholesale Licence	Seven days per week	10am to 10pm	N/A
Note: <ul style="list-style-type: none"> <li>• Council acknowledges that many existing licences may be entitled to trade for longer than the above hours.</li> <li>• Council will only seek to reduce these longer hours where there are serious complaints regarding the licenced premises or where the premises seek a significant change to their licence.</li> </ul>			



This plan is not survey accurate.

**Monavale  
Town Centre**

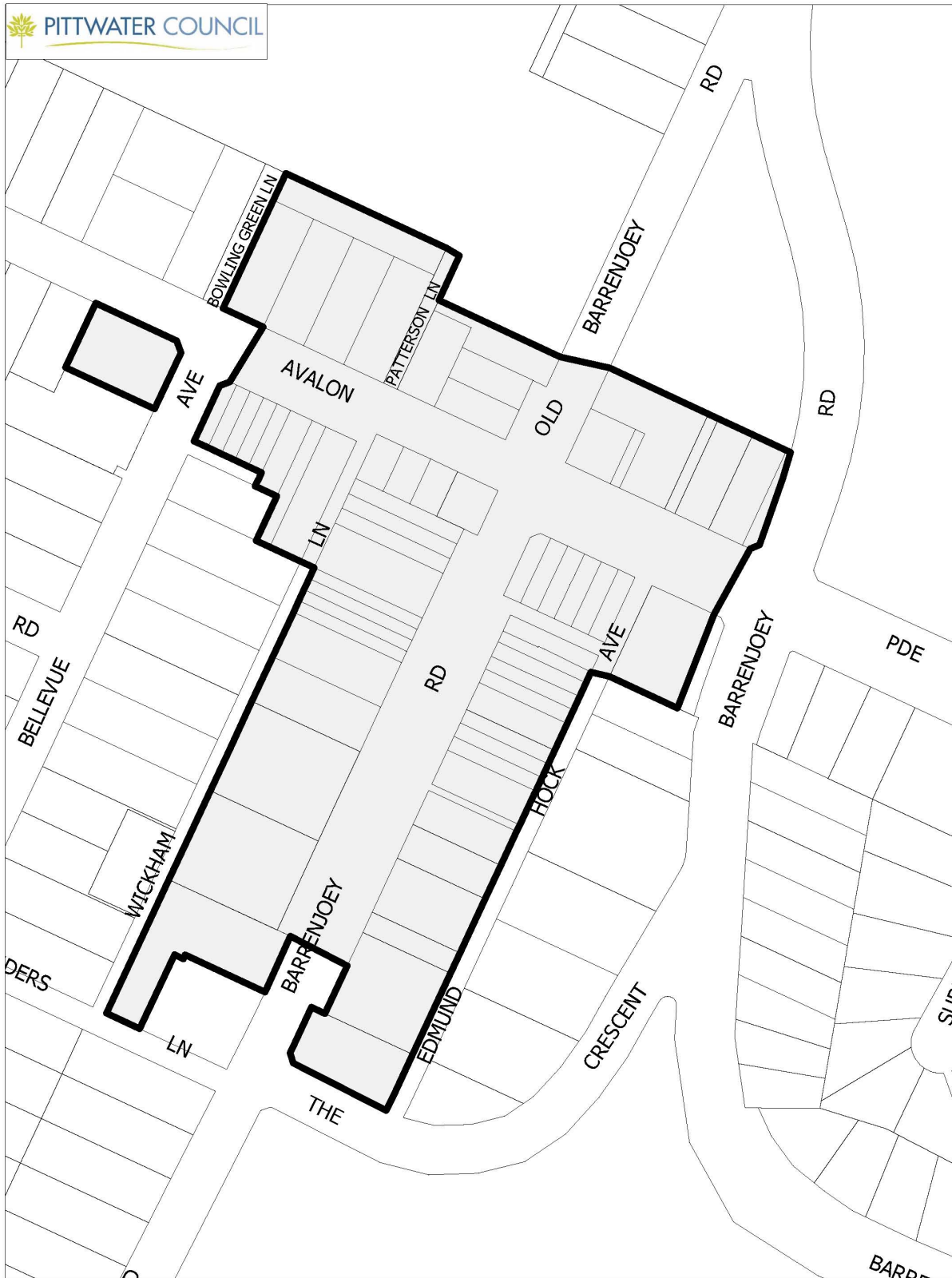
**NORTH**  
A4 Scale 1:3000



This plan is not survey accurate.

