

Agenda Council Meeting

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

17 August 2015

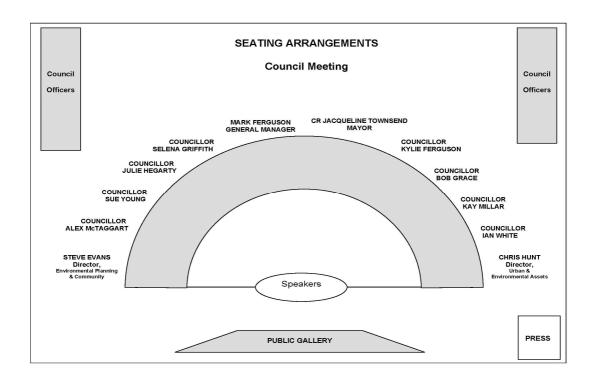
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

Mark Ferguson

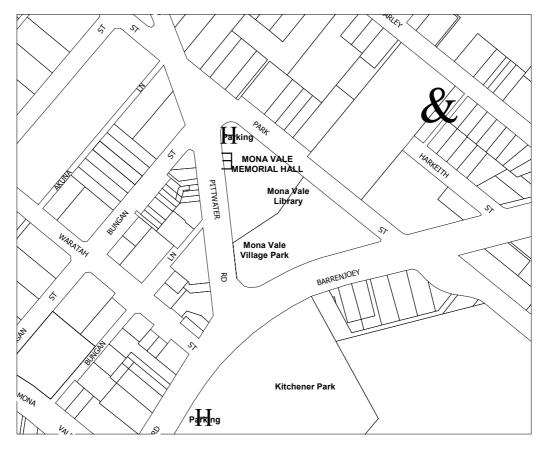
GENERAL MANAGER



Seating Arrangements



Meeting Location



All Pittwater Council's Agenda and Minutes are available on the Pittwater website at www.pittwater.nsw.gov.au

Acknowledgement of Country

Pittwater Council honours and respects the spirits of the Guringai people.

Council acknowledges their traditional custodianship of the Pittwater area.

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.

We, the elected members and staff of Pittwater Council, undertake to act with honesty and integrity, to conduct ourselves in a way that engenders trust and confidence in the decisions we make on behalf of the Pittwater Community.

IMPORTANT NOTE FOR COUNCILLORS

The Council has received Confidential Advice in relation to the matters listed below which is attached as **Appendix 1 to Councillor's Agenda on yellow paper**. It is important that Councillors read these documents prior to determining the matters. Should the Council wish to consider the Confidential Advice during the course of the meeting, the following procedure should be followed:

- 1. Any persons wishing to address the Council are invited to address the Council in Open Session, so that the general (non-confidential) issues relating to the matter are debated in Open Session.
- Should the Council wish to consider the Confidential Advice at any time during the debate, the Council should resolve into Committee of the Whole in Closed Session in accordance with Section 10A(2)(d) of the Local Government Act 1993, and debate the Confidential Advice and any related issues in a Closed Forum, with the Press and Public excluded. The Council does not have to make any resolution whilst in Committee of the Whole in Closed Session.
- Following conclusion of the Confidential discussion concerning the Confidential Advice the Council should resolve back into Open Session to continue the debate as required, excluding any reference to the Confidential Advice. Once again it is noted that the debate in Open Session should centre around the general (non-confidential) issues associated with the matter.
- 4. The Council should then determine the matter in Open Session.

The Reports on the items below are listed in Open Session in the Agenda:

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C11.2	Tender T01/15 SHOROC - Hygiene Services Manly,	20
	Mosman and Pittwater Councils and the City of Ryde	

Mark Ferguson

GENERAL MANAGER

Council Meeting

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16.0	Adoption of the Committee of the Whole Recommendation	Error! Bookmark not defined.
App 1	Confidential Advice	

CONFIDENTIAL CLAUSE

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following: -

- (d) Commercial information of a confidential nature that would, if disclosed:-
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret.

Confidential - Tender Evaluation - Tender T01/15 SHOROC Hygiene Services Manly, Mosman, Pittwater Councils and the City of Ryde

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

Council Meeting

1.0 Public Forum

GUIDELINES FOR RESIDENTS PUBLIC FORUM

Objective

The purpose of the Public Forum is to gain information or suggestions from the community on new and positive initiatives that Council can consider in order to better serve the Pittwater community.

- The Public Forum is not a decision making forum for the Council;
- Residents should not use the Public Forum to raise routine matters or complaints. Such
 matters should be forwarded in writing to Council's Customer Service Centres at Mona Vale or
 Avalon where they will be responded to by appropriate Council Officers;
- There will be no debate or questions with, or by, Councillors during/following a resident submission:
- Council's general meeting procedures apply to Public Forums, in particular, no insults or inferences of improper behaviour in relation to any other person/s is permitted;
- No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their submission will be immediately terminated by the Chair of the Meeting;
- Up to 20 minutes is allocated to the Public Forum:
- A maximum of 1 submission per person per meeting is permitted, with a maximum of 4 submissions in total per meeting;
- A maximum of 5 minutes is allocated to each submission;
- Public submissions will not be permitted in relation to the following matters:
 - Matters involving current dealings with Council (eg. development applications, contractual matters, tenders, legal matters, Council matters under investigation, etc);
 - Items on the current Council Meeting agenda;
- The subject matter of a submission is not to be repeated by a subsequent submission on the same topic by the same person within a 3 month period;
- Participants are not permitted to use Council's audio visual or computer equipment as part of their submission. However, photographs, documents etc may be circulated to Councillors as part of the submission;
- Any requests to participate in the Public Forum shall be lodged with Council staff by 12 noon on the day of the Council Meeting. To register a request for a submission, please contact Warwick Lawrence, phone 9970 1112.

Mark Ferguson

GENERAL MANAGER

2.0 Resident Questions

RESIDENT QUESTION TIME

Objective

The purpose of Resident Question Time is to provide the community with a forum to ask questions of the elected Council on matters that concern or interest individual members of the community.

The following guidelines apply to any person addressing a Council / Committee meeting in relation to a Resident Question:

- 1. Residents Question Time is conducted at the commencement of the second Council Meeting of the month and prior to the handling of General Business.
- 2. A maximum of 10 minutes is allocated to Residents Question Time.
- 3. Each Resident is restricted to two (2) questions per meeting.
- 4. All questions are to be in writing or made electronically and lodged with the General Manager no later than 6.15pm on the day of the Council meeting at which it is to be considered.
- 5. Questions must be precise and succinct and free of ambiguity and not contain any comments that may be offensive, defamatory or slanderous in any way.
- 6. A brief preamble may accompany the question to clarify the issue however only the actual question will be included in the minutes of the Council meeting.
- 7. Responses to residents questions made at the meeting will also be included in the minutes of the Council meeting.
- 8. Resident's questions taken on notice shall be the subject of a report to Council setting out both the question and response and shall be included in the agenda at the second meeting of the month following the resident's question.
- 9. There will be no debate or questions with, or by, Councillors during / following a resident question and response.

3.0 Apologies

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

4.0 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.

5.0 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 3 August 2015.

6.0 Public Addresses

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 six speakers may address on any one item, with a maximum of three speakers in support of the recommendation in the report, and three 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.

7.0 Councillor Questions with Notice

Question 1 - Cr McTaggart:

I refer to the Allen Avenue Bilgola Beach pay and display car park (photo attached). Can the General Manager explain why Council rangers or staff have taken no action to remove the steel frame (photo attached) from the pay and display parking place given that the frame has been in the same location since December 2014?





Can the General Manager also explain why the registered trailer U56617 (photo attached) has not been fined for not displaying a valid parking sticker noting that the trailer has been in the same pay and display space since December 2014?



Response:

Council values the vital role that the surf lifesaving clubs provide to our community. A strong partnership exists between the surf lifesaving clubs and Council, which involves regular negotiations on ensuring an appropriate use of parking facilities. Council does not issue fines to surf lifesaving clubs, although does provide an allocation of resident parking stickers as part of this process.

The Bilgola Surf Lifesaving Club has located a trailer and associated steel frame in the carpark, occupying two car parking spaces. The steel frame is a fitting for the trailer and is used to convey surf boards and other surf lifesaving equipment for carnivals and repairs. On occasion, the steel frame is removed to allow the trailer to be used for general purposes by the Surf Lifesaving Club caretaker. The trailer is usually fitted with a resident parking sticker, which the caretaker finds to be stolen on a regular basis.

Following discussions with rangers, Bilgola Surf Lifesaving Club has agreed to fit a further resident parking sticker to the trailer and to have the steel frame refitted to the trailer.

Question 2 – Cr McTaggart

Regarding resident requests to resolve drainage problems at the end of John Street Avalon, will the General Manager organise a site visit of staff and interested Councillors to see firsthand the problem and provide Councillors with a possible solution

Response:

The northern ends of John Street and Joseph Street are low lying and the piped stormwater discharges to the extensive Careel Bay mudflats. The mudflats are higher than the pipe inverts and as such the outlets are partially submerged. The difficulty is finding a 'desire line' through the mangrove area to achieve a longer tail out to drain.

The Director of Urban and Environmental Assets, Mr Chris Hunt, has walked the area with Cr McTaggart and site levels have been taken to better predict what may be possible. On-site, the view was that the John Street outlet could possibly be linked to the Joseph Street outlet via a swale, and then concentrate on one tail out swale that also needs to have the least impact on the mangroves.

The April storms caused a diversion of resources and staff will now revisit what may be possible noting the site and environmental constraints and logistics at this location. It should be noted that a further influence is high tide levels that can cause a surcharge from stormwater pits.

A site visit can be organised for any Councillors who are interested.

8.0	Mayoral Minutes
Nil.	
9.0	Business by Exception
	t are dealt with by exception are items where the recommendations contained in the the Agenda are adopted without discussion.
10.0	Council Meeting Business
Nil.	
Leading	g and Learning Committee
11.0	Leading and Learning Committee Business

C11.1 Investment Balances as at 31 July 2015

Meeting: Leading and Learning Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Corporate Management

COMMUNITY STRATEGIC PLAN OBJECTIVE:

To ensure Council's future financial sustainability

DELIVERY PROGRAM ACTION:

To Provide Effective Investment of Council's Funds

1.0 EXECUTIVE SUMMARY

SUMMARY

- The net investment return as at 31 July 2015 is \$81,387.
- All investments have been made in accordance with the NSW Local Government Act, 1993, the Local Government (General) Regulations and Council's Investment Policy.

2.0 RECOMMENDATION

That the information provided in the report be noted.

3.0 BACKGROUND

3.1 **PURPOSE**

A report listing Council's investments must be presented.

3.2 BACKGROUND

As provided for in Regulation 212 of the Local Government (General) Regulation, 2005, a report listing Council's investments must be presented.

3.3 POLICY IMPLICATIONS

Council's Investment Policy (No 143)

3.4 RELATED LEGISLATION

Regulation 212 of the Local Government (General) Regulation, 2005, states that a report listing Council's investments must be presented. The responsible Accounting Officer certifies that all investments have been made in accordance with Section 625 of the NSW Local Government Act, 1993, the Local Government (General) Regulations and Council's Investment Policy (No 143).

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

- The net investment return as at 31 July 2015 is \$81,387
- The projected investment return budget for the financial year (subject to quarterly budget review) is \$1,119,938

3.5.2 Resources Implications

Nil Implication

4.0 KEY ISSUES

4.1 MONTHLY RETURN

Investment return for the month of July 2015:	
Term deposits interest income:	<u>\$81,387</u>
Net investment return for July 2015:	\$81,387

YEAR TO DATE RETURN

Investment return year to date July 2015:	
Term deposits interest income:	<u>\$81,387</u>
Net investment return year to date:	\$81,387

Projected investment return budget for financial year:

\$1,119,938

4.2 PERFORMANCE OF COUNCIL'S PORTFOLIO FOR THE LAST FIVE YEARS

Annual return of Council's portfolio for the last five years:

Year to	Net Return	Return on average funds invested
June 2012	\$1,679,693	6.4%
June 2013	\$1,656,908	4.8%
June 2014	\$1,227,105	3.8%
June 2015	\$1,150,799	3.3%
July 2015	\$81,387	2.9%
Projected Budget	\$1,119,938	2.7%

5.0 ATTACHMENTS / TABLED DOCUMENTS

Attachment 1: Investment Balance Table and Associated Graphs

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 Community Engagement

Not Applicable

6.1.2 Risk Management

Investments and Interest Income form a part of Council's 2015/16 Budget.
 Investment risk is mitigated by Council's conservative portfolio structure and compliance with associated legislation and regulations.

6.2 **ENVIRONMENT**

6.2.1 Environmental Impact

Not Applicable

6.2.2 Mitigation Measures

Not Applicable

6.3 **SOCIAL**

6.3.1 Address Community Need & Aspirations

Not Applicable

6.3.2 Strengthening Local community

Not Applicable

6.4 **ECONOMIC**

6.4.1 **Economic Development**

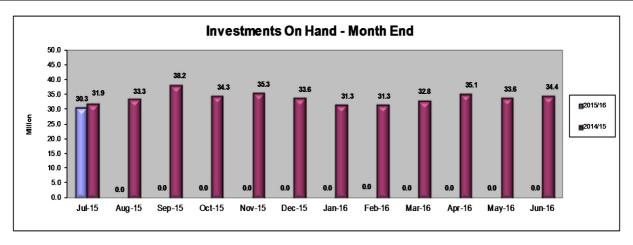
Investments and Interest Income form a part of Council's 2015/16 Budget.

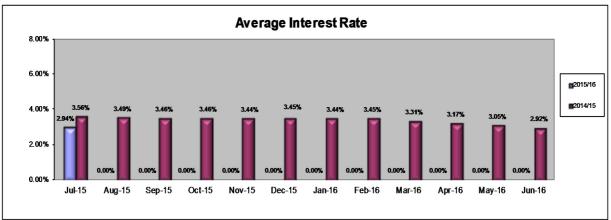
Report prepared by Renae Wilde, Senior Project Accountant

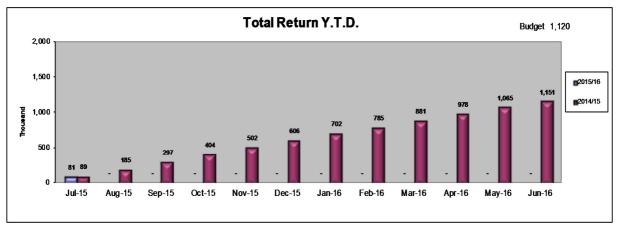
Mark Jones

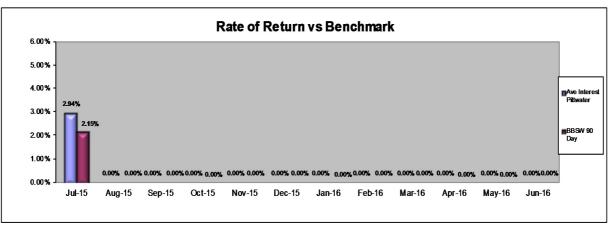
CHIEF FINANCIAL OFFICER

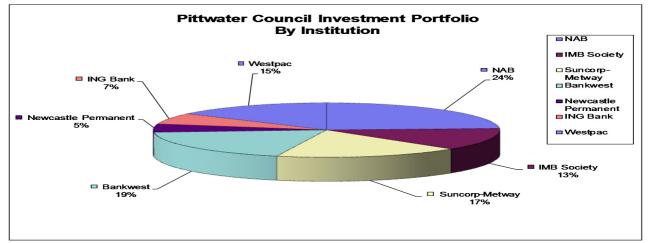
ATTACHMENT 1



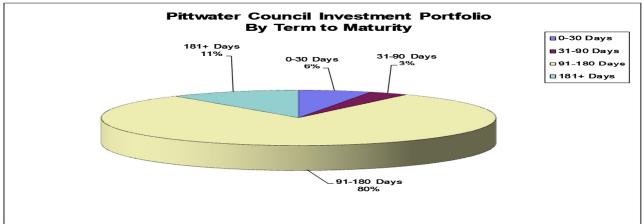




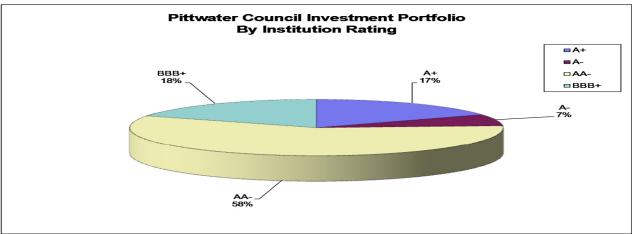


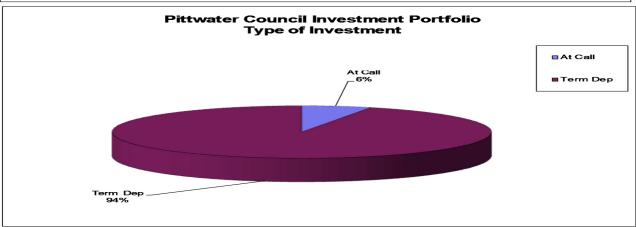


Note: Council Policy - No Institution can hold more than 25% of Council's Total Portfolio



Note: Council Policy - No Term to Maturity can be greater than two years





Investment Information:

Types of Investments -

At Call refers to funds held at a financial institution and can be recalled by Council either same day or on an overnight basis.

A **Term Deposit** is a short term deposit held at a financial institution for a fixed term and attracting interest at a deemed rate.

Credit Rating Information -

Credit ratings are generally a statement as to the institutions credit quality.

Ratings ranging from BBB- to AAA (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

- AAA Extremely strong capacity to meet financial commitments (highest rating)
- AA Very strong capacity to meet financial commitments
- A Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances
- BBB Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments
- BB Less vulnerable in the near term, but faces major ongoing uncertainties and exposures to adverse business, financial, and economic conditions
- B More vulnerable to non-payment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation
- CCC Currently vulnerable, and is dependent upon favourable business, financial, and economic conditions to meet its financial commitments
- CC Currently highly vulnerable
- C Highly likely to default
- D Defaulted

The **Bank Bill Swap Rate (BBSW)** is the average mid-rate, for Australian Dollar bills of exchange, accepted by an approved bank, having regard to a designated maturity.

C11.2 Tender T01/15 SHOROC - Hygiene Services Manly, Mosman and Pittwater Councils and the City of Ryde

Meeting: Leading & Learning Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Economic Development

COMMUNITY STRATEGIC PLAN OBJECTIVES:

- To foster shared resourcing through regional partnerships
- To sustainably and strategically manage the community's assets on a whole of life basis taking into account risks, community expectations and Quadruple Bottom Line (social, economic, environmental & governance)
- To create, acquire, maintain, enhance and manage assets in line with best practice, use of technology and innovation

DELIVERY PROGRAM ACTION:

 Establish a program of effective cost reduction through continuous monitoring of costs and sustainable purchasing

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

SHOROC in conjunction with Pittwater, Manly, Mosman, Ryde Councils prepared a Request for Tender SHOROC T01/15 - Provision of Hygienic Services.

Four (4) Tender submissions were received from:

- Enviro-LCS Pty Ltd (Enviro)
- Propag8 Pty Ltd Hard Copy
- Rentokil Initial Pty Ltd Trading as Initial Hygiene (Initial)
- Samson Healthcare Services Pty Ltd (Samson)

The Tender Evaluation is presented to Council for consideration in the confidential section of this Agenda.

2.0 RECOMMENDATION

That the recommendation contained in the Confidential Tender Assessments for SHOROC T01/15 - Provision of Hygienic Services be adopted.

3.0 BACKGROUND

3.1 **PURPOSE**

To consider in accordance with Clause 177 of the Local Government (General) Regulation, the Tender Evaluation Panel's (TEP) recommendations following its assessment of the tenders received for Tender T02/14SHOROC - Cleaning, maintenance, inspection and repair of stormwater services.

3.2 BACKGROUND

Pittwater Council currently uses contractors to provide hygiene services in public toilets, Council buildings and other facilities.

All available extensions for the current contract for delivery of these services have been exhausted.

In this instance, Council has joined with Manly, Mosman, and Ryde Councils to tender for the provision of hygiene services with a view to creating better service delivery outcomes for participating councils.

3.3 **POLICY IMPLICATIONS**

This report relates to Council's Procurement Policy No 193

3.4 RELATED LEGISLATION

This report relates to requirements imposed on Council by the Local Government Act 1993 and the Local Government (General) Regulations 2005.

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

- The funds for the provision of hygiene services are included in the operational budget
- · The work is not dependent on any grants or other external funding

3.5.2 **Resources Implications**

- Use of hygiene services is crucial to providing clean and safe toilets and avoids potential costs which might otherwise be incurred eg unblocking drains due to inappropriate disposal of nappies
- The proposal has no revenue raising opportunities for Council

4.0 KEY ISSUES

4.1 Tender Process and Assessment

The tender process was via an open invitation to the market and called in accordance with Section 55 of the Local Government Act and Clause 177 of the Local Government Regulation. Tenders were to be on a schedule of Rates basis.

The tender process was facilitated by Adrian Harley, SHOROC. Tender documentation included the Conditions of Tender, Schedules, the Services Specification and General Conditions of Contract.

4.2 Call for and receipt of tenders

Tender Advertising and Closing date

- Tenders were advertised by open tender via Tenderlink on 19 May, 2015.
- The closing date for receipt of Tenders was 5:00p.m. on 19 June 2015.

Receipt of Tenders

As per the call for tenders, the tenders could be received via SHOROC's Tender Box located at Brookvale or via SHOROC's Tenderlink portal prior to the specified tender closing time/date of 5:00 p.m. on 19 June 2015.

4.3 Tender Opening & List of Tenders Received

At the specified tender opening time, four (4) tenders were collected from the tender box, or received via Tenderlink. Tenderers are listed in alphabetic order, as follows:

Tenderers

- Enviro-LCS Pty Ltd (Enviro)
- Propag8 Pty Ltd Hard Copy
- Rentokil Initial Pty Ltd Trading as Initial Hygiene (Initial)
- Samson Healthcare Services Pty Ltd (Samson)

4.4 Outline of Tender evaluation process

Tenders contain commercial in confidence information. As such under Section 10A(2) of the Local Government Act the detailed assessment of tenders is included in the confidential section of this Agenda.

A Tender Evaluation Panel (TEP) was specifically formed to confidentially assess the tenders received. The TEP has provided a confidential assessment with covering report and recommendations for formal consideration by Council. The TEP takes into consideration the following steps as part of its confidential assessment:

- Probity checks including a declaration as to any conflict of interest or pecuniary interest associated with the tender.
- Initial assessment & cull this assesses compliance with the call for tender requirements, any company not conforming is culled (not considered further) from the next stages of the tender assessment process
- Detailed assessment of remaining tenders then takes place, including performance against the tender evaluation criteria. The tender was assessed using the following criteria:

Technical Criteria

Criteria	Schedule	Required result
Submission of all documentation required by the Request for Tender.	All Schedules	Pass/Fail
Compliance with work health and safety legislation and requirements.	Schedule F6	Pass/Fail
Ability to meet all elements of the Deed and potential Contracts formed under the Deed.	All Schedules	Pass/Fail
Compliance with Specifications.	Schedule F2	Pass/Fail
Tenderer's resources and staffing levels.	Schedule F8	Pass/Fail
Departures and Qualifications.	Schedule F2	Pass/Fail

Criteria	Schedule	Required result
Tenderer's organisation and financial capacity.	Schedules F3.1 and F3.2	Pass/Fail
Insurances.	Schedule F11	Pass/Fail
Compliance with industrial relations and environmental legislation and requirements.	Schedules F4 and F7	Pass/Fail
Tenderer's quality assurance system and procedures.	Schedule F5	Pass/Fail

Scored Criteria

Criteria	Schedule	Weight
The rates and prices.	Schedules F14	40
Demonstrated past experience of the Tenderer in providing services similar to the Services and history of disputes relating to those services.	Schedule F3.3	30
Qualifications and demonstrated past experience of the Tenderer's Key Personnel including Key Personnel of subcontractors.	Schedules F8 and F9	15
Tenderer's understanding of the Services and proposed method for performing the Services.	Schedule F12	15
	TOTAL	100

5.0 ATTACHMENTS / TABLED DOCUMENTS

There are no attachments

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 **Community Engagement**

The provision of hygiene services in public amenities is an integral part of the provision of a safe and clean environment for Pittwater residents and the broader community to enjoy.

6.1.2 Risk Management

Provision of sharps containers reduces risk of needle-stick injuries and any subsequent illness to staff and members of the public.

6.2 **ENVIRONMENT**

6.2.1 Environmental Impact

The tender documentation included a questionnaire covering aspects of environmental sustainability and social equity. Tenderers provided information relating to their business activities including waste management, energy and water efficiency, purchase of carbon offsets as well as the support of sporting teams in their area.

6.2.2 Mitigation Measures

Nil

6.3 **SOCIAL**

6.3.1 Address Community Need & Aspirations

- By helping to provide clean and will have a positive benefit on the health, safety and well-being of residents
- The provision of the nappy bins has a positive effect on community particularly families with young children but also anyone with the need to use such a bin

6.3.2 Strengthening local community

• By contributing towards providing clean and safe amenities, this proposal increases the liveability of our villages.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

 The proposal may support opportunities for local economic growth if the company chooses to employ local people.

Report prepared by Donald Gibson – Principal Officer – Building Services

Paul Reid

MANAGER, CORPORATE DEVELOPMENT & COMMERCIAL

C11.3 Draft Property Management Policy

Meeting: Leading & Learning Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Corporate Management Strategy

COMMUNITY STRATEGIC PLAN OBJECTIVE: To create, acquire, maintain, enhance and

manage assets in line with best practice

DELIVERY PROGRAM ACTION: Nil

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

Commercial Property & Projects Business Unit of Council conducted an internal review of all Council property activities and dealings and determined that a holistic Property Management Policy was required. This Policy was endorsed by the Audit & Risk Committee in July 2015 with some minor changes and is now presented to Council for the purpose of public exhibition.

2.0 RECOMMENDATION

That the draft Property Management Policy, (as attached), be placed on public exhibition for a period of 28 days with a further report to Council to consider submissions received.

3.0 BACKGROUND

3.1 **PURPOSE**

To present the draft Property Management Policy to Council for the purpose of public exhibition.

3.2 **BACKGROUND**

At its meeting of 6 August 2014, the Audit & Risk Committee requested that a "Policy in relation to the sale of road reserves to be brought to the Committee for review prior to adoption."

In light of this recommendation, Commercial Property & Projects conducted an internal review of all Council property activities and dealings and determined that a holistic Property Management Policy was required with the sale of road reserves being one component of this Policy.

3.3 **POLICY IMPLICATIONS**

It is envisaged that Policy 195 will be revoked as this is now included in the draft Property Management Policy.

3.4 RELATED LEGISLATION

The Policy complies with all relevant legislations as outlined on Page 1 of the Policy.

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

Fees & Charges have now been included in the Draft 2015-19 Delivery Program for the following:

- · Road closure establishment fee
- Road closure processing fee
- Non compulsory creation/ modification/ release of easement/ covenant/ right of way/ caveat initial investigation for granting owners consent fee
- Non compulsory creation/ modification/ release of easement/ covenant/ right of way/ caveat processing fee

3.5.2 Resources Implications

Nil

4.0 KEY ISSUES

Up until now Council has not had a documented process for dealing with property management. The development of a Property Management Policy and framework will enable Council to more effectively manage Councils property assets and establish principles that underpin the effective management of Council property activities and dealings. The new Policy and framework will provide a clear process for all property related dealings for both Council and the community.

The Property Management Policy covers the following:

- Policy Statement
- Policy Objectives
- · Statutory Obligations
- · Principles in Property Activities
- Asset Management Approach
- Professional Services
- Property Strategy
- Property Transaction Types
- Flow Diagrams for Council's Property Management Processes

The Office of Local Government was forwarded a copy of the draft Policy and has recommended some minor amendments. These amendments have been incorporated into the document.

The Audit & Risk Committee has reviewed the Policy and provided feedback that has also been incorporated into this document. Feedback was also provided by Councillors Hegarty and Millar which has been included.

It is envisaged that the workflow guidelines in attachment 2 will be review every 12 months to keep in line with any legislative changes. However any changes to the Policy will be brought back to Council for review and adoption.

5.0 ATTACHMENTS

Attachment 1: Draft Policy

Attachment 2: Workflow Guidelines

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 **Community Engagement**

The new policy and workflow guidelines form a very clear overview for the community on all property dealings undertaken by Council. The attached workflow guidelines lay out each process that needs to be undertaken very clearly.

6.1.2 Risk Management

The workflow guidelines that are attached to the policy provide a clear framework in which each property dealing will be dealt. In this way the community and council can be assured that the process is followed correctly as stipulated.

6.2 **ENVIRONMENT**

6.2.1 Environmental Impact

Nil

6.2.2 Mitigation Measures

Nil

6.3 **SOCIAL**

6.3.1 Address Community Need & Aspirations

Ni

6.3.2 Strengthening local community

Nil

6.4 **ECONOMIC**

6.4.1 **Economic Development**

Nil

Report prepared by

Paul Reid

MANAGER, CORPORATE DEVELOPMENT & COMMERCIAL

Council Policy – No	Adopted:
•	Amended
Version:	

TITLE: PROPERTY MANAGEMENT POLICY

STRATEGY: To create, acquire, maintain, enhance and manage assets in line with best

practice

BUSINESS UNIT: Corporate Development & Commercial

RELEVANT LEGISLATION:

Council's property activities will be managed within the legislative parameters of the:

- Local Government Act, 1993
- Valuation of Land Act, 1916
- Environmental Planning and Assessment Act, 1979
- Residential Tenancies Act, 2010
- Land Acquisition (Just Terms Compensation) Act, 1991
- Roads Act, 1993
- Retail Lease Act, 1994
- Crown Lands Act, 1989
- Environment Protection and Biodiversity Conservation Act, 2000
- National Parks and Wildlife Conservation Act, 1975
- Telecommunications Act, 1997
- Real Property Act, 1900
- Conveyancing Act, 1919
- . Residential Parks Act, 1998
- Strata Scheme Management Act, 1996
- Any other legislation applicable in a matter.