**Newport Village**

**NORTH**  
A4 Scale 1:2500

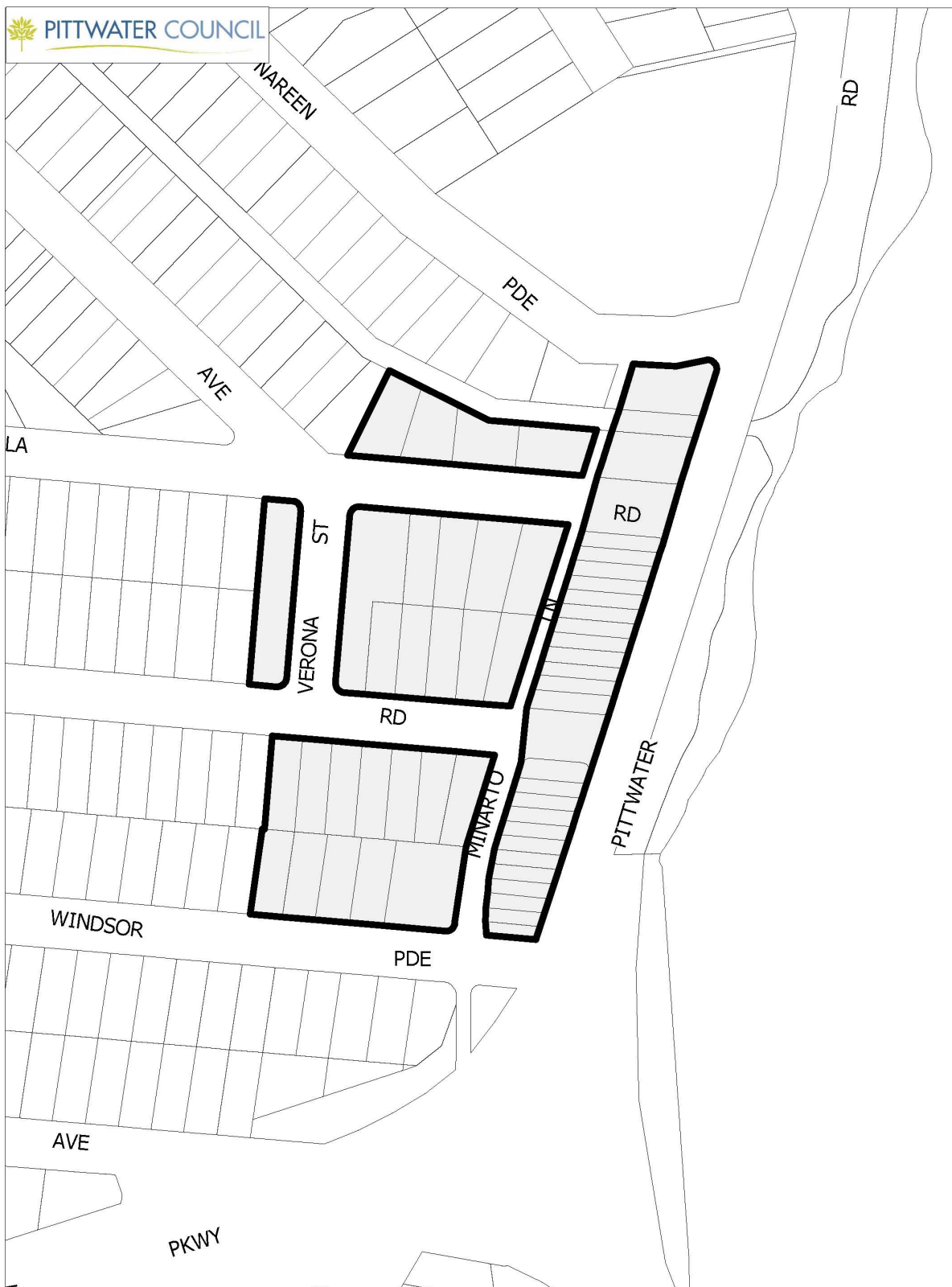


This plan is not survey accurate.

### Avalon Village

**NORTH**  
A4 Scale 1:2000

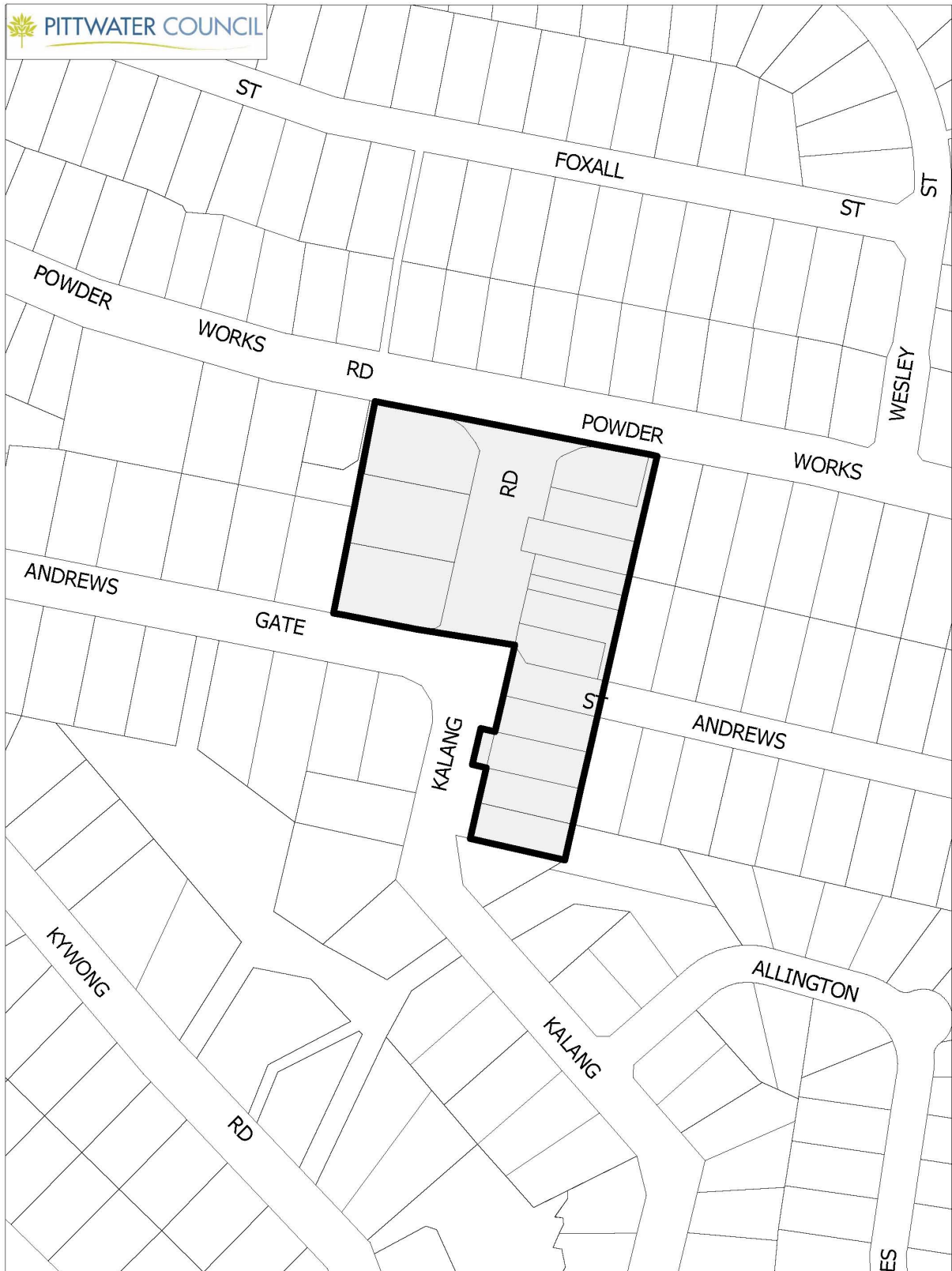




This plan is not survey accurate.

**North Narrabeen  
Village**

**NORTH**  
A4 Scale 1:2000

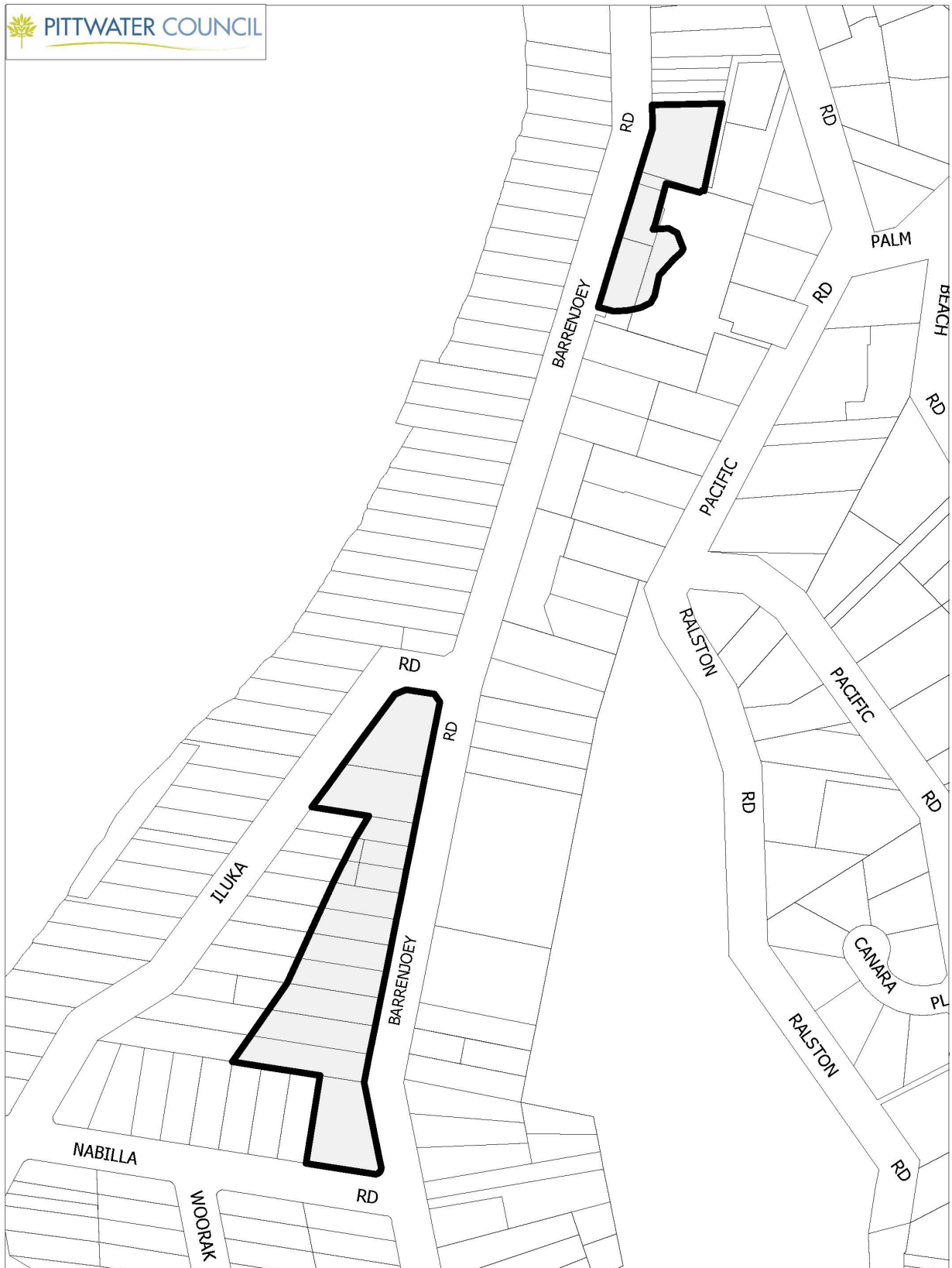


This plan is not survey accurate.

**Elanora Heights  
Village**

  
**NORTH**  
A4 Scale 1:2000





This plan is not survey accurate.

**Palm Beach  
Village**

 **NORTH**  
A4 Scale 1:2500

## **C8.2 Governor Phillip Park Playground Masterplan**

**Meeting:** Community, Recreation & Economic  
Development Committee

**Date:** 1 March 2010

---

**STRATEGY:** **Recreational Management**

**ACTION:** To continue to enhance and upgrade recreational spaces and facilities.

---

### **PURPOSE OF REPORT**

To recommend adoption of the Governor Phillip Park Playground Masterplan.