RELATED POLICIES: Leases over Council Owned or Controlled Land (Policy 195)

Pittwater Council – Property Management Policy - Council Policy No XX

1) Objective

The objective of this policy is to:

- Respond to the Community Strategic Plan of providing effective property and land management
- · Facilitate effective management of Council's property assets.
- Establish the underpinning principles of equity and transparency in Council's property dealings.
- Ensure that all dealings in property matters relating to Council owned property or property acquisitions by Council are handled within legislative requirements.
- Support the objective of using Councils property portfolio to create additional forms of income that would support on-ground works into the future for the benefit of the community
- Facilitate local business activity where appropriate.
- That the community would be consulted with when dealing with Council property using councils Community Engagement Framework

2) Policy Statement

The purpose of the Property Management Policy is to establish the principles for effective management of all Council's property activities and dealings that will endeavor to achieve the best community outcome.

3) Statutory Obligations

Council's property activities will be managed within the legislative parameters of the:

- Local Government Act, 1993
- Valuation of Land Act, 1916
- Environmental Planning and Assessment Act, 1979
- Residential Tenancies Act, 2010
- Land Acquisition (Just Terms Compensation) Act, 1991
- Roads Act. 1993
- Retail Lease Act. 1994
- Crown Lands Act, 1989
- Environment Protection and Biodiversity Conservation Act, 2000
- National Parks and Wildlife Conservation Act, 1975
- Telecommunications Act, 1997
- Real Property Act, 1900
- Conveyancing Act, 1919
- · Residential Parks Act, 1998
- Strata Scheme Management Act, 1996
- Any other legislation applicable in a matter.

4) Property Activities

In the context of this policy, corporate property activities include:

- 1. Reclassification of Council land Community
- 2. Sale of Council land Operational
- 3. Acquisition of property for Council purposes
- 4. Sale of Council Road Reserve
- 5. Addition of encumbrances on Council owned land- Community
- 6. Addition of encumbrances on Council owned land- Operational
- 7. Additions or removal of Council encumbrance on privately owned land
- 8. Lease & Licence on Council owned/managed property/building Community
- 9. Lease & Licence on Council owned/managed property/building Crown
- 10. Lease & Licence on Council owned/managed property/building Operational
- 11. Management Agreements on Council owned/managed property/building

12. Annual Facility Licence Agreements.

The above Property Activities, numbers 1 to 12 will have a flow diagram (workflow) outlining the procedure Council Officers will follow to manage each of these property dealings. These workflow diagrams will be reviewed and updated by Council Officers on a regular basis to ensure procedures are kept up to date.

5) Asset Management Approach

In managing its land and property asset portfolio, Council's challenge is to determine whether its asset portfolio meets the strategic objectives of the organisation.

Council's portfolio will be reviewed and assessed on a regular basis to ensure the highest and best use of the facility is being achieved.

The objective of this approach is to minimise cost and maximise usage of its assets so that Council's asset portfolio is managed and maintained to a standard that benefits the whole community now and into the future.

6) Professional Services

- i) Valuations In the case of acquisitions and disposals or where a valuation report is required, Council Officers will engage a registered Valuer from its tendered panel to ensure accuracy and transparency. Council may then utilise a staff member, who is a registered Valuer, to conduct a cross-examination/ peer review to determine the final valuation. Valuers will be fully qualified and have experience in the following areas: commercial & residential property valuation; rental determinations; easement valuations, statutory valuation; asset valuation; compulsory acquisition as well as other specialised valuations. Valuations directed by Council remain the property of Council and are commercial in confidence.
- ii) Legal Services Council Officers will engage legal services from its tendered panel when required to ensure Councils interests are protected. The panel will be fully qualified and have experience in sales, acquisition, leasing and licensing transactions as well as complex land dealings.

7) Property Strategy

Under this Policy, all property owned by the Council will fall into one of the following three classes which describe the primary purpose for which the property is held. Properties within each class will not necessarily be static and may be re-classified following a review by the Council. Any dealings will need to be resolved by Council.

i) Held for Community Purposes

This class includes property held for administration, operations, recreation, and/or infrastructure usage. Where appropriate, consideration will be given to leasing improvements to not-for-profit community groups at a subsidised rental (e.g. community halls, clubrooms, community centres, libraries, toilets/change rooms, drainage sites, and parks/public open spaces etc.). Property held for *Community Purposes* will generally not be considered available for liquidation. However, there may be some instances where property held in this class may be transacted for a greater community benefit.

ii) Held for Capital Appreciation

This class includes property which is either undeveloped or underdeveloped, but which is not held for *Community Purposes*. Property held for *Capital Appreciation* will be developed for income when market conditions are favorable and the development risk is considered to be acceptable.

Alternatively, these properties will be liquidated to take advantage when market conditions are favourable. In general, income from any improvements should be maximised and property in this category will not be made available for community usage (e.g. vacant lots, underdeveloped sites etc.).

iii) Held for Income Generation

This class includes property where the maximisation of the income stream is considered to be the primary objective. Property held for *Income Generation* will be developed to the highest and best use of the site. Leases and agreements will be set by reference to market levels, with regular reviews, depending on the circumstances. In general, subsidised rentals will not be considered for properties within this class (e.g. car parks, commercial buildings etc.).

It should be noted that whilst these classifications are intended to capture all property owned and managed by the Council, it is recognised that not all property will fit exactly within these classes. Appropriate discretion therefore, will be used by Council when dealing with any such property activities (including hiring, leasing/licensing, liquidating etc.).

8) Property Transaction Types

i) Sale of Council Owned Land (Figures 1&2)

Council owned land must be classified as, "Operational" or "Community". In accordance with the provisions of the *Local Government Act, 1993* land classified, as "Operational" is saleable; however, "Community" land cannot be sold without first being reclassified and rezoned following a resolution of Council. The reclassification of community land is achieved by an amending LEP.

Property sales may include sale of Council surplus land and property, airspace and stratum. To be able to strategically manage its land sales activities, it is necessary for Council to establish a Property Disposal and Investment Program (PDIP). The key principles guiding a decision to sell a property asset is that Council will only consider a sale under the following circumstances:

- If the property is not being used for the purpose intended at the time of Council's purchase (subject to acquisition notice being approved by the Governor).
- · If the property is not serving an operational or community need.
- If the property is not facilitating Council's service delivery objectives.
- If the property disposal would result in better outcomes for the local community.

If the property does not provide the expected return and represents a risk to Council, the key principles in disposal of these assets are:

- Council will dispose of property assets using a process that is transparent and equitable to all interested parties.
- Generally Council will not sell property which has future development potential for community facilities or commercial return.
- Council will identify the most appropriate marketing strategy for each sale on a case by case basis.

ii) Acquisition of Land or Property (Figure 3)

Council may decide to purchase land and property for statutory, public or investment/redevelopment purposes. For example, Council could acquire land for road widening, road opening, recreational and sporting facilities, parks and reserves, bushland and environmental conservation, investment, redevelopment, subdivision and resale, or development of community facilities purposes.

The key principles in the acquisition of land and property are:

- After identifying a property for acquisition for a council function and public purpose, Council will:
 - Firstly make its best endeavours to negotiate with the owner a fair and reasonable price in accordance with the directive of Office of Local Government.
 - Only if agreement cannot be reached will Council pursue compulsory acquisition (under Section 187 of Local Government Act 1993) if the acquisition has strategic importance or is very important for the local community.
- Where Council decides to purchase operational land at auction, it will be resolved in a closed Council meeting so the decision and proposed purchase price will not be publicised prior to auction.

Land Swaps

Under certain circumstances Council may enter into Land Swap transactions with landowners to achieve a broad community benefit. Pittwater Council has many examples of this form of transaction, contributing positively to Council's existing land holding (e.g. Ingleside Escarpment).

The following principles will always be taken into account;

- There will be no net disadvantage to Council in the transaction in relation to the area of open space acquired or sold.
- Independent valuations will be undertaken in all instances.
- Council may receive land swap proposals from landowners or may be the proposer of such transaction.
- In some instances there may be a need for financial settlement in addition to the actual land being swapped.

iii) Sale of Council Road Reserves (Figure 4)

Road Reserve enquiries regarding closure of a public road/or portion of a public road are typically made by a land owner/s, or may be identified through a development application.

As the local road authority, Council will consider all applications within the following principles:

- Status of Road Reserve (e.g. Crown or Local Road, made or unmade) will need to be determined by a Council Officer as some are not suitable for sale.
- All adjoining property owners and relevant authorities will be notified by Council following receipt of application.
- Management of an application for road closure benefiting an individual or company will be cost neutral to Council. Application fees and charges applied by Council will be based on full cost recovery.
- The market rate will be determined by an independent Valuer and will provide the basis of the sale price of a public road/portion of public road.

It is important to note that Council is required to submit a formal application to the New South Wales Trade and Investment Crown Lands for road closure approval, registration and gazettal. Once this has taken place, Council will be in a position to sell the land via a contract for sale to the applicant.

iv) Encumbrances - Rights of Way & Easements etc. (Figures 5,6,7)

Council may grant an easement over its land in favour of a private land owner. Council may also require easements over private land. Encumbrances can be for different purposes such as rights of way, drainage, sewerage, electricity, utility and any other specific purposes. The addition or removal of easements or rights of way may be initiated through scenarios including but not limited to:

- A conditional DA approval on Council owned land.
- A proposed development adjoining Council land.
- · Council's proposed drainage system.
- Council's existing pipes under the surface of the land.

The key principles in effective management of encumbrances are:

- Council will advise and negotiate (if required) with the private landowners affected by Council's proposed works.
- Council will negotiate a fair and reasonable package with the private landowner(s) who seek to create an easement over Council owned land provided that the proposed easement would not detrimentally affect the objectives of the land and the applicant agrees to fairly and reasonably compensate Council.
- Council will relinquish encumbrances if:
 - o The encumbrance is no longer required or serving Council's objectives.
 - o All associated costs are paid for by the other party.
 - o Council's interests are protected.

v) Tenure Arrangements – Lease, Licence & Management Agreements (Figures 8-12)

Under this Policy, standard tenure arrangements will apply to lease, licence and management agreements granted by Council for Council owned and managed properties. This will be done in accordance with sections 46, 46A & 47 of the Local Government Act 1993.

An annual facility licence agreement will be issued on a case by case basis, where there is no current agreement in place. This is considered to be a short term arrangement to ensure both parties' responsibilities are clearly outlined and interests are protected.

For lease, licence and management agreements on Crown Land where Pittwater Council acts as Trust Manager, prior approval will be obtained from NSW Trade & Investment Crown Lands, in accordance with the *Crown Lands Act 1989*.

(1) Tenure Guidelines - Legal Framework

The following key principles will guide Council's approach to tenure arrangements;

- Council acknowledges its obligation to provide and maintain its properties to meet community needs for present and future generations.
- Council recognise and support the contribution made by community groups in achieving an active and sustainable community.
- Council encourages the use of its properties by organisations that provide a community benefit.

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- Council promotes tenure arrangements that are consistent, transparent and equitable.
- Council promotes tenure arrangements which allow access to the property by the wider community.
- Council promotes tenure arrangements that contribute to the financial viability of Council.

(2) Tenure Guidelines - Groups

The following tenure guidelines are intended to apply to leases and licenses for all groups within each category. It is recognised however, that some groups (especially *Not-for-Profit Community Groups*) may be constrained by specific circumstances and Council will apply appropriate discretion in determining tenure arrangements for these groups.

Commercial Organisations

In general, *Commercial Organisations* will be permitted to lease or license facilities which are located on property held for *Capital Appreciation* or property held for *Income Generation* or in certain circumstances on *Community Land*.

As such, income received from the lease or license should be maximised. Subsidised rental should not be considered.

If on community land, Council is obliged to undertake tenders for the leasing or licensing for terms over 5 years where dealing with a for profit lessee in accordance with Section 46A of Local Government Act 1993.

Rental will be based on a market rate, determined with the guidance from a licensed Valuer selected from Councils tendered panel or a market appraisal obtained from a local agent. Rents will be reviewed every 12 months in line with the terms of the lease/licence agreement.

These can be broken up into further sub categories:

 a) Commercial Operations - Restaurants, Kiosks and any other fully commercial enterprise run for commercial gain on operational land. However, if the commercial operations are located on Community land, it must comply with the provisions of section 46, 46A and 47 of the Local Government Act 1993.

COMMERCIAL OPERATIONS

ANNUAL LEASE/LICENCE FEE	At commercial rates determined by market valuation.
MAXIMUM TERM	Twenty Years (10 + 10)
OTHER COSTS	All outgoings, including but not limited to telephone, water usage, electricity (where separately metered), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee
LEGAL COSTS	Lessee

 Sporting Clubs – Commercial – Examples include Golf Clubs, Bowling Clubs etc.

These clubs are in receipt of membership fees, green fees, poker machine income and income from sale of alcohol and catering.

SPORTING CLUBS - COMMERCIAL

ANNUAL RENT	At commercial valuation based on comparable rents paid by similar clubs in the Sydney metropolitan region.
MAXIMUM TERM	Ten years (5 + 5) however terms greater than ten years can be sought with the provision of a business plan that demonstrates capital expenditure that may need to be amortised over a period greater than ten years.
OTHER COSTS	All outgoings, including but not limited to telephone, water usage (if applicable), electricity (where separately metered), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee
LEGAL COSTS	Lessee

• Commercial Telecommunication Carriers

Although considered to be carrying out commercial activities, *Telecommunications Carriers* are differentiated from *Commercial Organisations* due to their unique powers under the *Telecommunications Act* 1997 (as detailed in 'Council's role and statutory obligations' above). The *Telecommunications Act* 1997 does provide for an entitlement to compensation. For this purpose, carriers generally negotiate to pay a form of 'rental' and occupy their sites under a lease or license agreement. Due to the nature of the *Telecommunications Act* 1997, carriers are permitted to lease/license land located on property held for Community Purposes, Capital Appreciation or Income Generation. Tenure arrangements for Telecommunications Carriers therefore will be determined on a case-by-case basis and Council will seek an access fee from Carriers requesting co-location of another carrier.

Government Departments/Agencies

Leases and licenses held by *Government Departments/Agencies* can range from neighborhood child health centres to large departmental offices.

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Consequently, depending on the purpose for which the lease/license is to be used, *Government Departments/Agencies* may be permitted to lease or license facilities which are located on property held for *Community Purposes*. In general, *Government Departments/Agencies* will be treated in the same manner as *Commercial Organisations*; however, subsidised rental may be granted on a case-by-case basis depending on the purpose for which the property is to be used. In addition, other formal agreements, memorandums-of-understanding or past obligations etc. may necessitate special tenure arrangements.

• Not-for-Profit Community Groups

Not-for-Profit Community Groups are defined as those which are incorporated under the Associations Incorporation Act 1987 and have their primary base of operation located within Pittwater Council. In general, Not-for-Profit Community Groups will only be permitted to lease or license facilities held for Community Purposes. As such, where appropriate, these organisations will be granted a lease or license at a subsidised rate in recognition of their perceived benefit to the community.

These can be broken up into further sub categories:

a) Community Based Services- Examples include Surf Clubs, Scout and Guide organisations etc.

This group will receive the greatest discount or subsidy. This will include community groups that service the local community or underprivileged groups or disadvantaged groups.

In the case of approved commercial operations associated with community based services, Council will receive 20% of the gross income from the operator to be utilised by Council for the maintenance of the associated reserve and infrastructure.

At the date of adoption of this policy clubs running commercial facilities without prior formal Council approval shall, at Council's discretion, be required to either cease the operation or enter into an Agreement with Council to return 20% of the income received from the facility to Council as above.