### **1.0 BACKGROUND**

- 1.1 On 7 December 2009, Council resolved to place the Governor Phillip Park Playground Masterplan on public exhibition and seek comments from the public.
- 1.2 The public exhibition was advertised on the Pittwater website from 8 December 2009 to 12 February 2010, at the Park itself and at Council's Customer Service Centres at Avalon and Mona Vale. Submissions were received until 12 February 2010.
- 1.3 As part of the implementation process of the current Plan of Management for Governor Phillip Park, designs have been prepared for the upgrading of the existing playground.
- 1.4 An initial design incorporating a large play tower with tunnel slides, flying fox, embankment slides, toddler play area, bbq's, a network of decomposed granite pathways, rain garden, and extensive rainforest planting and palm planting defining the play area and community common, was presented to the public in March 2009.
- 1.5 This design was strongly opposed by local residents, and as a result, Council decided to abandon the design and take a new approach.
- 1.6 A community consultation process was instigated, and the outcomes and issues raised were used to direct the new Masterplan.
- 1.7 The new Masterplan was presented at a public meeting in early November, and approved by Council for public exhibition.
- 1.8 The plan was exhibited for a period of eight weeks with a minimal public response.

### **2.0 ISSUES**

#### **2.1 Community Consultation and Design Process**

- A variety of different community engagement strategies were implemented in order to understand the attitudes and views of the broader community.
- A group of concerned residents, who had voiced their objections to the initial scheme, contacted Council and requested the instigation of a new design. Members of this group included representatives from the Whale Beach and Palm Beach Association, local residents and members of the public who represented the main user group of the playground.

- In mid April 2009, an informal initial meeting was conducted in the park to allow the group to voice their concerns and their reasons for objecting to the previous plan, and to express their views as to what they felt would be a suitable direction to take.
- A rough conceptual design was then formulated and discussed with the group. Generally the new concept was accepted as an appropriate response. This concept then underwent a series of internal design reviews and developments that were presented to SMT.
- Further community involvement was established through the local public schools by implementing a hands-on process to engage the younger sector of the community, while promoting awareness and encouraging support for the project.
- Presentations on the “Excitement, Variety, and Importance of Playgrounds in Communities” were given to the assemblies of Avalon School and Bilgola School, in June, and children were given the opportunity of completing a questionnaire to determine what children liked to do in playgrounds, and presenting their own imaginative ideas for their dream playground, as the subject of an ideas competition.
- An external consultant was engaged to undertake a Conservation Management Plan for Governor Phillip Park, in order to address and identify conservation strategies that were appropriate for the parks’ management in general, and to ensure that any design initiatives being proposed in the Masterplan, were in line with the directives and intention of the CMP. A Community workshop was held in September to present the initial inventory and to gather public viewpoints and input. This CMP is subject to a separate submission to Council.
- The new Masterplan was then developed taking into consideration the view points of a broader spectrum of the community, and then presented to the public together with the presentation of certificates to the winning entries in the playground ideas competition. The new proposal was well accepted by those attending the meeting.

## 2.2 Chronology of Process

March 23	Initial design presented to public
March /April	Objections received
Mid April	New design approach instigated, evaluation of current proposal, residents’ comments and site assessment
April 20	Sketch of new direction and concept discussed on site with residents and Palm Beach and Whale Beach Assoc.
May 18	Briefing to Avalon School P and C regarding the process of the design for the playground, and Council’s desire to foster positive input and feed back from parents and children
June 10	Meeting with Avalon School Principal to establish a program to promote the involvement of the children and parents, and encourage them to take ownership and pride in the project.
June 29/July 2	Presentation of project and vision to schools. Implementation of home work survey Project/Ideas competition
June 10	Presentation to Councillors’ briefing session.
June 19	Commissioning of Conservation Management Plan
Mid June	Presentation of conceptual approach to Senior Management Team

July 10	Collection of children's entries
July 10/August	Assessment of survey information and ideas.
September 3	Conservation Management Plan Community Workshop.
August/September	Design development of playground ideas and environs
Mid September	Presentation to Senior Management Team of final design
November 5	Presentation of Masterplan to Public Meeting, and awarding of prizes for ideas competition.
December 7	Presented to Council for recommendation for public exhibition (this report).
December 8 to Feb 12	Master plan placed on public exhibition

## 2.3 Elements of the Masterplan

The design philosophy is to:

- respect the natural beauty and the relaxed informal character of the park
- recognise the significant legacy of Governor Phillip
- provide exciting and challenging play areas for both older and younger children that complement the natural setting and existing recreational opportunities
- facilitate communal gathering and picnicking
- provide appropriate infrastructure in keeping with the existing informal landscape character of the park
- offer exciting and memorable visitor experiences for a variety of ages and interests in keeping with the expectations associated with a regional park.

Please refer to the attachments for detailed elements of the Masterplan circulated separately to Councillors and available on the Pittwater website at [www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au).

## 2.4 Public Response to Revised Masterplan

The revised Masterplan was presented to the public on November 5. Generally the response to the new proposal was favourable, with no objections being made at the meeting. The plan was placed on public exhibition for a period of eight weeks. Minor comments were received, as tabled, together with letters of support.

---

## 3.0 SUSTAINABILITY ASSESSMENT

### 3.1 Supporting & Connecting our Community (Social)

- 3.1.1 Providing playgrounds that are sensitive to the needs of our community and considerate of the environment.
- 3.1.2 A program was established to promote the involvement of children and parents, and to encourage them to take ownership of the process and outcome.
- 3.1.3 The playground and environs provide opportunities for a range of ages, abilities, and social interaction.

### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

3.2.1 Design of the playground and environs has taken into consideration a number of environmental factors, as follows.

- (i) The regrading of a large area of open turf, collection of the storm water run off, and the creation of a rain soak area to allow water to slowly seep back into the ground, replenishing the aquifer, and reducing erosion.
- (ii) Reference to the qualities and values of the natural environment expressed by stakeholders, and identified in the Conservation Management Plan.
- (iii) Design of playground equipment in keeping with the natural environment.
- (iv) Planting of indigenous species.
- (v) Re-establishment of the central dune and natural habitat area.

### **3.3 Enhancing our Working & Learning (Economic)**

3.3.1 Council has nominated the playground upgrade as part of its Capital Improvement Program with \$200,000 allocated to the works. Entry sculptures to the park were recently completed as part of stage one (costing approximately \$110,000). Council has been successful in its application for a State Government Department of Planning Greenspace grant for \$200,000. Council has also applied for a further \$95,000 from the Federal Government stimulus package which is still pending.

3.3.2 Should the project be approved by Council, Council staff will proceed to prepare detail construction documentation and commence works in 8-12 weeks.

### **3.4 Leading an Effective & Collaborative Council (Governance)**

3.4.1 Following initial objection to the original playground design, Council staff undertook extensive community consultation including individual stakeholder meetings with local residents, members of the Palm Beach & Whale Beach Residents Association, local schools and associated children and parents (through a design competition). (See 2.2 of this report).

### **3.5 Integrating our Built Environment (Infrastructure)**

3.5.1 N/A

---

## **4.0 EXECUTIVE SUMMARY**

4.1 As part of the implementation process of the current Plan of Management for Governor Phillip Park, designs have been prepared for the upgrading of the existing playground.

4.2 The initial design was strongly opposed by local residents, and as a result, Council decided to abandon the design and take a new approach.

4.3 A community consultation process was instigated, and the outcomes and issues raised were used to direct the new Masterplan.

4.4 The revised Masterplan was presented to the public on November 5 2009. The response to the new proposal was generally favourable and no objections were made at the meeting.

4.5 The revised Masterplan was placed on public exhibition for a min of 8 weeks.

Letters of general support were received together with some minor comments. These are tabled in Attachment 1.

---

## **RECOMMENDATION**

That the Governor Phillip Park Playground Masterplan, as tabled, be adopted.

Report prepared by Phoebe Pape, Landscape Architect.

Les Munn

**MANAGER, RESERVES, RECREATION & BUILDING SERVICES**

SUBMISSION	ISSUE	OBJECTION/ SUPPORT	COUNCIL RESPONSE
PBWBA	Opposition to a large play ground	Objective is to have as much open space as possible	The play ground has been designed to maximise open space availability, and to reduce visual impact and intrusion in the park. Council believes that the design and location of the playground does not reduce the current available open space amenity
	Pathways	Believe that the path way will not be used effectively, as pedestrians will not walk down the access road from the golf club to join the path	It is essential to provide safe pedestrian access from within the park, along the southern boundary. This will form a segment of the loop to be developed around the perimeter of the park. Future measures to encourage the use of a safe access route will be developed in the updated Governor Phillip park POM.
	Pathways	Opposed to the continuation of a path along the access road to the north	The pathway provide access to the first car parking bay only. This facilitates access to the play and picnic area.
	Opposition to the rigging net play structure	The play ground is aimed at an older age group who would be better off else where.	The play ground provides a variety of activities for a range of children. It is important to provide interest for a range of ages within a family group. The rigging play ground is suitable for ages 8 and up.
	Communal picnic facility	Oppose the construction of a communal picnic facility, as this is building for building's sake.	A large number of community groups with small children regularly use the play ground and picnic facilities. It is appropriate to provide a shelter for these groups. The shelter has been relocated towards the edge of the play ground to open up the play space.

SUBMISSION	ISSUE	OBJECTION/ SUPPORT	COUNCIL RESPONSE
	Stormwater	Rectification works to stormwater issues are supported.	Noted
PBWBA	Planting	Encourage planting along the western side of the access road adjacent to the golf course.	Noted
Resident	Play equipment	A slippery dip, water bubbler, and seating around the playground would be a good idea.	Noted
	Suitable Play	The proposal appears to be suitable for children from a range of ages and hopefully will attract the adventurous on the ropeways.	Noted
	Screening	Some vegetation to screen the bins along the southern side of the Dunes restaurant would lift the appearance of the establishment.	Noted



## **C8.3 Capital Improvements – Careel Bay Tennis Club**

**Meeting:** Community, Recreation & Economic  
Development Committee

**Date:** 1 March 2010

---

**STRATEGY:** Recreational Management

**ACTION:** To upgrade recreational facilities

---

### **PURPOSE OF REPORT**

To seek Council approval for drainage works at Careel Bay Tennis Club.

#### **1.0 BACKGROUND**

- 1.1 Council manages upgrades to the four leased tennis clubs in Pittwater through the Tennis Liaison Committee. Capital improvement works are approved by the four clubs at a Lessees Committee meeting and those recommendations are forwarded to Council through the Tennis Liaison Committee. Approved works are funded from the Tennis Liaison Fund.
- 1.2 The Tennis Liaison Committee has received a request from Careel Bay Tennis Club to undertake drainage works at the club which will alleviate flooding problems being experienced currently.
- 1.3 Council staff have inspected the site and proposed a plan of action to the club which would upgrade the existing drainage and eliminate flooding problems on the court surfaces and surrounds.
- 1.4 Council has provided the club with a quote of \$6,000 to undertake this work.
- 1.5 Careel Bay Tennis Club has also obtained a second quote for the work.
- 1.6 The Tennis Lessees Committee has approved this work and forwarded it to Council's Tennis Liaison Committee which has also approved this work to be undertaken and funded from the Tennis Liaison Committee's fund.