COMMUNITY BASED SERVICES

	
RENT	As per Council's Fees & Charges
MAXIMUM TERM	Twenty One Years
OTHER COSTS	The tenant is responsible for all outgoings,
	including but not limited to telephone, electricity
	(where separately metered), cleaning, repairs
	and maintenance to the interior part of the
	tenancy including hard wired electrical
	appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS	Lessee
COMPENSATION	
LEGAL COSTS	Each party to bear their own legal costs.

 Sporting Clubs, Non Commercial- Examples include Football clubs (all codes), Equestrian, Swimming etc.

This group will pay a nominal fee, as per Council's Fees and Charges, subject to annual CPI increases to partially offset the cost of ongoing lease administration and includes recreational or community groups that provide a service to the

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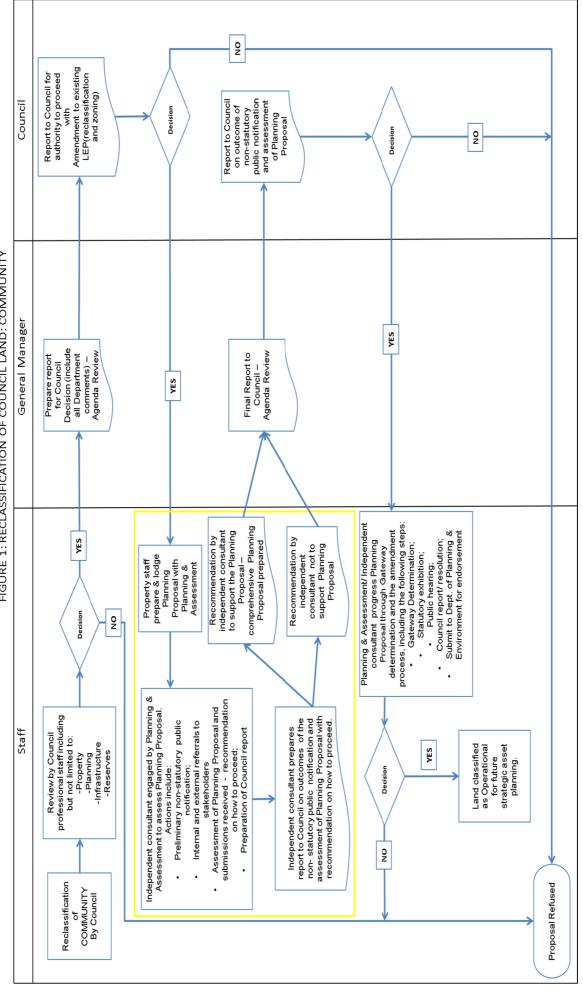
community but non-the-less have fund raising potential and are not reliant solely on grant income or subsidisation.

SPORTING CLUBS - NON COMMERCIAL

ANNUAL RENT	As per Council's Fees & Charges
MAXIMUM TERM	Ten years (5 + 5) however terms greater than
	ten years can be sought with the provision of a
	business plan that demonstrates capital
	expenditure that may need to be amortised over
	a period greater than ten years.
OTHER COSTS	All outgoings, including but not limited to
	telephone, electricity (where separately
	metered), water usage (where applicable),
	cleaning, repairs and maintenance to the
	interior part of the tenancy including hard wired
	electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS	Lessee
COMPENSATION	
LEGAL COSTS	Each party to bear their own legal costs.

End.

FIGURE 1: RECLASSIFICATION OF COUNCIL LAND: COMMUNITY



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Agenda for the Council Meeting to be held on17 August 2015.

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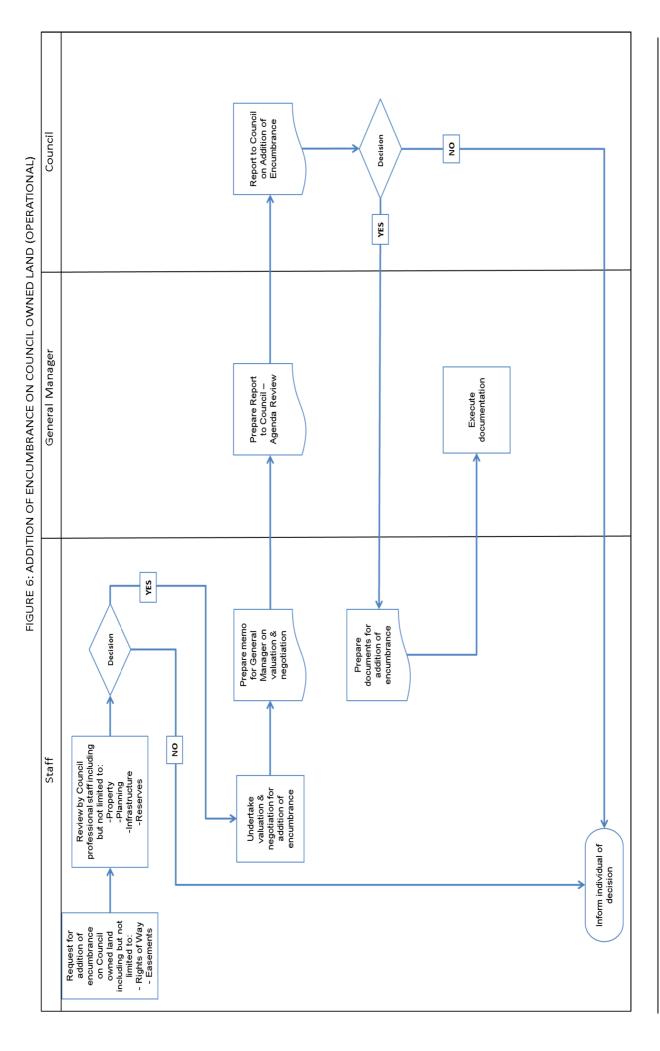
Agenda for the Council Meeting to be held on 17 August 2015.

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Agenda for the Council Meeting to be held on17 August 2015.

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Agenda for the Council Meeting to be held on 17 August 2015.

C11.4 Minutes of the Dog Control Policy No 30 Review Working Group Meeting of 7 July 2015

Meeting: Leading and Learning Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Recreation Management

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To provide a diverse range of accessible recreational opportunities and associated facilities for a broad range of ages, abilities and interests

DELIVERY PROGRAM ACTION:

Provide planning, design, investigation and management of recreational facilities

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

In December 2014 Council resolved to form a Dog Control Policy Review Working Group (The Working Group) to undertake an in-depth review of Council's current Dog Control Policy No 30 in accordance with its objective;

"To provide effective dog control in leashed and unleashed areas in the Pittwater Local Government Area in accordance with the Companion Animals Act 1998.

The Working Group is to consider including in the policy effective education measures, compliance control, asset maintenance, signage and the adequacies of all the current dog areas in Pittwater LGA to meet the current and future dog population."

2.0 RECOMMENDATION

That the Minutes of the Dog Control Policy Review Working Group meeting from 7 July 2015 be noted.

3.0 BACKGROUND

3.1 **PURPOSE**

To advise Council of the Minutes of the Dog Control Policy Review Working Group meeting held on 7 July 2015 (refer **Attachment 1**).

3.2 BACKGROUND

Council, at its meeting of 1 December 2014 resolved to form a Working Group with the purpose of reviewing Council Dog Control Policy No.30 in accordance with its objective.

After an extensive EOI process the Working Group was established with the first meeting being held on Wednesday 15 April 2015, the second meeting held on 26 May 2015 and the third meeting held on 7 July 2015. Part of the accepted Charter was the requirement for meeting minutes to be presented to Council.

3.3 POLICY IMPLICATIONS

The Working Group was established to review Dog Control Policy No 30.

3.4 RELATED LEGISLATION

This report has not been prompted by a legislative requirement.

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

- Staffing and venue hire costs for the Dog Control Policy Review Working Group are absorbed in existing operational budgets.
- Recommendations from the Dog Control Policy Review Working Group, if adopted by Council, may have a financial impact on Council's budget and would need to be considered as part of Council's Delivery Plan and budget process.

3.5.2 Resources Implications

 Three Councillors and four Council staff representatives participate in each working group meeting.

4.0 KEY ISSUES

Further consideration of expanded list of reserves

The Working Group further identified the constraints and opportunities along with those reserves that were seen to have potential for further consideration – see Minutes.

It should be noted that the reserve locations also need to be considered from a broader strategic context, including Pittwater's Open Space Strategy; Flora & Fauna Strategy; Risk Management and Property Asset Management. In this regard, the next Working Party meeting will be provided an added critique of the locations under consideration.

Included in the full considered list were a number of water access locations, including two ocean beaches. These locations will be readdressed in more detail at the next Working Group meeting when ocean beach access in its entirety is discussed.

Consideration of dog access to ocean beaches

The Working Group commenced an initial review of each ocean beach from North Narrabeen rock pools to North Palm Beach. Initial prominent features of each beach were noted.

There were trends across all beaches, mainly regarding environmental and enforcement factors issues, which were discussed briefly, however a more detailed review will be conducted at the next meeting on 18th August 2015.

Education and distribution of material

There was discussion regarding how information relating to dog control and general dog education is distributed to dog owners in Pittwater. Council does not have a contact register of dog owners, but staff will investigate the possibility of obtaining this information from the NSW Pet Registry to present at the next meeting.

Information regarding dogs on Council's website was also briefly reviewed, with focus on ease of finding information and content. It was suggested to somehow incorporate dog relevant information into the Council 'Walking Pittwater' App, including UDEAs, local vets and other helpful information.

5.0 ATTACHMENTS

Draft Minutes – Dog Control Policy Review Working Group Meeting – 7 July 2015 (Refer Attachment 1)

6.0 SUSTAINABILITY ASSESSMENT

A sustainability assessment is not required for the minutes of the subject meeting.

Report prepared by Jessica Brealey – Reserves and Recreation Officer

Les Munn
MANAGER, RESERVES & RECREATION

MINUTES

DOG CONTROL POLICY REVIEW WORKING GROUP MEETING

Date / Time: Tuesday 7 th July 2015, commencing at 4.12pm	
Attendees:	Cr Ian White (Chairperson & Central Ward); Cr Bob Grace (North Ward stand in for Cr Selena Griffith); Mr Nick Savage; Mr Martin McCallum; Ms Penny Dalzell; Ms Marita Macrae; Ms Sherry Martin; Mr Mark Beharrell; Mr Les Munn; Mr Jeff Lofts
Absent:	Cr Kay Millar (South Ward)
Minuted By:	Jessica Brealey

Agenda Item	Action
1.0 Apologies	
Apologies have been received from Cr Selena Griffith and Aisling McDermott	Noted
2.0 Confirmation of Previous Minutes	
Accepted	All
3.0 Matters arising from previous minutes	
5.6 Copies of material distributed regarding Dog Control	
To be carried over to August meeting	
6.4 Site visit to discuss potential reserves	
Addressed in WORKSHOP ITEM 1	
4.0 WORKSHOP ITEM 1 –	
4.1 Notes to be made in addition to previously noted opportunities and constraints:	
Annam Road Reserve – Annam Road, Bayview – potential	
Easy to fence on southern boundary of Bayview Golf Course	
Close to retirement village	
Could gate if required	
Topography is good, small incline natural protection from Annam Road	
Lots of trees, 'smells' for dogs	
Public open space being utilised well	
Clareville Beach – Clareville	
Opportunities	
 Walking distance for local residents 	
 Timeshare access may deter large volumes of visitors 	
Constraints	
 Heavily utilised as public open space for picnics, social events, weddings 	
 Very close to residential properties backyards 	
	9

genda Item	Action
Paradise Beach – Clareville	
(Raised in addition to existing list)	
Opportunities	
Natural extension of Clareville Beach (if this was allowed as an UDEA)	
Constraints	
Small beach Swimming pool	
Swimming poolVery popular with families and children	
Pavich Reserve – Frankston Place, Mona Vale – potential	
Opportunities	
Large open grassed area	
 Fences on side and back of reserve 	
Relatively low traffic street	
Underutilised public space	
Trafalgar Park – Gladstone Street, Newport	
Opportunities	
Large reserve	
 Lots of trees 	
Constraints	
Lunchtime use by children	
 Playground (could be fenced) 	
High used by Newport Public School	
*These issues could be addressed by timeshare arrangement allowing access outside school hours, and weekends	
Beaconsfield Street Reserve – Newport	LM/Council
(Raised in addition to existing list)	staff to
Opportunities	investigate
Small private reserve	status of lan
Constraints	
Residential vehicle access	
Reserve could soon become Crown LandUneven topography	
Chattan Park – Wimbledon Avenue, Narrabeen – potential	
Opportunities	
Large reserve	
Underutilised public space	
Existing fencing is sufficient	
Walking distance for many people	
Constraints	
 Residents use as 'storage' area for boats, vehicles etc. 	
 Close to residential properties, could cause problems 	
North Palm Beach	
Opportunities (2) 1 2 1	
 Less contentious than middle section (Black Rock to Ocean Road) 	

igenda Item	Action
Large open space	
Public Recreation RE1 Zoning	
 Proposed area is south of second access way (closest to base of dunes) 	
Constraints	NAD (C
Adjacent to Ku-Ring-Gai National Park	MB/Council staff to
 Improved fencing on perimeter of dune area required Potential fencing to water's edge to define area to be restricted, which will be 	investigate boundary
 very difficult Clarification required on exact boundary of Council land to National Park 	Journal, y
 Clarification required on exact boundary of Council land to National Park Any amendments to Dog Control Policy need to consider protection of the environment within the related area 	
 When discussing any beach access, application of various coastal protection policies and legislations will need to be considered. 	
 Environmental Impact Assessment will be required when presenting report to Council 	
 Similar issues to Mackerel Beach in terms of proximity to National Park 	
Station Beach &Store Beach — Palm Beach	
Opportunities	
Public Recreation RE1 Zoning	
 Area south of Boathouse Restaurant better suited (Station Beach) 	
Constraints	
Adjacent to Palm Beach Golf Course	
Seagrass beds present (northern end only)	
 Trial was proposed in past and was not supported by Department of Fisheries or Maritime Services 	
*It was suggested that a representative from RMS and/or Department of Fisheries attend a working group meeting, rather than writing a letter.	
Black Rock to Beach Road – Ocean Road, Palm Beach – not pursuable	
Opportunities	
Less utilised section of beach	
No defined surf break Constraints	
Constraints • Limited parking	
 Limited parking Once one section is opened, people may think the whole beach is an UDEA 	
 Once one section is opened, people may trimk the whole beach is all ODEA Opening 'middle' section is problematic, difficult to enforce and manage dogs 	
Adjacent to residential properties frontage	
Sandy Beach & Reserve – Iluka Road, Palm Beach Constraints	
Severe erosion from recent storms	
Residential properties back on to beach	
Limited parking, access only via Snapperman Lane	
Used extensively in summer for recreation	
High tide causes loss of large part of reserve	
Catherine Park – Scotland Island	
No proposal received from SIRA	
SIRA have indicated that they intend to submit proposal	
Pre-school is already fenced	
Timeshare arrangement may be most suitable	
	1

Agend	a Item	Action
Carı	penter Crescent Reserve – Carpenter Crescent, Warriewood – potential	
Орр	portunities	
•	Fenced	
•	Under-utilised public space	
•	'Secluded' reserve	
Con	straints	
•	Close to residential properties	
•	No shade or trees	
•	Large area of Kangaroo Grass (<i>Themada triandra</i>) native grass species within middle of reserve.	
	riewood Valley Detention Basin – Dickson Place, Warriewood – potential	
	portunities	
•	Very good reserve for UDEA	
•	Isolated	
•	Slope behind protects residential properties Relatively contained	
	nelatively contained	
	uth Mona Vale Beach – potential (also to be reviewed with all beaches) portunities	
•	Existing UDEA above (Robert Dunn Reserve)	
•	No direct impact on properties, houses are set back on other side of road	
•	Beach with least constraints	
Col	nstraints	
•	Coastal issues relating to impact on environment	
•	Requires upgrade to fencing (second fence due north from Robert Dunn Reserve)	
•	Current fence is too wide (holes in fence too wide, dog could easily get through	
	gaps)	
•	Tracks to beach condition needs improving	
•	Could potentially access Warriewood Beach at low tide	
5.0 Co	mparison of Pittwater dog water access to other metropolitan Councils	
	vas suggested that Pittwater does not provide the same variety of options for dog	
Wa	ater access, compared to other Councils, such as:	
•	Mosman Council; Clifton Gardens and the Spit	
•	Manly Council; Clontarf	
•	South Coast Councils	
•	Central Coast	
The	e Working Group agreed that these Councils are in different locations with differing	
dei	mographics; however it would be beneficial to review the Council metropolitan	
stu	dy which investigated all metropolitan Councils dog access, completed in 2014.	
A c	opy of the report to Council from November 2014 will be recirculated.	JB to circulate
6.0 Re	commendations for amendments to policy expectations	
	y recommendations for amendments to the policy need to be reasonable and	
re	alistic. Pittwater residents will be vocal in support and against recommendations,	
so	0 p	
re	commendations.	