#### **2.0 ISSUES**

##### **2.1 Extent of Work**

To address the flooding problems, it is proposed to run 100mm PVC pipes from south to north of the existing building in a westerly direction beyond the tennis court's western fence. These lines would be picked up by another 100mm PVC drainage line which would run in a northerly direction to link with an existing drainage pipe which runs to the creek. The length of pipe to be laid is approximately 40m. It would be laid in a 200-250mm trench. No trees would be affected by this work.

## **2.2 Price of Work**

Two quotes have been received for this work. The quote received by the Club from Council is the lowest and the Club wishes to process on the basis of this quote.

## **2.3 Funding for Works**

Council allows clubs to maintain a \$10,000 limit on operational accounts. Should clubs have an amount in excess of \$10,000, then this excess amount is used to assist in funding the project.

At the present time, the Careel Bay Tennis Club is holding approximately \$7,465 in its account. The total amount would therefore be funded from the Tennis Liaison Fund.

## **2.4 Tennis Liaison Fund**

The Tennis Liaison Fund is an accumulation of yearly lease fees paid by the four tennis clubs. These funds are specifically set aside to fund capital works on the Tennis Clubs.

Currently the Tennis Liaison Fund has a balance of \$160,827.

## **2.5 Approvals**

This proposed work involves the linking of existing drainage lines within the courts to an existing Council line which drains to the creek. No approvals are required for this work which will not impact on any trees and is basically re-instating a drainage line that has been lost/damaged over time following past works in the area.

---

## **3.0 SUSTAINABILITY ASSESSMENT (VIEW SUSTAINABILITY ASSESSMENT TOOL)**

### **3.1 Supporting & Connecting our Community (Social)**

3.1.1 This project will improve facilities at the Careel Bay Tennis Club for members and users.

### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

3.2.1 Picking up stormwater and directing it to the existing stormwater system will reduce flooding and erosion problems in the adjoining bushland.

### **3.3 Enhancing our Working & Learning (Economic)**

3.3.1 No impact.

### **3.4 Leading an effective & Collaborative Council (Governance)**

3.4.1 No impact.

### **3.5 Integrating our Built environment (Infrastructure)**

3.5.1 These drainage works will improve the condition of the existing facility.

---

#### **4.0 EXECUTIVE SUMMARY**

- 4.1 Council works with the four local tennis clubs and assists them with maintenance and improvements through the Tennis Liaison Fund. The proposed drainage works at Careel Bay Tennis Club has been endorsed by the Tennis Liaison Committee and will help the club to overcome drainage problems at the tennis courts.

---

#### **RECOMMENDATION**

That drainage works be undertaken by Council at the Careel Bay Tennis Club and an amount of \$6,000 be allocated from the Tennis Liaison Committee Account to fund these works.

Report prepared by

Les Munn

**MANAGER, RESERVES, RECREATION & BUILDING SERVICES**

February 12<sup>th</sup>, 2010

Careel bay Tennis  
P. O. Box 294  
Avalon Beach NSW 2107

Attention: Mr. Sean Foster

Re: Drainage Works.

Thank you for the opportunity to submit an offer to carry out the nominated works as per our discussions.

We are pleased to submit the following price for your consideration:

**\$10,800.00 Plus GST \$ 1,080.00 = Total \$11,880.00**

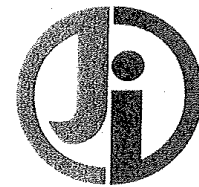
Our offer has allowed to carry out the following works:

- a. Location of all known services as indicated on the "Dial before Dig" drawings, and customer supplied drawings.
- b. Supply and installation of 1 x 100mm storm water pipe to be connected to existing from the rear of the C.B.T.C., tool store, excavating in a north direction parallel to the boundary fence line for approximately 25 metres to meet the existing council storm water concrete pipe and connect.
- c. Supply and installation of 1 x 100mm storm water pipe from the rear of the Pro Shop area, excavating in a south direction parallel to the boundary fence line for approximately 35 metres to meet the existing council storm water pipes system which runs under court number 5.  
The new 100mm pipe will be connected to the existing building storm water pipe and the court existing drainage system.
- d. We will have unimpeded and continuous access to the nominated areas, from the start to the completion of the works.

Our offer does not include the following :

- a. Any costs associated with council permits or obtaining permission and requirements to carry out the works on the related land.  
Client to obtain all approvals.

.....2/



**JAYONN**  
INDUSTRIES  
PTY • LTD  
ACN 078 630 672

568 Barrenjoey Road  
AVALON BEACH  
NSW 2107

PO BOX 6  
AVALON BEACH  
NSW 2107

TEL: 02 9973 2677  
FAX: 02 9973 2945

ELECTRICAL  
INSTRUMENTATION  
COMMUNICATIONS  
DATA  
FIBRE-OPTICS  
SERVICES

.....2

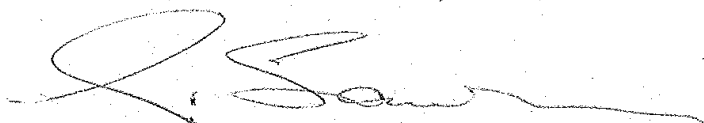
- b. Arborist if required will be invoiced at cost plus 20%.
- c. All hand digging around trees if required will be carried out on an hourly rate.
- d. Supply of clean fill (back fill with existing spoil from the excavated trenches).

Jayonn Industries Pty. Ltd., standard conditions will apply for the above works.

This quotation is valid for 30 days from the date of this letter.

We trust the above meets with your approval, for further information please Contact myself.

Yours faithfully,  
JAYONN INDUSTRIES PTY. LTD.,



George Sawras  
MANAGER

## **C8.4 Amendment to Policy 163 – Banners on Public Land**

**Meeting:** Community, Recreation & Economic  
Development Committee

**Date:** 1 March 2010

---

**STRATEGY:** Community Engagement, Education & Awareness

**ACTION:** To create awareness and participation in programs, events and activities through information dissemination.

---

### **PURPOSE OF REPORT**

For Council to consider amending the Policy No.163 for Temporary Banners on Public Land as shown in (Attachment 1)

### **1.0 BACKGROUND**

- 1.1 At the Council Meeting of 8 August 2005, Council resolved to place on public exhibition a new Council Policy No 163 Banners on Public Land. After the exhibition period expired on 13 September 2005 Council at its meeting of 17 October 2005 adopted the Policy for Banners on Public Land.
- 1.2 A Notice of Motion was submitted at the council meeting 1 February 2010 to amend the Policy to include areas north of Newport and place it on public exhibition.
- 1.3 Existing Policy was adopted 17 October 2005. Minor amendments are required to allow for larger banner size, additional areas and for better coverage for sporting groups in the local area.

### **2.0 ISSUES**

#### **2.1 Locations**

- The areas where banners may be erected with approval from Council are as follows:
  - Newport – Barrenjoey Road (eastern side at the Neptune Street intersect)
  - Newport – Barrenjoey Road (eastern side at the Beaconsfield Street intersect)
  - Mona Vale – Pittwater Road (eastern side at the Mona Vale Road intersect, Kitchener Park)
  - Mona Vale – Cnr Barrenjoey and Pittwater Road (Village Park)
  - North Narrabeen – Pittwater Road (eastern side at the Wakehurst Parkway intersect, Pat Hynes Reserve)
  - Warriewood – Pittwater Road (eastern side adjacent to Pittwater Rugby Park & North Narrabeen Reserve)
- New areas to be added are:
  - Avalon – Barrenjoey Road (adjacent to the entrance to Avalon Beach Surf club)
  - Warriewood – Pittwater Road (western side northern corner of Boondah Reserve)
  - Warriewood – Warriewood Sports Ground, Jackson Road frontage
  - Sporting Club's Homeground – for one month prior to registration days

## **2.2 Size of Banner/s**

Currently, the size of permissible banners is limited to 3m x 750mm. Increasing the size limitation would enable more information to be provided for the event which is easily read. The maximum size will be amended to allow for a banner size of up to 4m long x 1.5m wide. Variations to this maximum size may only be approved by the General Manager.

## **2.3 Sporting Clubs**

The proposed amendments would enable sporting groups to place banners on their home grounds during the month prior to registration days to attract new members. This will allow for greater exposure for sporting clubs to advertise their registration days encouraging new members to join. Banners must be removed 48 hours after the registration day has occurred.

## **2.4 Community Events**

Currently, community events north of Newport are unable to be advertised. It is recommended that banners be permitted to be displayed at the north eastern corner of Barrenjoey Road and Avalon Parade near the traffic lights on the beach reserve.

---

## **3.0 SUSTAINABILITY ASSESSMENT**

### **3.1 Supporting & Connecting Our Community (Social)**

3.1.1 The amended Policy will allow for greater opportunities and exposure for community groups to advertise their events and encourage youth to participate in sporting programs.

### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

3.2.1 Having allocated areas for the display of banners reduces the incidents of banners being hung in inappropriate places sometimes causing damage to gardens and trees.

### **3.3 Enhancing our Working & Learning (Economic)**

3.3.1 No impact

### **3.4 Leading an Effective & Collaborative Council (Governance)**

3.4.1 Amending the existing Policy will allow greater coverage of events in the Council area.

### **3.5 Integrating our Built Environment (Infrastructure)**

3.5.1 Improve and enhance opportunities for community, cultural or recreational activities in the area



---

#### **4.0 EXECUTIVE SUMMARY**

- 4.1 The review and inclusion of additional areas where banners can be erected will address the problem of some sporting groups by enabling them to advertise their registration days and encourage the local community to join in structured sporting activities.
- 4.2 Community events north of Newport will be able to be advertised appropriately.
- 4.3 The size of the previous banner limited the amount of information that was required to be included to advertise events. By increasing the size will allow for additional information to be included on banners.

---

#### **RECOMMENDATION**

- 1. That the information provided in the report be noted.
- 2. That the attached amended Banners on Public Land Policy be placed on public exhibition for 28 days with submissions invited from the public.
- 3. That the public exhibition of the draft Policy be notified on the Pittwater website and in Council's fortnightly Mayoral Message.
- 4. That following the period of public exhibition, and consideration of any submissions received, the amended Banners on Public Land Policy be reported back to Council for further consideration.

Report prepared by Tanya Carmont, Reserves & Recreation Officer

Les Munn

**MANAGER, RESERVES, RECREATION & BUILDING SERVICES**

Council Policy – No 163  Version: 2	Adopted:	OM: 17.10 2005
	Amended	

**TITLE:** Banners on Public Land

**STRATEGY:** Community Engagement, Education & Awareness

**BUSINESS UNIT:** Reserves, Recreation & Building Services

**RELEVANT LEGISLATION:**

**RELATED POLICIES:**

---

### **Objective**

To provide guidelines for the installation of **temporary banners** promoting community events and/or services within the Pittwater area.