Agenda Item Action 7.0 Initial review of Pittwater ocean beaches The Working Group made an initial review of each ocean beach, however will address each location in detail at the next meeting, including surrounding issues and discussion regarding dog beach access in its entirety. North Narrabeen Rock Pool - not suitable Aquatic reserve No open space Rock shelves Rock pool Frequently visited by school children, mainly education programs through CEC **Turimetta Beach** Abundance of wildlife Manager, Environment and Education discussed list of species believed to be present at this and other beaches **Ecological constraints** Heavily vegetated on top level of headland Not close to residents **Warriewood Beach** Potential timeshare access Difficult access • Limited parking during summer No neighbouring residential properties **Bongin Bongin Bay** Coastal managed zone Dense residential area **Bungan Beach** Natural environment constraints Very active residential community Access extremely difficult Bush care groups active in area **South Newport Beach** Active residential community (Newport); Council has already received a number of complaints regarding dog access Rock pool South of culvert most suitable location **North Newport Beach** Environmental concerns with northern rock shelf Beach volleyball nets Hangliders use area for landing • Sooty oyster catchers among large array of species within area. Reference again made to natural animal and plant species list

Underutilised area

Vegetation near path is improving slowly

Reports of seals sighted at North Newport.

Agenda Item Action **Bilgola Beach** Small beach Active residential community Dogs are already permitted to pool on lead **Avalon Beach** Could join to walking path network within Avalon Northern end only should be considered No residential properties close by Intensive dune restoration program in place at North Avalon **Rock platforms** Highly utilised by Avalon community If dogs permitted could become extremely popular and overrun with crowds **Whale Beach** Reserves at northern end is Council land, but adjoined to residential properties, could not be fenced Rock platform Topography could be a natural barrier 7.1 Issues surrounding enforcement Ocean beaches are all to be considered with a timeshare arrangement; however this is extremely difficult to enforce as Council do not have resources for proper regulation. If dog access is permitted and enforcement is lacking, there could be negative backlash against Council's service. Discussion was had regarding people's acceptance of timeshare, will it be recognised and accepted. Due to difficulties with enforcement, Manager, Environmental Compliance advised realistically more than one or two locations cannot be effectively enforced. It was suggested that if people are given more options for dog exercise areas people will be more compliant and adhere to regulations. 8.0 Governor Phillip Park -raised for second review Request for reconsideration of Governor Phillip Park Timed access could be suitable for the location e.g. no weekend access Governor Phillip Park Plan of Management allows for an UDEA Crown Land approval would be required Very heavily utilised by tourists and visitors 9.0 McCarrs Creek Reserve - location of trial Clarification of exact location of trial area is required in policy maps, it is believed that LM to western end of reserve is the area; however map does not replicate this. investigate and correct were required 10.0 Signage/Education

Agenda Item		
 10.1 Brief discussion was had on presented material from Council's Environmental Compliance unit, however full discussion is to be carried over to August meeting. 10.2 Other items to be added to the discussion will be: Location of dogs information on Council website, difficult to find and projects negative feel on dogs in general Promotion of general dog and animal welfare Walking Pittwater – inclusion of dog friendly walks, UDEAs, vets, information for community. Dog tags – variation of permitted identification tags 10.3 Registered dog data in Pittwater – can Council obtain data and statistics on current dog population including dog owners contact details. Rather than distributing information to all ratepayers, information could be specifically targeted to dog owners only as it will be most relevant to them. This could include direct email updates or notification of updates to Council's website. 10.4 It is believed contact details for dog owners cannot be provided to Council from the NSW pet registry for privacy reasons. JL to confirm. 	JL to confirm with Pet Registry if information can be given to Council.	
11.0 Dogs access to sportsgrounds		
Request was raised for reconsideration of dog access to sportsgrounds, other Councils allow access.		
Could work for Pittwater with education of dog owners, reference made to discussion prior about people 'regulating themselves' if given access.		
Manager, Reserves and Recreation raised significant health issues surrounding dog access to sportsground, specifically relating to dog faeces on ground and contact with open wounds of players, particularly with high contact sports.		

Meeting closed at 6.05pm Next Meeting 18th August 2015 4.00pm

Sustainable Towns and Villages Committee	
12.0	Sustainable Towns and Villages Committee Business

C12.1 Imagine Mona Vale - Engagement Summary for Mona Vale Place Plan

Meeting: Sustainable Towns & Villages Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Town and Village

COMMUNITY STRATEGIC PLAN OBJECTIVES:

- To promote diverse retail and commercial opportunities
- To create a sense of place and enhance the village experience
- To improve the streetscapes and recreational qualities of the centres
- To promote sustainable development in Pittwater's town and village centres
- To ensure that Pittwater's villages remain vibrant as social, cultural and economic hubs

DELIVERY PROGRAM ACTION: Finalise Mona Vale Town Centre Place Plan.

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

At its meeting of 3 June 2014, Council resolved that Mona Vale would be the next centre to undergo master planning now place planning. From early 2014, council staff have been actively preparing for the formal engagement process by undertaking simultaneous activities to research current practices, activate spaces and places and commence a dialogue with the Pittwater community on the future of the town centre.

The attached *Imagine Mona Vale – Engagement Summary* documents a collation of the ideas, inspiration and activations that have been undertaken over an eighteen-month period. The document summarises the process, participation, feedback and common points of discussion. It highlights how the community's priorities may be applied to each of the precincts and informs the future planning framework.

The feedback has been grouped into themes presented through the recent *Urban Talks Series* and related community engagement activities. The themes of: people and destinations, retail and economics, access and linkages and urban fabric and the public realm, have provided the framework for capturing key ideas about place planning. Sometimes overlapping, these themes are the fundamental components to a successful, prosperous place.

The information and feedback distilled over the past eighteen months will inform the next phase of the process and development of the final Mona Vale Place Plan.

This document does not mark the end of engagement for Mona Vale Place Plan, it merely summaries the work undertaken throughout the preparation phase and the recent Urban Talks Series. The next phase will include further targeted engagement with key stakeholders and the broader community at pivotal stages of the plan development. Regular updates and further engagement opportunities will continue to be promoted via the project website: http://places.pittwater.nsw.gov.au/

2.0 RECOMMENDATION

- 1. That Council note the outcomes and feedback within the Imagine Mona Vale Engagement Summary document.
- 2. That the Imagine Mona Vale Engagement Summary document be placed on Council's website and distributed to key stakeholders.

3.0 BACKGROUND

3.1 **PURPOSE**

The purpose of the *Imagine Mona Vale – Engagement Summary* document is to report back to Council and the community on the outcomes and feedback of the engagement activities undertaken over the past eighteen months particularly through the Urban Talk Series between February – June 2015.

3.2 **POLICY IMPLICATIONS**

Nil

3.3 RELATED LEGISLATION

Nil

3.4 FINANCIAL ISSUES

3.4.1 **Budget**

The participation and engagement for Mona Vale Place Plan was identified within the 2013/2014 and 2014/2015 Delivery Program and Budgets.

3.4.2 Resources Implications

The continuation and completion of Mona Vale place planning is identified within the 2015/16 Delivery program and Budget.

There is an allocated amount of \$500,000 within the Capital Improvement Program for 2015/16 for Village Park improvements. Design concepts and further consultation will be finalised over the next six months with works aiming to commence third guarter of 2015/16.

4.0 KEY ISSUES

4.1 Mona Vale – a strategic centre

Mona Vale is the highest order centre within Pittwater local government area (LGA). It plays a vital role in shaping the future of the LGA in relation to sustainable growth, a focal point for economic development, contributing to employment targets and job containment and is of strategic importance in relation to housing targets (Pittwater Local Planning Strategy 2011).

Mona Vale is of strategic significance in relation to the commitment made by the NSW Government to a Bus Rapid Transit system from Mona Vale to Sydney CBD, the proposed Mona Vale Road upgrade as well as the Mona Vale Hospital redevelopment. It is vital the planning for the future of Mona Vale is within this context, and the goals and priorities established through the place planning process ensure Mona Vale is positioned as the northern end of the peninsula's vibrant town centre.

4.2 Commencement of Place Planning – Mona Vale

The purpose of a place-based approach is to ensure people are at the centre of all planning and design solutions for Pittwater's places. Establishing a vision, aspirations and strategic direction for Mona Vale is essential as is allowing for and responding to change.

The place planning for Mona Vale will achieve the same key elements to a master plan as set out in the report to Council on the 3 June 2013, including a reviewed Development Control Plan (DCP) to set the statutory standards and controls that apply when carrying out development. The difference is in the flexibility of approach, the focus on the process as well as the final outcome and the emphasis on people's connection to place.

4.3 Project area

The main area of focus for Mona Vale place planning investigations is within a 400m walkable zone from the centre of Mona Vale's civic precinct. The area within the 1km radius from the centre (as depicted in map below) is also being considered and will influence the outcomes delivered within the town centre.



4.4 Process of Participation and Engagement

As stated previously, from early 2014 council staff have been undertaking simultaneous activities for the purposes of research, activating varied spaces in the centre and the commencement of a dialogue with the Pittwater community and businesses on the current state and future of Mona Vale.

To further inform the process and formally engage the community, council staff recently delivered the Mona Vale Place Plan – Urban Talk Series. This encompassed a series of panels, workshops, 'open houses' and activations to explore with the community what makes a vibrant, successful place and how that then relates to Mona Vale.

The purpose of delivering a range of engagement activities and events has been as much about the feedback from the community as it is about engendering a deeper connection to 'place'.

A brief outline of activities and outcomes below (further details within the tabled document).

4.4.1 Knowledge Exchange

Researching Mona Vale; exploring other successful places; and testing initiatives locally. This was undertaken by Council's participation through the Future Cities Program 2014 and the delivery of the first Village Economies Summit in September 2014. Both provided staff and the community with an opportunity to discuss and exchange knowledge and experience on current practices, learnings from successes and failures and the opportunity to contextualise in a Pittwater setting.

4.4.2 Community Engagement through Activation - Spotlight on Mona Vale

Drawing inspiration from successful local and international models during 2014/15 Mona Vale has been the site of a number of activations and pilot projects including:

- Outdoor cinema in Village Park
- Mona Vale Long Lunch
- Art installations (temporary through to more permanent)
- Trial the closing of laneways and streets for community events
- Pop ups: library, food trucks, music, bars

The aim of the activations is twofold; first to address the community priority set out in the Community Strategic Plan to ensure that Pittwater's villages remain vibrant as social, cultural and economic hubs. Second was to demonstrate different uses of spaces and stimulate discussion and shift perceptions.

4.4.3 Community Engagement through the Mona Vale Urban Talks Series

Between February and June 2015 a series of Urban Talks were presented in Mona Vale with seventeen speakers participating on four panels to discuss the elements of place planning in the context of Mona Vale. The themes of: people and destinations, retail and economics, access and linkages and urban fabric and the public realm, have provided the framework for capturing key ideas about place planning. Included as part of the series of events were eight workshop and open house events with approximately 1,300 community comments received.

The aim of this series of events was to explore Mona Vale and people's connection to place, priorities for the centre and identify the challenges and opportunities.

4.5 Where to from here.

The information and feedback distilled over the past eighteen months will inform the next phase of the place planning process to develop the final Mona Vale Place Plan.

The next phase will include:

- Proceed with key studies to inform future planning controls (parking and traffic study and feasibility analysis)
- Shape draft planning controls that strategically address the priorities expressed by the community.
- Finalise concepts for Village Park
- Develop a program of action orientated interventions or 'quick wins' for the town centre.
- Explore deliberative public engagement methods for future priority setting.

Over the coming months the two priority areas of work to progress a traffic and parking study for the town centre and to finalise concepts for Village Park in conjunction with identifying and delivering short-term improvements (to the park).

5.0 TABLED DOCUMENT

Imagine Mona Vale – Engagement Summary for Mona Vale Place Plan

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 **Community Engagement**

Over the past eighteen months council staff have been actively engaging with the community through an extensive program of activations, workshops, summit, panels and the web and social media. The attached report provides a comprehensive summary of engagement activities and community feedback.

Central to the place planning process is the connection between people and place. Community participation and engagement will remain a priority for this project through to completion of the final Mona Vale Place Plan.

6.1.2 Risk Management

The process to date has been designed and implemented to ensure a wide spectrum of community feedback was sort. To ensure openness and accountability throughout the Urban Talk series the community's feedback and main points of discussion were highlighted either on the information tower in the town centre, through the community input testing tools and online.

6.2 **ENVIRONMENT**

6.2.1 Environmental Impact

The place planning process promotes environmentally sensitive urban design within town and village centres. This will include precincts that are more sustainable in terms of water, energy, waste and transportation. The program explored issues such as sustainable design and development, the promotion and integration of active transport solutions all of which will inform the future place planning for Pittwater.

6.3 **SOCIAL**

6.3.1 **Community Need & Aspirations**

The process undertaken to engage the community is underpinned by previous engagement processes (Community Strategic Plan, Social and Economic Development Plans) that captured the objective of ensuring our town and village centres remain vibrant as social, cultural and economic hubs. This foundation has been built on through the methodology used in exploring the aspirations for a future Mona Vale.

6.3.2 Strengthening local community

The aim of a place-based approach is to strengthen connections between people and place. The community engagement program, set out in the tabled summary demonstrates the breadth of participatory activities designed to strengthen the connection with place whilst also distilling a vision and priorities for the future of Mona Vale.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

Mona Vale is the main employment centre for Pittwater. The engagement program has offered exposure to best practice examples of creating vibrant communities that foster learning and offer employment options. The engagement program explored challenges such as commercial vacancy, retail diversity and containment, the delivery of relevant economic development strategies, the importance of retaining key workers and creating environments where there is investment in knowledge and innovation infrastructure.

Report prepared by

Melinda Hewitt
MANAGER, PLACE MANAGEMENT

C12.2 Tourism In Pittwater - Emerging Issues Paper

Meeting: Sustainable Towns and Villages Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Economic Development

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To promote and encourage local employment opportunities
- To encourage diverse retail and commercial opportunities within town and village centres
- To promote opportunities for sustainable tourism

DELIVERY PROGRAM ACTION:

Prepare a Draft Tourism Paper

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

In July 2012 Pittwater Council adopted its first Economic Development Plan 2012-2016 *Working locally – Connecting globally.* The Economic Development Plan comprises a series of discussion papers, each built around a theme or topic. The Plan seeks to create an environment that promotes sustainable business growth, investment and employment generation and will integrate with regional and state initiatives, linked to Council's long-term goals, strategies and outcomes.

The Pittwater Economic Development Plan was structured to allow for emerging issues and themes to be integrated in the form of 'Emerging Issues Paper'. This ensures the action development in the Delivery Program and Budget is informed by current trends emerging and community and business priorities.

The Economic Development Plan identified tourism as a major and growing contributor to Pittwater's economy and to local and regional recognition of Pittwater, as a great place to visit, live, work, play and invest. More than 1900 of our Pittwater residents (approximately 10 per cent of our local workforce) are employed directly in tourism and hospitality, which is above the national average. Local tourism creates job opportunities for the whole community with more people needed to work in this sector. Pittwater data indicates there were 640,000 visitors to Pittwater per annum, staying 460,000 visitor nights.

Council's recent research and engagement as part of place planning for the Mona Vale town centre also highlighted that visitors to Pittwater are looking to experience our superb beaches, and enjoy our stunning coastline. Almost 80 per cent of respondents to Council's tourism survey for the Draft Tourism in Pittwater Emerging Issues Paper, chose dining, cafes, bars and restaurants as a highlight. These motivators positively support economic development in many ways by generating local employment and contributing to town and village cultural vibrancy.

The overall aim of the Draft Tourism in Pittwater Paper (Draft Paper) is to identify current and future tourism opportunities and some challenges that will enhance tourism in Pittwater and support the local economy, while valuing the strong connection and desire to preserve the natural environment that makes Pittwater unique.

2.0 RECOMMENDATION

- 1. That the Draft Tourism in Pittwater Emerging Issues Paper be placed on public exhibition between 20 August and 20 September 2015, and
- 2. That following the public exhibition period, a further report is brought back to Council, outlining submissions received.

3.0 BACKGROUND

3.1 **PURPOSE**

To report on the development of the Draft Tourism In Pittwater - Emerging Issues Paper which is the first emerging issues paper in the Pittwater Economic Development Plan 2012-2016 'Working locally - Connecting globally' and to seek approval for the Draft Tourism In Pittwater Emerging Issues Paper to be placed on public exhibition for period of 28 days commencing 20 August until 20 September, 2015.

3.2 BACKGROUND

- 3.2.1 Within the 2014-2015 Delivery Plan and Budget there was an action to supplement Council's Economic Development Plan to expand one of the themes, identify trends and availability of new key data, information and research findings for the tourism sector. The key aim of this Draft Paper will help increase the overall recognition of the tourism business sector in Pittwater, as a major source of local economic development by government and the business sector. It will assist the alignment of local and relevant state strategies underpinning tourism, as well be a useful tool and framework for educators, investors, tourism operators and wider business community for implementation of their own plans.
- 3.2.2 As a dynamic and growing sector contributing to the NSW State and National economies, tourism provides many opportunities, particularly for Local Government, as the provider and manager of key infrastructure and services, so often utilised by visitors, as well as residents. Pittwater-based tourism related businesses continue to be regular attendees and contributors to discussion at Council-initiated seminar events and other key networking opportunities, collaboratively organised with our local Chambers of Commerce and Pittwater Business Ltd. Representatives from specialist retailers, tour operators, café / restauranteurs, boating, sailing adventures and specialist education providers are well represented in the over 8,500 small and medium sized businesses located in Pittwater.
- 3.2.3 Community engagement and consultation for the Draft Paper took place between end January and end March, 2015. Over seventy responses were received from Council's Tourism in Pittwater online Survey, February 2015.
 - The same on line survey questionnaire comprising twelve broad based questions was also used as the basis by the facilitators at the two tourism workshops held to engage business and community attendees for the tourism sector discussion,

Thirty one-on-one interviews were held with local tourism-related businesses, industry associations and other government agencies, including: National Parks and Wildlife Service; Destination NSW; University of Technology; NSW Business Chamber; Restaurant & Catering Industry Association; Pittwater Business Ltd; Bayfields Ltd; Pittwater Coastal Environment Centre (staff); Chambers of Commerce.

3.3 **POLICY IMPLICATIONS**

Nil

3.4 RELATED LEGISLATION

Nil

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

- The aim of the Economic Development Plan 2012-2016 is to inform the action development and resource allocation within the delivery program and budget and the year in which actions will occur.
- The budget for the development of this emerging issues paper is contained within the Delivery Program and Budget 2014/15

3.5.2 Resources Implications.

 Economic Development outcomes is managed by Pittwater Council's Economic Development Coordinator within the Place Management Business Unit

4.0 KEY ISSUES

4.1 Tourism as a component of the Economic Development Plan

- 4.1.1 The Draft Tourism in Pittwater Emerging Issues Paper builds upon the significant body of research and information captured in the Economic Development Plan. Pittwater is presented in the Plan as having significant economic development—related strengths, including a stable, highly skilled and educated workforce and diverse economic base, supporting innovative micro to large globally competitive businesses. The Economic Development Plan also seeks to create an environment that promotes sustainable business growth, investment and employment generation and helps to integrate regional and state initiatives, linked to Council's long-term goals, strategies and outcomes. The Plan also highlights the contribution of businesses to the Pittwater community, describing the underpinning role business plays in building strong, vibrant town and village economies.
- 4.1.2 The Economic Development Plan is designed to be a living document and has the function to be supplemented with emerging issues papers. The Draft Tourism in Pittwater Paper is the first comprehensive emerging issues paper.
- 4.1.3 The Draft Paper has been developed now to facilitate a greater recognition of the tourism business sector in Pittwater. Sustainable tourism is a major source of local economic development currently. Eating out, shopping and sightseeing top the list of activities for New South Wales. With a growing industry locally and nationally, more people are needed to work in this sector.

4.2 Methodology

4.2.1 In the development of the Economic Development Plan, tourism, assets, key stakeholders and businesses were identified, this provided the platform for further exploration into the tourism sector and the potential benefits for Pittwater. In the Draft Tourism in Pittwater Paper the key aims relate to identifying existing and emerging tourism issues and opportunities to assist in a greater understanding of the community's tourism-related priority areas, to be identified through the engagement processes.

Research included reference to other local government, state and national trends in the tourism business sector, including the following aspects:

- **Situation analysis:** current sector structure; governance structures; tourism and hospitality products; key competitive strengths; current research; existing target markets; performance to date; existing funding and investment in the industry; social, cultural, economic and political influences,
- Tourism vision and image setting: reference to the desired image, marketing and vision for the area based on agreed competitive strengths, following consultation with key stakeholder individuals and groups.
- Opportunities and Challenges: identification of local / regional tourism related opportunities especially, including reference to destination management and eco-tourism and sustainability principles.

5.0 TABLED DOCUMENTS

Draft Tourism In Pittwater – Emerging Issues Paper will be circulated separately.

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 Community Engagement

Key dates - engagement plan and promotional activities included:

27/01/2015 - Whole of community online survey goes live www.surveymonkey.com/s/tourismpaper

9/02/2015 - Media launch of the Tourism Paper process.

Social media consultation:

Pittwater Council's facebook page included questions about tourism in Pittwater to prompt discussion from the Pittwater community.

Targeted Stakeholder meetings and consultation:

Place Management staff conducted interviews and meetings with a range of targeted stakeholder groups, including:

- Local tourism-oriented businesses,
- Chambers of Commerce. Pittwater Business Ltd.
- Leading and Learning Reference Group,
- Connecting Communities Reference Group,
- Pittwater Artists Trail representatives.
- Senior staff of the SHOROC Regional Economic Development Working Group,

- University of Technology (Tourism),
- Tourism Industry Advisory Council NSW Business Chamber,
- NSW National Parks & Wildlife, Destination NSW, NSW Department of Industry,
- NSI TAFENSW Brookvale Campus Tourism.
- Relevant internal divisions of Council.

Two externally facilitated Focus Groups were conducted on 10/02/15 and 26/02/15 with invited businesses and wide community participation.

6.1.2 Risk Management

The Draft Tourism in Pittwater – Emerging Issues Paper was developed in consultation with the community and key stakeholders to ensure broad representation and participation in an open and transparent process.

6.2 **ENVIRONMENT**

6.2.1 **Environmental Impact**

- The Draft Tourism In Pittwater Emerging Issues Paper describes the way in which sustainable tourism and eco-tourism principals are about building a type and a style of tourism development that contributes to the economic viability of Pittwater's places and people through employment and investment. It contributes to communities' sense of pride, place attachment and connection with others and it encourages sustainable stewardship over the environmental and natural resources that contribute to the tourist experience.
- Many tourism development-related opportunities make a feature of their environmental credentials and can enhance natural features, sites and values.

6.2.2 Mitigation Measures

- For Pittwater a sustainable tourism sector is one that:
 - our day trippers / visitors will enjoy their time in Pittwater, and will want to travel here for the unique and sustainable tourism experiences we offer
 - tourism-related businesses will be financially profitable, able to reinvest in their businesses, and attract and retain the skilled workers they need
 - the natural environment will be protected and enhanced
 - we work collaboratively with business and the wider community for mutual benefit of this business sector.

6.3 **SOCIAL**

Community Need & Aspirations

- The Draft Tourism In Pittwater Paper supports and connects the business and wider community, identifying opportunities with wide-ranging community, social and cultural tourism-related outcomes.
- Social and cultural benefits can be enhanced with greater respect for community values and social benefits like employment and locally focussed visitor activities and experiences, especially in our town and village centres.

Strengthening local community

- Tourism and increasing visitation to friends and relatives will also have a supportive business role to help create places where the community want to live, connect, experience and visit,
- Vibrant, liveable centres will attract increased visitors to our centres and public places to help grow the night time and daytime local economy and build stronger communities,

 Job generation in this sector will help promote quality local experiences and knowledge generation, as well as likely support higher levels of customer service delivery.

6.4 **ECONOMIC**

Economic Development

- Tourism is a major and growing contributor to Pittwater's economy. More than ten per cent of our local workforce is employed directly in tourism and hospitality, which is above the national average. Job opportunities exist for all, including young and mature aged residents with many job vacancies available in this sector. The tourism and hospitality industry is one of the few industries which is able to offer employment on a casual, part-time, fulltime and internship basis, and across a variety of skill levels.
- The opportunity exists for those unemployed in Pittwater to actively seek employment in the LGA's tourism and hospitality businesses. Council and the Chambers of Commerce can play an important role in linking those looking for work and those businesses seeking key workers.

Report prepared by Paul William-Smith, Economic Development Coordinator, Place Management

Melinda Hewitt

MANAGER, PLACE MANAGEMENT

C12.3 Enliven Pittwater Progress Report

Meeting: Sustainable Towns and Villages Committee Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Sustainable Towns & Villages

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To promote diverse retail and commercial opportunities
- To create a sense of place and enhance the village experience
- To improve the streetscapes and recreational qualities of the centres
- To promote sustainable development in Pittwater's town and village centres
- To ensure that Pittwater's villages remain vibrant as social, cultural and economic hubs

DELIVERY PROGRAM ACTION:

 Develop a strategy to enhance the public domain in local villages and town centres to stimulate social, cultural and economic activity.

1.0 EXECUTIVE SUMMARY

SUMMARY

The Enliven Pittwater strategy has continued to deliver economic development and place making outcomes over the past six months to June 30, 2015. The activities delivered through this strategy are underpinned by Pittwater Council's Social and Economic Development Plans 2012-2016. Over the past six months Enliven Pittwater has complimented the engagement activities for the Mona Vale Place Plan. Enliven Pittwater has partnered with community, Chambers of Commerce and individuals in a number of projects including: visiting internationally recognised light expert Leni Schwendinger in Mona Vale: attended by Enliven Leadership Group members and Chambers of Commerce representatives; Avalon On Islands Exhibition, TEDx Pittwater 2015, and The Avalon Winter Solstice Festival.

The Enliven Pittwater Strategy has continued to meet its key objective of 'enlivening' Pittwater's town and village centres by delivering 15 "quick wins" for the period January 2015 to June 2015 in addition to supporting a number of community initiatives. Since its inception in July 2013 Enliven Pittwater Strategy has delivered a total of 60 'quick win' activities that have met the eight Enliven Pittwater objectives.

2.0 RECOMMENDATION

- 1. That Council note the progress the Enliven Pittwater strategy achieved over the past six months.
- 2. That Council note that an expression of interest for two community representatives for the Enliven Pittwater Leadership Group will be advertised in mid-August 2015 and will be for a period of 28 days.

3.0 BACKGROUND

3.1 PURPOSE

Provide Council with a six monthly progress report on the Enliven Pittwater strategy. This report contains progress from January 2015–July 2015.

3.2 BACKGROUND

At its meeting on 15 April 2013 Council resolved to establish the Enliven Pittwater strategy.

In line with this resolution, an Expression of Interest process was undertaken to identify a Leadership Group and the launching of Enliven Pittwater in July 2013. Enliven Pittwater underpins both the Pittwater Social Plan and the Pittwater Economic Development Plan, 2012-2016. Each plan identifies Pittwater's Town and Village centres as playing an important role in the community's social, cultural and economic life.

Pittwater Council's Social Plan specifically identified social and cultural offerings in our villages enhances community connectedness and wellbeing. Pittwater's first ever Economic Development Plan describes the importance of streetscapes, design and pop-up experiences in bolstering our local economy. Both Plans explore the connection between the local community and the village centres, demonstrating the role such centres play in the social and economic fabric of Pittwater.

The vision for Enliven Pittwater is to enhance vibrancy in Pittwater's town and village centres. This will be achieved by delivering a program of social, cultural and economic outcomes across Pittwater to enhance and activate each centre. Pittwater's village centres are well utilised, offering diverse shopping, eating and recreational opportunities. Enliven Pittwater's aim is to energise these centres with place making strategies using existing assets either delivered by Council or by other stakeholders and building a program of village centred activities designed to enliven our public domains and business centres.

The Enliven Pittwater strategy, now in its second year can demonstrate successful achievement of its vision through a strong program of activations and community engagement to achieve measurable outcomes.

Over the past two years the Enliven Pittwater Strategy has been able to achieve wide success through collaboration and partnerships with Chambers of Commerce and broader business community, local schools, the arts community and community groups. The success of Enliven Pittwater has been primarily due to developing platforms which enable and support the above mentioned groups to participate in activating the centres.

To date there have been a number of outcomes achieved through Enliven Pittwater which are further outlined within this progress report.

3.3 **POLICY IMPLICATIONS**

Nil

3.4 RELATED LEGISLATION

Nil

3.5 FINANCIAL ISSUES

3.5.1. **Budget**

The budget is contained within the adopted Delivery Program and Budget 2015/16.

3.5.2 Resources Implications

The Enliven Pittwater strategy is an ongoing place-making strategy aimed at increasing the vibrancy in Pittwater's Town and Village Centres. This is coordinated through the Enliven Pittwater Officer within the Place Management Business Unit.

4.0 KEY ISSUES

4.1 ENLIVEN PITTWATER OBJECTIVES

The Leadership Group have adopted the following eight objectives that continue to guide and underpin the strategies undertaken under the banner of Enliven Pittwater.