### **Policy Statement**

Council has specific **areas** designated for the purpose of **temporary advertising banners** for the promotion of community events. These locations are;

- ♦ **Avalon – Barrenjoey Road (adjacent to the entrance to Avalon Beach Surf club)**
  - ♦ Newport – Barrenjoey Road (eastern side at the Neptune Street intersect)
  - ♦ Newport – Barrenjoey Road (eastern side at the Beaconsfield Street intersect)
  - ♦ Mona Vale – Pittwater Road (eastern side at the Mona Vale Road intersect, Kitchener Park)
  - ♦ Mona Vale – Cnr Barrenjoey and Pittwater Road (Village Park)
  - ♦ North Narrabeen – Pittwater Road (eastern side at the Wakehurst Parkway intersect, Pat Hynes Reserve)
  - ♦ **Warriewood – Pittwater Road (eastern side adjacent to Pittwater Rugby Park & North Narrabeen Reserve)**
  - ♦ **Warriewood – Pittwater Road (western side northern corner of Boondah Reserve)**
  - ♦ **Warriewood – Warriewood Sports Ground, Jackson Road frontage**
- 
- **Sporting clubs that are located on a Council sporting ground may with the approval of Council erect temporary banners one month prior to the commencement of registration days to promote their clubs.**
  - An Application form for the erection of **temporary banners** must be completed and lodged with Council for consideration.
  - **Sportsgrounds banners to be erected only during registration time as per point 4 (Conditions of Temporary Banners) and only by the home club at that ground.**

Terms and Conditions for temporary banners are as follows:

- Maximum size of a banner must not exceed **4.0m x 1.5m**. **Variations to the size may only be approved subject to the General Managers approval.**
- **Fees for the erection of banners will be charged as per Council's fees & charges and as amended from time to time. Sporting clubs are exempt from fees during the period of registration days at their home ground.**
- Banners must be affixed by rope and maintained in a proper manner
- Banner can only be displayed for a maximum of 21 days prior to the event **except for sporting clubs at sports grounds who may display one month prior to registration day.**
- Recognition of commercial sponsors name must not be more **than 20%** of the banner.
- Banners must be removed within 48 hours following the event. Council may impound banners that are not removed and release them for a fee.
- Approvals will only be granted to bona fide community organisations or community events that provide support to the Pittwater Community.
- Applications for **temporary banners** from commercial operators advertising commercial activities will only be accepted where the event is perceived to be of benefit to the Pittwater Community.
- Approval will only be granted to bona fide community organisations or commercial operators advertising community events such as New Years Eve Fireworks and/or fundraising/community events where proof of money raised and donated to charity is provided to Council.
- Council will not accept applications that involve advertising of tobacco products, alcoholic beverages or other addictive drugs or violent themes. **Advertising is to be restricted to no more than 20% of the banner space and subject to the approval of the General Manager.**
- Any banners erected without the express consent of Council will be impounded immediately and released for a fee.
- Approval for **temporary banners** for **Warriewood** – Pittwater Rugby Park, North Narrabeen Reserve & Boondah Reserve, are to be **temporary banners** promoting and/or advertising community events and/or services at Pittwater Rugby Park, North Narrabeen Reserve and Boondah Reserve only.
- **limits of number of banners permitted at each location at one time are as follows:**
  - 3 banners - Avalon – Barrenjoey Road (adjacent to the entrance to Avalon Beach Surf club)**
  - 3 banners Newport – Barrenjoey Road (eastern side at the Neptune Street intersect)**
  - 3 banners Newport – Barrenjoey Road (eastern side at the Beaconsfield Street intersect)**
  - 6 banners Mona Vale – Pittwater Road (eastern side at the Mona Vale Road intersect, Kitchener Park)**

**3 banners Mona Vale – Cnr Barrenjoey and Pittwater Road (Village Park)**

**6 banners North Narrabeen – Pittwater Road (eastern side at the Wakehurst Parkway intersect, Pat Hynes Reserve)**

**3 banners Warriewood – Pittwater Road (eastern side adjacent to Pittwater Rugby Park & North Narrabeen Reserve)**

**3 banners Warriewood – Pittwater Road (western side northern corner of Boondah Reserve)**

**3 banners Warriewood – Warriewood Sports Ground, Jackson Road frontage**

## **Natural Environment Committee**

### **9.0 Natural Environment Committee Business - Nil**

## **Council Meeting**

### **10.0 Adoption of Community, Recreation and Economic Development Committee Recommendations**

---

#### **RECOMMENDATION**

That the recommendations of the Community, Recreation and Economic Development Committee comprising all Council members be, and are hereby, adopted.

### **11.0 Councillor Questions**

### **12.0 Response to Councillor Questions Taken on Notice at Previous Meetings**

#### **Cr Townsend**

##### ***Question:***

Meriton, its consultants and its posters infer that Council's traffic plan accommodates the vehicle volume arising from its development. From your response that does not appear to be the case. Should we now write to both Meriton and the State Government to inform them that the information they are promoting during the public consultation process is in fact incorrect?

##### ***Answer:***

Council's Principal Engineer, Roads & Transport, had provided an initial response and the General Manager advised that Council would write to Meriton and the State government on the matters raised.

#### **Cr Dunbar**

##### ***Question:***

Concerning pollution at Bayview Golf Course: Could we ask the Water Board if during large storms sewerage is discharged into Bayview Golf Course?

##### ***Answer:***

The General Manager advised that Sydney Water will be contacted regarding the matter raised.