Support and promote local business	Coordination of local events and activities	Build cultural vitality	Enhance individual town and village identities
Develop stronger partnerships with each Chamber of Commerce and Business Network	Enhance the experience of living, working and playing in Pittwater's town and village centres	Embrace innovation in the social, cultural and economic realms	Community Engagement

4.1.1 PROGRESS FOR PERIOD JANUARY 2015 – JUNE 2015

Over the past six months the Enliven Pittwater Strategy has continued to develop and deliver quick win activities, trial new concepts and develop partnerships. Linked to the related Enliven Pittwater objectives the table below outlines the outcomes and impacts of the activities delivered over the last six months.

	Actions	Impacts
1.	Avalon OnIslands Exhibition January 13, 2015	Enliven partnered with Avalon Palm Beach Business Chamber and Eramboo to provide deliver a satellite exhibition in Avalon Village. The event attracted many favourable comments and local businesses were pleased with the activation outcomes.
2.	Event Ready Spaces Project May – August 2015	Infrastructure including external access to power and permanently installed stainless steel cabling for the suspension of lighting and art works was recently installed in Mona Vale as part of the Enliven Event Ready Space Project. This enabled local business to participate in the program of Place Making activations for the Mona Vale Place Plan through the creation of efficiencies in installation costs and providing event infrastructure to create atmospheric themed events that attracted over 500 community participants throughout the course of the Mona Vale Place Planning community engagement activities.

	Actions	Impacts
Four Events in conjunction with the Mona Vale Place Plan : Urban Talk Series February - May 2015.		Four pop up events were planned as part of the community engagement strategy to attract Mona Vale and Pittwater resident's engagement in the Mona Vale Place Plan. In addition it provided Mona Vale residents and visitors with a taste of "urban life "not usually seen in Pittwater.
3.	Lucy's Pop up Diner Saturday February 19, 2015	Infrastructure including external access to power, and permanently installed stainless steel cabling for the suspension of lighting and art works, recently installed as part of the Enliven Event Ready Space Project, was fully utilised allowing efficiencies in installation costs and time, to create an atmospheric "American Diner" themed event to attract community to the Library precinct and to engage them in the Mona Vale Place Plan.
		Lucy's Diner Food truck attracted positive media attention with an article appearing in the Manly Daily prior to the event providing positive Enliven brand reinforcement. Festoon lighting and the Enliven milk crate stools added to the atmosphere of family fun: also purchased as part of the Event ready Spaces project. The laneway was transformed for the evening creating an exciting and unique social opportunity for both families and the broader community. Music from local entertainment duo Kay z provided the ambiance which was enjoyed by over 200 participants.
4.	Jazzing Up Mona Vale's Night Time Economy Friday March 20, 2015	Consistent with the Urban Talk panel forum, this event was designed to demonstrate how enhanced night time activity in Mona Vale could look. Local Bar proprietors 'Edison's 'expressed interest in running the pop up Bar event with music. The weather was less than favourable on the night however the event was a great success with Edison's operators reporting an increase in trade post event which they attribute directly to the exposure gained via this Pop up event and afforded this small business operator an opportunity to enhance their business skills in event management. The event successfully raised interest in the Mona Vale Place Plan.
5.	Cinema – Youth Week Friday April 10 , 2015	Enliven Pittwater supported the Community Services team during the 2015 Youth Week event: Cinema in the Park. Using social media and the Enliven App this event was promoted to a broader community base. Unfortunately the weather for this

	Actions	Impacts	
		event was not ideal, yet attracted over 60 participants those that attended gave very positive feedback.	
6.	The Game: Avalon Art Carnival Commenced April, 2015.	Enliven Pittwater is partnering with Avalon Palm Beach Business Chamber and Eramboo Artist Environment to deliver The Game: Avalon Art Carnival.	
		The project sees a group of 30 selected artists working together with New York based public art expert Kendal Henry to create art which responds to Avalon Village.	
		Participating artists come together for an intensive workshop, wherein they identified sites of interest around Avalon and commenced planning for the creation and installation of public artworks which will be presented in November 2015. Businesses and audiences also had opportunity to connect with The Game through free talks and networking events.	
		Between March and June Enliven Pittwater and Pittwater Council have continued to promote the project, report on key successes to date, and provide planning support in advance of the November event.	
7.	Light workshop Friday May 1, 2015.	This night time illumination workshop with New York lighting expert Leni Schwendinger from Arup as part of the Future Cities Collaborative. The 15 participants representing Mona Vale and Avalon Chambers of Commerce and members of the Enliven Leadership Group.	
		Leni provided insightful pointers on how Mona Vale's night time atmosphere could be improved by the addition of lighting in a range of are locations.	
8.	Coffee and Chocolate Experience -Mona Vale Saturday May 16, 2015	This daytime pop up event in the library laneway precinct attracted over 500 visitors keen to taste the offerings provided by speciality retailers Kraving K, Churros Amigos and local coffee supplier Coffee Brothers. The event attracted passers-by as well as dedicated visitors and enabled the Place Management team to engage with a broader audience in its community engagement for Mona Vale. The event was also run as a trial for a possible larger scale coffee based event at a later date to coincide with the Sydney Aroma festival.	
9.	Enliven Pittwater App Retro Bike Competition April 10 – Sunday 3 May 2015 Pittwater Food and Wine Fair	The promotional competition at the Pittwater Wine and Food Fair The Enliven Pittwater 'Win a retro Bike' was designed to increase the number of Enliven App users. The competition was successful as the increase in users recorded correlated to the competition period. The competition stall at the	

	Actions	Impacts	
	May Sunday May 3, 2015	Pittwater Wine and Food Fair attracted over 500 visitors and over 800 entries were received.	
10.	TEDx Pittwater Saturday June 20, 2015	Enliven Pittwater supported TEDx Pittwater 2015. Enliven Pittwater worked in partnership with Cr Selena Griffith and Dale Cohen to present a dynamic TEDx Pittwater event at Newport Community Centre. Attended by over 100 guests the event was a great success with Enliven Pittwater receiving very positive feedback from those who attended.	
11.	Avalon Winter Solstice Festival Sunday June 21, 2015	Liaison with Avalon Palm Beach Business Chamber Event support and advice for this festival included: Promotion and advertising - Social media and print media Liaison with other council business units to facilitate event approval Advice on approval submission Printing and laminating of flyers and distribution by Enliven Pittwater in face to face walk around to Avalon Businesses Provision of infrastructure: Enliven Pittwater stools and giant games for use on the day including pick-up and delivery costs and access to power was supported by Enliven Pittwater. Liaison with Avalon RSL Management to facilitate street art on the rear of RSL property.	
12.	Fence wrap – Elanora Heights March – August 2015	As part of Council's upgrades to Elanora Heights village, an artist-designed fence wrap was installed around a construction bay. Fiona Verity's design was a playful twist on local flora and fauna, with animals chattering in anticipation about the enhancements to the street. The fence wrap was installed in March.	
13.	Enliven Pittwater/Eramboo Artist in Residence Program 2015 March – June 2015	The 2015 Enliven Pittwater/Eramboo Artist in Residency program commenced in January, with selected artist Harriet Napier Birks in residence until March.	
		March – June saw Harriet plan and promote an exhibition of her new body of work, titled 'Asleep in the Colour Factory' which opened 30 June. The exhibition included stop-motion projections and 2D illustrations.	
		A series of public programs were held in conjunction with the exhibition, including artist's talks and a	

	Actions	Impacts	
		community exhibition titled jellybloomz. The jellybloomz program took the form of a physical exhibition as well as an online Instagram gallery.	
14.	Supporting community initiatives: January - July 2015	Enliven Pittwater extended the promotional reach to a number of events, with coverage through social media, Enliven Pittwater App, web and hardcopy material. Support and/ or promotion were provided to: Tibetan Monks Mandela Avalon Recreational Centre, Pittwater Artists Trail open weekend and Pittwater Artists Trail winter exhibition- Avalon Beach SLSC.	
		These events have added vitality to Pittwater, creating recreational and social opportunities across a range of target ages.	
15.	The Enliven Pittwater App May – June 2015	Marketing focus over the next six months will focus on increasing the number of subscribers.	
	iviay cand zore	A workshop and feedback session was conducted in May 2015 with frequent users of the Enliven App. Feedback was used to inform improvement actions which were then implemented in June 2015.	
		Improvements included:	
		Explore Button – changed from static site based search to a map based visual with pin locator for activity based businesses when searching references under the Business search function and will facilitate easier integration of tourism activities in Pittwater. Addition of the Sports and Clubs Button to replace 'network' button	
		Provided a Link to cross promote Walking in Pittwater app	
		Marketing Strategy.	
		Increase awareness locally and in the broader market place for the Enliven Pittwater App through a strong media and social media campaign in the months of September and October, prior to the Pittwater's major event season.	
		Since launching:	
		Over 580 Businesses listed on the app	
		Over 1200 users have downloaded the app	
		Over 144 events posted in the past 12 months	

4.1.2 KEY LEARNINGS AND IMPROVEMENTS

Feedback gathered by Enliven Pittwater from Chambers of Commerce, community and Enliven Pittwater partners have led to a number of continuous improvement actions being implemented. The first was the rationalisation of a number of processes to facilitate easier access for the wider community to activate our town and village centres, and included a reduction in fees for busking permits to encourage increased and varied footpath activations. Enliven Pittwater has sought to develop relationships with business owners that foster a positive approach to footpath licencing whilst maintaining equity and amenity for public use.

In line with current global place making approaches of enabling lighter, quicker, cheaper activations Enliven Pittwater has created 'event ready spaces' for each of our towns and villages. These spaces coupled with Enliven Pittwater's initiative to seek pre- approved road closures for a period of three years provide significant cost and time savings for partners interested in creating activations that benefit our town and villages centres. Further to these improvements, increased face to face meetings and networking with local businesses and community groups, has continued to build and strengthen the outcomes and demonstrate the objective of increasing vitality in Pittwater's town and village centres. These improvements reduce barriers and enable a greater variety of activations in keeping with community needs and expectations, whilst maintaining safety and integrity of public space in our towns and villages.

4.2 ENLIVEN PITTWATER LEADERSHIP GROUP

The Leadership Group is made up of key representatives from; Council, the local business sector and the broader community. The members are Pittwater residents and business people committed to the idea of an 'enlivened' Pittwater. They share the vision of a community and local economy that is progressive and dynamic. The group's main role is to set strategic objectives, champion the vision, identify opportunities and drive local interest, participation and ownership.

The Enliven Pittwater Leadership Group current representation is as follows:

Pittwater Councillors (3)	Cr Townsend (South)
	Cr Griffith (North)
	Cr Ferguson (Central)
Key Council Staff (3)	General Manager
	Manager – Place Management
	Economic Development Coordinator
Chambers of Commerce	Aaron Henrikson (Mona Vale)
	John Gavagna (Mona Vale)
	Ros Marsh (Avalon)
	Jayne Denshire (Avalon)
	Karen Bond (Newport)
Pittwater Business Ltd (1)	Gail Fitzpatrick
Youth Representative (2)	Brittany Ryan
	Claire Munro
Arts & Culture Representative (1)	Greg Stonehouse
Community Representative (1)	Dale Cohen

Two new youth representatives joined the Enliven Leadership Group at the May meeting. These two members seek to bring the voice of younger members to the group and equally as a voice out to our younger community members; to ensure Enliven Pittwater meets its key values, as a vehicle, collaborator and place maker.

Both youth members have participated in two planning sessions with the Enliven Project Officer and Community & Youth Development Officers to assist young members in developing briefs for projects of interest to younger Pittwater community members.

In line with the Enliven Pittwater Leadership Group Charter, two community representatives will be sought for the Enliven Pittwater Leadership group through a formal expression of interest process to be advertised late August for a period of 28 days.

4.3 Focus Areas for 2015

The Enliven Pittwater Strategy has now moved into the facilitation phase where the focus over the next 6-12 months will be on partnership development to deliver sustainable outcomes for business and community to continue to *'enliven'* Pittwater town and village centres.

Enliven Pittwater has played a key role in the place planning process for Mona Vale by working with local businesses to deliver a number of place making events in conjunction with the engagement activities for the centre. The Enliven Pittwater Leadership Group has been a key stakeholder in engaging Business and Community in the place planning process to explore the opportunities and challenges for the future of Mona Vale.

Strategies implemented in the past six months have included the development of event ready spaces in Avalon, Mona Vale and Newport as well as continuing to develop event guidelines and tools to assist community and business to enact events and activations that are mutually beneficial. In addition, Enliven Pittwater has continued to demonstrate and test a range of events and activations across Pittwater ensuring the momentum of the strategy is maintained and the Enliven brand strengthened.

Enliven Pittwater's objective is to enhance vibrancy of our towns and villages in partnership with community groups and business by providing expertise and infrastructural support to community driven events and activations in the coming year.

4.3.1 Enliven Pittwater App

A review of the Enliven Pittwater app took place in May 2015 at Punch Buggy Digital Media offices in Mona Vale. Frequent users of the app were identified and asked to provide feedback on their experiences with Enliven Pittwater app, its usability and suggest improvements. Based on this feedback and review continuous improvement measures have now been implemented to promote usage and engagement of the Enliven Pittwater App. A Marketing strategy to promote the Enliven App enhancements is currently under way and will be implemented strategically in the lead up to spring and summer, when events and activations are at their peak.

4.3.2 The successful completion of the program of works at Elanora Heights Village and the demonstration of 'quick wins' including a local artist commissioned to design fence wrap and a community event following the completion of the streetscape works in Kalang road, providing an opportunity for the extension of Enliven Pittwater to Elanora Heights Village. It is planned that the Pittwater's Economic Development Coordinator will work with Elanora Heights Business community over the next six months to develop capacity and seek an appropriate representative.

5.0 ATTACHMENTS

Attachment 1: Enliven Pittwater Objectives and Goals.

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 **Community Engagement**

The Enliven Pittwater Strategy engages with community through a number of vehicles and platforms including the Enliven Pittwater Leadership group, Enliven events and activations and Enliven Pittwater Social media channels, business and community partnerships.

The Enliven Pittwater Leadership Group consists of a broad range of representatives from major stakeholder groups including councillors, youth, and community and council officers and has been strengthened over recent months to include additional councillor and youth representations.

6.1.2 Risk Management

Community and Business sentiment has been closely monitored following all events and feedback remains positive. Pittwater Council and the Enliven Pittwater Leadership Group work closely with business and community groups in relation to managing and delivering supported events and activities.

6.2 **ENVIRONMENT**

6.2.1 Environmental Impact

Nil

6.2.2 Mitigation Measures

Nil

6.3 **SOCIAL**

6.3.1 Address Community Needs & Aspirations

Enliven Pittwater is underpinned by both the Economic Development Plan, and the Social Plan 2012 – 2016 which identify the communities priority areas and aims to develop opportunities for employment, education and training in the region, through promotion of business, and fostering of relationships with local, state and National agencies to develop regional employment opportunities and enhance the economic vibrancy of our towns and villages.

6.3.2 Strengthening local community

The Enliven Pittwater Strategy as a vehicle for Place Making is designed to strengthen the social, cultural and economic dynamic in local centres and supports community by encouraging increased variety of cultural experiences in our towns and village centres. Initially facilitated by Enliven Pittwater, the strategy aims to provide community and business with the capacity to drive future experiences autonomously.

6.4 **ECONOMIC**

6.4.1 Economic Development

Enliven Pittwater is underpinned by the Economic Development Plan which aims to guide, support, profile and promote business and sustainable economic development in Pittwater. The Enliven Pittwater strategy assists community in identifying opportunities for economic growth through ongoing engagement, seminar events, effective partnerships and collaborative relationships with local business and networks as well as government and non-government organisations.

Report prepared by Liz Cassis, Enliven Pittwater Project Officer

Melinda Hewitt

MANAGER, PLACE MANAGEMENT



Enliven Pittwater's Aim

Enliven Pittwater's aim is to increase vibrancy in Pittwater's town and village centres. Through partnership between business leaders, Council and community members, Enliven Pittwater Will strengthen the social, cultural and economic dynamic in local centres.

Our approach

Enliven Pittwater a vehicle

Enliven Pittwater a collaborator

Enliven Pittwater a place maker

Our Objectives

The Enliven Pittwater project is underpinned by eight objectives.

Support and promote local business	Coordination of local events and activities	Build cultural vitality	Enhance individual town and village identities
Develop stronger partnerships with each Chamber of Commerce and Business Network	Enhance the experience of living, working and playing in Pittwater's town and village centres	Embrace innovation in the social, cultural and economic realms	Community Engagement

Objective 1

Support and promote local business

Enliven Pittwater can be viewed as a facilitator for action, a way in which platforms can be developed to enable businesses and community groups to drive the vision of a more vibrant town and village centres.

Goals

- Cooperative and collaborative partnerships
- Well utilised platforms to enable business and community groups to drive the vision of more vibrant town and village centres
- Improved sense of pride and positive dialogue by businesses and workers in each centre

Objective 2

Coordination of local events and activities

The coordination and programming of activities and events in the town and village centres plays an important role in Enliven Pittwater as they provide key opportunities for:

- Challenging existing perceptions of spaces and places.
- The community to connect and build social capital
- The activation of specific sites

Goals

- Make Pittwater synonymous with high quality, boutique and signature events
- Build local awareness of activities and events
- Build broader awareness of local events (regional, Sydney Metro)
- Provide incentive for the tourists that come to Pittwater each season to stay and spend time in the centres and surrounds

Objective 3

Build cultural vitality

"Pittwater's community is passionate about increased cultural activity. The demand is not only for an increase in frequency, but an increase in variety. Community members want art experiences that move them, they want to be challenged and delighted with new, experimental and interactive art." (Pittwater Council – Arts Paper 2013)

Goals

- To increase cultural activity in public realms
- To increase audience participation in cultural activities
- To establish Pittwater as a satellite location for major cultural events

Objective 4

Enhance individual town and village identities

Pittwater's town and village centres are not facing social or economic decline, in fact the local community has a strong sense of connection to each of them. A more focused approach to enhancing the individual identities, focused on assets and points of difference as well as challenging existing perceptions is more in line with what is needed to build the centres profile, attraction and therefore vibrancy.

Goals

- Develop a strong brand (identity) for each centre
- People know what the centre represents and what they can expect to see and do there

Objective 5

Develop stronger partnerships with each of the Chambers of Commerce and Business Network

The Chambers of Commerce are pivotal to the implementation and success of Enliven Pittwater. Building the capacity of each Chamber of Commerce and developing stronger partnerships to pursue the vision of Enliven Pittwater will continue to be a priority for Enliven Pittwater.

Goals

- Active and sustainable Chambers of Commerce
- > Stronger partnerships between Council and Chambers, Chamber to Chamber
- Strong distinct identifies for Chambers and other networking bodies including Pittwater Business Ltd (PBL)

Objective 6

Enhance the experience of living, working and playing in Pittwater's town and village centres

Enliven Pittwater recognises one of the major catalysts to achieving vibrancy is the creating of a framework in which the public realm and built form enables people to inhabit and freely utilise the spaces and places within the town and village centres.

Goals

- More people are attracted to spend more time in each of the centres
- A more vibrant night time economy An enhanced more vibrant Mona Vale

Objective 7 -

Embrace innovation in the social, cultural and economic realms

Enliven Pittwater aims to provide platforms for change, innovation and collaboration to realise the potential Pittwater's town and village centres have to offer.

Goals

- Council, businesses and community embracing innovative ventures, partnerships and experimentation.
- Creating an environment where innovative business and industry can emerge and grow

Objective 8 -

Community Engagement

The purpose of community engagement is to raise awareness of the overall Enliven Pittwater strategy, promote the activities, forge partnerships and to create a dialogue with the community on what they would like to see achieved through Enliven Pittwater.

Goals

Informed, engaged and participatory community

C12.4 Telstra Pocket Park - New Licence

Meeting: Sustainable Towns and Villages Date: 17 August 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Towns and Villages

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To ensure that Pittwater's Town and Village centres remain vibrant, social, cultural and economic hubs.
- To enhance the public domain in local town and village centres to stimulate social, economic and cultural activity.

DELIVERY PROGRAM ACTION:

 To enhance the public domain in local town and village centres to stimulate social, economic and cultural activity.

1.0 EXECUTIVE SUMMARY

1.1 **SUMMARY**

Telstra have requested we enter into a licence with them regarding the disused Telstra site in Old Pittwater Road Mona Vale, adjacent to the Telstra exchange at same address. This land measuring 308 square metres is to be used to enhance the current streetscape and add vibrancy to Mona Vale's town center. At Telstra's request this licence agreement is consistent with the licence agreement for the Palm Beach bus shelter, Barrenjoey Road Palm Beach, recently endorsed by Council. The licence term is 20 years plus a 20 year option. The rent is \$1pa on demand.

2.0 RECOMMENDATION

That a 20 year licence for the Telstra Pocket Park (Lot 1 DP 555463 Old Pittwater Road, Mona Vale) be endorsed.

3.0 BACKGROUND

3.1 **PURPOSE**

For Council to endorse a new 20 year licence for Lot 1 DP 555463 Old Pittwater Road, Mona Vale Old Pittwater Road Mona Vale.

3.2 BACKGROUND

Telstra have offered Pittwater Council the licence to use land currently owned and tended by Telstra for the purpose of enhancing Mona Vale Village centre and utilising the space for place making activities. The land is currently unused and has of recent times become overgrown with weeds and in its current form is a detractor to the town centre. Council have the opportunity to use the land as public space to enhance the streetscape and provide a new public outdoor space that can be utilised for a number of place making activities.

Telstra would like to formalise the agreement by way of a licence agreement for the 308 square metres of Telstra land.

3.3 **POLICY IMPLICATIONS**

Ni

3.4 RELATED LEGISLATION

Nil

3.5 FINANCIAL ISSUES

3.5.1 **Budget**

 Ongoing maintenance of the Pocket Park is included in Councils operating budget.

3.5.2 Resources Implications

- \$1 per annum to be paid on demand to Telstra
- On-going park maintenance

4.0 KEY ISSUES

- Signing this licence with Telstra will allow Council to utilise this land to enhance Mona Vale Town centre and create additional public space.
- Council will be responsible for the maintenance and cleaning of the site.
- Use of land for Council/community events (Example, plant giveaways, art and installations, etc.)
- Council will provide indemnity for this site (as per see attachment)

5.0 ATTACHMENTS

Attachment 1 - Licence & Indemnity Form

Attachment 2 - Site Plan

6.0 SUSTAINABILITY ASSESSMENT

6.1 **GOVERNANCE & RISK**

6.1.1 **Community Engagement**

Use of land for Council/community events (Example, plant giveaways, art and installations, etc.)

6.1.2 Risk Management

This licence allows for public access to this land for a period of 20 years.

6.2 **ENVIRONMENT**

6.2.1 **Environmental Impact**

The park will provide additional public green space in Mona Vale town centre.

6.2.2 Mitigation Measures

Nil

6.3 **SOCIAL**

6.3.1 Address Community Need & Aspirations

Provides additional public space in Mona Vale Town centre and that can be utilised for a number of community activities.

6.3.2 Strengthening local community

Enhances public domain.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

The pocket park will provide additional public space which can be utilised for place making activities that promote vibrancy and economic development in Mona Vale town centre .e.g. pop up activations, busking, art installations, live performance space.

Report prepared by Liz Cassis - Project Officer Enliven Pittwater

Melinda Hewitt
MANAGER, PLACE MANAGEMENT

LICENCE & INDEMNITY

Particulars

OUR DETAILS

Name	Telstra Corporation Limited (ABN 33 051 775 556) (Previously Australian Telecommunications Corporation)	(we, us or our)
Address for Notices	Director, Telstra Property C/- Jones Lang LaSalle Level 34, 241 Exhibition Street, Melbourne VIC 3000	
Contact Person	Property Management Director	
Fax Number	03 9639 9314	
Phone Number	03 9639 9314	

YOUR DETAILS

Name	Pittwater Council	(you or your)
ABN	61 340 837 871	
Address for Notices	PO Box 882 Mona Vale NSW 1660	
Contact Person	General Manager, Pittwater Council	
Email	info@pittwater.nsw.gov.au	
Fax	02 9970 1200	
Phone	02 9970 1105	

KEY DETAILS

➤ OUR LAND

Address	Lot 1 in DP 555463 located at Old Pittwater Road, Mona Vale.	
Accessible Areas	An area of 308 m2 on our land which is described as 'Pocket Park' in the plan annexed to this Licence & Indemnity.	

MATERIALS

Landscaping treatments including paving, seating, walls, fences, lighting, planting, sculpture, drainage, irrigation, shade structures and other elements to create usable public open space.

> TERM

Twenty (20) years plus a twenty (20) year option.

> RENT

\$1 per annum on demand

Permitted Purpose

We grant you a licence to access the Accessible Areas of Our Land for the purpose:

- A. Public open space
- B. Designing, installing, maintaining, cleaning, repairing and removing the materials on the terms and conditions set out in this document.
- Use of land for Council/community events (e.g. plant giveaways, art and public exhibitions, community stalls, etc.)

Agreement

- Any term used in this agreement which is referred to on the front page of this agreement will have the same meaning as given on the front page of this agreement.
- 2. This agreement begins on the Start Date and continues until it is terminated.
- This agreement is entered into in consideration of the parties incurring obligations and giving rights under this agreement and for other valuable consideration.
- 4. We grant you a licence for you (and your directors, employees, agents, volunteers, contractors or representatives) to access the Accessible Areas of Our Land, on the terms set out in this agreement, for the sole purpose of designing, installing, maintaining, cleaning and repairing the Materials and operating a public bus shelter.
- 5. You must ensure that the design (including the location) of the Materials:
 - (a) complies with all applicable laws and regulations;
 - (b) is not defamatory or offensive:
 - (c) does not infringe the intellectual property rights of any third party; and
 - (d) will not, and is not likely to:
 - (i) harm our, or any member of the Telstra Group's, name, reputation, products or services;
 - (ii) bring you, us, any member of the Telstra Group or the Materials into disrepute; or
 - (iii) cause you, us, any member of the Telstra Group or the Materials to be the subject of a scandal or ridicule.
- Nothing in this document confers on you any rights of a tenant or creates the relationship of landlord and tenant between us and you.
- You (and your directors, employees, agents, volunteers, contractors and representatives) may only access the Accessible Areas of Our Land:
 - (a) for the purpose of designing, installing, maintaining, cleaning, repairing the Materials
 - (b) at times agreed between you and us; and
 - (c) in the presence and under the supervision of our personnel, where reasonably required by us.
- 8. You must:
 - (a) ensure that any and all works carried out by you (including your directors, employees, agents, volunteers, contractors and representatives) under this agreement are carried out in accordance with all applicable laws and requirements;

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- (b) (subject to (c)), at your cost, obtain all necessary approvals and permits for the design, installation, repair and maintenance of the Materials and comply with the same and all other applicable laws and requirements:
- (c) (if we have agreed to contribute to the costs of installation of the Materials) ensure that any conditions relating to our financial contribution towards the installation of the Materials are satisfied on time;
- (d) ensure that the Materials comply with all relevant Australian Standards and are suitable for outdoor and all weather use:
- (e) do all things and take all measures necessary to protect people and property during installation, repair and maintenance of the Materials, including erecting barricades and warning signs if appropriate;
- (f) install the Materials at no cost to us and with due care and skill;
- (g) give us at least 24 hours prior notice of the installation, replacement or removal of any of the Materials.
- You must, at your cost, maintain the Materials during the term of this agreement and must ensure that the Materials remain in a clean and safe condition at all times. Without limiting the forgoing, you must:
 - (a) keep the Materials free from graffiti and dirt and free from any safety hazards; and
 - (b) promptly comply with any reasonable notice that we may give to you to clean, repair or maintain the Materials within 30 days of service of such a notice on you.
- 10. We may at any time and for any reason:
 - (a) modify or remove the Materials, or part of the Materials, at our cost, without notice to you; or
 - (b) notify you that you must modify or remove the Materials, or part of the Materials, at your cost.
- 11. If we request that you modify or remove the Materials, or part of the Materials, you must do so in accordance with our reasonable directions and to our reasonable satisfaction within 7 days of receiving our request.
- 12. You indemnify us against any liability, loss or expense caused by:
 - (a) a breach of this agreement:
 - (b) your access or use of the Accessible Areas of Our Land for the purposes of installing, maintaining, cleaning or repairing the Materials, including any damage caused by you to Our Land; or
 - (c) your unlawful or negligent acts or omissions,
 - except to the extent that we contribute to the liability, loss or expense.
- 13. It is not necessary for a party to incur expense or make payment before enforcing a right of indemnity under this agreement.
- 14. The rights and remedies in this agreement are in addition to, and do not limit, any other rights and remedies available at law
- 15. Notwithstanding any other clause in this agreement, each indemnity in this agreement is a continuing obligation, independent from the parties' other obligations under this agreement and continues after this agreement ends or is earlier terminated.
- 16. We may terminate this agreement by written notice to you if, in our reasonable opinion, you are in breach of any of the terms and conditions of this agreement.
- 17. A party may terminate this agreement on 6 months written notice to the other party. Any termination of this agreement will not affect any right, entitlement of benefit that may have arisen prior to the termination of this agreement (including our rights under any indemnity contained in this agreement). Our rights under clause 16 are not affected by this clause.
- 18. This agreement constitutes the entire agreement between the parties about the Materials and supersedes any previous agreement or representation relating to the Materials.
- 19. This agreement is governed by the laws of the Australian State or Territory in which Our Land is located. Each party submits to the non exclusive jurisdiction of the courts of that place and the courts of appeal from them
- 20. All notices and consents must be in writing and sent to the addresses or fax numbers for notices specified on the front page of this agreement, or to your officer or as otherwise agreed. Notices must not be sent by email
- 21. Each party warrants to the other that:
 - (a) entering into and performing its obligations under this agreement does not breach any existing agreement or arrangement with, obligations owed to or any rights of, any third party;
 - (b) it has full power and authority to enter into and perform its obligations under this agreement;
 - (c) it has taken all necessary action to authorise the execution, delivery and performance of this agreement; and
 - (d) this agreement constitutes its legal, valid and binding obligations, enforceable in accordance with its terms.

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AGREED BY YOU

Signed for you by your authorised representative:

Signature	Date	
Print Name	Position	

AGREED BY US

Signed for us by our authorised representative:

Signature	Date	
Print Name	Position	



Counc	
Counc	il Meeting
13.0	Adoption of Leading and Learning Committee Recommendations
14.0	Adoption of Sustainable Towns and Villages Committee Recommendations
Comm	ittee of the Whole